

COVID-19 Pandemic

(In Chronological Order)

H.B. 197

Primary Sponsors: Reps. Powell and Merrin

Effective date: Emergency: March 27, 2020; one item vetoed

Extension of absent voting, 2020 primary

- Voids Secretary of State directive 2020-06, issued on March 16, 2020.
- Extends absent voting in the March 17, 2020, primary election through April 28, 2020.
- Allows an elector who had not already cast a ballot in the election, and was registered to vote as of the February 18, 2020, deadline, to cast an absent voter's ballot through 7:30 p.m. on April 28.
- Requires ballots already cast before or after the act's March 27, 2020, effective date also to be counted after 7:30 p.m. on April 28.
- Requires the Secretary of State to mail a postcard to each elector in Ohio with information about voting.
- Establishes deadlines and requirements regarding absent voter's ballots.
- Permits an elector to cast ballots in person at the office of the board of elections on April 28, 2020, by 7:30 p.m. if the elector either (1) has a disability and wishes to use an accessible voting machine, or (2) is unable to receive mail.
- Requires all ballots to be received at the board's office not later than 7:30 p.m. on April 28, 2020, in order to be counted, but included a ten-day grace period for ballots to arrive by mail after that time, the same as under the permanent statute.
- Allows an absent voter or provisional voter to cure an incomplete ballot statement or provide additional information, if required, not later than May 5, 2020.
- Requires the Secretary of State and boards of elections to conduct all post-election procedures by adding 42 days to the statutory deadlines (the number of days between March 17 and April 28).
- Specifies that for the purpose of contribution limits that apply during a primary election period, the primary election period ended on March 17, 2020.
- Extends the filing deadline for candidates and political entities to file their post-primary campaign finance statements to 4:00 p.m. on June 5, 2020.

Purchasing and contracting requirements

- Suspends the state purchasing and contracting requirements, such as competitive bidding, that otherwise would apply to the Secretary of State, to implement the act's election provisions.
- Requires the Secretary to file a report with the President of the Controlling Board describing all purchases for which the Secretary did not follow the state purchasing and contracting requirements.

Appropriation

- Appropriates \$7 million to the Secretary of State in FY 2020 to pay for expenses related to implementing the election provisions.

Unemployment compensation

- Specifies that, during the period of emergency declared by Executive Order 2020-01D, dated March 9, 2020, but not beyond December 1, 2020, an individual is not disqualified from unemployment benefits if the individual is unable to work because of an order issued by the employer, the Governor, or a state or local health authority.
- Charges benefits paid to an individual who is unable to work due to an order described above to the mutualized account, unless the benefits are chargeable to a reimbursing employer.
- Suspends, during the period described above, a requirement that an individual serve a waiting period before receiving unemployment benefits.
- Allows the Director of Job and Family Services, during that period, to waive the requirement actively to search for suitable work as a condition of receiving unemployment benefits.

K-12 education

State assessments

- Exempts all public and chartered nonpublic schools from administering the state achievement assessments for the 2019-2020 school year.

Report cards; sanctions and penalties

- Prohibits the Department of Education from issuing ratings for overall grades, components, and individual measures on the state report cards and submitting preliminary data for report cards for school districts and buildings.
- Establishes a safe harbor from penalties and sanctions for districts and schools based on the absence of state report card grades for the 2019-2020 school year.

Third-grade reading guarantee

- Exempts schools from retaining a student under the third-grade reading guarantee based solely on the student's academic performance in reading in the 2019-2020 school year,

unless the student's principal and reading teacher determine the student is not reading at grade level and is not prepared for fourth grade.

High school graduation

- Permits public and nonpublic schools to grant a diploma to any student on track to graduate and for whom the principal, in consultation with teachers and counselors, determines has successfully completed the high school curriculum or individualized education program at the time of the order to close schools.
- Permits a district or school that previously adopted a resolution to exceed the state minimum high school curriculum requirements to elect to require only the minimum curriculum when determining high school graduation for 2019-2020.
- Declares the General Assembly's intent that schools continue to find ways to keep students actively engaged in learning opportunities for the remainder of the school year and to grant needed in-person instructional experiences as soon as reasonably possible.

Other education provisions

- Prohibits the use of the value-added progress dimension from the 2019-2020 school year to measure student learning for teacher performance evaluations.
- Prohibits use of certain components for community school sponsor ratings for the 2019-2020 school year.
- Permits a district board of education to elect not to conduct evaluations of district employees, including teachers, administrators, or a superintendent for the 2019-2020 school year, if the board determines it to be impossible or impracticable.
- Authorizes the Superintendent of Public Instruction to adjust deadlines for certain annual requirements.
- Permits the Chancellor of Higher Education, in consultation with the state Superintendent, to extend, waive, or otherwise modify requirements of the College Credit Plus Program.
- Permits the state Superintendent to waive or extend deadlines, or otherwise grant providers and students flexibility, for completion of adult education program requirements.
- Permits the Department, on behalf of the State Board of Education, to issue one-year, nonrenewable, provisional licenses to educators who have met all other requirements except the requirement to pass a subject area exam.

Ed Choice performance-based scholarships

- Prohibits the Department of Education from awarding most first-time, performance-based Educational Choice (Ed Choice) scholarships for the 2020-2021 school year to students who are newly eligible for that year.

- Requires the Department to continue awarding performance-based scholarships to students who received them in the prior year, and to award first-time scholarships to:
 - Students with siblings who received those scholarships in the 2019-2020 school year, if they also meet other eligibility criteria;
 - Students eligible for those scholarships for the 2019-2020 school year, regardless of whether they received them, who remain eligible for 2020-2021; and
 - Students, including those entering kindergarten or high school or recently relocated, who did not receive a scholarship in 2019-2020, but are enrolled or would be newly enrolled for 2020-2021 in a district school building that meets certain conditions.
- Specifies that performance-based scholarships for the 2020-2021 school year will be financed through deductions from the students' resident school districts.

Services to special needs students

- Permits nonclassroom personnel providing professional services to students with disabilities, for the duration of the Director of Health's order to close schools for the COVID-19 outbreak or until December 1, 2020, if the order or extension of the order has not been rescinded, to provide services electronically or via telehealth communication.

Distance learning make up

- For the 2019-2020 school year, permits school districts, STEM schools, community schools that are not internet- or computer-based schools (e-schools), and chartered nonpublic schools to make up through distance learning any number of days or hours necessary due to school closures for the COVID-19 outbreak.

Summer food programs

- Authorizes the Director of Agriculture, during the period of the emergency declared by Executive Order 2020-01D, but not beyond December 1, 2020, to exempt a school or other entity from regulation as a food processing establishment if:
 - It has been issued a food service operation license; and
 - It is transporting food only for purposes of the Seamless Summer Option Program or the Summer Food Service Program (programs administered by U.S.D.A.).

Public water systems

- Authorizes the Director of Environmental Protection to issue an order to a public water system that does any of the following:
 - Requires the system to restore service to any customer whose service was disconnected as a result of nonpayment of fees and charges;
 - Requires it to waive all fees for connection or reconnection; or
 - Prohibits it from disconnecting customers because of nonpayment of fees and charges.

- Specifies that the order may be enforced under the Safe Drinking Water Law.
- Specifies that the order may be issued and is valid during the period of the emergency declared by the Governor under Executive Order 2020-01D, but not beyond December 1, 2020.

Temporary tax compliance relief

- Authorizes the Tax Commissioner, for the duration of the declared COVID-19 state of emergency, to further extend state filing and payment deadlines on state taxes and fees administered by the Commissioner, and suspends penalties on those delayed filings and payments.
- Authorizes the Tax Commissioner to waive the accrual of interest on extended tax payments.
- Authorizes the Commissioner to similarly extend filing and payment deadlines, suspend penalties, and waive interest for municipal income taxes on the net profits of businesses that file those taxes with the Department of Taxation instead of with individual municipalities.
- For municipal income taxes, treats income earned by an employee required to work at a temporary worksite because of the emergency as being earned at the employee's principal place of work, potentially affecting the municipal income tax withholding and liability of the employee and employer.

Child day care

- Suspends child-to-staff ratios and maximum group sizes for licensed child day-care centers during the COVID-19 emergency period, but not beyond December 1, 2020.
- Authorizes the Department of Job and Family Services to continue to pay publicly funded child care providers during the COVID-19 emergency.
- Extends to September 1, 2020 (from July 1, 2020) the date by which providers of publicly funded child care must be rated through the Step Up to Quality Program.

Medicaid COVID-19 community providers

- Authorizes the Medicaid Director, during the COVID-19 emergency period, but not beyond December 1, 2020, to classify certain Medicaid providers as COVID-19 community providers and to transfer, or request transfer of, funds to pay those providers.
- Appropriates the transferred funds.

Nurses

- Authorizes the Board of Nursing, during the period of the COVID-19 emergency, to issue certain temporary nursing licenses without the otherwise required licensure examinations.

- Permanently grants certified registered nurse anesthetists (CRNAs) authority to select, order, and administer drugs, treatments, and intravenous fluids for conditions related to administration of anesthesia, but only during specified time periods and in accordance with a health care facility's required policy.
- Permits a CRNA to direct nurses and respiratory therapists to perform specified tasks, including administering drugs, in certain circumstances.
- Authorizes a CRNA to perform additional activities or services, including ordering and evaluating diagnostic tests.
- Allows a supervising practitioner or health care facility to prohibit a CRNA from performing an activity or service authorized by the act if the supervising practitioner or facility determines that is not in a patient's best interest for the CRNA to do so.

Deadline, license extensions

- Temporarily extends deadlines with which a state agency must comply, and deadlines with which a licensee must comply to maintain a valid license, that occur during the emergency declared by Executive Order 2020-01D, until the earlier of 90 days after the emergency ends or December 1, 2020.
- Allows a license that would otherwise expire during the emergency to remain valid until the earlier of 90 days after the emergency ends or December 1, 2020, unless it is otherwise subject to discipline or limitation for reasons unrelated to a licensee's delay in taking action to maintain the license's validity during the deadline extension.
- Extends expiration dates that apply to concealed handgun licenses scheduled to expire during the emergency, until the earlier of 90 days after the scheduled expiration or December 1, 2020.
- Excludes from the deadline extensions an individual who has a duty to register or enroll as a violent offender, arson offender, or sex offender.
- Exempts from suit a state agency and licensee for complying with the deadline extensions.

Tolling of statutes of limitations and other time limits (PARTIALLY VETOED)

- Tolls the criminal statutes of limitations, the civil statutes of limitations, and the administrative statutes of limitations and any other criminal, civil, or administrative time limitations that are set to expire between March 9, 2020, and July 30, 2020.
- Would have required any other "deadline" set to expire between March 9, 2020, and July 30, 2020, to be tolled (VETOED).
- Specifies that the tolling of these statutes of limitations and court time limitations and deadlines apply retroactively to March 9, 2020, the date of the emergency declared by Executive Order 2020-01D.

- Specifies that the tolling provisions expire on the date the period of emergency ends or July 30, 2020, whichever is sooner.

Public meetings and hearings

- Establishes a policy for public meetings and hearings for use during the period of emergency declared by Executive Order 2020-01D only, but not beyond December 1, 2020.

Auditor of State

- Allows the Auditor of State to waive the requirement that the Auditor conduct a standard financial audit after conducting an agreed-upon procedures audit in two consecutive audit periods, for any audit period during which the emergency declared by Executive Order 2020-01D is effective.
- Allows the Auditor to waive all criteria a public office is required to satisfy in order for the Auditor to conduct an agreed-upon procedures audit instead of a standard financial audit, for any audit period during which the emergency declared by Executive Order 2020-01D is effective.

Retirant reemployment penalty

- Waives the penalty for a retired state retirement system member who becomes reemployed by certain public employers during the period of the emergency declared by the Governor, but not beyond December 1, 2020.

Retirement board elections

- Allows a public retirement system board to delay to December 1, 2020, a board member election scheduled to take place during the period of the emergency declared by the Governor but before December 1, 2020.

Various fees and requirements

- During the period of the emergency declared by Executive Order 2020-01D, but not beyond December 1, 2020, allows the Ohio Public Works Commission, Ohio Water Development Authority, and OEPA to waive fees and other specified requirements.

Local government

- Suspends, until August 30, 2020, the law regarding liability of a county recorder for failure to timely perform certain duties of the office.
- Requires certain local offices to remain open during the period of the emergency declared by Executive Order 2020-01D, to perform certain functions.
- Provides a county central committee of a political party an additional 45 days to fill a vacancy from the date the vacancy was required to be filled during the period of the emergency declared by Executive Order 2020-01D.

Budget Stabilization Fund transfer

- Authorizes the Director of Budget and Management to transfer cash, with the approval of the Controlling Board, from the Budget Stabilization Fund to the GRF in FY 2020.

Capital appropriation

- Appropriates \$20 million to capital appropriation item C10050, State Agency Capital Projects, and allows a temporary transfer of up to \$20 million from the Building Improvement Fund to the Administrative Building Fund.

Permanent tax changes

- Incorporates into Ohio income tax law changes to federal tax law taking effect since March 30, 2018, including the recently enacted “Further Consolidated Appropriations Act, 2020.”
- Narrows application of a sales and use tax exemption for diapers and incontinence products reimbursed by Medicaid.
- Makes technical and corrective changes to the tax laws.
- Makes a few substantive changes in tax laws to correct apparent errors in previous legislation.

Severability clause

- Stipulates that if any item of law contained in the act is held invalid, the invalidity does not affect the other items.

H.B. 164

Primary Sponsor: Rep. Ginter

Effective date: Emergency and appropriations: June 19, 2020; provisions regarding religious expression in schools, Quality Community School Support Program, and the additional payment for school districts with a net decrease in FY 2020 state funding effective September 18, 2020

High school diploma qualifications

- Permits a student who was scheduled to take or re-take an end-of-course exam in the 2019-2020 school year, but did not do so because the exam was cancelled, to use the student’s final course grade in lieu of an exam score to satisfy conditions for a high school diploma.
- Specifies that a student who was scheduled to take an end-of-course exam for the first time in the 2019-2020 school year may use a final grade for a course completed in that year, while a student who was scheduled to re-take an exam that was cancelled may use a grade for a course completed in that year or a prior year.

Third-grade reading guarantee

- For the 2020-2021 school year only, prohibits a school district or school from retaining in the third grade a student who does not attain a passing score on the fall administration of the third grade English language arts achievement assessment under specified conditions.
- Prohibits the State Board of Education from reviewing and adjusting upward the promotion score for the third grade English language arts assessment for the 2020-2021 school year and, instead, requires the use of the 2019-2020 promotion score for the 2020-2021 school year.
- Exempts a teacher assigned to provide intense remediation reading assistance to a student in the 2020-2021 school year under the Third-Grade reading guarantee from certain criteria otherwise required under continuing law.

Reading improvement plans

- Exempts public schools from having to establish reading improvement plans for the 2020-2021 school year based on assessment results for the 2019-2020 school year.

Academic assessment records for home instructed students

- Exempts parents of students receiving home instruction from the administrative rule requirement to submit an “academic assessment record” for the 2019-2020 school year to the student’s resident school district superintendent as a condition of allowing the student to continue receiving home instruction in 2020-2021.

Community school sponsor ratings

- Prohibits the Department from issuing any community school sponsor ratings for the 2019-2020 school year.
- Requires the Department to allow a sponsor to indicate that it could not comply with an applicable law or administrative rule or fully adhere to a quality practice due to the closure of schools.
- Establishes a safe harbor from penalties and sanctions for community school sponsors based on the absence of community school sponsor ratings for the 2019-2020 school year, in which only ratings from previous and subsequent years are considered.
- Allows a community school sponsor to remain eligible in the 2020-2021 school year for any incentives that the sponsor was eligible for in 2019-2020.

Services to special needs students

- Extends through the end of the 2020-2021 school year authority enacted in H.B. 197 of the 133rd General Assembly for specified licensed nonclassroom personnel who provide professional services to students with disabilities to do so electronically or via telehealth communication.

- Adds school psychologists licensed by the State Board of Education to the professionals who may use this authority applies.
- Permits a teacher who is licensed to teach special education and is employed to teach a “public school preschool integrated class” prior to the effective date of licensure requirement changes by the State Board to continue to teach such a class until the teacher retires, resigns, or is reassigned.

Remote learning

- Permits certain public schools that have not otherwise been approved to use a “blended” learning model under continuing law for the 2020-2021 school year to adopt a plan to provide instruction using a “remote” learning model for the that year.

Grade band flexibility

- Permits a school district to employ or reassign a licensed teacher to teach a subject area or grade level for which the teacher is not licensed for the 2020-2021 school year under specified conditions.

Teacher and principal evaluations

- Permits a school district that did not participate in the teacher evaluation pilot program established for the 2019-2020 school year to continue evaluating teachers on two-year or three-year evaluation cycles even if the district completes an evaluation for them in the 2019-2020 school year without a student growth measure.
- Specifies that a teacher who did not have a student growth measure as part of an evaluation for the 2019-2020 school year must remain at the same point in the teacher’s evaluation cycle, and retain the same evaluation rating, for the 2020-2021 school year as the 2019-2020 school year.
- Authorizes a school district to choose to complete a principal’s performance evaluation for the 2019-2020 school year without using a student growth measure as part of the evaluation.
- Prohibits a school district from using value-added progress dimension data, high-quality student data, or other student academic growth data to measure student learning attributable to a teacher or principal while conducting evaluations for the 2020-2021 school year.

Community school governing authorities

- Permits a person to serve on the governing authority of more than five start-up community schools under specified conditions.

Storm shelters

- Extends from September 15, 2020, to November 30, 2022, the existing moratorium regarding the construction of storm shelters in private and public school buildings.

Online bus driver training

- Requires the Department to develop an online training program to satisfy the classroom portion of pre-service and annual in-service training for school bus driver certification for the 2020-2021 school year.

School funding adjustments

- Requires the Department of Education to make a payment, for FYs 2020 and 2021, to each city, local, exempted village, or joint vocational school district with more than a 10% decrease in the taxable value of utility tangible personal property (TPP) that has at least one power plant located within its territory.
- Specifies that if a city, local, or exempted village school district experienced an increase in the taxable value of all utility TPP subject to taxation between tax years 2016 and 2017 and, as a result, had funds deducted from its state education aid, the Department must credit the deducted amount to the district.
- Requires the Department to pay additional funds to each city, local, and exempted village school district that, for FY 2020, experienced a net reduction of foundation funding exceeding 6%, after counting state budget reductions and pandemic relief funding from the federal CARES Act.
- Appropriates \$24 million to the Department for FY 2020 to support the additional payment offsetting the budget reduction.
- Changes the criteria for a community school with an operator that operates schools in other states to be designated as a “community school of quality” for the Quality Community School Support Program by also requiring the school to be in its first year of operation.

Religious expression in schools

- Requires public schools to give students who wish to meet for the purpose of religious expression the same access to school facilities given to secular student groups, without regard to the content of the expression.
- Removes a provision that permitted a school district to limit the exercise or expression of religion to lunch periods or other noninstructional time periods.
- Authorizes students enrolled in public schools to engage in religious expression before, during, and after school hours in the same manner and to the same extent as they may engage in secular activities or expression before, during, and after school hours.
- Prohibits public schools from restricting a student from engaging in religious expression in completing homework, artwork, or other assignments.
- Prohibits public schools from rewarding or penalizing a student based on the religious content of the student’s homework, artwork, or other assignments.

- Designates the provisions regarding religious expression as the “Ohio Student Religious Liberties Act of 2019.”

H.B. 481

Primary Sponsor: Rep. Fraizer

Effective date: Emergency: June 19, 2020

Local CARES Act revenue distribution

- Appropriates \$350 million of funding allocated to the state from the federal “Coronavirus Aid, Relief, and Economic Security Act” (CARES Act) to counties, municipalities, and townships to fund COVID-19 pandemic-related expenses.
- Distributes funds based on the proportion of Local Government Fund revenue allocated to subdivisions in 2019 (excluding local governments that receive direct federal funding under the CARES Act).
- Requires a subdivision, before receiving a payment, to adopt a resolution affirming that the subdivision will spend it only on pandemic-related expenses as required under the CARES Act.
- Requires local funds unspent as of October 15, 2020, to be redistributed to local governments that have spent their full allocation.
- Requires subdivisions to return unspent CARES Act funds to the state by December 28, 2020.

CAT exclusion for forgiven CARES Act debt

- Exempts paycheck protection loan amounts forgiven under the CARES Act from the commercial activity tax (CAT).

State employee pay freeze

- Allows the OBM Director to request the DAS Director to order a freeze on certain state employee salary increases and pay supplements during the pay periods that include July 1, 2020, through June 30, 2021.
- Permits the Secretary of State, the Auditor of State, the Treasurer of State, and the Attorney General to give notice to the DAS Director and apply the pay freeze to the office’s employees.
- Exempts special hazard salary adjustments related to COVID-19.
- Permits, under continuing law, the Governor to issue any necessary orders to the DAS Director to implement personnel actions.

Local government cost savings programs

- Authorizes a county, township, or municipal corporation to establish a mandatory cost savings program for its exempt employees because of a fiscal emergency or lack of work due to COVID-19.
- Requires each exempt employee to participate in the cost savings program for up to 160 hours, as determined by the appointing authority, in state FY 2021.
- Requires an appointing authority that establishes a mandatory cost savings program to issue guidelines on how it will implement the program.

Medicaid rates for nursing facilities

- Eliminates the market basket index and budget reduction adjustment factor used in determining a nursing facility's per Medicaid day payment rates.
- Specifies that FY 2021 is the last year that nursing facilities will receive a quality incentive payment and revises the methods for calculating the incentive payment.
- Increases appropriation item, Medicaid Health Care Services, by \$3.2 million (\$1.2 million state share) in FY 2021.

Capital reappropriations

- Makes approximately \$1.28 billion in capital reappropriations for the biennium ending June 30. (For more details about the reappropriations, see the [LSC Fiscal Note, as Enacted.](#))

Land conveyances

- Authorizes the sale and conveyance of 23 pieces of state-owned real estate by various methods.
- Authorizes three easements on state-owned real estate.

H.B. 614

Primary Sponsors: Reps. Fraizer and Richardson

Effective date: Emergency: October 1, 2020

Director of Job and Family Services duties

- Requires the Director of Job and Family Services to develop, and periodically review, a written staffing plan to be implemented whenever there is a substantial increase or substantial decrease in inquiries or claims for unemployment benefits.
- Requires the Director to adopt rules creating a system for participants in the unemployment benefit application process to make customer service complaints.

- Requires the Director to maintain a consolidated list of contacts related to inquiries about unemployment benefits.
- Revises the process by which the Director notifies an applicant for unemployment benefits of eligibility issues.

Council

- Creates the Unemployment Compensation Modernization and Improvement Council to examine the process by which claims for unemployment benefits are filed and paid.
- Requires the Council to prepare an initial report, within six months after its first meeting, describing the state of the claims process and any planned improvements to it.
- Requires the Council to be notified of security breaches in unemployment compensation records and of substantial disruptions in the claims process.
- Prohibits the Council from examining the solvency of Ohio's Unemployment Compensation Fund or changes that would either increase or reduce benefits paid from the fund.

Auditor's examination of claims process

- Requires the Auditor of State to examine the unemployment benefit claims process and prepare a report containing specified information by July 1, 2021.

Local CARES Act revenue distribution

- Appropriates \$650 million of funding allocated to Ohio from the federal CARES Act to counties, municipalities, and townships to fund COVID-19 pandemic-related expenses.
- Distributes funds based on population (excluding local governments that receive direct federal funding under the CARES Act).
- Requires subdivisions to spend the funds only on pandemic-related expenses as required under the CARES Act.
- Changes procedures and defers deadlines prescribed by H.B. 481 of the 133rd General Assembly for redistributing unspent CARES Act funds to local subdivisions and, later, returning unspent funds to the state.

Workforce-education partnership programs

- Permits a college or university and employers to establish a workforce-education partnership program to assist students to graduate from college with no student debt.
- Requires the Chancellor of Higher Education to create a template for workforce-education partnership programs.

Concealed handgun licenses

- From October 1, 2020, until June 30, 2021, allows an Ohio resident applying for a concealed handgun license to file the application with any county sheriff, rather than only with the sheriff of the county of residence or an adjacent county.
- Further extends the concealed handgun license expiration date extended in H.B. 197 of the 133rd General Assembly so that any license that would have expired beginning on March 9, 2020, until June 30, 2021, is extended until June 30, 2021, or 90 days after the license would have expired, whichever is later.
- Allows a sheriff to designate up to eight additional hours during which only county residents may file applications for concealed handgun licenses.
- Clarifies that the 30-day grace period that applies to a concealed handgun license after expiration under continuing law also applies to an expiration that is extended under the act.

Other appropriations

- Appropriates an additional \$4 million in FY 2021 for Facilities Establishment Fund (Fund 7037) line item 195615, Facilities Establishment.
- Increases capital appropriations under the Parks and Recreation Improvement Fund (Fund 7035) capital appropriation item C725E2 by \$550,000 to support two community projects under the Department of Natural Resources.

Land conveyances

- Authorizes the conveyance of two tracts of state-owned land under the Department of Rehabilitation and Correction's jurisdiction, in Madison and Warren counties.

H.B. 404

Primary Sponsors: Reps. Manchester and Sweeney

Effective date: Emergency: November 22, 2020

Local CARES Act revenue distribution

- Requires that unspent federal CARES Act funds paid to local subdivisions be paid to the state treasury if they cannot be redistributed.

Temporary extensions

- Extends, until July 1, 2021, temporary law that:
 - Authorizes the Director of Agriculture to exempt a school or entity from regulation as a food processing establishment for federal summer food programs;
 - Authorizes public bodies to hold meetings virtually; and

- Waives the penalty for a retirant who becomes reemployed by certain public employers.

Deadline and license extensions

- Prolongs the temporary extension of state agency compliance with deadlines, so that agencies have until July 1, 2021, to comply with deadlines that fall between March 9, 2020, and April 1, 2021.
- Prolongs the temporary extension of compliance with deadlines to maintain licenses, so that licensees have until July 1, 2021, to comply with deadlines that fall between March 9, 2020, and April 1, 2021.
- Prolongs the temporary extension of license validity so that licenses otherwise expiring between March 9, 2020, and April 1, 2021, remain valid until July 1, 2021.

Education

Diagnostic assessments

- Specifies that schools cannot be penalized for failing to administer specified assessments in the fall of 2020 to certain students who could not come to school.

K-1 health screenings

- Specifies that schools cannot be penalized for failing to conduct health screenings prior to November 1, 2020, for certain students in kindergarten or first grade who could not come to school.
- Requires a district or school to conduct health screenings for kindergartners and first graders who did not receive them for the 2020-2021 school year, but specifies that a school may forego screenings for certain students until they can be safely conducted.

Community school transportation

- Permits a community school, by December 31, 2020, to accept responsibility to provide or arrange transportation of its students for the 2020-2021 school year.
- Specifies that a community school that accepts responsibility to provide or arrange for transportation must receive state transportation funding for the entire school year.

School employee evaluations

- Extends to the 2021-2022 school year the prohibition against using certain academic growth data to measure student learning attributable to a teacher, principal, or school counselor while conducting performance evaluations.
- Extends the authorization for a school district to choose to complete a principal's performance evaluation for the 2020-2021 school year without using a student growth measure as part of the evaluation.

- For the 2020-2021 school year, permits a school district board of education to elect not to complete a performance evaluation of a district employee if the district or board determines that it is impossible or impracticable to do so.
- Extends the authority for a school district to continue evaluating teachers on two-year or three-year evaluation cycles, even if the district completes an evaluation for those teachers in the 2020-2021 school year without using a student growth measure.
- Specifies that a teacher who did not have a student growth measure as part of an evaluation for the 2020-2021 school year must remain at the same point in the evaluation cycle, and retain the same evaluation rating, for the 2021-2022 school year as for 2019-2020.

College Credit Plus

- Extends to the 2020-2021 and 2021-2022 school years the Chancellor of Higher Education's temporary authority to extend, waive, or modify requirements of the College Credit Plus Program.

H.B. 272

Primary Sponsors: Reps. Oelslager and Hillyer

Effective date: December 16, 2020

- Prohibits any public official from causing an election to be conducted other than in the time, place, and manner prescribed by the Revised Code.
- Prohibits any public official from issuing an order to close all places of worship in Ohio or in a geographic area of Ohio.
- Expands the exercise of personal jurisdiction by a court to include personal jurisdiction over a person on any basis consistent with the Ohio Constitution and the United States Constitution.

H.B. 606

Primary Sponsor: Rep. Grendell

Effective date: December 16, 2020

Temporary civil immunity for health care providers

- In temporary law, grants qualified civil immunity to specified health care providers who provide health care services or emergency services during a declared disaster or emergency as described below.
- Grants immunity from tort liability and professional discipline for such services provided as a result of and in response to a disaster or emergency that results in injury, death, or

loss allegedly resulting from (1) actions or omissions related to those services, (2) decisions related to those services, and (3) compliance with an executive order or director's order.

- Grants immunity from tort liability and professional discipline for injury, death, or loss allegedly resulting because a health care provider was unable to treat a person due to an executive or director's order or a local health order issued in relation to a public health emergency.

Exceptions to immunity

- Excludes from immunity in tort actions conduct that constitutes a reckless disregard of the consequences or intentional, willful, or wanton misconduct.
- Excludes from immunity in professional disciplinary actions conduct that constitutes gross negligence.
- Excludes from immunity conduct outside the skills, education, or training of the health care provider, unless undertaken in good faith in response to a lack of resources caused by a disaster or emergency.

Limitations

- Specifies that the immunity does not create a new cause of action or substantive legal right against a health care provider or affect any immunities or responsibilities of a health care provider.
- Prohibits a class action when the immunity does not apply.
- Limits the act's provisions regarding immunity for health care providers to March 9, 2020, through September 30, 2021.

General immunity

- In temporary law, generally prohibits bringing a civil action for injury, death, or loss to person or property against any person for injury, death, or loss caused by exposure to, or transmission or contraction of, MERS-CoV, SARS-CoV, or SARS-CoV-2.
- Negates that immunity when the exposure, transmission, or contraction was by "reckless conduct" or intentional, willful, or wanton misconduct.
- Prohibits a class action when the general immunity does not apply.
- Specifies that a government order, recommendation, or guideline does not create a duty of care on a person that may be enforced in a cause of action or that may create a new cause of action or substantive right against any person.
- Limits the immunity to March 9, 2020, through September 30, 2021.

Legislative findings and intent

- Based on enumerated findings, declares the General Assembly's intent that executive branch and local orders and recommendations do not create new legal duties for

purposes of tort liability and are presumed to be (1) irrelevant to the existence or breach of a duty and (2) inadmissible to establish the existence or breach of a duty.

Other

- Specifies that the act's provisions apply from March 9, 2020, through September 30, 2021.
- Specifies that if any provision of the act is found invalid, it does not affect other provisions of the act that can be given effect without the invalid provision.

H.B. 409

Primary Sponsor: Rep. Koehler

Effective date: Emergency: January 7, 2021; e-school provisions effective April 12, 2021

COVID-19 measures for the 2020-2021 school year

Authority to adjust deadlines

- Authorizes the Superintendent of Public Instruction to adjust various deadlines, including those for teacher evaluations, school safety drills, and gifted screening requirements.

Substitute teachers

- Permits a public or chartered nonpublic school to employ a substitute teacher according to the school's own educational requirements.

Third-grade reading guarantee

- Exempts schools from retaining a student under the Third-Grade reading guarantee.

Report cards; sanctions and penalties

- Prohibits the Department of Education from publishing and issuing ratings for overall grades, components, and individual measures on the state report cards and submitting preliminary data for report cards for school districts and buildings.
- Establishes a safe harbor from penalties and sanctions for districts and schools based on the absence of 2020-2021 state report card grades.
- Specifies that the safe harbor does not affect the awarding of performance-based Educational Choice (Ed Choice) scholarships for the 2021-2022 and 2022-2023 school years.

Community school sponsor ratings

- Establishes a safe harbor from penalties and sanctions for community school sponsors based on community school sponsor ratings, in which only ratings from previous and subsequent years are considered.
- Allows a community school sponsor to remain eligible in the 2021-2022 school year for any incentives that the sponsor was eligible for in 2020-2021.

E-school attendance tracking and absence intervention

- Requires the attendance policy of each internet- or computer-based community school (e-school) that is not a dropout recovery school to specify that a student is considered in attendance when the student meets specified instructional participation or course-completion rates.
- Requires an e-school that is not a dropout recovery school to submit a written report to the parent, guardian, or custodian of each student who has at least 30 hours of unexcused absences in any semester.
- Requires an e-school that is not a dropout recovery school to adopt a policy regarding failure to participate in specified instructional activities, which includes student disenrollment for chronic absenteeism.
- Prohibits a student disenrolled from an e-school for absenteeism from enrolling in another e-school for one school year from the date of disenrollment, unless the student enrolls in an e-school in which a majority of the students are enrolled in a dropout prevention and recovery program.

S.B. 55

Primary Sponsor: Sen. Gavarone

Effective date: Vetoed

- Would have reduced the penalties for violating Department of Health and local board of health orders that relate to pandemic diseases.
- Would have enhanced the penalties for most drug trafficking offenses when committed on the premises of a substance addiction services provider's facility, or within 1,000 feet of the premises, if the offender recklessly disregarded whether the offense is being committed within that vicinity.
- Would have set the new penalty enhancements at the same level as existing enhancements for the same drug trafficking offenses committed in the vicinity of a school or juvenile.