

DIGEST OF ENACTMENTS 2022

134th General Assembly (2021-2022)

Ohio Legislative Service Commission

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Director
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INTRODUCTION

The *Digest of Enactments 2022* summarizes legislation passed by the General Assembly during 2022, including 35 Senate bills, 72 House bills, S.C.R. 16, H.J.R. 2, and H.J.R. 4. Governor Mike DeWine vetoed H.B. 286 and H.B. 513.

The summaries in this publication are condensed versions of the final analyses prepared by the Legislative Service Commission (LSC) for the General Assembly. The *Digest* does not purport to represent the details of each enactment. Readers may obtain a full LSC final analysis by conducting a keyword search for the act number on the [Search Legislation](#) page of the General Assembly's website, legislature.ohio.gov. The final analysis is indicated either by the link "As Enrolled" or the link "Final Analysis" in the list of documents for the act. Readers also may obtain a copy of the act from among those documents. Readers may obtain a scanned copy of the signed act by selecting [Bill Effective Dates](#) under the link [Legislation & Ballot Issues](#) on the Ohio Secretary of State's website, ohiosos.gov.

The legislative history of each act is available on the General Assembly's website, by selecting the "Status" link on the act's summary page, or by selecting [Status Reports](#) under the "Legislation" link on the General Assembly's website. Status Reports are available as PDF reports and Excel spreadsheets.

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COVID-19 Pandemic

H.B. 120

Primary Sponsors: Reps. Fraizer and Richardson

Effective date: July 21, 2022

- Requires long-term care facilities to permit compassionate caregivers to provide in-person visitation to facility residents in compassionate care situations during an epidemic, pandemic, or other state of emergency.
- Requires long-term care facilities to develop and implement a compassionate caregiver visitation policy within 30 days of the act's effective date and requires the policy to meet enumerated criteria.
- Requires the compassionate caregiver visitation policy to be the least restrictive possible and provide maximum access to residents.
- Permits at least two visitors per resident for at least two hours if the resident appears to be approaching the end of life.
- Requires long-term care facilities to permit health care and other specified individuals who are not employees of the facility to enter the facility to provide services to residents.

Agriculture

H.B. 397

Primary Sponsors: Reps. Stewart and Kick

Effective date: July 21, 2022; appropriation effective April 20, 2022

Termination of agricultural leases

- Requires an agricultural lease agreement to be terminated by written notice from the lessor to the lessee unless the lease agreement contains a termination date or method for providing notice of termination.
- Requires notice to terminate an agricultural lease agreement to be given by September 1, in the year it is to be effective, and sets the termination date after notice as the date harvesting is complete or December 31 of the year notice is given, whichever comes first.

Soil and water conservation district officer, employee liability

- Expands the options that boards of soil and water conservation districts have for employees and officers entrusted with funds to allow them to provide insurance policies for these employees, in addition to the continuing option of executing surety bonds.

Investing in Ohio Fund

- Creates the Investing in Ohio Fund, to promote economic development throughout Ohio.
- Appropriates \$85 million in FY 2022 to the new fund and reappropriates the FY 2022 unspent, unencumbered balance for FY 2023.

Oil and gas unit applications

- Establishes timelines within which the Chief of the Division of Oil and Gas Resources Management must hold a hearing on an application for unit operation and issue the unit operation order.

Ohio Public Works Commission

- Makes various changes to the law governing the Ohio Public Works Commission (OPWC), including:
 - Removing the requirement that the private sector voting member with public finance experience have eight years of experience in public finance prior to appointment; and
 - Clarifying that a quorum is four voting members instead of four members.
- Makes various changes regarding grants awarded by natural resources assistance councils for natural resources projects, including:

- Requiring a nonprofit organization that wishes to receive grant funding to be an environmental and conservation organization and formed to protect the natural environment, in addition to being exempt from federal income taxation;
- Clarifying that money may be awarded to an eligible conservation open space acquisition project for open space improvements, rather than open space developments as in the former law;
- Eliminating the restrictions against funding hydromodification projects, such as dams, dredging, and sedimentation; and
- Specifying that technical assistance provided by OPWC to natural resources assistance councils does not constitute approval or denial of a grant application.

Battery-charged fences

- Exempts certain fences used for agricultural purposes from the law regarding battery-charged fences.

Fairfield County land conveyance

- Authorizes the conveyance of state-owned land, the Ohio University Pickerington Center, to the board of commissioners of Fairfield County at a price acceptable to the Director of Administrative Services and the Ohio University Board of Trustees.

H.B. 507

Primary Sponsor: Rep. Koehler

Effective date: April 7, 2023

Local pesticide regulation

- Prohibits a political subdivision from regulating or banning the packaging, registration, labeling, sale, storage, distribution, use, or application of a pesticide registered with the Department of Agriculture on private property, including private property that is open to the public.

Evaluations of environmental health specialists

- Requires the Directors of Agriculture and Health each to adopt rules establishing a method for evaluating a registered environmental health specialist's (EHS) and EHS in training's knowledge of the laws governing food safety, including the Ohio Uniform Food Safety Code.
- Specifies that the evaluations must solely use an objective written or electronic assessment that complies with certain requirements.
- Requires the evaluations to be part of board of health surveys that determine if individual boards are qualified to administer and enforce the laws governing retail food establishments and food service operations.

- Prohibits the Directors from using any other assessment than that established by the rules.
- Allows the Directors to require a registered EHS or EHS in training to participate in a field review portion of the survey for training and educational purposes, but prohibits the Directors from using that participation for evaluation purposes.

Food safety

- Eliminates various laws governing canning and bottling, cold storage of food, frozen food storage, grading and labeling of produce, labeling and selling of canned fruits and vegetables, and vinegar branding that duplicate other state or federal requirements or are outdated.
- For the laws governing canning and bottling and cold storage of food, redefines “food” to conform to the definition in the state Pure Food and Drug Law.
- Requires a device used to process apples for use in apple cider to be equipped with a means to add a sanitizer to the water used to wash the apples, rather than a means to chlorinate the water as in former law.
- Aligns the hearing requirements under the Food Processing Law with the Administrative Procedure Act.

State agency oil and gas resources

- Requires, rather than authorizes, each state agency to lease agency-owned or controlled oil and gas resources for development prior to the date that rules governing leasing procedures are adopted by the Oil and Gas Land Management Commission.
- Specifies that a state agency must enter that type of lease in good faith.
- Requires the person seeking to enter into a lease to submit to the state agency proof of insurance and financial assurance and proof of registration with the Division of Oil and Gas Resources Management.

Green energy

- Defines “green energy” as energy generated by using an energy resource that meets certain emissions and sustainability requirements, including energy generated by using natural gas.
- Except for compressed natural gas produced from biologically derived methane gas, prohibits energy generated by using natural gas from being eligible to obtain renewable energy credits.

Towing authorizations

- Authorizes a conservancy district police department to order the towing and storage of a motor vehicle in certain circumstances, including when the vehicle is an abandoned junk vehicle and when the vehicle is left on private or public property for a specified time.

- Authorizes a conservancy district police department to undertake other activities related to towed or abandoned vehicles, including maintaining records of vehicles towed from private tow-away zones and receiving notices from specified entities that are taking title to abandoned vehicles.

Internet sales exemption from auction laws

- Exempts from auctioneer and auction firm licensure requirements a person who, in any calendar year, sells \$10,000 or less of personal property via an auction mediation company (for example, eBay) if:
 - The company provides fraud protection to the buyer; and
 - The property is the person's own personal property, or the property is the personal property of another (sold without compensation).

Poultry chicks

- Decreases, from six to three, the minimum number of poultry chicks under four weeks old that may be sold, given away, or otherwise distributed in a given lot.

Appropriations

H.B. 45

(For details of the act's fiscal provisions see, the [LSC Final Fiscal Note \(PDF\)](#), which is available on the General Assembly's website, legislature.ohio.gov.)

Primary Sponsors: Reps. West and Roemer

Effective date: April 7, 2023; operating appropriations and peace officer training pilot program extension effective January 6, 2023; tax amnesty authorization repealed effective January 1, 2024

Tax amnesty

- Allows the state to operate a two-month “amnesty” period in 2023 during which taxpayers owing past-due state and some local taxes and certain fees may discharge the debt by paying the delinquent tax or fee without the penalty and accrued interest normally due.
- Provides that, before the amnesty can proceed, the Director of Budget and Management must first determine that the state will need the projected revenue from the amnesty to meet GRF obligations in calendar year 2023.

Delinquent tax list publication

- Authorizes the second publication of a county delinquent property tax list to be made online, provided the first publication continues to be made in a newspaper of general circulation.

Nursing facility payments

- Appropriates \$350 million in American Rescue Plan Act (ARPA) funds in FY 2023 to the Office of Budget and Management (OBM) for lump-sum payments to nursing facilities that are Medicaid providers for workforce support.
- Requires OBM to distribute the funds by April 1, 2023, to nursing facilities, as follows: (1) 40% based on each facility's number of Medicaid days in calendar year 2021 and (2) 60% based on enumerated quality metrics.
- Repeals law that requires nursing facilities to spend 70% of any additional dollars received as a result of a rebasing on direct care costs.
- States that it is the General Assembly's intent to include a rebasing of the direct care, ancillary and support, and tax cost centers in the next main operating budget.
- States that it is the General Assembly's intent to require the Department of Medicaid and industry stakeholders to submit legislative proposals to: (1) replace the capital costs center formula and (2) provide a private room incentive payment.

Hospital provider relief payments

- Earmarks \$62 million of Department of Medicaid funds for health care provider relief payments for critical access and rural hospitals.
- Appropriates \$100 million in ARPA funds for payments to critical access and rural hospitals that are Medicaid providers, and requires that the payments be used exclusively for direct care staff compensation.
- Appropriates \$6.5 million (\$2.3 million state share) in FY 2023 from GRF for one-time provider relief payments to hospitals in counties with a population of 350,000 to 380,000 (Stark County only), to be calculated based on Medicaid patient discharge.

PACE program

- Requires the Department of Aging to expand the Medicaid component known as the Program of All-inclusive Care for the Elderly (PACE) to the following counties: Franklin, Hamilton, Montgomery, Lorain, Lucas, and Summit.
- Appropriates \$50 million in FY 2023 for the expansion.
- Regarding the Home First component of PACE, eliminates various references to documentation being “in writing.”

Freestanding dialysis centers

- Requires the Medicaid Director to make a one-time payment to each licensed freestanding dialysis center that is in good standing, to be used exclusively for direct care staff compensation.
- Appropriates \$15 million to fund the one-time payment to dialysis centers.

Critical access pharmacy grants

- Requires the Department of Medicaid to award critical access pharmacy grants in FY 2023 to pharmacies within counties that have no more than one retail pharmacy participating in Medicaid, and appropriates up to \$100,000 to fund the grants.

Ohio Adoption Grant Program

- Establishes the Ohio Adoption Grant Program, administered by the Department of Job and Family Services (JFS), to provide one of the following one-time payments to an adoptive parent for each eligible child adopted in or after 2023:
 - \$10,000;
 - \$15,000 (if the adoptive parent was a foster caregiver for the child); or
 - \$20,000 (if the child has diagnosed special needs).
- Authorizes an income tax deduction for grant payments.

- Requires the JFS Director to adopt rules, exempt from the regulatory restriction reduction requirements under Ohio law, to implement the program, including a rule to authorize federal income tax withholding.
- Prohibits the program from charging an application fee.
- Permits the JFS Director to require submission of any court or legal document to prove the adoption and for any state agency to provide documents relating to the adoption, provided that submitting documents to JFS does not change their public records status.
- Appropriates \$15 million from GRF in FY 2023 to administer the grants.

Adoption tax credit

- Repeals the state income tax credit for adopting children.

Adoption petition fee

- Reduces the probate court adoption petition fee from \$50 to \$20.
- Removes the requirement to deposit a portion of the adoption petition fee in the Putative Father Registry Fund, and appropriates \$500,000 from GRF to the fund in FY 2023.

College grant for adopted Ohio residents

- Establishes a permanent grant program providing a one-time \$2,500 award to eligible adopted Ohio residents attending a state institution of higher education or private college in Ohio to apply toward the cost of attendance.

Publicly funded child care

- Establishes additional exceptions to the requirement that a licensed child care program be rated in the Step Up to Quality Program to provide publicly funded child care, including exempting type A and licensed type B family day-care homes.
- Eliminates the requirement that the JFS Director establish enhanced reimbursement rates for providers maintaining quality ratings under the Step Up to Quality Program.
- Eliminates the requirement that the Director weigh any reductions in reimbursement more heavily against providers that do not participate in Step Up to Quality or do not maintain quality ratings under the program.

Encouraging family day-care home licensure

- Requires JFS to engage in activities to encourage the establishment and licensure of family day-care homes and connect families and caretaker parents in need of child care with family day-care homes not meeting their license capacity.
- Permits the JFS Director to contract with third-party entities to assist the Director in performing the activities.

- Requires the Director to submit to the General Assembly – by May 30, 2023, and periodically thereafter – a report documenting barriers that may prevent the establishment or licensure of family day-care homes.

School raffles

- Allows school districts, community schools, STEM schools, and chartered nonpublic schools to conduct raffles to raise money.

ACE Educational Savings Accounts

- Extends operation of the Afterschool Child Enrichment Educational Savings Account Program (ACE) through FY 2024.
- Increases the amount that a student’s account may be credited from \$500 to \$1,000 for FY 2023 and FY 2024.
- Amends the eligibility requirements for a savings account.
- Prohibits the Department of Education or a vendor operating the program from reclaiming any funds credited to a student’s account, unless funds are misused, until the student graduates high school.

School funding adjustments

- For FY 2023, increases the phase-in percentage for disadvantaged pupil impact aid from 14% to 33.33%.
- Revises how the number of miles driven for school bus service are factored into calculating school district transportation payments.

School storm shelter requirement

- Permanently prohibits the Board of Building Standards from requiring storm shelters in school buildings.

Prelicensure nursing bachelor’s degree programs

- Requires the Chancellor of Higher Education to approve a prelicensure nursing bachelor’s degree program proposal submitted by a community, state community, or technical college prior to September 30, 2022.

Election law – changes to H.B. 458

- Makes changes to provisions of H.B. 458 of the 134th General Assembly, which modifies the Election Law.
- Changes certain deadlines related to counting provisional ballots to give the boards of elections more time to process them.
- Requires that, if a board of elections has a drop box at its office for absentee ballots, the drop box must be open to receive ballots at all times during the absent voting period.

Vacation leave cash conversion

- Beginning in December 2023, increases, from 40 to 80, the maximum hours of accrued unused vacation leave certain state employees exempt from collective bargaining may convert to cash, provided the employee has at least 200 hours of unused accrued vacation leave.
- Beginning in December 2023, allows an exempt employee who has at least 100 hours of unused accrued vacation leave to convert up to 40 hours to cash.
- Excludes employees of the Supreme Court, the General Assembly, the Legislative Service Commission, the Secretary of State, the Auditor of State, the Treasurer of State, and the Attorney General from the cash conversion unless their employer notifies the Director of Administrative Services before October 1, 2023, that the employees are eligible.

Reimbursements for peace officer training

- Extends to June 30, 2023, the pilot program providing state funding for the cost of continuing professional training programs for peace officers and State Highway Patrol troopers, which had been scheduled to end December 31, 2022.
- Requires a law enforcement agency that does not use all of the money it receives for the salaries of its peace officers and troopers receiving training to retain the money and use it only to pay for future continuing professional training programs.
- Appropriates an additional \$5 million from GRF to the Attorney General in FY 2023 to support the extended pilot program.

Low-income housing tax credit properties

- Disqualifies a project involving the rehabilitation of federal low income housing tax credit (LIHTC) property from a state tax credit for rehabilitating historic buildings.
- Authorizes a county auditor to value LIHTC property by using one or more of three appraisal methods.

Special improvement districts

- Limits the circumstances under which the Ethics Law, the Open Meetings Law, and the Public Records Law apply to a qualified nonprofit corporation that forms a special improvement district (SID).
- Specifies that the corporation is considered a SID only when it acts with respect to a purpose for which the SID is created, and not when it acts with respect to any other purpose for which it is organized.

Timely recording of satisfaction of mortgages

- Prohibits a mortgagor or current owner of real property from collecting, through a class action lawsuit, \$250 in damages for failure on the part of the mortgagee, during calendar

year 2020, to record the satisfaction of a mortgage within 90 days of the mortgage's satisfaction.

- Specifies that this prohibition does not preclude or affect any other legal remedies or damages available to the mortgagor or current owner.

Public insurance entities and public records requests

- Exempts, with certain exceptions, records created, held by, or pertaining to Ohio public insurance entities from public records requests.

Professional sports logo license plates

- Regarding a sports commission formed to create and receive contributions for a specialty license plate with a professional sports team logo:
 - Modifies the number of sports commission board members from 21 to at least 15; and
 - Eliminates the requirements specifying which person or entity appoints the members.

Veterans Memorial and Museum

- Exempts from the Open Meetings Law all meetings of the board of directors of the nonprofit corporation that operates the Veterans Memorial and Museum.
- Establishes that records of the board and of the nonprofit corporation are not public records under Public Records Law.

Geneva Lodge and Convention Center

- Eliminates a requirement that the Department of Natural Resources purchase the Geneva Lodge and Convention Center from the Ashtabula County Commissioners for \$13,950,000.
- Instead, creates the County Supplemental Grant Fund, appropriates \$13,950,000 to the fund, and requires that amount to be granted to the Ashtabula County Commissioners to retire debt incurred by the county that is associated with the Geneva Lodge and Convention Center.

Other appropriations

- Appropriates state and federal funds in FY 2023 to various agencies to fund grant and other assistance programs.
- Makes other operating and capital appropriations.

H.B. 377

(For details of the act's fiscal provisions see, the [LSC Final Fiscal Note \(PDF\)](#), which is available on the General Assembly's website, legislature.ohio.gov.)

Primary Sponsors: Reps. Hall and Swearingen

Effective date: September 27, 2022; appropriations effective June 28, 2022

Appropriations

- Appropriates the following amounts, all in FY 2022:
 - An additional \$422 million to the Office of Budget and Management (OBM), to disburse to local governments in accordance with the federal American Rescue Plan Act;
 - \$500 million to the Department of Development, for the new Appalachian Community Grant Program (see below);
 - \$20 million to the Secretary of State, to provide financial assistance for the second 2022 primary election;
 - An additional \$750,000 to the Department of Natural Resources for weed harvesting operations at Indian Lake.
- Reappropriates the unexpended, unencumbered balance of these appropriations at the end of FY 2022 to FY 2023.
- Makes conforming changes to prior legislation in the 134th General Assembly appropriating funds to the Secretary of State.

Appalachian Community Grant Program

- Establishes the Appalachian Community Grant Program, to be administered by the Department of Development, in consultation with local development districts.
- Establishes two categories of grants to be made available within the 32-county Appalachian region of Ohio – Appalachian Planning Grants and Appalachian Development Grants – and prescribes eligibility and application guidelines for each.

Election workers excluded from PERS

- Specifies that a person employed as an election worker in a calendar year when more than one primary election and one general election are held is not a PERS member if the person is paid \$1,000 for that service.

Health coverage for township first responders

- Increases the hours that certain township first responders must be hired with the expectation of working to be considered full-time employees for health care coverage purposes, thus potentially limiting the number of township first responders to whom health care coverage must be provided under certain circumstances.

OBM Director warrants

- Corrects an outdated reference to specify the OBM Director, rather than the Auditor of State, draws warrants from the state treasury for payment of state employee salaries.

Land conveyances

- Authorizes 35 conveyances of, or easements over, state-owned real estate.

H.B. 597

(For details of the act's fiscal provisions see, the [LSC Final Fiscal Note \(PDF\)](#), which is available on the General Assembly's website, legislature.ohio.gov.)

Primary Sponsor: Rep. Oelslager

Effective date: July 1, 2022

- Makes capital reappropriations for the biennium ending June 30, 2024 (FYs 2023 and 2024).

H.B. 687

(For details of the act's fiscal provisions see, the [LSC Final Fiscal Note \(PDF\)](#), which is available on the General Assembly's website, legislature.ohio.gov, and [Capital Item Analysis \(PDF\)](#), which is available on LSC's website, sc.ohio.gov, under "Budget Central.")

Primary Sponsor: Rep. Oelslager

Effective date: September 13, 2022; appropriations in Sections 301.10 to 329.10 effective June 14, 2022

Capital appropriations and reappropriations

- Makes capital appropriations totaling \$3.51 billion for the FY 2023-FY 2024 biennium, and authorizes about \$2.28 billion in new debt.
- Modifies several capital reappropriations.

Operating appropriations

- Appropriates a total of approximately \$1.21 billion to the Departments of Development and Transportation for FY 2022, and reappropriates the unexpended, unencumbered balance for FY 2023.

Megaproject tax incentives

- Establishes specialized criteria by which an Ohio semiconductor wafer manufacturing facility may qualify as a megaproject and, accordingly, its operators and suppliers may qualify for tax incentives authorized by the act and by continuing law.
- Generally, retains the same wage and investment or payroll thresholds required for megaprojects under prior law, and applies them to semiconductor wafer manufacturing projects that qualify for incentives under the act's specialized criteria.

- Allows the Tax Credit Authority (TCA) to designate more than one business as an operator of the same megaproject.
- Allows suppliers of a semiconductor wafer manufacturing megaproject to qualify for megaproject tax incentives, other than the extended job creation tax credit (JCTC) and community reinvestment area (CRA) property tax exemption, without meeting the payroll and investment thresholds generally required for megaprojects suppliers.
- Exempts from sales and use tax sales of tangible personal property used to perform research and development or certain other manufacturing processes at a semiconductor wafer manufacturing megaproject site and sales of building and construction materials incorporated into site facilities.
- Modifies a commercial activity tax (CAT) exclusion under continuing law for tangible personal property sold by a megaproject supplier to a megaproject operator for use at a megaproject site.
- Allows a CAT exclusion for gross receipts from the sale of new capital equipment used at the site of a semiconductor wafer manufacturing megaproject, provided the cost of the equipment exceeds \$100 million.
- Requires the Director of Development to issue a certificate of compliance for each year that a megaproject operator or supplier continues to qualify as such, for purposes of the megaproject tax incentives.
- Allows the TCA to impose recoupment payments on the operator of a noncompliant semiconductor wafer manufacturing megaproject, not to exceed the amount of sales and use tax and CAT incentives granted in connection with the project.
- Requires a megaproject operator to annually submit an economic impact report to the Director of Development detailing the operator's purchasing, construction, and employment activity.

Agency capital project administration

- Raises from \$1.5 million to \$3.0 million the threshold cost up to which the Ohio Facilities Construction Commission (OFCC) may authorize certain agencies to administer capital facilities projects on their own.

Projects involving professional design or design-build services

- Exempts projects of \$25,000 or less from the requirements for contracts for professional design services or design-build services.
- Removes the requirement that a public authority notify OFCC before using its own employee as an architect or engineer for a design-build project.

Capital Donations Fund

- Removes the requirement that OFCC quarterly certify to the Director of Budget and Management (OBM Director) how it allocated investment earnings credited to the Capital Donations Fund.

Attorney General collection system

- Authorizes the Attorney General (AG) to acquire and implement a secure, end-to-end collections and recovery management system designed to collect and recover more debt, control costs, and stay compliant with state rules and federal regulations.
- Permits the AG to enter lease-purchase agreements to finance or refinance the system, and requires that lease payments be made from the Attorney General Claims Fund.
- Permits the AG to request the OBM Director to arrange for the issuance of obligations to finance the system, up to \$25 million.

Classroom facilities programs

- Extends from one year to two years the time OFCC has to reimburse a school district under the Expedited Local Partnership Program if the district resources applied to its originally calculated portion of the project cost exceeds its recalculated portion.
- Eliminates redundant language from the provisions that must be in a project agreement between OFCC and a school district.

Commerce

H.B. 229

Primary Sponsors: Reps. Wilkin and Swearingen

Effective date: May 30, 2022

Qualified immunity for camp operators

- Provides a qualified immunity from civil liability to camp operators for any harm to a camper or visitor that results from a risk inherent to camping.
- Defines the type of risks that qualify as risks inherent to camping.
- Describes the types of activities by a camp operator that do not qualify for immunity.
- Requires camp operators to post a clearly visible sign at or near each entrance to a campground that the camp operator is not liable for harm resulting from risks inherent to camping.

Historical reenactment camps

- Exempts sites that host historical reenactor camps from recreational and camping operation license requirements under specific circumstances.

H.B. 272

Primary Sponsors: Reps. Plummer and Ghanbari

Effective date: July 6, 2022

- Requires online marketplaces to gather certain information from high-volume third party sellers selling consumer goods on those marketplaces and to provide certain information regarding high-volume third party sellers to consumers.
- Requires online marketplaces to verify information provided by high-volume third party sellers and occasionally require those sellers to verify or update the information.
- Allows the Attorney General to adopt rules to ensure collection, verification, and disclosure of information under the act.
- Establishes that a violation of the act is an unfair or deceptive act or practice for purposes of the Consumer Sales Practices Act and grants the Attorney General the same enforcement powers as are available to the Attorney General in Consumer Sales Practices Act cases involving unfair or deceptive practices.
- Prohibits private rights of action for violations of the act.

Courts

H.B. 150

Primary Sponsors: Reps. Hillyer and Leland

Effective date: April 3, 2023; appropriation effective January 2, 2023

- Creates the Rural Practice Incentive Program under which the Chancellor of Higher Education may repay an attorney’s student loans if the attorney agrees to be a service attorney for at least three years in an “underserved community.”
- Establishes the Underserved Community and the Service Attorney Loan Repayment Funds.
- Allows an attorney to claim an income tax deduction for amounts repaid by the Chancellor under the program.
- Appropriates \$1.5 million in FY 2023 to support the program.
- Creates a 17-member task force to study Ohio’s indigent defense system and provide recommendations to the General Assembly regarding the delivery, structure, and funding of indigent defense.

H.B. 279

Primary Sponsors: Reps. Brown and Oelslager

Effective date: April 4, 2023

- Generally limits the time within which the extended family of a deceased person are entitled to notice of a settlement hearing for a wrongful death action to two years following the alleged wrongful death.
- Allows extended family members to preserve their claim beyond the general, two-year period by filing a notice of claim with the probate court.
- Clarifies that immediate family (i.e., the surviving spouse, children, and parents) are entitled to notice of any such settlement hearing, regardless of when it occurs.
- Specifies that the changes apply only with respect to deaths after the act’s effective date.

H.B. 286

Primary Sponsor: Rep. Seitz

Effective date: Vetoed

Appeals of administrative orders

- Would have modified the Administrative Procedure Act by requiring that an appeal by a party adversely affected by an order of an agency be filed in the county where the licensee's place of business is located or the county where the licensee resides.

No claim preclusion in zoning appeals

- Would have provided that a final judgment on the merits by a court, pursuant to its power to review administrative orders on claims regarding county rural zoning or renewal of blighted areas in a county, township zoning, municipal zoning, regional and county planning commissions, or interstate regional planning commissions, does not preclude later claims for damages.

Hamilton County Drug Court jurisdiction

- Would have replaced the statutory law specifying the types of cases that may be referred to the Drug Court of the Hamilton County Court of Common Pleas with authority for local rule, with limitations, and allowed the Municipal Court to refer eligible cases to the Drug Court.

Municipal court jurisdiction – Perry Township (Wood County)

- Would have transferred Perry Township in Wood County from the territorial jurisdiction of the Tiffin-Fostoria Municipal Court to the territorial jurisdiction of the Bowling Green Municipal Court.

State involvement in legal actions

- Would have authorized the General Assembly and each chamber to intervene as a matter of right at any time in any action or proceeding in state or federal court that involves a challenge to the validity, applicability, or constitutionality of the Ohio Constitution or the laws of Ohio.
- Would have created exceptions to the law requiring the Attorney General to represent a state agency in any legal action, by allowing the Speaker of the House, the Senate President, and the Governor to retain separate legal counsel to represent the House, the Senate, the General Assembly, or the interests of the Office of the Governor.

H.B. 518

Primary Sponsor: Rep. Hoops

Effective date: September 23, 2022

Fulton County county and municipal courts

- Abolishes the Fulton County County Court, with two part-time judges, effective January 1, 2024.
- Effective January 1, 2023, abolishes the part-time judgeship in the County Court originally elected in 1980; and effective January 1, 2024, abolishes the part-time judgeship in the County Court originally elected in 1982.
- Establishes in the municipal corporation of Wauseon the Fulton County Municipal Court beginning January 1, 2024, with jurisdiction within Fulton County, and provides that one full-time judge of the Municipal Court is to be elected in 2023.
- Requires the Fulton County Municipal Court to establish a branch office in the municipal corporation of Swanton and to appoint a special deputy clerk to administer the branch office on a full-time basis with compensation according to applicable law, payable from the county treasury.
- Requires the judge of the Fulton County Municipal Court to sit within each of the municipal corporations of Wauseon and Swanton on a weekly basis.
- Specifies that cases arising within Wauseon and specified townships must be filed in the office of the clerk of the court in Wauseon, and s that cases arising in Swanton and specified townships must be filed in the office of the special deputy clerk in Swanton.
- Requires the Fulton County prosecuting attorney, beginning January 1, 2024, to prosecute all violations of state law arising within the unincorporated areas of Fulton County, with other criminal prosecutions in the Court being handled in accordance with ongoing law.
- Prescribes transition provisions, effective January 1, 2024, from the Fulton County County Court to the Fulton County Municipal Court.

Hamilton County Municipal Court

- Makes it permissive, instead of mandatory, for the presiding judge of the Hamilton County Municipal Court to assign two or more of the judges of the Court to sit outside Cincinnati.

Toledo Municipal Court Housing Division

- Expands the jurisdiction of the Toledo Municipal Court Housing Division to include any review or appeal of a final administrative order relating to a building, housing, air pollution, sanitation, health, fire, zoning, or safety code or regulation.
- Grants the Toledo Municipal Court Housing Division concurrent jurisdiction with the court of common pleas in criminal actions related to air, ground, or water pollution.

Fairborn Municipal Court

- Adds one full-time judge to the Fairborn Municipal Court to be elected in 2023.

East Liverpool and Columbiana County municipal courts

- Abolishes the East Liverpool Municipal Court, which had jurisdiction in East Liverpool and Liverpool and St. Clair townships in Columbiana County and in certain portions of the Ohio River, and abolishes its sole judgeship.
- Specifies that the Columbiana County Municipal Court has jurisdiction within Columbiana County.
- Prescribes transition provisions, including transfer of all causes, judgments, executions, and proceedings pending in the East Liverpool Municipal Court on September 23, 2022, to the Columbiana County Municipal Court.

Portage County Court of Common Pleas

- Generally, expands the jurisdiction of the Division of Domestic Relations of the Portage County Court of Common Pleas to include, among others, proceedings involving parentage, child support, allocation of parental rights and responsibilities, and relief from paternity determinations.
- Excludes from the jurisdiction of the Juvenile Division of the Portage County Court of Common Pleas, certain proceedings that are included in the act's expanded jurisdiction of the Court's Division of Domestic Relations.

H.B. 545

Primary Sponsors: Reps. Abrams and Baldrige

Effective date: April 6, 2023

- Prohibits a peer support team member from testifying concerning either a communication received from an individual receiving peer support services from the team member or the member's advice to the individual.
- Lists the circumstances in which the privilege does not apply.
- Requires an employer, organization, or peer support team advisor to keep a roster identifying the employer's or organization's peer support team members and whether each team member satisfies the education requirements necessary for the testimonial privilege to apply.

H.B. 567

Primary Sponsors: Reps. Stewart and Brown

Effective date: April 6, 2023

Court documents and records

- Requires the clerk of the court of common pleas, by October 7, 2024, to make available online the court's general docket for remote access by the public of the information in that docket, including all documents in each case file, pertaining to civil cases filed on or after April 6, 2023.
- Provides that nothing in that requirement is to be construed as making available online internal documents of judicial officers and court staff or any document or information in a case file the public access to which the court has ordered restricted under the Rules of Superintendence for the Courts of Ohio.
- Provides that the clerk of court is not required to make available online: (1) the general docket of the domestic relations division, the juvenile court, or the probate court, or (2) the general docket in civil cases pertaining to domestic relations if the court does not have a domestic relations division.
- Requires a party to an action or proceeding to omit personal identifiers from a case document submitted to the court or filed with the clerk of court pursuant to Superintendence Rule 45.
- Grants immunity to a clerk of court who posts a case document with personal identifiers on the clerk's website.
- Permits pleadings or documents filed with the clerk of court on paper to be converted to electronic format, and documents created by the clerk to be created in electronic format.
- Specifies that when pleadings or documents are received, created, or converted to an electronic format, that format must be considered the official version of the record.
- Requires the clerk to keep records as indicated by the Rules of Superintendence for the Courts of Ohio.
- Aligns the requirements for recording orders made out of court and the duty of the common pleas court clerk to maintain records with the Rules of Superintendence for the Courts of Ohio.

PIVOT program

- Allows the Tiffin-Fostoria Municipal Court and the Seneca County Court of Common Pleas to exercise concurrent jurisdiction in operating the Participating in Victory of Transition (PIVOT) drug recovery program indefinitely.

Application to be notary public

- Exempts peace officers from having to obtain a criminal records check when applying to be a notary public.

Notarial certificates and forms of acknowledgments

- Redefines “acknowledgment” to mean an individual’s declaration before a notary that the individual has signed a record for the purpose stated in the record, and if the record is signed in a representative capacity, that the individual signed the record with proper authority and signed it as the act of the person identified in the record.
- Removes the requirement that the notarial certificate for an acknowledgment or jurat indicate the type of notarization being performed.
- Adds a new form of acknowledgment for limited liability companies.
- Changes the authorized form of a jurat, from the signature of the person making the jurat to the “name of signer.”

Certificate of motor vehicle titles

Notary changes

- Removes notary requirements for a variety of motor vehicle title documents when a licensed motor vehicle dealer is a party to the transfer of that motor vehicle.
- Removes the requirement that a power of attorney (POA) be notarized when a person grants that POA to a licensed motor vehicle dealer or the dealer’s agent for the transfer of motor vehicle title.

Transfer of vehicles involving a minor

- Related to the sale, purchase, disposal, acquisition, or other transfer of a motor vehicle by a minor:
 - Adds a licensed motor vehicle dealer (or designee) as a person who may witness a parent or guardian’s signature on the BMV form that accompanies the certificate of title application; and
 - Requires the dealer (or designee) to sign a statement acknowledging that the dealer used reasonable diligence in ascertaining the minor’s age and the signing adult’s identity.
- Authorizes a dealer (or designee) filing a certificate of title application for an all-purpose vehicle or off-highway motorcycle on behalf of a minor to submit a signed statement certifying that the dealer:
 - Used reasonable diligence in ascertaining the minor’s age and the signing adult’s identity; and
 - That the adult provided any necessary identification.

Nonresident purchaser tax affidavit

- Authorizes a nonresident purchaser of a motor vehicle who intends to remove the motor vehicle from Ohio to use, title, and register in another state to sign a statement, rather than an affidavit, regarding that intent.
- Requires the motor vehicle dealer to have the statement signed in duplicate (rather than in triplicate under prior law), if nonelectronic, or signed once if signed electronically, to be submitted to the clerk of courts and forwarded to the Tax Commissioner.
- Retains the nonresident purchaser tax affidavit for purchases of a watercraft or outboard motor, but authorizes the affidavit to be executed in duplicate, rather than in triplicate.

S.B. 56

Primary Sponsor: Sen. Blessing

Effective date: March 14, 2023

Public improvement contracts – indemnification by professional design firm

- Authorizes a public authority to include, in a public improvement contract, a requirement that a professional design firm providing professional design services indemnify the public authority and its officers and employees with regard to liability to a third party stemming from those services.
- Authorizes a public authority and professional design firm to include, in a public improvement subcontract, a requirement that a subcontractor providing professional design services indemnify the public authority and professional design firm with regard to liability to a third party stemming from those services.
- Stipulates that the requirement of indemnity is to take no form other than what is prescribed in the act.
- Provides that the indemnification provisions do not prohibit either:
 - A public authority from bringing a damages action against a professional design firm for breach of the contract or of the professional standard of care; or
 - A professional design firm from bringing a damages action against a subcontracted design firm for breach of the subcontract or of the professional standard of care.
- Authorizes a public improvement contract to require an insurance policy as a form of indemnification.
- Stipulates that inclusion of such a requirement to indemnify is not to be construed as a waiver of immunity from liability under the Political Subdivision Tort Immunity Law or the Workers' Compensation Law.
- Stipulates that the indemnification does not extend to liabilities that would otherwise be barred for timeliness.

- Specifies that a provision in a contract between a public authority and the federal government prevails over a conflicting provision in the act to the extent of the conflict, and that all other provisions of the act not in conflict apply.
- Expands the definition of “injury” to include injury, claims, damages, or loss arising from or related to the infringement of intellectual property.

Immunity for acts of hospital police officers

- Grants a municipal corporation in which a hospital is located or, if the hospital is located in an unincorporated area of a county, a county immunity from civil or criminal liability in an action brought under Ohio law if all of the following apply:
 - The action arises out of the actions of a duly appointed hospital police officer.
 - The officer’s actions are directly in the discharge of the person’s duties as a police officer for the hospital.
 - The actions occur on the premises of the hospital or its affiliates or subsidiaries that are within the territory of the municipal corporation or the unincorporated area of the county or elsewhere within the territory of that municipal corporation or within the unincorporated area of that county.
- Provides that the grant of immunity is not to be construed as granting civil or criminal immunity to specified police officers or hospitals under certain circumstances.
- Specifies that a court’s finding of tort liability of a public or nonprofit hospital agency for any actions of a police officer appointed for the hospital agency is not subject to apportionment of liability with the municipal corporation or the county in which a written agreement is in effect.

Uninsured motorist coverage

- Specifies that motor vehicle insurance policies and programs of self-insurance covering motor vehicles are not to exclude persons provided immunity under the Political Subdivision Tort Immunity Law from the definition of “uninsured motorist” used in the policy or program.

S.B. 202

Primary Sponsors: Sens. Hackett and Antonio

Effective date: April 3, 2023

Disability generally barred as a factor for minor’s caretaker

- Prohibits a court, public children services agency (PCSA), private child placing agency (PCPA), or private noncustodial agency (PNA) from using a person’s disability as the sole basis to deny or limit that person from doing any of the following:
 - Exercising custody, parenting time, or visitation rights with a minor;
 - Adopting a minor;

- Serving as a foster caregiver for a minor;
- Appointment as a guardian for a minor.
- Requires a court, PCSA, PCPA, or PNA, when determining whether to grant a person with a disability the right to conduct an activity or exercise authority as described above, to determine whether modifications or supportive services to assist the person regarding the activity or authority are necessary or reasonable.
- Requires a court, PCSA, PCPA, or PNA to implement those modifications or supportive services if they are determined to be necessary and reasonable.
- Requires the court, PCSA, PCPA, or PNA to deny or limit the activity or authority in question by the person with a disability, if modifications or supportive services are not determined to be reasonable.
- Allows a person with a disability to bring an action or, in the case of a court determination, file a motion, to challenge either:
 - The modifications or supportive services imposed on the person;
 - The limitation or denial of the activity or authority in question.
- Requires the court to do one of the following when an action or motion is filed:
 - Affirm the modifications or supportive services required or the limitation or denial imposed and make specific findings of fact and conclusions of law providing the basis for its decision;
 - Rescind the modifications or supportive services or limitation or denial and grant the person the right to conduct the activity or exercise the authority in question, with or without reasonable modifications or supportive services.

Judge qualifications

- Modifies the qualifications for office for judges of municipal courts, county courts, courts of common pleas, courts of appeals, and justices of the Supreme Court.

Challenge of administrative order responding to state of emergency

- Requires that a civil action challenging a state of emergency order or rule and seeking damages be brought in the Court of Claims, and allows such an action to be brought in the Court of Claims if the action is for declaratory judgment, injunctive relief, or other appropriate relief.

Fulton County County Court

- Converts a part-time judgeship of the Fulton County County Court to a full-time judgeship until January 1, 2024, when the court is abolished and the Fulton County Municipal Court is created.

Task Force on Bail

- Establishes a Task Force on Bail to collect and evaluate data regarding the current use of bail in Ohio.

Disinterment of bodies buried in cemeteries

- Revises the law granting a surviving adult spouse priority to disinter a body buried in a cemetery and instead grants the priority to a person designated by the decedent under the Ohio Right of Disposition Law, and if there is no designation, then the surviving spouse.

Irrevocable trusts

- Prescribes an optional process by which the trustee of an irrevocable trust may conclude the trustee's administration of the trust.
- Requires that if the trustee elects the optional process, before concluding administration, the trustee must send both (1) a written notice with specific information and (2) up to four years of trustee reports to all beneficiaries of the trust and other parties.
- Establishes a 45-day window for those receiving the notice and reports to provide an objection to the trustee's proposed action or any other objection concerning the trustee's administration of the trust.

Disclosures relating to settlement of claims for minors

- Exempts from disclosure records of probate court proceedings that involve the settlement of claims made by guardians on behalf of minors.

Presentment of claims against an estate

- Revises the options a creditor has to present a claim against an estate after the appointment of an executor or administrator and prior to the filing of a final account or certificate of termination to include presenting the claim to the executor's or administrator's counsel and to the probate court.

Anti-lapse statute

- Expands the definition of "devise" under the anti-lapse statute to include a primary devise.
- Specifies that the new definition is to be applied retroactively to the fullest extent possible, except in situations in which real property has been transferred and recorded.

Technical changes relating to effective dates

- Clarifies the effective date for certain changes made to Ohio Trust Law regarding exceptions to the rule against perpetuities in H.B. 701 of the 122nd General Assembly and H.B. 479 of the 129th General Assembly.

Attorney in fact signatures

- Statutorily upholds the validity of a recorded real property instrument signed by an attorney in fact even if the attorney in fact signs the instrument in an individual capacity, rather than a representative capacity.

Lucas County land conveyance

- Authorizes the conveyance of state-owned land in Lucas County to the Lucas County Commissioners.

S.C.R. 16

Primary Sponsor: Sen. Gavarone

Adopted: June 1, 2022

- Disapproves the proposed amendments to specified Rules, and to Staff Notes to specified Rules, filed by the Ohio Supreme Court with the General Assembly on April 26, 2022, and the previously proposed amendments to those specified Rules and Staff Notes filed by the Court on January 12, 2022, that were proposed to:
 - The Ohio Rules of Civil Procedure;
 - The Ohio Rules of Criminal Procedure;
 - The Ohio Rules of Evidence; and
 - The Ohio Rules of Juvenile Procedure.

Constitutional Amendments

H.J.R. 2

Primary Sponsors: Reps. LaRe and Swearingen

Effective date: Approved by the voters on November 8, 2022; takes effect immediately

- Proposes to amend the Ohio Constitution to eliminate the requirement that the amount and conditions of bail be established pursuant to Ohio Constitution, Article IV, Section 5(B) (by the Ohio Supreme Court), and instead to require courts, when determining bail, to consider public safety, including the seriousness of the offense, a person's criminal record, the likelihood a person will return to court, and any other factor the General Assembly may prescribe.

H.J.R. 4

Primary Sponsors: Reps. Edwards and Seitz

Effective date: Approved by the voters on November 8, 2022; takes effect immediately

- Proposes to amend the Ohio Constitution to prohibit local governments from allowing persons to vote in local elections if they are not qualified to vote in state elections.

Crimes, Corrections, and Law Enforcement

H.B. 206

Primary Sponsors: Reps. Ghanbari and O'Brien

Effective date: September 23, 2022

- Grants township officers, who serve a township with a population between 5,000 and 50,000, the authority to make an arrest for specified traffic offenses on an interstate highway within the township's jurisdiction, if certain criteria are met and the board of township trustees adopts a resolution authorizing the arrests.
- Specifies that the fine collected from a speeding ticket issued by a township officer on an interstate highway within the township's jurisdiction must be paid to the county treasury for highway maintenance and repair.

H.B. 254

Primary Sponsors: Reps. Boggs and Abrams

Effective date: April 3, 2023

- Authorizes the establishment of county or regional domestic violence fatality review boards.
- Requires each review board to submit to the Ohio Department of Health an annual report containing specified information related to the domestic violence fatalities reviewed by the board.
- Requires the Department to adopt rules establishing a procedure for county and regional domestic violence fatality review boards to follow in reviewing deaths by domestic violence.

H.B. 343

Primary Sponsor: Rep. White

Effective date: April 6, 2023

Victim's rights

Generally

- Broadly defines several terms, including "criminal offense" and "delinquent act" for purposes of the Victim's Rights Law.
- Defines "victim" for purposes of the Victim's Rights Law by reference to Ohio Constitution, Article I, Section 10a.
- Authorizes a victim's representative to exercise the rights of a victim under the Victim's Rights Law.

- Modifies procedures for the law enforcement agency responsible for investigating a criminal offense or delinquent act on its initial contact with the victim, including materials and information that must be provided to the victim.
- Entitles a victim with a disability, a non-English speaking victim, or a victim with limited English proficiency to a qualified or certified interpreter at all court proceedings, meetings with the prosecutor, and investigative contacts, at no cost to the victim and paid for by the court.
- Entitles a victim and victim's representative to be present during any public proceeding, other than a grand jury proceeding, and grants the victim, victim's representative, and victim's attorney the right to be heard by the court at any proceeding in which any right of the victim is implicated.
- Prohibits a victim from being required to pay for a copy of any public records related to the victim's case, and prohibits the victim and victim's representative from being required to pay for a copy of the certificate of judgment and judgment entry from the clerk.
- Clarifies the timing of various notices that must be provided to victims of crime.
- Makes several changes throughout the Victim's Rights Law and Criminal Code to allow for a victim's representative, where designated, to receive the same notice and standing as a victim.
- Prohibits an employer from retaliating against a victim, victim's family member, or victim's representative for preparation for criminal proceedings and attending criminal proceedings pursuant to statutory and constitutional rights or at the prosecutor's request, whether or not attendance is pursuant to subpoena.
- Modifies the victim's bill of rights document that the Attorney General must distribute.
- Requires the Supreme Court to create the victim's rights request form.
- Requires that a victim's name and identifying information be documented on a separate page in law enforcement records and court filings, which is not a public record.

Law enforcement agencies

- Requires law enforcement to provide the victim with the victim's rights request form upon initial contact, as well as the victim's rights pamphlet and information card.
- Requires the law enforcement agency investigating a criminal offense or delinquent act having a statute of limitations longer than three years to notify the victim and the victim's representative if an inactive case is reopened, unless notification is waived.
- Requires a person not previously identified as a victim by law enforcement to affirmatively identify themselves as a victim to law enforcement, the prosecutor, and courts, in order to receive information and exercise rights as a crime victim under Ohio's Victim's Rights Law.

- Requires the law enforcement agency that investigates a criminal offense or delinquent act to give the victim or victim's representative notice that the victim may request and receive information on the terms and conditions of bond, the time, place, and date of arraignment, and details of detainment in another jurisdiction.
- Requires a custodial agency of a defendant or delinquent child to provide the victim and victim's representative the victim's rights request form and a notice that failure to affirmatively request these rights is considered a waiver but may be requested at a later time.
- Requires the probation department, during its presentence investigation, to contact the victim, victim's representative, and victim's attorney concerning the victim's economic, physical, psychological, or emotional harm or victim's safety concerns as a result of the offense.

Prosecutors

- In certain cases, requires the prosecutor to inform the victim as soon as practicable if the prosecutor does not file a motion to reconsider the conditions of bond or personal recognizance granted to a defendant or alleged juvenile offender after release from custody or detention on bond or personal recognizance.
- Expands the times at which the prosecutor in a case must confer with the victim, requires these conferences to include the victim's representative at the victim's request, and allows the prosecutor to designate a person to confer on the prosecutor's behalf.
- Requires the prosecutor, on request of the victim or victim's representative, to keep the victim and representative apprised of requests and communications from the defendant, alleged juvenile offender, or an agent that could affect the victim's privacy rights or safety concerns.
- Adds several items, including the victim's rights request form, to the information that the prosecutor or designee must provide to the victim, and specifies that all of the information must be provided within 14 days after prosecution commences and must also be provided to the victim's representative, if applicable.
- Requires the prosecutor to review the victim's rights request form with the victim or victim's representative, obtain signatures from both if the form was not previously completed with law enforcement, and file the form with the court within seven days after initiation of a criminal prosecution.
- Specifies that a prosecutor's notification to a victim or victim's representative of a hearing or application for judicial release, as requested by the victim or representative, must occur not later than seven days after the hearing is scheduled or the application is filed.
- Requires the prosecutor, in any post-conviction proceeding or in regards to any post-conviction relief, to file a motion with the court when the prosecutor has a reasonable basis to believe that the victim's representative is not acting in the interests of the child victim, victim with a developmental disability, or an incapacitated or incompetent victim.

DRC and DYS

- Requires the Department of Rehabilitation and Correction or the Department of Youth Services to directly notify the victim and the victim's representative of services available and the victim's right to be notified of actions the release authority takes with respect to the defendant or alleged juvenile offender.

State Victims Assistance Advisory Council

- Increases the number of members of the State Victims Assistance Advisory Council from 17 to 21, and specifies the organizations they must represent.

Notice and rights in court proceedings

- Requires the court to provide the prosecutor notice of any court proceeding not less than ten days prior to that court proceeding, and to provide that notice to the victim and victim's representative not less than seven days prior to the court proceeding, unless the parties agree that a shorter notice is reasonable under the circumstances.
- Requires, once a pro se victim or victim's attorney files a notice of appearance in a case, the victim or attorney to be served copies of all notices, motions, and court orders filed in the case after the notice in the same manner as the parties in the case.
- Entitles a victim or victim's representative to receive a copy of all documents filed with the court in the victim's case at no cost to the victim and allows those copies to be provided in electronic format.
- Entitles a victim, victim's attorney, or victim's representative to obtain recordings of court proceedings at cost and transcripts of the case that have been previously prepared at a reduced cost.
- Entitles a victim to not testify at any court proceeding regarding the victim's address, telephone number, place of employment, or other locating information except under certain specified circumstances, and allows the victim or victim's representative to request that information be redacted from case documents prior to public release.
- Entitles a victim to proceedings free from unreasonable delay and a prompt conclusion of the case, and requires all participants to endeavor to complete the case within the time frame provided by the Rules of Superintendence.
- Entitles a victim and victim's representative to be present and heard, or to elect to not be present, at a proceeding in which a negotiated plea for the defendant or alleged juvenile offender will be presented to the court, unless a subpoena served on the victim or victim's representative compels their presence.
- Entitles a victim and victim's representative to be present at a proceeding in which the court conducts a hearing on the post-arrest release of the person accused of committing a criminal offense or delinquent act against the victim or the conditions of release.

- Entitles a victim and victim's representative to be present and heard at any probation or community control revocation disposition proceeding and certain probation or community control hearings.
- Prohibits the court from ruling on any substantive issue that implicates a victim's right, accepting a plea, or imposing a sentence if the prosecutor has not made reasonable efforts to confer with, or reasonable efforts were not made to provide reasonable and timely notice of the time, place, and nature of the court proceeding to, the victim and victim's representative.
- Requires the court to review records produced in response to a subpoena in-camera where a right of privilege has been asserted.
- Requires that notice of a defendant's acquittal or conviction that must be provided to the victim upon request must occur within seven days of the acquittal or conviction and must also be provided to the victim's representative if requested.
- Requires a notice of conviction provided to a victim or victim's representative to include the purpose of the presentence investigation report, if ordered, and that the victim and representative have the right to review a copy of the report except those portions that are confidential by law and to include notice of the right to file a restitution lien.
- Preserves certain rights of a crime victim despite a negotiated plea agreement or dismissal of charges involving that victim.
- Specifies that an oral statement from a victim or victim's representative permitted during a sentencing or disposition proceeding is not subject to cross-examination.
- Requires the court or court designee, or the probation department to notify the victim and victim's representative, upon request, of proceedings related to the revocation or modification of terms of probation or community control and any conduct by the defendant or alleged juvenile offender that raises a concern for the victim's safety.
- Requires a court making a determination whether to grant judicial release or other early release to send notice of its determination to the prosecutor of the county in which the criminal or delinquency proceeding was held and, before ordering release, to send the custodial agency a copy of the court's journal entry of the determination.

Governor

- Prior to granting a pardon, commutation, or reprieve for an offense of violence or an act that would be an offense of violence if committed by an adult, requires the Governor or a designee to notify the victim of the application and that the victim, victim's representative, and victim's attorney may submit a written statement.

Defendant

- Requires a defendant seeking to subpoena records of or concerning the victim to serve the prosecutor, the victim, and the victim's attorney, if applicable, with a copy of the subpoena.

- Requires the proponent of a subpoena, upon the filing of a motion to quash, to prove that the documents are evidentiary and relevant, that the documents are not otherwise procurable reasonably in advance of trial by exercise of due diligence, that the party cannot properly prepare for trial without them, and that the application is made in good faith and is not a violation of the Ohio Rules of Criminal Procedure.
- Prohibits the defendant from subpoenaing a victim for a pretrial hearing without good cause.
- Prohibits the victim from being compelled to submit to an interview on any matter that is conducted by the defendant, the defendant's attorney, or an agent of the defendant, and specifies procedures for the defendant to request an interview with the victim through the prosecutor and the victim's attorney, if applicable.
- Requires a presentence investigation that is made available to the defendant prior to the sentencing hearing be simultaneously provided to the prosecutor assigned to the case and to the victim, victim's representative, and victim's attorney, redacted as required by law.

Enforcement

- Creates a mechanism for a victim, victim's representative, or victim's attorney to enforce the victim's rights under the Victim's Rights Law with or without the prosecutor and including enforcement by extraordinary writ.
- Permits the speedy-trial rights of a criminal defendant to be tolled during any period that an appeal or petition for an extraordinary writ to enforce victim's rights is pending.
- Grants a victim, victim's representative, or victim's attorney, or the prosecutor, on request of the victim, standing as a matter of right to assert or to challenge an order denying the rights of the victim.
- Requires that an interlocutory appeal concerning the rights of the victim be heard and decided upon within specified time frames.

Financial sanctions

Costs

- Specifically allows for the costs of global positioning system device monitoring to be imposed on an offender as a financial sanction for a misdemeanor.
- Prohibits the court from waiving certain court costs.

Restitution

- Allows the court to order restitution in a juvenile delinquency offense even if that offense would be a minor misdemeanor if committed by an adult.
- Requires the court imposing a sentence on an offender for a felony or misdemeanor to sentence the offender to make restitution.

- Allows the victim, private provider, state, or political subdivision to obtain a certificate of judgment at no cost in a felony or misdemeanor case where a financial sanction has been ordered.
- If a business or corporation is required to pay restitution for a felony or misdemeanor, imposes the duty to pay the restitution, fines, or fees on the person authorized to make disbursements from the assets of the business or corporation, to pay those costs from the assets.
- Requires the clerk of a sentencing court to make the payment history of an offender sentenced to pay restitution for a felony or misdemeanor available to the prosecutor, victim, victim's representative, and the court without cost.
- Prohibits a court that has ordered restitution on an offender for a felony to discharge restitution until it is fully paid by the offender.
- Broadly allows the victim, victim's representative, victim's attorney, prosecuting attorney, and the offender or delinquent child to provide information relevant to the determination of the amount of restitution in a criminal proceeding or juvenile delinquency proceeding.
- Modifies the process for calculating restitution owed for juvenile delinquency and criminal offenses and requires full restitution to be determined by the court by a preponderance of the evidence.
- Requires that all money that remains unclaimed that is for the restitution payments for crime victims must be sent to the Reparations Fund with a list from the clerk specifying the amounts and individual identifying information of the money.
- Requires that if money received pursuant to a restitution order is in the Reparations Fund and is not claimed within five years, the Attorney General must use that money for the benefit of other victims of crime.
- Requires the Attorney General to pay any part of the restitution award owed to a victim at any time to the person who has a right to the money upon proper certification from the clerk and documentation from the individual claiming that right.
- Permits an officer responsible for collecting and distributing restitution to manage unclaimed funds in lieu of the clerk.

Record sealing and expungement

- Requires the court in proceedings to seal or expunge criminal records and juvenile records to provide notice to the prosecutor not less than 60 days prior to the hearing.
- Requires the prosecutor in proceedings to seal or expunge juvenile records or in proceedings to seal criminal records to provide timely notice of the proceedings to a victim and victim's representative if the victim or representative requested notice.

- Allows the victim, victim’s representative, and victim’s attorney to be present at juvenile record sealing or expungement proceedings or in proceedings to seal criminal records and to be heard orally, in writing, or both, and requires the court to consider the oral or written statement of any victim, victim’s representative, or victim’s attorney.
- Requires money owed by the state or a political subdivision to a delinquent child, juvenile traffic offender, or criminal offender who is required to make restitution be assigned to the discharge of that outstanding restitution obligation, subject to any superseding federal statutes or regulations.
- Specifies the order in which restitution owed to more than one victim must be paid by a delinquent child, juvenile traffic offender, or criminal offender.
- Prohibits a court from suspending the restitution portion of a delinquent child’s or juvenile traffic offender’s disposition or of a criminal offender’s sentence if the victim or victim’s attorney objects to that portion of the disposition or sentence being suspended.
- Excludes restitution ordered in juvenile delinquency cases, juvenile traffic offenses, and criminal offenses from discharge in bankruptcy, except to the extent required by federal law.
- Requires the Supreme Court to create a standardized form to be made publicly available that provides guidance for victims and victims’ representatives regarding the compilation of evidence to demonstrate losses for the purpose of restitution in juvenile delinquency cases, juvenile traffic cases, and criminal cases.

Trial testimony

- Modifies provisions for testimony by deposition, recording, or other means applicable to victims of crimes to generally expand the availability of such alternative means of testimony to child victims under age 18 if that child victim would suffer serious emotional harm, and to include victims’ attorneys and advocates in those proceedings.
- Provides rights that apply to a person under 18 or a person with a developmental disability who testifies in open court that may be enforced by the court or by any attorney involved with the proceeding.

Evidence

- Narrows an exception to Ohio’s Rape Shield Law to allow that evidence under limited circumstances when the evidence involves the origin of a sexually transmitted disease or infection, rather than allowing that evidence under limited circumstances when the evidence involves the origin of disease generally.
- Prohibits requiring a victim of an alleged sex offense to submit to a polygraph examination as a condition for proceeding with the investigation or prosecution of the alleged sex offense.

H.B. 427

Primary Sponsors: Reps. White and Manchester

Effective date: September 13, 2022

- Provides that the element “compelled” is established for the offenses of “trafficking in persons” and “compelling prostitution” when the state proves that the offender overcame the victim’s will by furnishing or offering a controlled substance to the victim or by manipulating the victim’s controlled substance addiction.

H.B. 462

Primary Sponsors: Reps. K. Miller and Carfagna

Effective date: April 3, 2023

Swatting

- Creates the offense of swatting, related to reporting false or misleading information to a law enforcement agency, emergency service provider, or public safety answering point.
- Provides that a violation of the prohibition is a fourth degree felony, unless the violation results in serious physical harm, then a violation is a second degree felony.
- Allows a court to order an offender to reimburse a law enforcement agency or emergency services provider involved in the emergency response for all or a portion of the costs it incurred during the emergency response.
- Adds the offense of swatting to the definition of an offense of violence.

Pay ranges for Highway Patrol officers and other employees

- Requires the Director of Administrative Services to adopt rules establishing pay range 19, as well as step value 7 in pay range 17, in salary schedule E-1 for exempt state employees, applicable on July 1, 2023.
- Beginning July 1, 2023, assigns lieutenants, staff lieutenants, captains, majors, and lieutenant colonels in the Ohio State Highway Patrol, or their equivalents, to specific pay ranges in schedule E-1.

H.B. 504

Primary Sponsors: Reps. Carfagna and Johnson

Effective date: April 6, 2023

- Increases the penalty for the offense of “disturbing a lawful meeting” from a fourth degree misdemeanor to a first degree misdemeanor if either of the following applies:
 - The violation is committed with the intent to disturb or disquiet any assemblage of people met for religious worship at a tax-exempt place of worship and disturbs the order and solemnity of the assemblage.

- The violation is committed with the intent to prevent, disrupt, or interfere with a virtual meeting or gathering of people for religious worship, through use of a computer, computer system, telecommunications system, or other electronic device or system, or in any other manner.

S.B. 16

Primary Sponsor: Sen. Schaffer

Effective date: April 4, 2023

Offenses relating to emergency service responders

- Increases the penalty for “assault” to a fourth degree felony if:
 - The victim is an emergency service responder (ESR), the offender knows or reasonably should know that the victim is an ESR, and it is the offender’s specific purpose to commit the offense against an ESR; or
 - The victim is a family or household member or co-worker of an ESR, the offender knows or reasonably should know the victim’s status, and it is the offender’s specific purpose to commit the offense against a family or household member or co-worker of an ESR.
- Adds a new prohibition under “menacing” that prohibits a person from knowingly placing or attempting to place another in reasonable fear of physical harm or death by displaying a deadly weapon, regardless of whether the weapon is operable or inoperable, if:
 - The other person is an ESR, the offender knows or reasonably should know that the other person is an ESR, and it is the offender’s specific purpose to engage in the conduct against an ESR; or
 - The other person is a family or household member or co-worker of an ESR, the offender knows or reasonably should know that person’s status, and it is the offender’s specific purpose to engage in the conduct against a family or household member or co-worker of an ESR.
- Provides that if an offender is convicted of or pleads guilty to a violation of menacing or assault based on the same conduct involving the same victim that was the basis of the violation of the offense, the two offenses are allied offenses of similar import.
- Creates the offense of “unlawfully impeding public passage of an emergency service responder,” a first degree misdemeanor, under which a person, without privilege to do so, recklessly obstructs a highway, street, sidewalk, or other public passage in a manner that renders it impassable without unreasonable inconvenience or hazard if:
 - The obstruction prevents an emergency vehicle from accessing a highway or street, prevents an ESR from responding to an emergency, or prevents an emergency vehicle or an ESR from having access to an exit from an emergency; and
 - Upon an ESR’s request or order to remove or cease the obstruction, the offender refuses to do so.

Importuning

- Modifies the offense of “importuning” to prohibit soliciting a person who is younger than 16 to engage in sexual activity with the offender when the person younger than 16 is substantially impaired because of a mental or physical condition.
- Requires the court to impose a mandatory prison term for a third degree felony if the offender, in addition to soliciting the other person, arranged to meet the other person for the purpose of engaging in sexual activity in specified circumstances.
- Requires the court to impose a mandatory prison term for a fifth degree felony if the offender is more than ten years older than the other person and, in addition to soliciting the other person, the offender arranged to meet the other person for the purpose of engaging in sexual activity in specified circumstances.

Voyeurism

- Modifies the offense of “voyeurism” to prohibit a person from knowingly doing any of the following:
 - Committing trespass or otherwise secretly or surreptitiously videotaping, filming, photographing, broadcasting, streaming, or otherwise recording another person, in a place where a person has a reasonable expectation of privacy, for the purpose of viewing the private areas of that person;
 - Committing trespass or otherwise secretly or surreptitiously videotaping, filming, photographing, broadcasting, streaming, or otherwise recording a minor, in a place where a person has a reasonable expectation of privacy, for the purpose of viewing the private areas of the minor;
 - Secretly or surreptitiously videotaping, filming, photographing, or otherwise recording another person above, under, or through the clothing worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person.

Offenders serving in position affording contact with children

- Enacts restrictions in the Sex Offender Registration and Notification Law (SORN Law) that bar offenders convicted of a sexually oriented offense when the victim was under age 18, or a child-victim oriented offense, from serving in a volunteer position that affords extensive contact with minor children if:
 - The offender is either a Tier II or a Tier III Sex Offender/Child-Victim Offender with respect to the offense who is subject to SORN Law duties; or
 - The offense was committed prior to January 1, 2008, and under the version of the SORN Law in effect prior to that date, the offender was adjudicated or classified a sexual predator, child-victim predator, habitual sex offender, or habitual child-victim offender with respect to the offense.

- Allows a prosecutor to seek an injunction for the violation of a restriction described above or, if the offender previously had been subjected to an injunction for a violation of such a restriction, to bring criminal charges for the offense.

Criminal statute of limitations

- Eliminates the period of limitations for prosecution of a conspiracy or attempt to commit, or complicity in committing, aggravated murder or murder.

Searches regarding convicted offender under supervision

- Provides that for a felony offender sentenced to a nonresidential sanction, probation officers and Adult Parole Authority (APA) field officers have the authority to search, with or without a warrant, the offender's person, real property, motor vehicle, or personal property if either of the following apply:
 - The court requires the offender's consent to search in the terms and conditions of community control, and the offender agreed to those terms and conditions; or
 - The offender otherwise consents to the search.
- Provides that for a felon granted a conditional pardon or parole, transitional control, or other form of authorized release, APA field officers have the authority to search, with or without a warrant, the offender's person, real property, motor vehicle, or personal property if either of the following apply:
 - The APA requires the offender's consent to searches in the terms and conditions of the conditional pardon or parole, the transitional control, or the other form of authorized release, and the offender agreed to those terms and conditions; or
 - The offender otherwise consents to the search.

Restraint of pregnant child or woman

- Allows a law enforcement, court, or corrections official to restrain a pregnant child or woman if the pregnant child or woman presents a risk of physical harm to herself or another, presents a risk of physical harm to property, or presents a security risk.
- Prohibits an official who restrains a pregnant child or woman as described above from using any waist restraint.

Political subdivision suppression of a riot or mob

- Authorizes a political subdivision with police powers, when engaged in suppressing a riot or mob or when there is clear and present danger of a riot or mob, to do any of the following:
 - Cordon off any areas threatened by the riot or mob;
 - Prohibit persons from entering the cordoned off areas except when carrying on necessary and legitimate pursuits;

- Prohibit the sale, offering for sale, dispensing, or transportation of dynamite or other dangerous explosives in, to, or from the cordoned off areas.
- Provides that a political subdivision may not prohibit the otherwise legal sale, offering for sale, dispensing, or transportation of firearms, other dangerous weapons, or ammunition by a person in a cordoned off area in specified circumstances.

Preservation of firearms rights during emergency

- Declares that certain deadly weapons or firearms businesses and services are life-sustaining “essential” businesses and services for the purposes of safety and security during an emergency.
- Prohibits any state agency, political subdivision, elected or appointed official or employee of the state or any political subdivision, or agent of the state or of any political subdivision, board, commission, bureau, or other public body established under law from taking certain actions regarding firearms or weapons during an emergency.
- Allows any person, group, or entity adversely affected by any manner of law enacted or enforced in violation of the prohibition to file an action for damages, injunctive relief, declaratory relief, or other appropriate redress.
- Extends a concealed handgun license scheduled to expire during or 30 days prior to an emergency throughout the duration of the emergency, plus 90 days.
- Specifies that these provisions are severable.

County correctional officers carrying firearms

- Authorizes a county correctional officer to carry firearms while on duty in the same manner as a law enforcement officer if the county correctional officer is specifically authorized to carry firearms and has received firearms training.
- Grants a county correctional officer who is carrying firearms as described above protection from civil or criminal liability for any conduct occurring while carrying firearms to the same extent as a law enforcement officer.

County prosecuting attorney reports

- Eliminates the requirement that county prosecutors annually report all criminal case resolutions to the board of county commissioners and all fire-related case resolutions to the State Fire Marshal.

Statewide Emergency Alert System

- Authorizes the Statewide Emergency Alert System to be activated to assist in locating any individual with autism spectrum disorder or another developmental disability.

S.B. 25

Primary Sponsor: Sen. Gavarone

Effective date: July 21, 2022

Drug offenses near treatment centers or recovering addicts

- Enhances the penalties for most drug trafficking offenses in either of the following circumstances:
 - The offender commits the offense on the premises of a substance addiction services provider’s facility, or within 500 feet of the premises of such a provider’s facility, if the offender knows or should know that the offense is being committed within that vicinity.
 - The offender sells, offers to sell, delivers, or distributes the controlled substance to a person who is receiving treatment at the time of the offense, or received treatment within 30 days prior to the offense, from a substance addiction services provider and the offender knows that the person is or was in treatment.
- Sets the new penalty enhancements at the same level as continuing law penalty enhancements for the same drug trafficking offenses when committed in the vicinity of a school or juvenile.
- Names these provisions the “Relapse Reduction Act.”

Sexual Assault Prevention Awareness Month

- Designates April as “Sexual Assault Prevention Awareness Month.”

S.B. 156

Primary Sponsor: Sen. Roegner

Effective date: September 13, 2022

- Establishes knives as arms necessary for the exercise of fundamental individual rights, along with firearms, parts of firearms, the components of a firearm, and firearm ammunition.
- Prohibits any ordinance or regulation inhibiting a person’s ability to own or carry a knife.
- “Preempts, supersedes, and declares null and void” any contrary license, permission, restriction, delay, process, ordinance, rule, regulation, resolution, practice, or other action or any threat of citation, prosecution, or other legal process.
- Permits a person adversely affected by a knife regulation of a political subdivision to bring a civil action against that political subdivision.

S.B. 164

Primary Sponsors: Sens. Hottinger and Yuko

Effective date: April 3, 2023

Companion animal cruelty

- Revises the law and penalties associated with companion animal cruelty.
- Classifies knowingly causing serious physical harm to a companion animal as an offense of violence.
- Subjects both nonregistered and registered animal rescues to the same penalties for certain animal abuse acts.

Use of gas chamber to destroy animals

- Prohibits an animal shelter from recklessly destroying a domestic animal by the use of a carbon monoxide gas chamber, carbon dioxide gas chamber, or any other nonanesthetic inhalant.

Adulterated pet food

- Prohibits pet food from containing remains from an animal that was euthanized by using any drug injected intravenously or through another, nonvascular route.
- Prohibits pet food from containing any dog or cat remains.

Cuyahoga County cigarette and vapor products taxes

- Authorizes Cuyahoga County to modify the tax base of its existing cigarette tax and to levy a new tax on nicotine vapor products.

S.B. 215

Primary Sponsor: Sen. Johnson

Effective date: June 13, 2022

- Provides that a person who is a “qualifying adult” is not required to obtain a concealed handgun license in order to carry a concealed handgun that is not a “restricted firearm.”
- Defines “qualifying adult” as a person who is age 21 or older, is not legally prohibited from possessing or receiving a firearm under specified federal or state law, and satisfies specified criteria necessary to obtain a concealed handgun license.
- Defines “restricted firearm” as a firearm that is dangerous ordnance or that is a firearm that any law of this state prohibits the person from possessing, having, or carrying.
- States that references to a concealed handgun and a concealed handgun licensee apply to a qualifying adult, unless the context clearly indicates otherwise.

- States that references to the expiration, suspension, and revocation of a concealed handgun license do not apply to a qualifying adult, unless the person has been issued a concealed handgun license.
- Eliminates the requirement that a concealed handgun licensee must carry a concealed handgun license in order to carry a concealed handgun.
- Modifies the duty to notify by providing that, before or at the time a law enforcement officer asks if a person is carrying a concealed handgun, the person must disclose that the person is carrying a handgun, unless the person has already notified another law enforcement officer of that fact.
- Modifies the penalty for failure to comply with the duty to notify to a second degree misdemeanor.
- Permits expungement of convictions based on failure to comply with the duty to notify.

S.B. 288

Primary Sponsor: Sen. Manning

Effective date: April 4, 2023

Gross sexual imposition

- Modifies the circumstances in which a mandatory prison term is required for the offense of “gross sexual imposition.”

Misdemeanor theft

- Renames the offense of “petty theft” as “misdemeanor theft.”

Offense of strangulation

- Creates the offense of “strangulation” that prohibits a person from knowingly doing any of the following:
 - Causing serious physical harm to another by means of strangulation or suffocation;
 - Creating a substantial risk of serious physical harm to another by means of strangulation or suffocation;
 - Causing or creating a substantial risk of physical harm to another by means of strangulation or suffocation.
- Sets the penalty under the offense from a fifth degree felony to a second degree felony, depending on the circumstances.

Disturbing religious worship

- Increases the penalty for the offense of “disturbing a lawful meeting” from a fourth degree misdemeanor to a first degree misdemeanor if either of the following apply:

- The violation is committed with the intent to disturb or disquiet any assemblage of people met for religious worship at a tax-exempt place of worship and disturbs the order and solemnity of the assemblage.
- The violation is committed with the intent to prevent, disrupt, or interfere with a virtual meeting or gathering of people for religious worship, through use of a computer, computer system, telecommunications system, or other electronic device or system, or in any other manner.

Engaging in prostitution with a person with a developmental disability

- Adds a new prohibition to the offense of “engaging in prostitution” that prohibits a person from recklessly inducing, enticing, or procuring another to engage in sexual activity for hire in exchange for the person giving anything of value to the other person if:
 - The other person is a “person with a developmental disability”; and
 - The offender knows or has reasonable cause to believe that the other person is a person with a developmental disability.
- Names the offense “engaging in prostitution with a person with a developmental disability,” a third degree felony.

Marihuana drug paraphernalia

- Specifies that arrest or conviction for a violation of “illegal use or possession of marihuana drug paraphernalia” does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquires about the person’s criminal record.
- Repeals law that authorized the court to suspend for up to five years the driver’s or commercial driver’s license or permit of an offender convicted of committing the offense.
- Removes a conviction for the offense from the disqualifying events with respect to certain categories of service, employment, licensing, or certification.

Fentanyl testing strips

- Provides that the offense of “illegal use or possession of drug paraphernalia” does not apply to a person’s use, or possession with purpose to use, any drug testing strips to determine the presence of fentanyl or a fentanyl-related compound.

Aggravated vehicular homicide

- Expands the provisions that require imposition of a five-year prison term on a person convicted of “aggravated vehicular homicide” and a specification charging that the victim is a peace officer or a Bureau of Criminal Identification and Investigation (BCII) investigator so that both also apply if the victim is a firefighter or an emergency medical worker.

Mandatory reporter’s failure to report adult abuse, neglect, or exploitation

- Modifies the law regarding the duty of a “mandatory reporter” of adult abuse, neglect, or exploitation to report such conduct by:
 - Adding a “knowingly” *mens rea* regarding the duty, so that a mandatory reporter violates the duty if the mandatory reporter has reasonable cause to believe that an adult is being abused, neglected, or exploited and “knowingly” fails to immediately report that belief; and
 - Changing the penalty for violating that duty from a fine of \$500 to a fourth degree misdemeanor.

Sexual assault examination kits

- Applies the procedures of preexisting law for preserving and cataloging biological evidence to sexual assault examination kits in the possession of any governmental evidence-retention entity during an investigation or prosecution of a criminal offense or delinquent act that is a “trafficking in persons” offense.
- Requires each governmental evidence-retention entity that secures any sexual assault examination kit in relation to an investigation or prosecution of a criminal offense or delinquent act that is a trafficking in persons offense to secure the biological evidence for a specified period of time.
- Requires that a law enforcement agency must review all of its records and reports pertaining to its investigation of a trafficking in persons offense as soon as possible after April 4, 2023 (the act’s effective date).
- Requires that, if a law enforcement agency’s review determines that a person committed a trafficking in persons offense or an offense that is subject to the procedures of preexisting law (a previously covered offense), the agency must forward the contents of the sexual assault examination kit to BCII as soon as possible, but not later than April 4, 2024.
- Requires that, if a law enforcement agency’s investigation is initiated on or after April 4, 2023, and if the review determines that a person committed a trafficking in persons offense or a previously covered offense, the agency must forward the contents of the sexual assault examination kit to BCII within 30 days.
- Requires BCII to perform a DNA analysis of the contents of the sexual examination kit related to a trafficking in persons offense and enter the resulting DNA record into the DNA database.
- Requires that, upon written request by a defendant or delinquent child in a case involving a trafficking in persons offense or a previously covered offense, a governmental evidence-retention entity that possesses biological evidence must prepare an inventory of the biological evidence.

- With respect to the act’s trafficking in persons offense-related provisions described above, applies the preexisting procedures that:
 - Specify when a governmental evidence-retention entity that possesses biological evidence may destroy it before the expiration of the applicable period of time for a trafficking in persons offense.
 - Require the Attorney General (AG) to administer and conduct training programs for law enforcement officers who are charged with preserving and cataloging biological evidence.
 - Provide that the failure of any law enforcement agency to comply with any time limit specified in the provisions must not create any basis or right to appeal, claim for or right to post-conviction relief, or claim for or right to a new trial or any other claim or right to relief by any person.

Criminal statute of limitations

- Provides that there is no period of limitations for prosecution of a conspiracy or attempt to commit, or complicity in committing, “aggravated murder” or “murder.”

SORN Law duties – unlawful sexual conduct with minor

- Stipulates that, when a person convicted of “unlawful sexual conduct with a minor” files for removal of Sex Offender Registration and Notification duties, the Department of Rehabilitation and Correction (DRC)-certified sex offender treatment program the offender must have completed as a condition must have been located as follows:
 - If the program is ordered by the court, the county where the offender was sentenced;
 - If the program is ordered by the court and the program is not available in the county of sentencing, another county.

Controlled substance “Good Samaritan” provisions

- Provides specified immunity with respect to certain drug abuse instrument or paraphernalia offenses if a person seeks medical help for another person experiencing an overdose, experiences an overdose and seeks medical assistance, or is the subject of another person seeking medical assistance for that overdose.
- Provides specified immunity with respect to sanctioning for community control and post-release control violations for persons on community control or post-release control, if medical assistance is sought as described above.

Victim reimbursement of law enforcement costs

- Specifies that a victim of “rape,” “attempted rape,” “domestic violence,” dating violence, abuse, or a sexually oriented offense, or any owner of property where the victim resides, may not be required to pay any reimbursement for the cost of any assistance that a law enforcement officer provides in relation to the offense.

Entry, removal of warrants into LEADS as extradition warrants

- Requires that any warrant issued for a Tier One Offense (32 specified serious offenses) must be entered, by the law enforcement agency requesting the warrant within 48 hours after receipt of the warrant, into the Law Enforcement Automated Data System (LEADS) and the appropriate National Crime Information Center (NCIC) database.
- Requires a law enforcement agency that discovers that a warrant entered as described above into LEADS and an NCIC database was entered in error to remove the warrant from the databases within 48 hours after discovering the error.
- Requires that all warrants issued for Tier One Offenses must be entered, by the law enforcement agency that receives the warrant with a nationwide extradition radius, into LEADS.
- Requires a law enforcement agency to remove a warrant from LEADS and NCIC within 48 hours of warrant service or dismissal or recall by the issuing court.

County correctional officers carrying firearms

- Authorizes a county correctional officer to carry firearms while on duty in the same manner as a law enforcement officer if the county correctional officer is specifically authorized to carry firearms and has received firearms training.
- Grants a county correctional officer carrying firearms as described above protection from civil or criminal liability for any conduct occurring while carrying firearms to the same extent as a law enforcement officer.
- Provides for firearms training and for annual firearms requalification training for county correctional officers to qualify them to carry firearms while on duty.
- Provides for the certification of county correctional officers who have satisfactorily completed approved firearms training programs that qualify them to carry firearms while on duty.

Correctional, youth services employee body camera recordings

- Establishes, for body-worn camera recordings of a correctional employee or a youth services employee, the same public records exemption that applies to recordings made by a visual and audio recording device worn on a peace officer or mounted on a peace officer's vehicle.

Law enforcement investigative notes in coroner's possession

- Eliminates a journalist's ability to obtain confidential law enforcement investigatory records from a county coroner.

Local correctional facility inmate's internet access

- Modifies the circumstances in which a prisoner in a county or municipal correctional facility may have access to, or use, the internet.

Civil stalking protection order

- Corrects the definition of “family or household member” in the civil stalking protection order law by referring to the family or household member of the *petitioner*.

Electronic monitoring costs

- Eliminates the authority of a court that requires electronic monitoring of a person whom it determines is indigent to use the Reparations Fund to pay the costs of installing and monitoring the monitoring device, when the monitoring is required:
 - By a juvenile court under a protection order it issues or by a court under a stalking civil protection order it issues; or
 - By a court under a sentence it imposes on an offender convicted of “violating a protection order” involving either of those types of protection orders.

Searches regarding convicted offender under supervision

- Provides that, regarding a felony offender sentenced to a nonresidential sanction, during the period of the sanction, probation officers and Adult Parole Authority (APA) field officers have the authority to search, with or without a warrant, the offender’s person, real property, motor vehicle, or personal property if either:
 - The court requires the offender’s consent to search as part of the terms and conditions of community control, and the offender agreed to those terms and conditions; or
 - The offender otherwise consents to the search.
- Provides that, regarding a felon granted a conditional pardon or parole, transitional control, or another form of authorized release, or under post-release control, APA field officers have the authority to search, with or without a warrant, the offender’s person, real property, motor vehicle, or personal property if:
 - The APA requires the felon’s consent to search as part of the terms and conditions of the conditional pardon or parole, the transitional control, or the other form of authorized release and the felon agreed to those terms and conditions; or
 - The felon otherwise consents to the search.

Intervention in lieu of conviction supervision

- For a two-year period, authorizes a court that grants an offender intervention in lieu of conviction (ILC) to place the offender under the general control and supervision of a community-based correctional facility.

Judicial release

- Modifies some of the procedures under the preexisting “eligible offender” judicial release mechanism and the preexisting “medical reason” judicial release mechanism.

- Adds to the eligible offender judicial release mechanism circumstances in which judicial release may be granted to “state of emergency-qualifying offenders” during a declared state of emergency, under a procedure similar to the eligible offender judicial release procedure.
- Creates a new judicial release mechanism under which judicial release may be granted to “80%-qualifying offenders,” as defined in the act.
- Specifies that all notices under any of the judicial release mechanisms to a victim of an offense must be provided in accordance with the Ohio Constitution.
- Repeals the 80% release mechanism in effect prior to the act.

Grand jury inspection of local correctional facility

- Expressly authorizes grand jurors of involved counties to periodically visit, and examine conditions and discipline at multicounty, multicounty-municipal, and municipal-county correctional centers and report on the specified matters.

Prison term for repeat OVI offender specification

- Imposes the mandatory prison term for conviction of a repeat operating a motor vehicle while impaired (OVI) offender specification (an additional one-, two-, three-, four-, or five-year mandatory prison term) on an OVI offender who previously has been convicted of or pled guilty to that specification.

Speedy Trial Law – trial of a charged felon

- Allows the court to release from custody a person charged with a felony who has not been brought to trial within the time required by statute, without dismissing charges.
- Allows for a time-for-trial motion to be filed within 14 days before an accused charged with a felony must be brought to trial under continuing law.
- Requires charges to be dismissed with prejudice if a person charged with a felony is not brought to trial within 14 days after a time-for-trial motion is filed and served on the prosecuting attorney or, if none is filed, within 14 days after the court determines that the time to be brought to trial under continuing law has passed.
- Provides that, if the court determines that the time for trial has expired, no additional charges arising from the same facts and circumstances as the original charges may be added during the 14-day period.

Criminal record sealing and expungement

- Modifies the list of conviction records that cannot be sealed (the modified list also applies with respect to the act’s new expungement provisions described below), and modifies the time frame when certain conviction records may be sealed.

- Specifies that the fee for a sealing application will be not more than \$50, including local court fees, unless it is waived because the applicant presents a poverty affidavit showing that the applicant is indigent.
- Requires a hearing on a sealing application not less than 45 days and not more than 90 days from the date of the filing of the application.
- Modifies the provisions regarding the time when a prosecutor may object to an application and, in certain cases, must notify the victim of the offense in the case.
- Applies to persons granted a pardon the provisions regarding the sealing of official records that apply in a case in which a person is found not guilty, proceedings are dismissed, or a grand jury no bill is entered.
- Enacts new law under which a person may apply for expungement of a conviction record in the same manner that a person may apply for sealing of a conviction record, and specifies that the procedures that apply to determining a sealing application also apply regarding an expungement application, with certain exceptions.
- Specifies that the new expungement provisions do not apply regarding conviction record expungement under preexisting provisions, retained by the act, regarding expungement of certain convictions relating to firearms or victims of human trafficking.
- Stipulates that when BCII receives notice of an expungement from the court:
 - BCII must maintain a record of the expunged conviction record for the limited purpose of determining an individual's qualification or disqualification for employment in law enforcement;
 - BCII may not be compelled by the court to expunge those records; and
 - Those records may only be disclosed or provided to law enforcement for the limited purpose of determining an individual's qualification or disqualification for employment in law enforcement.
- Expands provisions that authorize a court, when an offender under ILC successfully completes the ILC intervention plan, to order the sealing of the records to also authorize the court to order expungement of those records.
- Authorizes a prosecutor to request expungement of the conviction record of a "low-level controlled substance offense," defined as a violation of any provision of the Drug Law that is a fourth degree misdemeanor or a minor misdemeanor or of a comparable municipal ordinance.

Youthful offender parole review

- Disqualifies an offender who is paroled on an offense committed when the offender was under age 18 and who subsequently returns to prison from special youthful offender parole under preexisting law.

Earned credits

- For the earned credit mechanism that awards days of credit to a prisoner for participation or completion of programming, increases the maximum earned credit a prisoner may earn from 8% to 15% of the prisoner's prison term and modifies the number of days a prisoner may earn for each participation.
- For the earned credit mechanism under which a prisoner who completes any specified activities or programs earns 90 days of credit toward satisfying the prisoner's prison term or a 10% reduction of that term, whichever is less, adds "any other constructive program developed by DRC with specific standards for performance by prisoners" as a program for which completion earns days of credit.
- Phases in the application of these modifications by specifying that:
 - The provisions in effect prior to the act apply, until one year after the act's effective date, to persons confined in a prison or in the substance use disorder treatment program;
 - Beginning one year after the act's effective date, the modifications apply, in the manner described in the next paragraph, to persons so confined; and
 - The modifications apply to all persons so confined on or after the date that is one year after the act's effective date, but only with respect to the time that the person is so confined on and after that date.

Transitional control and judicial veto

- Provides that judicial veto applies whenever DRC proposes a transfer to transitional control of a prisoner who is serving a definite term of imprisonment or definite prison term of less than one year, or who is serving a minimum term of less than one year under a nonlife felony indefinite prison term.

Operating a vehicle while impaired (OVI and OVUAC) and traffic law changes

- Specifies that the discretionary prison term, in addition to the mandatory prison term, that may be imposed for a third degree felony OVI offense is 12, 18, 24, 30, 36, 42, 48, 54, or 60 months, rather than 9, 12, 18, 24, 30, or 36 months.
- Expands the authorized use of community based sentencing centers so that they may be used with respect to fourth degree felony OVI offenses.
- Expands the scope of the OVI laws by prohibiting the operation of a vehicle or watercraft while under the influence of a "harmful intoxicant."
- Allows a person to assert the affirmative defense of driving in an emergency, with regard to a prosecution for driving under a suspended driver's license, for additional offenses.

- Specifies that an “enhanced penalty” for certain speeding violations applies regardless of whether the offender previously has been convicted of or pleaded guilty to a speeding offense.
- Removes prior operating a vehicle after underage alcohol consumption (OVUAC) offenses as a penalty enhancement (e.g., increased jail terms, longer driver’s license suspensions, impoundment of vehicle, and higher fines) for specified OVI, watercraft, and traffic offenses.

Texting while driving

Prohibition and exemptions

- Broadens the texting-while-driving prohibition to prohibit a person from using, holding, or physically supporting an electronic wireless communications device (EWCD) while operating a motor vehicle, trackless trolley, or streetcar.
- Makes the EWCD-while-driving prohibition a primary offense, meaning that a law enforcement officer may stop a driver and issue a ticket solely for a violation of that offense.
- Modifies exemptions and creates additional exemptions to the new EWCD-while-driving prohibition by generally allowing only limited and mostly hands-free use of an EWCD while driving.
- Specifies what devices constitute an EWCD, but exempts a two-way radio transmitter and receiver used for the Amateur Radio Service.

Penalties

- Changes the minor misdemeanor penalty for texting while driving to an unclassified misdemeanor for the new EWCD-while-driving prohibition, with increasing tiered penalties for violations within a two-year period.

Device seizure and reporting requirements

- Prohibits a law enforcement officer from stopping a driver for an EWCD violation unless the officer observes the driver using, holding, or physically supporting the EWCD.
- Prohibits an officer from seizing and searching a person’s EWCD when stopped for a violation of the EWCD-while-driving prohibition unless the officer has a warrant or the person voluntarily and unequivocally consents to the search.
- Establishes reporting requirements for law enforcement officers, law enforcement agencies, and the AG related to the race of offenders issued a ticket, citation, or summons for violations of the EWCD-while-driving law or the distracted driving law.

Education

- Requires public education regarding the EWCD-while-driving laws through the following:
 - A signed statement at the time of driver’s license issuance and renewal;

- Instruction through drivers' education courses;
- Questions on the written driver's license exams; and
- Signs on certain highways and locations entering Ohio.
- Aligns the distracted driving law to the changes in the EWCD-while-driving law and makes corrective changes in both laws.

Interim enforcement period

- Specifies that for the first six months after April 4, 2023, a law enforcement officer may only issue a written warning to a driver for violating the EWCD-while-driving prohibition, but may fully enforce the prohibition after that interim.

Underage drinking penalty

- Reduces the penalty for an underage drinking offense from a first degree misdemeanor to a third degree misdemeanor.

New licensing collateral sanction limitation

- For a two-year period, prohibits any licensing authority from refusing to issue a license or otherwise placing restrictions on a license, or suspending or revoking a person's license, under any statutory provision that takes effect during that period and that requires or authorizes a collateral sanction as a result of the conviction of an offense.
- Specifies that the prohibition does not restrict a licensing authority that is authorized to limit or otherwise place restrictions on a license from doing so to comply with the terms and conditions of a community control sanction, post-release control sanction, or ILC intervention plan.

Certificate of qualification for employment

- Specifies that the fee for a petition for a certification of qualification for employment will be not more than \$50, including local court fees, unless it is waived because the applicant presents a poverty affidavit showing that the applicant is indigent.

Transfer of child's "case" pursuant to bindover

- Provides that if complaints are filed in juvenile court alleging that a child is a delinquent child for committing a felony, if the case is subject to mandatory or discretionary bindover, and if the complaints containing the allegation that is the basis of the transfer include one or more counts alleging that the child committed a felony, all of the following apply:
 - "Case" means all charges included in the complaints containing the allegation that is the basis of the transfer and for which the court found probable cause to believe that the child committed the act charged;

- Each count in the complaints with respect to which the court found that probable cause must be transferred, and the court to which the case is transferred has jurisdiction over all of the counts so transferred;
- Each count in the complaints that is not so transferred remains within the jurisdiction of the juvenile court to be handled by that court in an appropriate manner.
- Makes similar changes to other transfers of a child's case, including reverse bindovers.

Department of Youth Services

- Permits the Department of Youth Services (DYS) to develop a program to assist youth leaving its supervision, control, and custody at age 21, and requires the DYS Director to appoint a central office quality assurance committee.

Fraudulent assisted reproduction, assisted reproduction without consent

Criminal offense

- Prohibits a health care professional, in connection with an assisted reproduction procedure, from doing any of the following:
 - Using human reproductive material from the health care provider, a donor, or any other person while performing the procedure if the patient receiving the procedure has not expressly consented to the use of that material;
 - Failing to comply with the standards or requirements of laws governing nonspousal artificial insemination, including the terms of the required consent form;
 - Misrepresenting to the patient receiving the procedure any material information about the donor's profile, and the manner or extent to which the information in the profile will be used.
- Provides that the penalty for a violation ranges from a second degree felony to third degree felony, depending on the circumstances.

Civil action

- Provides that a civil action for recovery of remedies for an assisted reproduction procedure performed without consent and performed recklessly may be brought by either:
 - The patient on whom the procedure was performed and the patient's spouse or surviving spouse;
 - The child born as a result of the procedure.
- Provides that a plaintiff who prevails in a civil action is entitled to reasonable attorney's fees, and either compensatory and punitive damages or liquated damages of \$10,000.

Ethics Law violations

- Allows a court to prohibit a person who violates the prohibition against promising or giving things of value to a public official/employee from participating in a public contract for two years and to order the person to pay an additional fine equal to the thing of value.
- Requires a court to order a person who violates certain provisions of Ohio Ethics Law to pay the costs of investigation and prosecution if requested by the Ohio Ethics Commission (up to the amount involved in the violation).

Chief justice of the court of appeals

- Changes the title of the “chief judge” of the court of appeals to the “chief justice” of the court of appeals.

Solicitor General and Tenth Amendment Center

- Creates, as a section within the Office of the AG (1) the Office of the Solicitor General, with the Solicitor General’s duties set by the AG, and (2) a Tenth Amendment Center, with duties specified in the act.
- Requires the AG to provide adequate space, staff, equipment, and materials to both.

Elder Abuse Commission

- Adds the following members to the Elder Abuse Commission:
 - To be appointed by the AG: (a) two representatives of organizations that focus on elder abuse or sexual violence, (b) one representative representing the interests of geriatric medicine, (c) one representative of a research-based organization that focuses on elder abuse research, and (d) one representative of the Ohio Judicial Conference; and
 - The Medicaid Director or the Director’s designee.

Emergency award for funeral expenses for crime victims

- Permits the AG to grant an emergency award under the Crime Victims Reparations program for funeral expenses of a decedent crime victim if there is reasonable belief that the general requirements for a final award may be satisfied, the decedent and the claimant are indigent, and the claimant will suffer undue hardship if immediate economic relief is not obtained.
- Requires repayment of the emergency award in specified circumstances.

Instruction in child sexual abuse prevention, sexual violence prevention

- Requires each public school to provide annual developmentally appropriate instruction in child sexual abuse prevention for grades K-6.

- Requires each public school to include developmentally appropriate instruction in sexual violence prevention education for grades 7-12.
- Prohibits public schools from providing instruction in child sexual abuse prevention to students in grades K-6 that is connected with an individual, entity, or organization that provides, promotes, counsels, or makes referrals for abortion or abortion-related services.
- Requires each public school to notify the parents or guardians of students who receive instruction related to dating violence prevention and sexual violence prevention that:
 - It is required curriculum;
 - Parents or guardians may examine the instructional materials, upon request; and
 - A student may be excused from the instruction upon the parent or guardian's written request.
- Requires the Department of Education to provide on its website links to free curricula addressing sexual violence prevention to assist schools in developing their curricula.
- Requires public schools to incorporate training on child sexual abuse into its required in-service training for teachers and other professionals.
- Requires that teacher and other professional child sexual abuse prevention training be presented by law enforcement officers or prosecutors who have experience in handling cases involving child sexual abuse or child sexual violence

Economic Development

S.B. 33

Primary Sponsors: Sens. Hottinger and Brenner

Effective date: April 3, 2023

Community reinvestment areas

- Extends the authority to designate a community investment area (CRA) to limited home rule townships.
- Eliminates the requirement that the Department of Development (DEV) approve a proposed CRA.
- Requires DEV to prescribe a model CRA exemption agreement for commercial and industrial projects.
- Increases the percentage of a proposed CRA exemption for a commercial or industrial project requiring permission from a school district from 50% to 75%.
- Modifies the requirement that municipalities share municipal income tax revenue from new employees at a large CRA commercial or industrial project with the school district encompassing the project.
- Reduces, from five years to three, the time required between the discontinuation of a CRA commercial or industrial project and when the project's owner may obtain an enterprise zone tax exemption or another CRA exemption.
- Modifies the recipients of, and the information appearing in, a required annual report by local authorities detailing CRA commercial and industrial projects.
- Eliminates fees paid by CRA commercial and industrial project owners to the local authority and DEV to cover the cost of administering the projects.
- Requires DEV to publish the locations of each CRA, as well as all commercial and industrial project exemption agreements, on its website.

Education savings plan income tax deduction

- Expands the income tax deduction allowed for contributions to a 529 education savings program, which previously applied only to Ohio's 529 program, to include contributions to other states' 529 programs.

Education

H.B. 99

Primary Sponsor: Rep. Hall

Effective date: September 12, 2022; appropriations effective June 13, 2022

Ohio School Safety and Crisis Center

- Creates the Ohio School Safety and Crisis Center within the Department of Public Safety to be operated by the Ohio Mobile Training Team (see below).

Firearms and school safety training

- Requires the Mobile Training Team to develop curriculum and provide instruction and training, including firearms training, that qualifies a person for an exception to go armed in a school safety zone (see below).
- Permits a school district board or school governing body to adopt alternate curriculum, instruction, and training, with Center approval, that individuals may complete to qualify for the exception to convey deadly weapons or dangerous ordnance into a school safety zone.

List of authorized individuals

- Requires each district board or school governing body to provide the Center with a current list of the qualified personnel authorized to convey deadly weapons or dangerous ordnance into a school safety zone who have completed training through the Center or an approved alternate training.

Ohio Mobile Training Team

- Establishes the Ohio Mobile Training Team within the Department of Public Safety.
- Requires the Director of Public Safety to appoint a Chief Mobile Training Officer and 16 regional mobile training officers who provide services regarding school and campus safety and security to primary and secondary schools.
- Requires an officer (1) to be either a licensed peace officer or a veteran of the U.S. armed forces and (2) to have completed any additional training requirements required by rule of the Department.
- Establishes duties for the Chief Mobile Training Officer and regional mobile training officers.
- Appropriates \$6 million for each of FYs 2022 and 2023 to the Department for the Ohio Mobile Training Team.

Weapons in a school safety zone

- Modifies an exception to the prohibitions against having a weapon in a school safety zone, for a person a school district board or school governing body authorizes to have weapons in such a zone, provided that:
 - The person either has successfully completed the new curriculum and training established under the act, has received a certificate of satisfactory completion of an approved basic peace officer training program, or is a law enforcement officer; and
 - The board or governing body has notified the public that it has authorized one or more persons to go armed within a school.
- Requires a person who qualifies for the exception and is authorized by a district board or school governing body to submit to an annual criminal records check.

H.B. 353

Primary Sponsors: Reps. Click and Miranda

Effective date: April 3, 2023

- Requires each state institution of higher education to adopt a policy that reasonably accommodates the sincerely held religious beliefs and practices of students.
- Entitles the act “The Testing Your Faith Act.”

H.B. 554

Primary Sponsors: Reps. Lightbody and Bird

Effective date: April 6, 2023; state university logo use policy effective September 1, 2023

Temporary educator licenses

- Requires the State Board of Education to issue nonrenewable, two-year temporary educator licenses to individuals with expired professional teacher’s certificates or professional educator licenses.
- Requires the State Board to issue professional educator licenses to those temporary license holders who complete specified continuing education coursework.

Educator Standards Board

- Requires the Chancellor of Higher Education to appoint to the Educator Standards Board one representative each from the State University Education Deans and the Ohio Association of Private Colleges for Teacher Education, instead of an employee of a college of education and a college of arts and sciences as under prior law.
- Eliminates the Board’s subcommittees on higher education and the standards for teacher preparation.

Developmentally delayed children

- Extends the upper age limit for a developmentally delayed child to be identified as a “child with a disability” from six to ten years old.
- Includes all children identified as “developmentally delayed” into Category 2 of the special education funding formula for school districts and other public schools, instead of only preschool children with developmental delays as under prior law.
- Requires that developmentally delayed children attending preschool as of April 6, 2023, who turn six years old on or before June 30, 2023, be permitted to remain in preschool and continue to be identified as having a developmental delay through June 30, 2023.

State university logos

- Permits state universities to develop policies regulating the use of the university’s logos by registered student organizations for activities, materials, publications, or websites not otherwise sanctioned by the university.

Children of military families’ participation in CCP

- Requires any secondary school or college participating in the College Credit Plus Program (CCP) to permit a student from a military family, who must withdraw due to a change of station order out-of-state, to either complete CCP coursework or withdraw without academic or financial penalty.

Autism scholarship providers

- Removes registered behavior technicians and certified behavioral analysts who are under supervision or in training status from the list of individuals who may provide intervention services under the Autism Scholarship Program.

STEM school facilities

- Requires a STEM school and the Facilities Construction Commission, when the Commission approves a specified increase in the cost of a classroom facilities construction project, to share that cost in proportion to their contributions to the school’s project construction fund.

High school graduation requirements

- Qualifies for a high school diploma any student who attends a chartered nonpublic school that only administers the ACT or SAT if the student earns a remediation-free score in English, math, and reading on the ACT or SAT and completes the school’s curriculum.
- Requires the Department of Education to prescribe standards to allow transfer students to use their pretransfer scores for specified assessments to meet the high school graduation requirements at their new school.

Community schools

FTE reporting based on credits earned

- Authorizes certain community schools to report their student enrollment to the Department on a full-time equivalent basis based partially on credits earned for the 2022-2023 school year.
- Permits those community schools to report attendance to the Department consistent with the attendance policy approved by their governing authorities.

Multiple locations

- Permits multiple community school facilities to be located in counties adjacent to the county in which the school's primary facility is located.

H.B. 569

Primary Sponsors: Reps. Holmes and White

Effective date: April 6, 2023

- Authorizes institutions of higher education to establish Ohio Hidden Hero Scholarship Programs for students who are family caregivers under the federal Program of Comprehensive Assistance for Family Caregivers and provide care to veterans having a 100% service-connected disability.
- Requires the Chancellor of Higher Education to establish guidelines and procedures for Ohio Hidden Hero programs.

H.B. 583

(For details about the act's fiscal provisions and its corrections to the school financing system, see the [LSC Final Fiscal Note \(PDF\)](#), which is available on the General Assembly's website, legislature.ohio.gov.)

Primary Sponsors: Reps. Bird and Jones

Effective date: September 23, 2022; appropriations effective June 24, 2022

Substitute teachers

- Extends to the 2022-2023 and 2023-2024 school years, the authorization for public or chartered nonpublic schools to employ substitute teachers according to their own education requirements.
- Establishes the Substitute Teacher Shortages Study Committee to examine the substitute teacher shortage and consider ways to address its causes.

School financing system

- Makes technical and corrective changes to the school financing system.

State scholarship programs

Ed Choice correction payments

- Permits a chartered nonpublic school, through December 22, 2022, to request the Department of Education to review for errors any Ed Choice scholarship payments made for students attending that school during the 2020-2021 school year.
- Requires the Department, if it finds that scholarship payments for a student were less than they should have been based on the student's attendance, to pay the school the balance.

Ed Choice Expansion scholarships

- Eliminates the progressive reduction of an Ed Choice Expansion scholarship amount, and the disqualification of a scholarship recipient to renew that scholarship, as family income rises.
- Qualifies for an Ed Choice Expansion scholarship any student whose sibling received such a scholarship for either the school year for which the student is seeking a scholarship or the prior school year.

Private school participation in Cleveland program

- Qualifies a private elementary school located outside Cleveland to enroll students receiving scholarships under the Cleveland Scholarship Program if the school meets certain conditions.

ACE Education Savings Accounts

- Requires that, if a parent or guardian had an Afterschool Child Enrichment (ACE) educational savings account (ESA) established for FY 2022, any funds disbursed for FY 2023 must be credited and disbursed to that account.
- Requires any funds in an ACE ESA at the end of a fiscal year to remain in that account for the next fiscal year, until the full amount in the account is spent or the student graduates from high school.
- Extends the Department's authority to pay the program's vendor up to 3% of the amount appropriated for a fiscal year from only FY 2022 and FY 2023 to each fiscal year in which the program operates.

Community schools

Quality Community Schools Support Program

- Specifies that a community school first designated as a Community School of Quality for the 2019-2020 school year for the Quality Community Schools Support Program maintains that designation through the 2022-2023 school year.

Funding for new remote learning community schools

- Qualifies for state funding for the 2021-2022 school year a newly opened remote learning community school that meets prescribed requirements.

Rating for sponsor that succeeded University of Toledo

- Requires the Department to consider the Ohio Council of Community Schools to have received the same sponsor rating as the University of Toledo for the 2016-2017 school year.

Sponsor ratings for 2021-2022 school year

- Establishes a safe harbor from penalties and sanctions for community school sponsors based on sponsor ratings issued for the 2021-2022 school year.
- Requires that a sponsor's overall rating for the 2021-2022 school year be either the rating the sponsor received for the 2018-2019 school year or the rating calculated using data from the 2021-2022 school year, whichever is higher.

Low-performing community school sponsorship

- Permits a low-performing community school, for the 2022-2023 school year only, to contract with a new sponsor without regard to the sponsor's ratings or the Department's approval.

Sponsor evaluations

- Prohibits the Department from assigning an overall rating of "ineffective" or lower to a sponsor solely because the sponsor received no points on one of the components of that evaluation.

Tutoring and remedial education program

- Requires the Superintendent of Public Instruction to administer a program to provide tutoring and remedial education services to students in participating public and chartered nonpublic schools.
- Specifies that a participating tutor may be either a retired teacher or substitute teacher or an individual who meets eligibility standards established by the state Superintendent.
- Requires the Educational Service Center (ESC) of Central Ohio, as the "coordinating service center," to employ, or engage as volunteers, tutors, and to coordinate, with other participating ESCs, their placement in participating schools.
- Includes employed tutors registered with the program in the State Teachers Retirement System and excludes them from the School Employees Retirement System.
- Requires the Department to serve as a fiscal agent for the program, to provide for administrative, implementation, and training costs, to provide technical assistance to the coordinating service center, and to issue prescribed reports.

- Appropriates \$2.4 million in federal American Rescue Plan Act funds for the program in FY 2022, and reappropriates the unexpended, unencumbered balance for FY 2023.

List of high-quality tutoring programs

- Requires the Department, by October 1, 2022, to compile and post on its website a list of high-quality tutoring programs provided by public and private entities.

Career-technical tax credit

- Permits the Department to request a student’s data verification code for the purpose of awarding tax credits authorized under continuing law for employers that provide work-based learning experiences for career-technical students.

Dyslexia screening and intervention

- Delays from the 2022-2023 school year to 2023-2024 the requirement for annual tier one dyslexia screenings of students in grades K-6, but expressly permits a district or school to administer the screening prior to that school year.
- Makes other changes regarding dyslexia screening and intervention for K-6 students.

Alternative resident educator licenses

- Until July 1, 2028, prohibits the State Board of Education and the Department from limiting the subject areas in which an individual may receive an alternative resident educator license.

Ohio School Safety Month

- Designates October as “Ohio School Safety Month.”

Prelicensure programs for licensed practical nurses

- Until February 1, 2028, authorizes a prelicensure education program for licensed practical nurses to use as a member of its faculty any individual who holds a baccalaureate degree in nursing or will receive one within 12 months of the date the program first uses the individual as a faculty member.

S.B. 135

Primary Sponsor: Sen. Cirino

Effective date: July 21, 2022; appropriation effective April 20, 2022

Higher education tuition and fees

- Prohibits a state institution of higher education from charging an additional fee to a student for academic activity associated with regular coursework, such as grading student assignments.
- Prohibits a state institution from charging more in tuition and fees for an online course than for a course taught in an in-person, classroom setting.

- Requires special fees for online courses at state institutions to be based on the actual demonstrated cost incurred by the institution.

Student financial aid

- Makes permanent the Second Chance Grant Program to provide a one-time grant of up to \$2,000 to students returning to college after previously disenrolling before earning a bachelor's degree.
- Reappropriates for the program in FY 2023 the unexpended, unencumbered balance of the \$3 million appropriated for the Second Chance Pilot Program in FY 2022 by H.B. 110 of the 134th General Assembly.
- Establishes a supplemental grant for Ohio College Opportunity Grant recipients who have completed at least two years of a bachelor's degree program and are making progress toward completing their programs.

Accommodations for students unable to enroll in a course

- Expands the law requiring state institutions to financially accommodate students who are unable to register for a course needed for their bachelor's degree by (1) applying the requirement during students' final two academic years, instead of just the final year, and (2) adding options by which an institution may accommodate the students.

Guaranteed pathways, joint programming, dual enrollment

- Establishes the Ohio Guaranteed Transfer Pathways Initiative to permit community college students to transfer credits to state universities under the existing articulation and transfer system.
- Requires state universities to enter into agreements with multiple two-year colleges to establish joint academic programming and dual enrollment opportunities.

Free speech policies

- Requires each state institution of higher education to adopt a policy that affirms prescribed principles regarding the regulation of free speech on campuses.
- Requires each state institution to establish a process under which a student, student group, or faculty member may submit a complaint about an alleged violation by an employee of its policy.

Reporting requirements

- Requires each state institution of higher education to issue an annual report about its tuition and fees, average cost of attendance, and certain other post-graduation data, and requires the Chancellor of Higher Education to post each annual report online.
- Requires the Chancellor to issue a report about the mental health and wellness services and initiatives of state institutions.

Degree programs

- Requires the Chancellor, when considering approval of a new degree for a state institution, to take into account the extent to which it aligns with the state's workforce development priorities.
- Requires a state institution, upon request of the Chancellor, to conduct a viability analysis of any program it offers that the Chancellor determines meets prescribed criteria and submit its findings to the Chancellor.
- Changes from every five to every three years the frequency with which a state institution must evaluate its programs based on enrollment and duplication with other state institutions in the region.

Other provisions

- Prescribes due process procedures with which a state university must comply regarding a student who is subject to disciplinary action.
- Prohibits a state institution of higher education from entering into or renewing a contract with a company for goods or services, unless the contract declares that the company is not boycotting Israel or other jurisdictions with whom Ohio can enjoy open trade.
- Requires each state university to endeavor to avoid prioritizing admission of out-of-state applicants over in-state applicants if both applicants apply in the same general timeframe and have substantially similar qualifications.
- Requires each state institution of higher education to accept and provide credit for coursework in the same manner across all instructional methods, unless a course requires in-person observations and experiences.
- Authorizes the Director of Administrative Services, without need for legislation, to sell state-owned land that is held for the benefit of a state institution of higher education and is appraised for not more than \$10 million, provided both the institution's board and the Controlling Board approve the sale.
- Adds content that public elementary and high school career advising policies must address, including information regarding career fields that require an industry recognized credential, a certificate, or a degree, and information about ways to offset the costs of a post-secondary education.
- Requires the Superintendent of Public Instruction, and other specified stakeholders, to develop a proposal for a statewide apprenticeship program for high school students and submit it to the Governor and General Assembly by June 1, 2023.
- Expands the entities with which a renewable energy facility may contract to train individuals for careers in wind or solar energy, in order to qualify for a property tax exemption, to include career-technical centers, joint vocational school districts, and for-profit or nonprofit training centers.

S.B. 181

Primary Sponsor: Sen. Gavarone

Effective date: May 30, 2022

- Generally prohibits a school or interscholastic athletics conference or organization from obstructing the wearing of religious apparel in interscholastic athletics or extracurricular activities.
- Provides civil immunity for schools, school districts, interscholastic conferences, and organizations and their employees related to decisions regarding wearing religious apparel during competition or participation in athletic or extracurricular events.
- Specifies that whoever violates the prohibition against creating obstructions to wearing religious apparel is subject to a civil action for damages, injunctive relief, or any other appropriate relief.

Elections

H.B. 93

Primary Sponsors: Reps. Abrams and LaRe

Effective date: Emergency: Sections 3 and 4, pertaining to the 2022 primary election, effective January 28, 2022; remainder of the act effective April 29, 2022

2022 primary election

- Delays certain election deadlines for the May 3, 2022, primary election to account for delays in Ohio's redistricting processes.
- Modifies certain petition requirements for candidates for the U.S. House, the General Assembly, and party central committees in order to allow filings to be considered valid if the petitions were circulated or even filed before the new district plans were known.
- Relaxes requirements regarding the district number and the candidate's residence address indicated on the filing; the board of elections with which the documents are filed; the date of the petition signatures; and where the signers reside.

Address Confidentiality Program changes

- Requires the Secretary of State to process applications to participate in the Address Confidentiality Program (also known as the Safe at Home Program) within ten business days.
- Requires a program participant who requests a government entity to use the participant's substitute address to provide the person's program authorization card as proof of the person's status.
- Eliminates a requirement that an applicant for the program be changing residence in order to be eligible.
- Allows a program participant who purchases real property after becoming a program participant, and after April 29, 2022, to file a real property confidentiality notice with the county recorder to prevent local officials from disclosing the participant's property records to the public.
- Limits disclosure of the participant's property records to certain circumstances, such as to carry out governmental duties or to allow a title examination.
- Limits the liability of certain real estate professionals and county officials for damages resulting from their failure to discover, index, or record certain information as a result of an individual's participation in the program, unless the person acted negligently.
- Permits a program participant to authorize the Secretary to disclose the participant's confidential information to certain persons.

- Gives a program participant who is a party to a child custody or child support proceeding the right to notice and a hearing before the court may disclose the participant's confidential information to another party.
- Requires the Secretary to forward to a program participant any periodicals to which the participant subscribes.
- Requires the Secretary to notify new program participants about their ability to file a real property confidentiality notice and to authorize the Secretary to disclose their confidential information, as permitted under the act.
- Prescribes the penalties that apply to a person who obtains a program participant's confidential information from a government office and rediscloses the information without authorization.

County recorder fees

- Allows a county recorder to charge fees for certifying electronic records or other copies of documents, in addition to photocopies of records.
- Permits a county recorder to charge a fee for entering or indexing any reference by a separate recorded instrument.
- Allows a county recorder to accept electronic payment of fees for electronic recording.
- Limits a recording fee exemption for a wholly owned subsidiary of a land bank or for a county that has a land bank to instances where the documents being recorded pertain to the land bank's operations.

Technical corrections

- Corrects incorrect cross-references to law related to the Address Confidentiality Program and to county recorders.

H.B. 458*

Primary Sponsor: Rep. Hall

Effective date: April 7, 2023

Voter identification

- Defines photo ID as an unexpired Ohio driver's license or state ID card (Ohio DL/ID), U.S. passport or passport card, or military ID card that includes the individual's name and photograph.
- Generally requires an elector to have photo ID to vote in person, unless the elector has a religious objection to being photographed.

* Several components of H.B. 458 were amended by H.B. 45.

- Requires a person who registers to vote or updates the person's voter registration using a paper form to provide the person's Ohio DL/ID number or the last four digits of the person's Social Security number (SSN).
- Requires an elector to show photo ID in order to cast a regular ballot on Election Day.
- Clarifies that an Election Day voter must sign the voter's name in the pollbook, as opposed to writing the voter's name and address in the pollbook.
- Requires a person who casts absent voter's ballots in person at the board of elections to provide photo ID in the same manner as an elector voting on Election Day.
- Clarifies that an in-person absent voter is not required to complete a written application for absent voter's ballots.
- Requires an elector who is applying to vote absentee by mail, or who is returning absent voter's ballots, to provide an Ohio DL/ID number, the last four digits of the elector's SSN, or a copy of the elector's photo ID.
- Allows an elector who appears to vote in person, either on Election Day or during in-person absent voting, and who does not have or cannot provide photo ID, to cast a provisional ballot and show photo ID to the board after Election Day.
- Allows an elector who does not have photo ID because the elector has a religious objection to being photographed to sign an affidavit to that effect and to cast a provisional ballot using the last four digits of the elector's SSN.
- Shortens the cure period to correct a provisional ballot to four days after Election Day instead of seven.
- Authorizes any person 17 and over who applies for a state ID card or a replacement state ID card from the Bureau of Motor Vehicles to receive it for free.
- Establishes a process for the Registrar of Motor Vehicles to reimburse a deputy registrar for the fees that a deputy registrar would have charged for the free state ID card.
- Requires any Ohio DL/ID that is issued to a person who is not a U.S. citizen to include a notation that the person is a noncitizen.
- Authorizes a noncitizen who becomes a U.S. citizen in-between renewals of the person's Ohio DL/ID to obtain a free replacement that removes the notation of noncitizenship.

Absent voting by mail

- Shortens the deadline to apply to cast absent voter's ballots by mail from noon on the third day before Election Day to the close of business on the seventh day before Election Day.
- Allows the Secretary of State to continue to mail unsolicited applications for absent voter's ballots, so long as the Secretary submits a report to the Controlling Board with certain information about the most recent mailing.

- Requires a person who applies to cast absent voter’s ballots by mail to do so on a form prescribed by the Secretary of State or on an appropriate federal form for uniformed services and overseas absent voters.
- Requires all absent voter’s ballots that are returned by mail to arrive at the board of elections by the fourth day after Election Day, instead of the tenth day after Election Day.
- Shortens the cure period to correct an absent voter’s ballot to four days after Election Day instead of seven.
- Requires the boards of elections to begin counting late-arriving and cured absent voter’s ballots on the fifth day after Election Day, and cured provisional ballots on the eighth day after Election Day, instead of the eleventh day after Election Day.
- Specifies that absent voter’s ballots that are not returned to the board by mail must be returned to the office of the board, and not to any other location, such as to a drop box elsewhere in the county.
- Permits the board, if it maintains multiple offices in the county, to designate any of its offices for the return of absent voter’s ballots, but allows the board to designate only one office for that purpose.
- Allows the board, during the absent voting period, to provide not more than one secure outdoor drop box on the premises of the office of the board.
- Specifies administrative requirements concerning those drop boxes.
- Emphasizes the continuing-law principle that absent voter’s ballots that are personally returned to the board must be delivered by the elector or a listed relative, and not by any other person.
- Adds language to a related criminal prohibition to specifically prohibit any person from returning the absent voter’s ballot of another, unless the person is a listed relative or is, and is acting as, an employee or contractor of the U.S. Postal Service or a private carrier.
- Requires, instead of allows, the boards of elections to process absent voter’s ballots before the close of the polls on Election Day.
- Eliminates law that required the board of elections, upon receiving uniformed services or overseas absent voter’s ballots, to check for ballots that were enclosed in the return envelope but not inside the identification envelope, and to put them inside the identification envelope without looking at the markings on the ballots.
- Leaves the Revised Code silent on whether absent voter’s ballots can be counted if they are returned to the board inside the return envelope but not inside the identification envelope.
- Prohibits any public office, and any public official or employee who is acting in an official capacity, from prepaying the return postage on an application for absent voter’s ballots or on an absent voter’s ballot return envelope.

- Changes numerous references in the law governing absent voting to refer to a board of elections receiving, sending, and processing applications and ballots, rather than the *director* of the board performing those functions.

In-person absent voting – days available

- Requires in-person absent voting to be permitted for all voters beginning on the day after the close of voter registration before an election and ending on the Sunday before the election.
- Expresses the General Assembly’s intention to enact legislation that specifies the days and hours for in-person absent voting.
- Requires the Secretary of State to prescribe a new, uniform schedule that reallocates the six hours of in-person absent voting previously available on the Monday before Election Day by adding hours on Monday through Friday of the preceding week.

August special elections

- Eliminates local special elections held in August, with one exception.
- Allows a political subdivision or school district that is in a state of fiscal emergency to hold an August special election.

Election administration

- Specifies that a board of elections must permit an elector with a disability who is physically unable to enter a polling place to vote curbside.
- Prohibits an elector from being permitted to vote curbside under any other circumstance.
- Codifies a requirement currently found in Secretary of State directives that each board of elections prepare an Election Administration Plan (EAP) before each presidential primary election and each general election held in an even-numbered year.
- Removes the requirement that a 17-year-old high school student be a senior in order to serve as a precinct election official through the Youth at the Booth program.
- Prohibits a voter registration system or piece of voting equipment from being used in Ohio if an elected official or the official’s spouse is a partner, owner, or member of the manufacturer or distributor.
- Updates the law requiring pre-election testing of voting equipment to more closely match existing Secretary of State directives.
- Prohibits any voting machine, marking device, or piece of automatic tabulating equipment from being used in an election without undergoing successful testing.
- Eliminates the fee that a newly elected state or county officer or judge must pay to the Secretary of State in order to receive a commission from the Governor.

Technical changes

- Updates a few references in Ohio law to federal election laws.

H.B. 487

Primary Sponsor: Rep. T. Young

Effective date: April 3, 2023

- Changes the process by which a board of elections must award a ballot printing contract worth more than \$25,000.
- Allows the board to award the contract to an out-of-state vendor.
- Requires the board to allow a request for proposals period of at least 15 days, and allows the board to post electronic notices in addition to newspaper and mailed notices.
- Reduces the amount of the bond that must be included with each proposal, and makes other changes to the bidding process.
- Requires the Secretary of State to adopt rules establishing printing, mailing, and security standards for ballot printing vendors.

S.B. 11

Primary Sponsor: Sen. Brenner

Effective date: June 10, 2022; certain provisions effective March 11, 2022

2022 primary election

- Changes certain procedures for uniformed services and overseas absent voting, only for the 2022 primary election and any special election held on the day of the primary.
- Requires uniformed services and overseas absent voter's ballots to be printed and ready for use not later than the day after the close of voter registration before the election.
- Extends the deadline, from ten days to 20 days after Election Day, for voted uniformed services and overseas absent voter's ballots to arrive by mail at the board of elections, but retains the continuing law deadline of the close of the polls on Election Day to mark the ballots.
- Allows the Secretary of State to adjust the statutory deadlines for the boards of elections to conduct the canvass of the election returns as necessary to accommodate the later ballot return deadline for those ballots.
- Requires the Secretary to take the steps the Secretary determines necessary to expedite the delivery of uniformed services and overseas absent voter's ballots to voters and the return of those ballots to the boards of elections.

- Appropriates \$200,000 to the Boards of Elections Reimbursement and Education Fund, which the Secretary must use to implement the provisions described above.

Congenital Heart Defect Awareness Week

- Designates the week of February 7 to 14 as “Congenital Heart Defect Awareness Week.”

Juneteenth – school districts

- Requires school districts to grant paid leave for Juneteenth Day to all regular nonteaching school employees who are employed on an eleven- or twelve-month basis, instead of those employed on a nine- or ten-month basis as required under prior law.

Frontline Health Care Worker Pilot Program

- Limits to FY 2022 the operation of the Frontline Health Care Worker Education, Training, and Certification Pilot Program, and allocates the FY 2023 funding to NewBridge Cleveland Center for Arts and Technology, for the same purposes as the pilot program.

Employment, Labor, and Professional Regulation

H.B. 107

Primary Sponsor: Rep. Baldrige

Effective date: April 3, 2023; one section effective April 3, 2024; elevator contractor and mechanic licensure requirements repealed effective April 3, 2033

- Beginning April 3, 2024, requires elevator mechanics and elevator contractors to obtain a license from the Division of Industrial Compliance.
- Grants the Division rule-making authority with regard to the elevator mechanic and contractor licensing process.
- Requires elevator contractors to maintain minimum levels of insurance coverage.
- Requires elevator mechanics to meet initial licensure requirements and to complete continuing education.
- Creates the Elevator Safety Review Board (ESRB) within the Division.
- Grants the ESRB disciplinary authority over elevator mechanics and elevator contractors.
- Repeals the act's elevator mechanic and contractor licensure laws on April 3, 2033 (ten years after the act's effective date).
- Exempts elevators in private residences from the law's inspection requirements.

H.B. 138

Primary Sponsor: Rep. Baldrige

Effective date: July 6, 2022

- Eliminates the enumeration of specific services that may be provided by emergency medical service (EMS) personnel.
- Requires the State Board of Emergency Medical, Fire, and Transportation Services to establish the scope of practice for EMS personnel through rulemaking.
- Permits EMS personnel to comply with a do-not-resuscitate order issued by a physician assistant or advanced practice registered nurse.
- Requires the medical director or cooperating physician advisory board of each EMS organization to establish protocols for EMS personnel to follow when providing services at all times.
- Establishes conditions on the Board's adoption of rules regarding qualifications for a physician to serve as an EMS organization's medical director or a member of its

cooperating physician advisory board that generally require all physicians to meet the same qualifications.

- Expressly requires an EMS organization to appoint a medical director or cooperating physician advisory board.
- Establishes ambulance staffing requirements when a patient is being transported in nonemergency situations.
- Eliminates a requirement that an individual seeking to practice as a first responder be a volunteer for a nonprofit EMS organization or nonprofit fire department.
- Permanently reauthorizes EMS personnel who have received proper training to (1) administer COVID-19 tests and (2) collect and label test specimens.

H.B. 321

Primary Sponsors: Reps. Kick and B. Young

Effective date: September 13, 2022

Auctions

Elimination of licenses

- Eliminates the requirement that a person serve as an apprentice auctioneer prior to becoming an auctioneer.
- Instead, requires applicants for an auctioneer's license to successfully complete a course in auctioneering at an institution approved by the Ohio Auctioneers Commission.
- Eliminates the special auctioneer license and requires a special auctioneer to apply for an auction firm license.

Regulatory authority

- Eliminates the exemption for online auctions from the law governing auctioneers, but retains an exemption for auction mediation companies (companies, such as eBay, that provide a forum through the internet for persons to sell their real or personal property via silent bids using a computer or other electronic device).
- If a person auctions real or personal property via the internet, requires the person to be licensed as an auctioneer or auction firm, unless the person is otherwise exempt from licensure.
- Clarifies that auction firms may provide auction services for online or live auctions.
- Clarifies that an auction firm license is not required when personal property is taken on consignment for free for sale at auction.
- Clarifies that a person who takes personal property on consignment for sale at auction is not a consignee if the person does not take the property in the regular course of business.

Auctioneer licensure

- Revises requirements regarding examinations for auctioneer license applicants, including by:
 - Eliminating the oral examination administered by the Ohio Auctioneers Commission; and
 - Increasing from four to 12 the number of times a year that the Department of Agriculture must hold written examinations.
- Eliminates the authorization for an Ohio resident to conduct auctions in Ohio under authority of a license issued by another state with a reciprocal agreement with Ohio.
- Establishes requirements and procedures regarding an incomplete application for an auctioneer license, including that the Director of Agriculture must deny an application if the applicant fails to submit required information within 90 days.

Auction firm licensure validity

- Extends the term of an auction firm license from one to two years and requires the Director to adopt transition procedures.

Continuing education

- Requires a licensed auctioneer and an auction firm manager of a licensed auction firm, at the time of renewal, to submit an affidavit that the auctioneer or manager has completed the required continuing education (C.E.).
- Establishes general requirements for licensed auctioneers and auction firm to complete eight hours of C.E. prior to renewing a license.
- Prescribes the hours of instruction and the subjects for C.E., including contract law, auction ethics, and business math and accounting.
- Specifies that an auctioneer license or auction firm license is automatically suspended if the Director determines that an auctioneer or auction firm manager has failed to complete the C.E. requirements.
- Specifies that a suspended license is automatically revoked if the auctioneer or auction firm manager fails to submit proof of completion of C.E. in 180 days.
- Grants the Ohio Auctioneers Commission oversight of C.E. courses and providers.

Miscellaneous

- Eliminates the mandatory transfer of money from the Auctioneers Fund to the Auction Recovery Fund if the Auctioneers Fund exceeds \$300,000.
- Allows a seller of property to withdraw the property from an absolute auction after the auction is opened and there is public solicitation or calling for bids if no bid is made within a reasonable time.

Self-service storage facilities

Lien enforcement notices

- Removes the requirement that lien enforcement notices sent by email also be sent by certified or first-class mail.
- Allows a lien enforcement notice to be sent by email to an occupant, but to no other parties and only if certain conditions apply.
- If successful delivery cannot be established, requires the owner to resend the notice via certified mail, first-class mail, or private delivery service.
- Replaces a provision deeming an email notice delivered when it is properly addressed and sent with a provision deeming it delivered when the owner receives a response or return receipt.

Towing

- Grants self-service storage facility owners discretion in deciding whether and when to have motor vehicles, trailers, and watercraft removed when an occupant is in default or when other personal property in the space will be or was sold to collect amounts due.
- Adds trailers to the property for which a 30-day notice is required prior to towing it due to default.
- Removes a provision requiring a response to a facility owner's lien enforcement notice from a person holding a lien on a motor vehicle or watercraft prior to a facility owner towing it.
- Adds trailers to the property for which a facility owner is not liable for damages following towing.
- Requires a lien enforcement notice to include the name of the towing service or storage facility.
- Requires the name and street address of the towing service or storage facility to be made available to the occupant or lienholder upon presentation of proof of an interest in the motor vehicle, trailer, or watercraft.

H.B. 447

Primary Sponsor: Rep. Lampton

Effective date: September 23, 2022

- Makes a work from home employee ineligible to receive workers' compensation unless specific circumstances apply.
- Allows, rather than requires as under former law, the Bureau of Workers' Compensation (BWC) to schedule a recipient of temporary total disability (TTD) compensation for a medical examination after 200 weeks to evaluate whether the disability is permanent.

- Allows, rather than requires as under former law, a self-insuring employer to request that BWC schedule such an examination when the self-insuring employer's employee has received 200 weeks of TTD.
- Eliminates a requirement that an application for a lump sum workers' compensation payment be notarized.

H.B. 509

Primary Sponsors: Reps. John and Fowler Arthur

Effective date: April 6, 2023; certain provisions effective December 31, 2024, and January 1, 2025

Department of Aging

- Increases from one year to two years the duration of a nursing home administrator license issued by the Board of Executives of Long-Term Services and Supports within the Department of Aging.
- Modifies to \$600 every two years, from \$300 annually, the renewal fee for a nursing home administrator license.
- Eliminates the temporary nursing home administrator license, and instead allows an individual to receive a nursing home administrator license before passing a licensing examination, under specified circumstances.

Attorney General

- Effective December 31, 2024, eliminates the fund-raising counsel registration requirement with the Attorney General.

Chemical Dependency Professionals Board

- Reduces from two years to one year the period to seek restoration of expired licenses, certificates, or endorsements issued by the Chemical Dependency Professionals Board.
- Reduces from 40 to 30 the number of continuing education hours that a chemical dependency professional must complete as a condition of license renewal.
- Revises the master's degree course requirements for an independent chemical dependency counselor or supervisor, by eliminating both the 40 semester hour requirement and specific coursework content areas.

State Chiropractic Board

- Reduces to 200 hours, including 100 hours of direct clinical instruction (from 300 hours and 200 hours, respectively), the minimum duration of an approved course of study for chiropractors seeking to practice acupuncture.

Counselor, Social Worker, and Marriage and Family Therapist Board

- Eliminates temporary licenses for independent social workers, professional clinical counselors, and independent marriage and family therapists.
- Reduces continuing education hours required for social work assistants from 30 to 15.

State Dental Board

- Effective January 1, 2025, establishes flat licensing fee amounts for dentists and dental hygienists, replacing fees that differ based on the year initial licenses are issued.
- Effective January 1, 2025, eliminates the statutorily prescribed dates for dentist and dental hygienist license renewals, and instead provides that each license is valid for two years and may be renewed for additional two-year periods.
- Reduces the number of continuing education hours required over each two-year license renewal period as follows: from 40 to 30 hours for dentists and from 24 to 20 hours for dental hygienists.
- Effective January 1, 2025, eliminates the dental hygienist teacher's certificate and temporary volunteer's certificate.

Department of Developmental Disabilities

- Effective January 1, 2025, eliminates adult service worker and adult service supervisor certificates.
- Removes references to early intervention supervisor certificates, which were created through a rule that has been rescinded.
- Effective April 6, 2024, prohibits rules adopted by the Department of Developmental Disabilities from establishing varying levels of certification for individuals to receive an investigative agent certification.

Board of Embalmers and Funeral Directors

- Allows a college student to apply to be a funeral director apprentice, embalmer apprentice, or combined funeral director and embalmer apprentice.
- Effective December 31, 2024, eliminates the crematory operator license required for an individual to perform cremations, but requires individuals engaged in the profession to register an active national certificate with the Board of Embalmers and Funeral Directors.
- Effective December 31, 2024, modifies the number of continuing education hours required for each biennial licensing period for licensed funeral directors and embalmers, from between 12 to 30 hours to not less than 12 hours.
- Reduces the number of embalmings that an applicant for an embalmer's license must have performed, from 25 to 15.

State Board of Emergency Medical, Fire, and Transportation Services

- Authorizes the State Board of Emergency Medical, Fire, and Transportation Services to adopt rules creating standards for criminal background checks for applicants who apply for or renew specified certifications.
- Reduces the continuing education hours required for a paramedic from 86 to 75 hours per three-year certification cycle.
- Reduces the maximum continuing education hours required for firefighter certification renewal from 54 to 36 hours per three-year certification cycle, but authorizes a local entity to require additional hours, provided the hours are not required for the certification renewal.
- Eliminates the emergency medical services assistant instructor certificate and the assistant fire instructor certificate.
- Merges the EMS training programs with the EMS continuing education programs to become a joint EMS training and continuing education program.
- Requires the Board to adopt rules governing procedures for the merger and steps that current operators of the individual programs must take in order to operate and teach courses that cover training and continuing education requirements.

State Fire Marshal

- Increases the duration of an underground storage tank system installer certification from one year to two years.
- Sets the application and renewal fees for an underground storage tank system installer certification at \$300.
- Removes the requirement that a sponsor of an underground storage tank system installer training program be certified.
- Prescribes the renewal fees for a hotel, single room occupancy license.

Department of Insurance

- Reduces the initial licensing fee for entities employing insurance navigators that is set by administrative rule from up to \$250 (less than 100 navigators), or up to \$500 (100 or more navigators), to \$200 in all cases.
- Reduces the renewal fee for entities employing insurance navigators that is set by administrative rule from \$100 (less than 100 navigators), or \$250 (100 or more navigators), to \$100 in all cases.
- Reduces the initial licensing fee and renewal fee for reinsurance intermediary broker licenses and reinsurance intermediary manager licenses from \$500 to \$100.

State Medical Board

- Clarifies that an applicant for a limited branch of medicine is applying for a license to practice massage therapy.
- Modifies the instructional requirements for a massage therapy license to 600 hours of massage therapy instruction, instead of 600 hours of other specified instruction.

Board of Nursing

- Eliminates dialysis technician intern certificates, but continues to authorize an individual who has successfully completed an approved dialysis training program within the previous 18 months to practice as a dialysis technician intern, so long as the individual is supervised as provided in the act.
- Authorizes physician assistants to supervise dialysis technicians and dialysis technician interns, in addition to physicians and registered nurses who continue to be authorized to supervise.
- Allows a licensed practical nurse to administer medications or perform intravenous therapy without authorization from the Board of Nursing.
- Refers to “entities” from which an advanced practice registered nurse may issue a prescription for a schedule II controlled substance, rather than “locations” as under prior law.
- Removes obsolete references to the Committee on Prescriptive Governance and the former advanced practice registered nurse drug formulary.
- Requires an employer of out-of-state nurses holding multistate licenses under the Nurse Licensure Compact to report to the Board the number of those nurses, rather than their names.
- Authorizes the Board to contract with a third-party vendor to administer its substance use disorder monitoring program for license and certificate holders.

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

- Eliminates temporary licenses to practice orthotics, prosthetics, orthotics and prosthetics, and pedorthics, but maintains requirements that apply to unlicensed individuals providing those services under a licensee’s supervision.
- Eliminates the prohibition against using a title or initials representing that a person has a temporary license listed above when the individual does not have such a license.
- Eliminates a requirement that an applicant for a license to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics practice under a licensee for at least eight months before being eligible for the license.

- Requires one member of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board be a licensed physical therapist assistant with five years of relevant experience.
- Allows one member of the Physical Therapy Section of the Board who is not a member of the Board to be a physical therapist assistant.

State Board of Pharmacy

- Sets pharmacist continuing education at 30 hours every two years, instead of having the Pharmacy Board set the number of hours in rules.
- Reduces from \$45 to \$30 the initial license and annual renewal fee for pharmacy intern licenses, but allows the Board to gradually implement the reduction until January 1, 2028.

State Board of Psychology

- Transfers licensing of school psychologists from the State Board of Education to the State Board of Psychology, and requires the two boards to coordinate to implement the transfer by January 1, 2025.
- Requires the Psychology Board to issue school psychologist licenses for practice in school settings and independent school psychologist licenses for practice outside school settings.
- Adds to the Psychology Board a certified Ohio behavior analyst.

State Speech and Hearing Professionals Board

- Eliminates audiologist conditional licensure, which was a legacy provision for individuals who did not have a doctor of audiology degree when that became a requirement for full licensure in 2006, and is obsolete.

Veterinary Medical Licensing Board

- Reduces fees charged by the State Veterinary Medical Licensing Board as follows, but allows the Board to implement the reductions gradually, with full implementation by January 1, 2028:
 - Reduces the initial license fee for a veterinary license to \$275, from \$425 for license applications filed in even-numbered years and \$300 for applications filed in odd-numbered years.
 - Allows a person who holds a provisional veterinary graduate license to receive an initial veterinary license free of charge in particular circumstances.
 - Establishes the initial registration fee for a veterinary technician at a flat \$30, rather than \$25 to \$35 depending on the postmark of the application.
 - Establishes the biennial veterinary technician registration renewal fee at a flat \$30, rather than \$35 to \$60 depending on the postmark.

State Vision Professionals Board

- Eliminates the ocularist license and contact lens dispensing optician license, but permits the State Vision Professionals Board to issue initial licenses until December 31, 2024, and allows an individual holding either license to maintain and renew the license until that date.
- Eliminates the separate topical ocular pharmaceutical agents certificate and therapeutic pharmaceutical agents certificate that may be issued with an optometrist license, and specifies that a licensed optometrist has prescribing authority without holding such a certificate.
- Requires optometrist licenses and dispensing optician licenses to be renewed biennially, instead of annually, and requires a licensee to complete continuing education to renew the license biennially.
- Establishes new biennial issuance and renewal fees for optometrist licenses and dispensing optician licenses to replace the annual fees.
- Reduces the period the Board will accept a late renewal application for an optometrist license from four months to one month after the license expires and, for a dispensing optician license, from 90 days to 30 days after the license expires.
- Classifies an optometrist license as expired, rather than delinquent, if the license holder has not renewed the license during the late renewal period.
- Eliminates the ability of a licensed optometrist to place the optometrist's license on inactive status when the optometrist retires or decides to practice in another state or country.
- Eliminates the fees charged to a license holder to reinstate a delinquent or inactive optometrist license.
- Specifies that an optometrist license in effect on April 6, 2023, expires in 2024 and a dispensing optician license expires in 2025.
- Permits the Board to issue a cease-and-desist order if a person is engaging in prohibited conduct that has caused, is causing, or is about to cause substantial and material harm.
- Specifies, regarding a licensee, that a cease-and-desist order is cumulative and concurrent with other disciplinary actions the Board may take for a violation of the law governing optometrists or dispensing opticians.
- Specifies that the Board may investigate an unlicensed person engaged in the practice of optometry or, for an unlicensed person engaged in optical dispensing, notify the appropriate prosecuting attorney for further action.
- Revises the amount of supervised experience required for a dispensing optician license.
- Eliminates the fee for a dispensing optician apprentice to renew registration.

General provisions

- Renews for six years the 19 occupational licensing boards reviewed during the 134th General Assembly by the House State and Local Government and Senate Workforce and Higher Education committees.
- Prohibits occupational licensing boards from requiring a photograph or physical description of the applicant as a condition of issuing or renewing an occupational license, certification, or registration.
- Authorizes an occupational licensing board to allow an individual to complete continuing education virtually.

Sunset Review

- Extends until December 31, 2024, authorization for the Chiropractic Loan Repayment Advisory Board and the Holocaust and Genocide Memorial Education Commission to operate.

S.B. 47

Primary Sponsors: Sens. Brenner and Peterson

Effective date: July 6, 2022

- Prohibits an employee from joining as a party plaintiff in a lawsuit alleging a violation of Ohio's overtime requirement unless that employee first gives written consent to become a party plaintiff and that consent is filed with the court in which the lawsuit is brought.
- Exempts an employer from Ohio's requirement to pay overtime wages when an employee is traveling to and from a worksite or performing specific tasks.
- Incorporates into Ohio's overtime requirement specified sections of the federal Portal to Portal Act of 1947, which addresses when to pay overtime for travel to and from work and activities that are preliminary and postliminary to an employee's principal activities.

S.B. 131

Primary Sponsors: Sens. Roegner and McColley

Effective date: December 29, 2023; requirement that licensing authorities adopt rules to implement the act takes effect April 3, 2023

Out-of-state applicants for occupational licenses, certifications

- Requires a licensing authority to issue a license or government certification under certain circumstances to an applicant who holds an out-of-state occupational license.
- Requires a licensing authority to issue a license or certification under certain circumstances to an applicant who has a government certification, a private certification, or satisfactory work experience in the uniformed services or in a state that does not issue a license or government certification for the occupation.

- Requires an applicant to submit to a criminal records check to receive a license or certification under the act if a licensing authority requires an applicant under Ohio law governing the profession or occupation to do so.
- Allows a licensing authority to require an applicant to pass an examination on Ohio's laws and rules governing the profession or occupation if it requires an applicant to pass the examination under Ohio law.
- Requires an applicant to satisfy a financial responsibility requirement if a licensing authority requires applicants to satisfy one under Ohio law.
- Allows a licensing authority to require an applicant to meet a requirement that federal law or regulation requires Ohio to impose in order for Ohio to receive federal funding.
- Prohibits a licensing authority from issuing or denying a license or certification under the act while the applicant is the subject of certain pending complaints, allegations, or investigations.
- Requires a licensing authority to provide an applicant with a written decision to issue, reject, or take any other action regarding a license or certification under the act within 60 days after receiving a complete application or after a pending complaint, allegation, or investigation is resolved.
- Specifies that an applicant who receives a license or certification under the act is subject to the Ohio laws regulating the occupation or profession and to the licensing authority's jurisdiction.
- Requires that a license or certification issued under the act be considered a license or certification issued under the Ohio laws regulating the occupation or profession.
- Specifies that laws applicable to a license or certification issued to an applicant who does not obtain a license or certification under the act apply in the same manner to licenses and certifications issued under the act.
- Allows a licensing authority, for purposes of verifying licensure status in Ohio with an entity that licenses the same profession or occupation in another state, to require an applicant under the act to satisfy a national standard to have that license or certification verified as an Ohio license or certification.
- Prohibits a political subdivision from prohibiting an individual who holds a license or certification issued by a state agency under the act from engaging in the profession or occupation in the political subdivision's jurisdiction.
- Exempts certain licenses and activities from the act, including licenses issued to entities other than individuals.
- Requires each licensing authority to adopt rules as necessary to implement the act.

Real estate brokers and salespersons

- Requires an individual seeking an Ohio real estate broker's or salesperson's license pursuant to the act to satisfy the act's requirements described above and additional requirements related to work experience and passing an examination on Ohio real estate law, depending on which license the individual seeks.

Specialty contractors

- Exempts specialty contractor licenses from the act's procedures and requirements.
- Eliminates the Ohio Construction Industry Licensing Board's ability to issue specialty contractor licenses without examination per reciprocity agreements with other states.
- Requires the Board to allow an individual to take the appropriate specialty contractor license examination if the individual meets certain requirements and has a substantially similar out-of-state occupational license or similar experience in the uniformed services.

School psychologists' membership in STRS

- Maintains membership in the State Teachers Retirement System for licensed school psychologists employed in public schools when regulation of school psychologists is transferred from the Department of Education to the State Board of Psychology.

S.B. 204

Primary Sponsor: Sen. Roegner

Effective date: September 13, 2022

- Enters Ohio into the Counseling Compact to facilitate the interstate practice of licensed professional counselors by requiring Ohio to permit individuals to practice who hold valid, unencumbered professional counselor licenses in other member states.
- Requires the Counselor, Social Worker, and Marriage and Family Therapist Board to select an individual to serve as Ohio's delegate to the Counseling Compact Commission.

S.B. 224

Primary Sponsor: Sen. Cirino

Effective date: September 13, 2022

Funeral professionals

- Requires a facility that is closing to give notice to various parties regarding any unclaimed cremated remains.
- Requires the Board of Embalmers and Funeral Directors to add the violation of specified license transfer requirements to the violations for which it establishes forfeiture.
- Increases the fee to reactivate an embalmer's or funeral director's license from \$140 to \$200.

- Requires the Board to issue reciprocal licenses if certain criteria are met.
- Requires, rather than permits, the Board to determine under what conditions a courtesy card permit is to be issued to funeral directors in bordering states.
- Permits the Board to take disciplinary action against a licensee who provided services to a person knowing that those services were sold to that person by another person who lacked a license.
- Eliminates the requirement that a funeral director, embalmer, or crematory operator conspicuously display their name at the primary entrance to their facility.
- Limits the requirement that an identification tag be provided for cremated remains to vessels that contain all the remains or more than ten cubic inches of remains.
- Changes the retention period for receipts for acceptance of a dead body and delivery of cremated remains to the shorter of ten years or the time the crematory remains in business.
- Provides a qualified immunity from civil liability for funeral professionals and facilities when a cremation was performed in accordance with the laws governing the disposition of cremated remains.
- Replaces the requirement that a writing designating a new cremation authorizing agent be acknowledged by a notary public with a requirement that the writing be signed by a witness.
- Requires the Director of the Board to investigate and prosecute people who provide unlicensed funeral directing services or operate funeral homes without a license.
- Requires the county prosecutor or the Attorney General to conduct the prosecution upon the Director's request.

Preneed funeral contracts

- Requires, whenever there are funds left over following performance of a preneed funeral contract, the holder of the funds to pay the remaining funds to the seller of the contract, who must then deposit those funds into a trust or purchase insurance or annuity policies to fund additional preneed funeral contracts.
- Adds the person with the right of disposition of the deceased person's body as a possible payee for purposes of the continuing requirement that, if funeral goods or services are provided by someone other than the seller of a preneed funeral contract that was funded by a trust, the seller direct the trustee to pay the money in trust to certain persons.
- Authorizes a mistaken payee of funds intended to fund a preneed funeral contract to sign over the mistaken payment to the appropriate entity.
- Allows the \$10 preneed funeral contract fee that is paid to the Board to be paid by any method, including cash.

- Requires the Board to study the trusting requirements in other states relating to caskets purchased on a preneed basis and to report its findings to the General Assembly by December 13, 2022.

Unclaimed Funds Law

- Adds to the Unclaimed Funds Law certain unclaimed funds held pursuant to a preneed funeral contract.
- Requires the holder of funds for a preneed funeral contract, in the calendar year in which the beneficiary turns 105, to inform the seller or successor seller of the beneficiary's 105th birthday.
- Requires the holder and the seller or successor seller to agree that one of them will attempt to confirm that the beneficiary is still alive.

Right of disposition

- Disqualifies a person from serving as a decedent's representative to manage the decedent's final disposition (i.e., burial, cremation, and funeral arrangements) if any of following occur:
 - The person refuses to assume financial responsibility for the costs of the final disposition.
 - The person fails to exercise their rights as representative within 48 hours of notification of the decedent's death.
 - The person fails to exercise their rights as representative within 72 hours of the decedent's death or the discovery of the decedent's remains (if discovered more than one hour after death) if the person is not notified of the decedent's death.
- Removes consideration of a person's willingness to assume financial responsibility for the costs of a decedent's final disposition from the factors that a probate court must consider when the court assigns the right of disposition.

Parental rights of disposition for deceased adult child

- Gives precedence for the right of disposition of a decedent's remains to the parent who was the residential parent and legal custodian of the decedent at the time the decedent reached the age of majority, over the parent who was not.
- Prohibits a parent who has been disqualified from the right of disposition to have the parental precedence.
- Specifies that the parental precedence for the right of disposition is not affected by a group of people or class of persons being assigned the right of disposition.
- Provides that a parent's status as a residential parent and legal custodian must be established by a court order or decree allocating parental rights and responsibilities that was in effect up to or at the time that the decedent reached the age of majority, or by other uncontroverted evidence.

- Provides that funeral directors, embalmers, and crematory operators are not required to investigate whether the person claiming to be the residential parent and legal custodian of a decedent is in fact the residential parent and legal custodian.

Funeral vehicles

- Authorizes a funeral hearse and a funeral escort vehicle to be equipped with and display a flashing, oscillating, or rotating purple light, in addition to an amber light authorized by continuing law.

Fetal death certificates

- Allows a funeral director to apply for a fetal death certificate and burial permit.

Ohio Elections Commission

- Requires the legislative leaders of each party and the Governor to appoint one alternate for each party to the Ohio Elections Commission, and requires the six partisan members of the Commission to appoint an independent alternate for the independent seventh member.

County commissioner ex officio membership

- Allows a county commissioner who is required to serve on another public body as an ex officio member but has a conflict or potential conflict, to be replaced by an individual appointed by the remaining two county commissioners.

S.B. 302

Primary Sponsors: Sens. Hackett and Reineke

Effective date: April 3, 2023

- Delays by two years, from 2023 to 2025, the year by which the Department of Job and Family Services (JFS) must begin to accept state income tax withholding requests from unemployment compensation recipients.
- Modifies the tax withholding information that JFS must report to the Tax Commissioner.
- Requires the JFS Director to request tax withholding information from an employer's tax returns when the employer fails to provide requested information within ten working days.
- Requires the JFS Director to enter data matching agreements with the Department of Rehabilitation and Correction and the Department of Health, under which their directors provide the JFS Director with current incarceration information and death records.
- Allows the Department of Public Safety to release its digitalized photographic records to JFS if the records are necessary for JFS to carry out its functions under the Unemployment Compensation Law.

- Requires the JFS Director to establish a verification system that uses income tax records for any federal program administered by the Director in a manner similar to the Unemployment Compensation Law that provides money to an individual who loses income but is not eligible for traditional unemployment benefits.
- Allows the Unemployment Compensation Review Commission to appoint a hearing officer to act as a temporary commissioner to decide an appeal when one of the commissioners is unable to hear the appeal.
- Makes changes related to scheduling evening telephone hearings at both the hearing officer and Commission review appeal levels.
- Requires dismissal of an appeal of a contribution rate or rate revision if the appealing party fails to appear at the hearing, but allows the dismissal to be vacated if written notice of the hearing was not sent to the party's last known address, or if there was good cause for failing appear.
- Increases, from 52 to 208, the number of calendar weeks in which the JFS Director may issue a corrected determination when an error in a previous determination was typographical or clerical or was caused by an error in an employer's report or incorrect remuneration data received by the Director.
- Prohibits the JFS Director from disbursing unemployment benefits by direct deposit unless the financial institution has a physical location in Ohio that the individual requesting direct deposits can access for resolving disputes with the institution.
- Requires the JFS Director to maintain an online process through which an employer can report that an applicant for or a recipient of unemployment benefits has failed or is failing to meet the nonmonetary requirements for benefit eligibility.
- Requires the JFS Director to prepare an annual report providing specified information about claims and a summary of updates or changes to the technology used to administer the unemployment compensation system.

Environment and Natural Resources

H.B. 175

Primary Sponsor: Rep. Hillyer

Effective date: July 21, 2022; appropriation effective April 20, 2022

Ephemeral features

- Excludes ephemeral features that are not waters of the United States (WOTUS) under the federal Clean Water Act from regulation under Ohio’s water pollution control programs, including the section 401 water quality certification program.
- Specifies that an ephemeral feature is a surface water flowing or pooling only in direct response to precipitation, such as rain or snow, and does not include a wetland.
- For ephemeral features that are WOTUS under the federal Clean Water Act, maintains the authority of the Ohio Environmental Protection Agency (OEPA) to regulate impacts to these waters.
- Establishes mitigation requirements, best management practices, and reporting and monitoring requirements that apply when these regulated ephemeral features will be impacted and a section 401 water quality certification is required.
- Excludes particular types of projects, such as water quality improvement projects and small dredge and fill projects, from the act’s mitigation requirements, best management practices, and reporting and monitoring requirements.
- Regarding a regulated ephemeral feature, prohibits the OEPA Director from both:
 - Imposing or requiring any mitigation standard, criteria, scientific method, process, or other procedure or policy not specified by the act with respect to a proposed impact to the ephemeral feature; and
 - Imposing any requirement on an activity impacting a regulated ephemeral feature beyond those specified in the act or by administrative rule for any activity impacting an ephemeral feature that requires the issuance of a section 401 water quality certification.
- Eliminates the section 401 water quality certification review fee that applied to all ephemeral streams (greater of \$5 per linear foot of stream to be impacted or \$200).

Federal Interagency Review Team

- Requires the OEPA Director, the Director of Natural Resources, and the Director of Transportation to each appoint an agency designee and an alternate to the federal Interagency Review Team (IRT) (which reviews documentation and advises U.S. Army Corps of Engineers district engineers on mitigation projects).

- Requires that the appointees have significant experience in at least one specified subject area: wetland or stream restoration, enhancement and protection of wetlands or streams, or compensatory mitigation plan development.
- Requires at least one appointee to maintain minutes of IRT meetings and specifies that those minutes are a public record.

Protocols for adoption of mitigation standards

- Revises the law requiring all substantive standards the OEPA Director uses to evaluate section 401 water quality certification mitigation proposals to be adopted via rule in accordance with the Administrative Procedure Act to specify the following:
 - All substantive standards used by the IRT when reviewing documentation related to mitigation activities are also subject to that law;
 - The law applies to any guidance or guidelines used by the Director or the IRT;
 - A mitigation proposal may include proposals involving a wetland mitigation bank or stream mitigation bank, in-lieu fee mitigation, or permittee responsible mitigation; and
 - The law also applies to the establishment of performance metrics, a request for credit release, or termination of monitoring requirements.
- Eliminates law that authorized the Director to use additional mitigation standards, criteria, etc. (without going through the Administrative Procedure Act) in reviewing a mitigation proposal if the Director notified the applicant in advance that additional standards would be considered.
- Establishes a 24-month timeline to implement the changes specified above.

Property tax exemption

- Establishes a property tax exemption for property held by a 501(c)(3) organization organized for conservation purposes if the property either:
 - Is subject to a mitigation requirement pursuant to a section 401 water quality certification or isolated wetland permit; or
 - Is a nature water project that receives funding through the H2Ohio Program.

Class VI injection wells

- Requires the Department of Natural Resources (DNR) to begin working with the U.S. EPA and the U.S. Department of Energy to develop a state underground injection control program for Class VI injection wells (used to inject CO₂ into deep rock formations).

Indian Lake weed mitigation

- Requires the DNR Director to enter into a memorandum of understanding with the Indian Lake Watershed Project concerning weed harvesting services at Indian Lake.

- Appropriates \$500,000 for weed harvesting in FY 2022 and reappropriates the unspent, unencumbered balance for FY 2023.

Financial Institutions and Consumer Finance

S.B. 249

Primary Sponsor: Sen. Wilson

Effective date: March 14, 2023

- Requires the Superintendent of Financial Institutions to establish a regulatory sandbox program to enable persons to test novel financial products and services in Ohio on a temporary basis without obtaining additional licenses or authorizations that would otherwise be required.
- Authorizes participants to test novel financial products and services in the regulatory sandbox for up to two years, with a possible one-year extension if the sandbox participant is seeking licensure.
- Requires the Superintendent to consult with all state agencies that would otherwise regulate the sandbox participant (“applicable agencies”) before admitting the participant into the program.
- Requires the Superintendent to enter an agreement with each sandbox participant regarding the scope of the participant’s test and any restrictions or limits on the number of consumers or dollar amounts involved.
- Requires the sandbox participant to make certain disclosures prior to providing a novel financial product or service to the consumer.
- Prohibits a sandbox participant from charging interest rates or fees on a loan that exceed those currently permitted under Ohio consumer lending laws.
- Requires a sandbox participant to retain records, documents, and data produced in the ordinary course of business regarding the novel financial product or service during the testing period.
- Authorizes the Superintendent to enter agreements with state, federal, or foreign regulators that allow sandbox participants to operate in other jurisdictions and allow entities authorized to operate in other jurisdictions to be recognized as sandbox participants in Ohio.
- Requires the Superintendent every two years to publish a report on the performance of sandbox participants and their novel financial products and services.

S.B. 264

Primary Sponsor: Sen. Brenner

Effective date: September 13, 2022

- Permits the employees of a registered mortgage lender, servicer, or broker, or employees of an entity exempted from registration, to work remotely if certain conditions are met.
- Authorizes the Superintendent of Financial Institutions to charge an annual fee of up to \$25 per remote location to cover the costs associated with administering the act.
- Permits employees of a Consumer Installment Loan Act licensee to work remotely, if the licensee follows specified protocols.

Health

H.B. 37

Primary Sponsors: Rep. Manning

Effective date: June 1, 2022

- Increases from one to three the number of times that a pharmacist may dispense certain refills without a prescription to a specific patient within a 12-month period.
- Requires a health insurer to cover prescription drugs dispensed under the act if those drugs are already covered under the insurer's health benefit plan, and prohibits the insurer from imposing a cost-sharing requirement that is greater than that imposed on a drug dispensed with a prescription.

H.B. 136

Primary Sponsor: Rep. Lipps

Effective date: June 13, 2022

- Expands Medicaid coverage of chiropractic services to include evaluation and management services provided by a licensed chiropractor.
- Permits the Medicaid Director to adopt rules to cover other services provided by a chiropractor.
- Prohibits the Medicaid program from imposing a prior authorization requirement on the covered services or making the coverage contingent on receiving a referral, prescription, or treatment from another licensed health professional.
- Requires the Medicaid program to pay a chiropractor the same amount for a service that it pays another licensed health professional authorized to provide the service.

H.B. 178

Primary Sponsors: Reps. Schmidt and A. Miller

Effective date: April 3, 2023

- Limits the pressure of water features at public swimming pools, public spas, and special use pools.
- Names the act Makenna's Law.

H.B. 193

Primary Sponsors: Reps. Cutrona and Pavliga

Effective date: September 23, 2022

Dispensing of schedule II controlled substances

- Generally limits pharmacist dispensing of schedule II controlled substances to only those prescribed electronically.
- Requires prescribers, when prescribing a schedule II controlled substance, to issue an electronic prescription, but allows for written prescriptions in specified circumstances.

Pharmacy pilot program

- Clarifies that pharmacy participation in the existing pilot program for dispensing schedule II controlled substances in lockable or tamper-evident containers is voluntary.

Overdose reversal drugs

- Replaces references to “naloxone” in the Revised Code with the term “overdose reversal drug,” defined as naloxone and any other drug approved for reversal of an opioid-related overdose.

Physician consultations

- Requires an Ohio-licensed physician who receives a consultation from an out-of-state physician to have an established physician-patient relationship with the patient who is the subject of the consultation, in place of prior law that required the Ohio-licensed physician to be responsible for examining, diagnosing, and treating that patient.

Pediatric respite care programs

- Recognizes an additional type of pediatric respite care program, one that provides services in a home-like setting for ten or fewer children diagnosed with life-threatening conditions, and extends the pediatric respite care licensing requirements to them.
- Establishes other requirements on home-like programs, including maintaining birth certificates and certified guardianship letters of authority for any patient receiving care for longer than 30 days, unless waived by the Director of Health.

H.B. 281

Primary Sponsors: Reps. Jarrells and Young

Effective date: April 6, 2023

Mental health and disability terminology

- Replaces various statutory terms related to people with disabilities or mental illness.

- Updates laws relating to assistance dogs, braille teacher standards, the Children with Medical Handicaps Program, the former Ohio Commission for the Blind, and accessible parking spaces.
- Names the act the “Mental Health and Disability Terminology Act.”

Commission on African-Americans

- Changes the name of the “Commission on African-American Males” to the “Commission on African-Americans.”
- Specifies that the Commission is required to direct its various efforts for African-Americans rather than, as in current law, specifically for black males.
- Transfers to the Ohio State University Bell National Resource Center certain responsibilities with respect to the Commission.

H.B. 558

Primary Sponsors: Reps. Roemer and Jordan

Effective date: April 6, 2023

Drug repository program

- Revises the State Board of Pharmacy’s Drug Repository Program, including by allowing charitable pharmacies, hospitals, and nonprofit clinics to accept or distribute donated drugs that are not in their original sealed and tamper-evident unit dose packaging.
- Excludes from the program any drug for which the federal Food and Drug Administration, as a risk evaluation and mitigation strategy, requires that the patient be registered with the drug’s manufacturer.
- Authorizes participating charitable pharmacies, hospitals, and nonprofit clinics to make occasional sales of donated drugs at wholesale.
- Exempts participating charitable pharmacies from the licensure and renewal fees that otherwise must be paid to operate as a pharmacy.
- Extends the authority to distribute drugs under the program to licensed health professionals authorized to prescribe drugs.
- Eliminates the requirement that the Board consult with the Director of Health when adopting rules.

Adding drug delivery devices to prescriptions

- Authorizes a pharmacist to modify a drug’s prescription to also include a drug delivery device if the pharmacist considers the device necessary for administering the drug.
- Specifies that the modified prescription is a valid prescription for the device for purposes of reimbursement under a health benefit plan.

Access to overdose reversal drugs

- Generally expands access to overdose reversal drugs, such as naloxone, including by authorizing access for all persons and government entities to purchase, possess, distribute, dispense, personally furnish, sell, or otherwise obtain or provide an overdose reversal drug and any instrument or device to administer it.
- Consolidates, but largely maintains, other more specific overdose reversal drug provisions, including those related to maintaining supplies, the authority of various health care providers, and immunities from liability.
- Permits physician assistants and advanced practice registered nurses to authorize a pharmacist or pharmacy intern to dispense overdose reversal drugs without a prescription pursuant to a protocol.
- Expressly authorizes an individual, when not otherwise authorized to administer drugs under Ohio law, to administer an overdose reversal drug if the individual is in a position to assist another who is apparently experiencing an opioid-related overdose.

Pediatric transition care programs

- Eliminates licensure for pediatric respite care programs that provide only pediatric transition care, and instead requires registration for those programs.
- Defines “pediatric transition care program” as a program that arranges for health care and related services, including skilled nursing care, in a private home setting for up to 15 children who have been diagnosed with life-threatening diseases and conditions.
- Requires the Director of Health to adopt rules relating to the registration of pediatric transition care programs, including establishing fees for initial registration, registration renewal, and inspections.

Awareness designations

- Designates the fourth Wednesday of February as “Hypertrophic Cardiomyopathy Awareness Day.”
- Designates March as “Bleeding Disorders Awareness Month.”

Highways and Transportation

H.B. 30

Primary Sponsors: Reps. Wiggam and Kick

Effective date: August 31, 2022

- Alters slow-moving vehicle (SMV) emblem and reflective tape requirements that apply to animal-drawn vehicles by requiring the operator to equip and display, at all times, at least one of the following on the rear of the vehicle:
 - An SMV emblem;
 - Micro-prism reflective tape (in red, amber, white, or silver); or
 - Both an SMV emblem and micro-prism tape.
- Requires an animal-drawn vehicle operator, when on a street or highway, also to equip and display, at all times, one flashing lamp displaying yellow light.
- Specifies that the yellow flashing light must be mounted on the top-most portion of the rear of the animal-drawn vehicle and must be visible from all sides.
- Retains the requirement that an animal-drawn vehicle operator equip and display the following from sunset to sunrise and during periods of low visibility:
 - At least one white lamp to the front; and
 - Two red lamps to the rear or, as an alternative, one red lamp and two red reflectors.
- Exempts animal-drawn agricultural equipment from the lighting and reflective tape requirements, including the act's yellow light requirement, if the operator is not transporting any livestock or another person.
- Reorganizes and recodifies the law governing all slow-moving vehicles.

H.B. 291

Primary Sponsors: Reps. Callender and Troy

Effective date: July 21, 2022

- Designates 25 memorial highways and bridges and revises the name of one memorial highway.
- Creates eight specialty license plates.

H.B. 338

(For details of the act's fiscal provisions see, the [LSC Final Fiscal Note \(PDF\)](#), which is available on the General Assembly's website, legislature.ohio.gov.)

Primary Sponsor: Rep. Hoops

Effective date: August 31, 2022; appropriations effective June 1, 2022

Motorcycle safety and education programs

- Allows a private motorcycle safety and education program to use a final end-of-course skills exam that is different from the Department of Public Safety (DPS) final exam, provided the exam meets or exceeds the DPS requirements.
- Exempts a private program's instructors from DPS instructor training, provided the instructor is trained by a third party and the training meets or exceeds DPS training.
- Requires the DPS Director to evaluate all private programs (in addition to the state's program, Motorcycle Ohio) every two years, including inspecting their facilities, equipment, training course, curriculum, and procedures.
- Authorizes the Director to suspend or revoke authorization for a private program that fails to maintain the curriculum, standards, and any other requirements specified during its initial authorization.
- Establishes the following fees:
 - \$400 (one-time) for initial authorization of a private motorcycle safety and education program that is authorized after August 31, 2022;
 - \$50 (one-time) for initial certification of a private program instructor; and
 - \$175 (every two years) for the two-year evaluation of a program by DPS.
- Requires the tuition fees collected for Motorcycle Ohio to be deposited into the Motorcycle Safety and Education Fund.

BMV fees

- Renames a fee that the Registrar of Motor Vehicles may charge for using electronic, digital, online, or similar programs that provide Bureau of Motor Vehicles (BMV) services as a "convenience fee."
- Allows a convenience fee to be itemized separately from all other BMV taxes and fees.
- Requires all convenience fees to be deposited into the Public Safety – Highway Purposes Fund.
- Prohibits the Registrar or deputy registrar from charging a convenience fee for a new program if a convenience fee is already authorized for the specific BMV service provided by that program.

- Authorizes a motor vehicle seller, in a noncasual sale, to pass along the cost of the convenience fee to the buyer.
- Authorizes the DPS Director, through rules, to establish fees that a third party authorized to administer the driver's license skills test may charge.
- Expressly authorizes the third party to charge a fee for administering the skills test if the Director does not adopt rules establishing the fee amount, but prohibits the fee from exceeding the cost to administer the test.
- Corrects an inconsistency pertaining to the deputy registrar fee charged for a driver's license in which that fee was combined with the vision-screening fee.

CDL temporary instruction permit knowledge test

- Requires the Registrar to adopt rules authorizing the waiver of the knowledge test, which is generally required to obtain a commercial driver's license (CDL) temporary instruction permit, for specified current and former military service members, in accordance with the federal regulations.
- Corrects an outdated reference to federal law related to the skills test waiver for current and former military service members.

Regional transit authorities

- Allows a regional transit authority (RTA) to issue revenue bonds supported by the proceeds of the RTA's sales tax.
- Expands the scope of activities available to an RTA with territory that includes a county with a population of at least 1.3 million, i.e., the Central Ohio Transit Authority (COTA).

Toll violations between states

- Allows the Governor or the Governor's designee, in consultation with the DPS Director, to enter reciprocal agreements with other states regarding enforcement of motor vehicle toll violations.
- Requires that the agreement include, as one enforcement mechanism for toll violations, the refusal of an application for or refusal of the transfer of a motor vehicle registration.

Brent Spence Bridge

- Authorizes the Director of Transportation to award design/build contracts up to a total of \$1.5 billion with respect to the Brent Spence Bridge project.
- Requires the Director to apply to the Controlling Board if the contracts will exceed the \$1.5 billion threshold.
- Authorizes the Director to compensate not more than three bidders for preparing a responsive preliminary design concept for the project.

- Specifies that the act’s contracting authority is for purposes of applying for federal funding, and that any subsequent awards of that funding requires approval by the General Assembly for specific appropriations.

Appropriations

- Appropriates \$690.9 million in federal funds, from the federal Infrastructure Investment and Jobs Act of 2021, to the Department of Transportation for highway construction and public transit for FY 2023.
- Makes various GRF operating appropriations for the Departments of Natural Resources, Public Safety, and Veterans Services and the Ohio History Connection.
- Modifies the funding source for the Lorain Pier Planning Project to GRF from debt-backed funding sources.

H.B. 578

Primary Sponsor: Rep. Roemer

Effective date: April 6, 2023

- Designates 44 memorial highways and bridges.
- Modifies the designations of two existing memorial highways.
- Creates 15 new specialty license plates.
- Modifies four existing specialty license plates.

Housing and Real Property

S.B. 61

Primary Sponsors: Sens. Blessing and Antonio

Effective date: September 13, 2022

Condominiums and planned communities

- Authorizes the board of directors for a condominium unit owners association (UOA) and planned community home owners association (HOA) to amend their declarations and bylaws to remove unlawful discriminatory covenants without the majority vote of the owners.
- Prohibits a majority of an UOA board of directors and HOA board of directors from consisting of owners or representatives from the same unit (condominiums) or owners or representatives from the same lot (planned communities) unless the board specifically makes an exception before such a majority is in place.
- Requires UOA and HOA boards of directors to adopt budgets annually.
- Requires that the reserves included in a UOA budget be adequate to repair or replace major capital items in the normal course of operations without special assessments, unless an exception applies, and eliminates the requirement that the reserves be at least 10% of the annual budget.
- Requires, for both condominiums and planned communities, that any waiver of the reserve requirement be done annually in writing.
- Requires, generally, a UOA board or HOA board to maintain blanket fidelity, crime, or dishonesty insurance coverage for any person who controls or disburses association funds.
- Increases the amount of the fire and extended coverage insurance a UOA board must maintain for all buildings and structures of the condominium property from at least 80% of the property's fair market value to at least 90% of the property's replacement cost.
- Expands the authority of UOA and HOA boards to take part in legal actions to include land use proceedings and proceedings that involve two or more owners, impact zoning, or otherwise relate to matters affecting the property.
- Shifts, for condominium unit owners, the default for examining or copying certain books, records, or minutes from permitting the condominium board to refuse permission to requiring the permission of the UOA board.
- Requires an owner to obtain UOA or HOA board approval to examine or copy books, records, or minutes that are more than five years old.

- Allows certain UOA or HOA notices to be sent by email.
- Designates the UOA lien for payment of specified expenses a continuing lien that allows collection of amounts that accrue after the lien is filed.
- Permits a UOA board to charge and collect fees for social activities or charitable contributions made on behalf of the UOA.
- Regulates the installation and use of solar energy collection devices on condominium property and in planned communities.

New Community Authority Law

- Changes from December 31, 2021, to December 31, 2024, the date by which a new community authority must be established for a developer with a 99-year renewable lease of the land to qualify to carry out a new community development program under the New Community Authority Law.

Recording fees

- Specifies that the fee the county recorder must collect for entering or indexing any reference by separate recorded instrument includes any marginal reference or a reference that was accomplished by a marginal reference but is now accomplished through electronic means.

Human Services

H.B. 4

Primary Sponsors: Reps. Plummer and Manchester

Effective date: May 30, 2022

Youth and Family Ombudsman Office

- Establishes the Youth and Family Ombudsman Office under the Department of Job and Family Services (JFS) to investigate and resolve concerns and complaints on behalf of children and families involved with entities overseeing foster care or child placement.
- Requires the Office to do all of the following:
 - Receive, investigate, and attempt to resolve complaints related to government services regarding child protective services, foster care, and adoption;
 - Establish procedures for receiving and resolving complaints;
 - Provide an annual report to the Governor, Speaker of the House, Senate President, minority leadership of the House and Senate, the JFS Director, and representatives of the Overcoming Hurdles in Ohio Youth Advisory Board (OHIO YAB).
- Allows a representative of the Office to report any suspected violation of state law to appropriate authorities, to the extent permitted by state or federal law.
- Prohibits employees of the Office from holding any office of trust or profit, engaging in any business interfering with the duties of the Office, serving on any committee of a political party, or having any conflicting interests.
- Requires JFS to be responsible for all administrative undertakings for the Office, including providing offices, equipment, and supplies.
- Defines the parameters for Office access to JFS records and entities that oversee foster care or the placement of children.
- Provides that Office records are not public records subject to inspection or copying.
- Requires OHIO YAB, no later than 60 days after the Office releases its annual report, to provide an evaluation of the report to the Governor and the Office's youth ombudsman.

Biennial memorandum of understanding (MOU) review

- Requires every official who signed an MOU to biennially: (1) review it for necessary updates, (2) update it, as necessary, (3) sign it, and (4) submit it to the board of county commissioners for approval.
- Requires the board of county commissioners, on receipt of the county's MOU, to review and evaluate if the MOU meets the act's requirements and either:

- If the board determines the MOU meets the requirements, adopt a resolution to approve the MOU;
- If the board determines the MOU does not meet those requirements, notify the responsible public children services agency (PCSA) that the MOU does not meet the requirements and must be reviewed in accordance with MOU review and update requirements.
- Requires the biennial MOU review by MOU officials and the biennial adoption of a resolution by the board of county commissioners to approve the MOU to be completed by December 31, 2024, and by December 31 every even-numbered year thereafter.

JFS duties

- Requires JFS to biennially audit each PCSA's MOU to ensure compliance with the act's requirements.
- Requires JFS to determine that a PCSA is compliant regarding the MOU if the MOU meets all requirements under the law.
- Requires the PCSA, if JFS determines that it is not compliant, to develop and submit a plan to JFS, no later than 60 days following the determination, that describes the steps the PCSA and other concerned officials will take to become compliant.
- Requires JFS to create a model MOU to provide guidance to PCSAs and other concerned officials in creating a compliant MOU.
- Requires JFS to maintain on its website a current list of counties with MOUs and whether it has determined a county's MOU to be compliant or not compliant.

MOU requirements

- Requires MOUs to include all of the following after May 30, 2022:
 - A statement that Ohio law requires a PCSA to disclose confidential information discovered during a child abuse or neglect investigation to any federal, state, or local government entity;
 - A description of the following:
 - ❖ The type of information that may be discovered during a child abuse or neglect investigation that a law enforcement agency may share with a PCSA;
 - ❖ How information is to be shared between a PCSA and a law enforcement agency;
 - ❖ Information that may be obtained from an investigation that a law enforcement agency and a PCSA is permitted to, or prohibited from, disclosing to the public.
- Requires a county's reviewed, signed, and updated MOU to take effect and supersede any previous MOU upon JFS' determination of compliance.
- Requires the county MOU that is in effect to be posted to the county's general website.

Report referral and notifications

- Requires a PCSA that receives a report of child abuse, or a report of child neglect that alleges a type of neglect identified in JFS rules adopted under the act, to notify the appropriate law enforcement agency in accordance with the county's MOU requirements on sharing information between a PCSA and law enforcement agency.
- Requires the JFS Director to adopt rules by August 29, 2022, to identify the types of neglect of a child that a PCSA must notify law enforcement about.
- Specifies that the requirement that a peace officer must refer a report, upon receipt, to the PCSA must be done in accordance with the county's MOU requirements on sharing information between a PCSA and law enforcement agency.

Reporters' right to information

- Requires, if a mandatory reporter provides the reporter's name and contact information on making the report, the PCSA that received the report to send both of the following written notices to the reporter, via U.S. mail or email, as the reporter prefers:
 - Not later than seven calendar days after receiving the report, a notice providing the status of the PCSA's investigation into the report made, whom the reporter may contact for further information, and a description of the reporter's rights;
 - Not later than seven calendar days after the PCSA closes the investigation into the case, a notice that the PCSA has closed the investigation.

Foster care, adoption home study assessors

- Adds, as an individual qualified to perform foster care and adoption home studies: (1) a current or former PCSA caseworker, (2) a current or former PCSA caseworker supervisor, and (3) an individual with at least a bachelor's degree in any of the specified human services fields and has at least one year of experience working with families and children.

H.B. 265

Primary Sponsors: Reps. Manning and Patton

Effective date: June 13, 2022

Family preservation centers

- Requires the Department of Job and Family Services (JFS) to certify a children's crisis care facility or residential infant care center (RICC) as a family preservation center (FPC) under requirements imposed by the act and rules adopted under it.
- Defines an FPC as a children's crisis care facility or an RICC that has as its primary purpose the preservation of families.
- Requires a certified FPC to meet accreditation and certification standards and operate family preservation programs.

Residential infant care centers

- Requires JFS to certify an RICC under requirements imposed by the act and rules adopted under it.
- Defines an RICC as a facility that as its primary purpose provides residential services for any infant (child under one year old) affected by substance use and preservation of families through infant diversion practices and programs.
- Provides that an infant is eligible for placement at an RICC if one of the following applies:
 - The infant was born substance exposed and requires additional care.
 - The infant's parent or caretaker requires additional education and support services regarding care for the infant;
 - A public children services agency (PCSA) or private child placing agency (PCPA) requires additional time to determine placement of the infant.
- Imposes requirements regarding infant medical treatment, staffing, infant safe care plan development, the provision of parenting education and family services, and dyad care and rooming-in.
- Permits an RICC that regularly maintains on its premises schedule II controlled substances to (1) maintain firearms at the facility, and (2) permit security personnel to bear firearms while on the facility's grounds.
- Specifies that an RICC need not (1) provide toilets or potty chairs, (2) comply with certain JFS rules, including, for example, those regulating use of physical restraint and isolation and disciplinary procedures, and (3) require RICC-employed nurses to comply with JFS rules on first aid and cardiopulmonary resuscitation.
- Specifies that the RICC compliance exclusions do not apply on and after the date that JFS adopts rules under the act.
- Permits an RICC to provide residential care to an infant placed by one of the following, having legal custody of the infant, for up to 90 consecutive days: (1) a parent, guardian, or legal custodian or (2) a PCSA or PCPA.

Children's crisis care facilities

- Requires a certified children's crisis care facility to meet specified staff, medical service and space, parental education, transfer, and admissions-privacy requirements.
- Permits a facility to count administrative staff, interns, and volunteers toward required staff ratios in accordance with JFS rules for up to three hours and to use contracted transportation providers to transport preteens when necessary.
- Repeals law permitting a children's crisis care facility that regularly maintains schedule II controlled substances on its premises to (1) maintain firearms at the facility, and (2) permit security personnel to bear firearms while on the facility's grounds.

- Permits a preteen to be placed in a children’s crisis care facility for up to 90 consecutive days.

SORN Law restriction

- Prohibits a person who is or has been convicted of or who pleads or pleaded guilty to a sexually oriented offense or child-victim oriented offense from living within 1,000 feet of children’s crisis care facility premises or RICC premises.
- Regarding residential premises located within 1,000 feet of children’s crisis care facility premises or RICC premises:
 - Specifies that a registered sex offender for a sexually oriented or child-victim oriented criminal offense who resides in or occupies, or any tenant who permits a registered sex offender to occupy, the residential premises, is subject to an action for forcible entry and detainer and rental agreement termination;
 - Permits a landlord to bring an action for possession of residential premises if the tenant or occupant is a registered sex offender for a sexually oriented or child-victim oriented criminal offense;
 - Prohibits a residential premises’ tenant from permitting any person to occupy the residential premises, and authorizes the landlord to evict a tenant that violates the prohibition, if the person is a registered sex offender for a sexually oriented or child-victim oriented criminal offense.

JFS

- Prohibits the JFS Director from issuing a compliance waiver for any requirements for children’s crisis care facility or FPC certification.
- Authorizes the Director to suspend or revoke children’s crisis care facility, FPC, or RICC certification if facility or center violates or fails to comply with act’s requirements or the Director’s rules.
- Requires JFS to adopt rules for (1) FPC certification, by September 12, 2022, and (2) RICC certification.
- Permits JFS to apply for a federal grant under (1) the Family First Preservation Services Act to assist certified children’s crisis care facilities and RICCs and (2) the Child Abuse Prevention and Treatment Act to assist RICCs.

Insurance

H.B. 188

Primary Sponsors: Reps. Lampton and Cross

Effective date: July 6, 2022

- Prohibits life, disability, and long-term care insurers from unfairly discriminating against a living organ donor in the offering, issuance, premium, or conditions of such a policy.

H.B. 371

Primary Sponsors: Reps. Schmidt and Denson

Effective date: September 23, 2022

Screening mammography

- Revises the law governing health insurance and Medicaid coverage of screening mammography by (1) requiring coverage for one screening mammography every year and (2) specifying that screening mammography includes digital breast tomosynthesis.
- Requires health insurers and Medicaid to cover supplemental breast cancer screening in certain circumstances.
- Revises the language a mammography facility must use when notifying a patient in writing of the presence of dense breast tissue.

Temporary certificate of need changes

- For a certificate of need (CON) granted during the period of the COVID-19 state of emergency:
 - Requires the Director of Health to grant a CON holder a 24-month extension to obligate capital expenditures and commence construction for a proposed project;
 - Provides that the transfer of a CON, or transfer of the controlling interest in an entity that holds a CON, before completion of the reviewable activity for which the CON was granted, does not void the CON, so long as recognizing the transfer does not violate the law prohibiting a CON from being approved in various circumstances.
- For a CON granted on or before the act's effective date, prohibits the Director from imposing a civil penalty against the CON holder for obligating capital expenditures of between 110% and 150% of the approved project cost.

H.B. 575

Primary Sponsor: Rep. Cutrona

Effective date: April 6, 2023

- Requires a domestic fraternal benefit society to present and execute a plan for the transfer of members to another society or other insurer if the society's capital falls below the authorized control level for risk-based capital (RBC) or if the society fails to maintain its legally required surplus.
- Requires liquidation proceedings to be conducted in a manner to protect insureds, claimants, creditors, and the public, and be conducted in a manner designed to conserve assets, limit expenses, and avoid assessments.
- Requires a liquidator to attempt to transfer policies or certificates of the liquidating society to another society or other insurer.
- Increases, from 30 to 90 days, the time prior to an assessment by which a society must notify the Superintendent of Insurance of its plan to impose the assessment.
- Allows a society to impose an assessment following the notice period only if the assessment has been duly adopted by the society's board of directors and has not been disapproved by the Superintendent.
- Permits the Superintendent to allow an assessment to be imposed earlier than the date identified in the notice.

S.B. 236

Primary Sponsors: Sens. Wilson and Lang

Effective date: September 13, 2022

- Deems purchasing an insurance policy through an online website or application to be consent to receiving communication related to the policy via electronic transmission.
- Subjects the communications to the requirements of the Insurance Automated Transaction Law.
- Specifies that consumers may request and receive all communication related to an insurance policy via paper.
- Requires, in order for an insurer, repair facility, or installer to use a salvage motor vehicle part to repair a motor vehicle, that the part be sourced from a licensed salvage motor vehicle dealer, rather than requiring that the part be removed from a salvage motor vehicle by a licensed dealer as under former law.

S.B. 256

Primary Sponsor: Sen. Wilson

Effective date: July 21, 2022; travel insurance provisions effective October 19, 2022.

Travel insurance

- Adds additional regulations and procedures relating to the premium tax that travel insurers must pay on travel insurance premiums.
- Subjects all persons authorized to sell travel insurance to the Unfair and Deceptive Practices Insurance Law.
- Imposes new requirements on the materials that must be provided to consumers when purchasing travel insurance.
- Specifies when a travel insurance policy may be canceled without penalty, allowing 15 days for cancellation if fulfillment materials are delivered by postal mail and ten days for all other methods of delivery.
- Subjects travel administrators to the Limited Lines Travel Insurance Agents Law.
- Designates travel insurance as inland marine insurance for purposes of rates and forms.

Electronic signatures

- Allows insurers to comply with any signature requirement via an electronic signature.

Unfair and deceptive practices

- Designates offering “free” insurance as an inducement to purchasing another policy of insurance as an unfair and deceptive practice.
- Authorizes insurers to offer free “value-added” products that meet specified requirements as an incentive to purchase insurance.
- Authorizes insurers to offer noncash items, such as meals or charitable donations made on behalf of the consumer, as an incentive to purchase insurance.
- Allows insurers to conduct raffles or drawings to the extent permitted by state law.

Insurance holding companies

- Provides for a group capital calculation requirement to be imposed on insurance holding companies as a way of assessing the ratio of assets to liabilities across the entire holding company.
- Imposes a liquidity stress test requirement as a way of predicting how insurers would fare under various stresses, given the insurer’s allocation of assets.
- Adds to the standards imposed on transactions to which insurance holding companies are a party relating to bonds, information held by affiliates, proprietary documents, confidential information, and information sharing.

Nonforfeiture amount

- Reduces the minimum interest rate used to calculate the nonforfeiture amount on annuities that have yet to payout any amounts, from 1% to 0.15%.

Title insurance joint ventures

- Revises the law stipulating that, if a title agency that is a joint venture is set to dissolve or terminate on a specified date, all members of the joint venture must be allowed to join any successor joint ventures, to provide that the percentage of ownership in the successor must not be based on the percentage of title insurance business referred to the original joint venture.

S.B. 273

Primary Sponsors: Sens. Hottinger and Hackett

Effective date: September 13, 2022

Ohio Life and Health Insurance Guaranty Association

- Expands Ohio Life and Health Insurance Guaranty Association coverage to include health insuring corporations and claims made by health care practitioners.
- Expands Association coverage to include owners of unallocated annuity contracts when certain criteria are met.
- Expands the types of contracts and policies that are explicitly excluded from Association coverage.
- Increases the coverage cap for unallocated annuity contract holders that are not participants in a governmental retirement plan, from \$1 million to \$5 million.
- Revises the actions the Association is authorized to take regarding impaired and insolvent insurers.
- Repeals the requirements the Association must follow when a member insurer is an impaired foreign or alien insurer.
- Authorizes the Association, within 180 days of an order of liquidation, to succeed to the rights and obligations of the ceding member insurer that relate to policies, contracts, or annuities covered, in whole or in part, by the Association.
- Removes the cap of \$200 per member insurer per calendar year imposed on nonprorated assessments.
- Specifies how Class B assessments are to be allocated between Association life and health insurance accounts.
- Establishes a process by which Association members may protest an assessment.
- Increases the maximum additional assessment the Association can impose on member insurers when current assessments are insufficient to meet Association obligations.

- Removes the Association board’s authority to request the Superintendent of Insurance to order an examination of any member insurer that the board in good faith believes may be an impaired or insolvent insurer.
- Removes the board’s authority to prepare, at the completion of an insolvency, a report bearing on the causes and history of the insolvency.
- Removes the requirement that a member insurer disclose via a notice when a policy it issues is excluded from coverage by the Association.
- Allows insurers that are exempt from premium or franchise taxes to recoup their Association assessments by a surcharge on premiums.
- Excludes, with respect to multiple nongroup policies of life insurance owned by one owner, premiums in excess of \$5 million from the definition of “premium,” thereby potentially reducing the assessment amounts the Association charges members.

Alternative retirement plan distributions

- Permits an alternative retirement plan (ARP) provided by a public college or university to pay a benefit or make a payment to a participant who is still working for the institution at the time the participant must begin receiving minimum distributions by federal law.
- Specifies that an ARP provider is not required to obtain the consent of a participant’s spouse before making minimum distributions required by federal law.

Juvenile and Family Law

S.B. 210

Primary Sponsor: Sen. Gavarone

Effective date: March 23, 2023

Legal relations between spouses

- Expands the ability for spouses to enter into agreements that alter legal relations.
- Establishes postnuptial agreements and treats them the same as antenuptial agreements under the Revised Code.
- Allows spouses to modify antenuptial and postnuptial agreements.
- Establishes requirements for agreements entered between spouses that alter legal relations, and provides that agreements that meet the requirements are valid and enforceable, with or without consideration.
- Allows a court to terminate a decree of legal separation on a motion signed by both spouses.

Social Security numbers

- Repeals the requirement that the record of any action for divorce, dissolution, annulment, or spousal support contain the parties' Social Security numbers.

Dating protection orders; domestic violence shelters

- Expands the definition of "person with whom the respondent (or actor) is or was in a dating relationship" to include minors who are subject to domestic or dating violence for purposes of domestic violence protection order law and domestic violence shelters law.

Appointing acting judges

- Removes the population limit and in-territory residency preference for appointing certain acting municipal court or county court judges.

S.B. 239

Primary Sponsor: Sen. Blessing

Effective date: September 13, 2022; appropriation effective June 14, 2022

Professional treatment staff qualifications

- Establishes qualifications and requirements for professional treatment staff of a specialized foster home (foster home caring for special needs children) program agency who do any of the following:

- Provide rehabilitative services to a child placed in a specialized foster home program or to the child’s family;
- Conduct home studies as an assessor for specialized foster homes;
- Provide clinical direction to specialized foster caregivers;
- Supervise treatment team leaders.
- Requires professional treatment staff employed by a public children services agency (PCSA) to meet the same educational qualifications and training requirements as required of PCSA caseworkers under continuing law.
- Requires professional treatment staff employed by a private child placing agency (PCPA) or a private noncustodial agency (PNA) to also meet the same educational qualifications and training requirements as required of PCSA caseworkers under continuing law, except that in the first year of continuous employment:
 - Staff only need to complete certain courses, rather than all courses required under continuing law; and
 - Staff only need to undergo training for the number of hours needed to complete the specified courses, instead of the minimum 102 hours of in-service training required for PCSA caseworkers for all the courses.
- Requires the Department of Job and Family Services (JFS) to work with PCPAs and PNAs to establish a comprehensive, competency-based professional treatment staff training program for employees who meet the act’s training requirements.
- Allows PCPAs, PNAs, or qualified nonprofit organizations to offer the required training, provided that JFS approves it and has not yet established its own training program.

ICF/IID Medicaid payment rates

- Eliminates an exception, enacted as uncodified law in the main operating budget, specifying that if the statewide average Medicaid rate for ICFs/IID exceeds \$365.05, the payment rates for FY 2023 are reduced by the percentage the statewide average exceeds that amount.
- Instead, requires the Department of Developmental Disabilities, for FY 2023, to pay each ICF/IID a rate as determined under existing codified law, using funds from the enhanced federal medical assistance percentage (FMAP) enacted in the “Families First Coronavirus Response Act.”

Liquor Control

S.B. 63

Primary Sponsor: Sen. O'Brien

Effective date: April 3, 2023

D-9 liquor permit

- Authorizes the Division of Liquor Control to issue to an establishment hosting automobile sports (e.g., drag racing) as its primary activity a D-9 liquor permit to sell beer, wine, or mixed beverages in disposable containers at retail for on-premises consumption, if the premises for which the permit is sought:
 - Meets other specified criteria, including county and township population parameters; and
 - Has a fixed seating capacity for at least 2,000 people.
- Requires the establishment's owner to ensure that a licensed food truck serves food during the same hours that alcohol is sold (owner can sell alcohol between 5:30 a.m. and 2:30 a.m. of the next day).
- States that the establishment's premises need not have specified permanent sanitation equipment, which generally is required for retail liquor permit holders, including hot and cold running water and separate toilets for men and women.
- Exempts a person with an opened container of beer, wine, or mixed beverages that is purchased for consumption on a D-9 permit premises from the Open Container Law.
- Sets the annual permit fee for a D-9 permit at \$500.

Other provisions

- Allows a board of county commissioners to authorize a county department of probation to accept payments by financial transaction device.
- Designates January 11 as "Human Trafficking Awareness Day."
- Designates October 23 as "Aromatic L-Amino Acid Decarboxylase Deficiency Awareness Day."

Local Government

H.B. 35

Primary Sponsors: Reps. LaRe and Click

Effective date: April 3, 2023

- Permits a mayor to solemnize a marriage anywhere in Ohio.

H.B. 405

Primary Sponsors: Reps. Stewart and Johnson

Effective date: April 3, 2023

- Clarifies the appointing authority for boards of county hospital trustees.
- Allows three members on a board of county hospital trustees to reside outside the county, when the board consists of eight or ten members.
- Allows a county coroner's office to access and view, but not alter, information contained in the Ohio Law Enforcement Gateway.
- Modifies the procedures for filling a vacancy in a county elective office.
- Allows a county treasurer to adopt a policy to allow taxpayers to request electronic delivery of property tax and manufactured home tax bills.
- Allows a treasurer to rescind such a policy with 30 days' written notice to those who have requested electronic delivery.
- Excludes from public records requests any email address or telephone number provided with requests for electronic delivery.

H.B. 501

Primary Sponsor: Rep. Hall

Effective date: April 6, 2023

- Simplifies the process a township must follow to donate unneeded property.
- References the Auditor of State's fraud-reporting system in the law allowing employees to report unlawful activity occurring at the workplace.
- Allows townships engaged in redevelopment to create a special tax increment financing (TIF) district with the goal of providing funding for any project delineated by the township.
- Allows a board of township trustees to appoint a deputy fiscal officer when the office of township fiscal officer becomes vacant.

- Allows a township fiscal officer’s assistant to receive compensation allowable under a township’s appropriation measure as an alternative to the amount allowable under an estimate of expenditures provided to the board of trustees.
- Allows a board of township trustees, as part of a local government deferred compensation program, to establish a designated Roth account feature or any other feature for retirement savings account contributions that are not tax-deferred.
- Permits counties, townships, and municipal corporations to regulate small solar facilities.
- Allows a township to use general funds to support broadband expansion within the unincorporated territory and establishes requirements for awarding funds and administering a challenge process.
- Authorizes the treasurer or governing board of a subdivision that is a member of the Little Miami Joint Fire and Rescue District to invest all or part of the interim money in bonds or other obligations of the fire district of which it is a member.
- Requires that the fire district bonds or other obligations mature within 20 years.
- Exempts the treasurer or governing board from specified requirements of the Uniform Depository Act when investing the interim money in bonds or other obligations of the Little Miami Joint Fire and Rescue District.

S.B. 15

Primary Sponsor: Sen. Wilson

Effective date: September 13, 2022

- Protects certain fiscal officers of political subdivisions from liability for the loss of public funds when the officer has performed official duties with reasonable care.
- Makes the officers liable for loss of public funds resulting from the officer’s negligence or other wrongful act.

S.B. 105

Primary Sponsors: Sens. Sykes and Schuring

Effective date: June 1, 2022

- Requires political subdivisions to accept the state’s certification of a Minority Business Enterprise, Women-owned Business Enterprise, or Veteran-friendly Business Enterprise as proof of certain eligibility criteria for comparable local programs and initiatives.

Military and Veterans

S.B. 160

Primary Sponsor: Sen. O'Brien

Effective date: September 13, 2022

- Requires certain health care entities to inform a veteran or the veteran's spouse, surviving spouse, or representative about available health care or financial benefits.
- Names the act the "Veteran Information Act."

S.B. 259

Primary Sponsor: Sen. Hoagland

Effective date: March 14, 2023

- Adds a member of the Paralyzed Veterans of America to the Veterans Advisory Committee.

S.B. 287

Primary Sponsor: Sen. Manning

Effective date: September 13, 2022

- Expands authorized uses for county credit card expenditures to include charges for temporary and necessary assistance care provided by a county veterans service office.

Public Retirement

H.B. 184

Primary Sponsor: Rep. Carfagna

Effective date: June 13, 2022

- Authorizes the Ohio Police and Fire Pension Fund (OP&F) Board of Trustees to assign advanced practice registered nurses and physician assistants, in addition to physicians and vocational evaluators, to examine OP&F members applying for disability benefits.
- Permits the Board to (1) grant disability benefits based solely on a member's application and supporting medical documentation or (2) require, before granting benefits, the member to undergo a medical examination, vocational evaluation, or both.
- Requires, for a member's disabling condition to be considered permanent, that the condition be expected to last for at least a continuous 12-month period after a disability benefit application is filed.
- Removes the requirement that the pre-employment examination of a prospective member be conducted by a physician.

Public Safety and Homeland Security

H.B. 23

Primary Sponsors: Reps. Plummer and West

Effective date: April 3, 2023

Dementia training

- Requires peace officers and emergency medical service personnel to undergo training in identifying and interacting with individuals with dementia.
- Requires the Attorney General and the State Board of Emergency Medical, Fire, and Transportation Services to adopt rules governing the training.
- Requires the Attorney General and the Board to consult with the Department of Aging and the Department of Job and Family Services.

Appointment of highway patrol troopers

- Increases from 35 to 40 the maximum age a person may be when appointed as state highway patrol trooper.

H.B. 158

Primary Sponsors: Reps. Baldrige and Plummer

Effective date: June 13, 2022

- Prohibits the use of Class B firefighting foam containing intentionally added PFAS chemicals for testing purposes (unless certain measures are implemented) or for training purposes.

H.B. 392

Primary Sponsors: Reps. Ferguson and K. Miller

Effective date: April 3, 2023

Ambulance transport of police dog

- Authorizes ambulance transport of an injured police dog to a veterinarian when the police dog is injured in the line of duty and no human requires emergency transport at the time.
- Extends certain civil, criminal, and professional immunity to an ambulance driver transporting an injured police dog.

Riding in fifth wheel trailer

- Clarifies the law regarding whether a person may ride in a moving fifth wheel trailer by generally prohibiting riding in them unless certain safety precautions are met.

Devices on vehicle windshields

- Authorizes the placement of federally regulated vehicle safety devices on the interior front windshield of a passenger or commercial motor vehicle.
- Related to placing other electronic devices on the interior front windshield of a commercial motor vehicle:
 - Lowers the maximum height that the electronic devices may be mounted on the windshield from 6.0 inches below the upper edge to 8.5 inches below the upper edge; and
 - Removes the stipulation that the devices be outside the area swept by the windshield wipers.

Special Designations

H.B. 238

Primary Sponsors: Reps. Hicks-Hudson and Crawley

Effective date: June 1, 2022

- Designates July 28 as “Buffalo Soldiers Day.”

H.B. 340

Primary Sponsors: Reps. Bird and Blackshear

Effective date: September 13, 2022

- Designates September as “International Underground Railroad Month.”

H.B. 423

Primary Sponsors: Reps. Roemer and B. Young

Effective date: April 3, 2023

- Designates the All-American Soap Box Derby as the state gravity racing program.
- Designates the first full week of February as “Ohio Burn Awareness Week.”
- Designates April 27 as “Ulysses S. Grant Day.”
- Designates the last full week of June as “Pollinator Week.”
- Designates August 17 as “Eugene ‘Gene’ F. Kranz Day.”
- Designates the last Saturday of September as “Ohio Public Lands Day.”

H.B. 537

Primary Sponsor: Rep. Abrams

Effective date: September 23, 2022

- Designates February 12 as “Cholangiocarcinoma Awareness Day.”

State Government

H.B. 440

Primary Sponsors: Reps. Swearingen and White

Effective date: Emergency: Agricultural linked deposit provisions effective April 20, 2022; interim funds provisions effective July 21, 2022

Agricultural linked deposits

- Makes agricultural cooperatives eligible to borrow under the Agricultural Linked Deposit Program.
- Removes the explicit \$150,000 cap on individual loans obtained through the program, leaving the cap to be determined by the Treasurer of State.
- Eliminates the requirement that the Treasurer attempt to place up to \$165 million in agricultural linked deposits.

Investment of state interim funds

- Expands the types of obligations in which the Treasurer may invest state interim funds.
- Allows the Treasurer to enter into agreements with the state, political subdivisions, nonprofits, and state universities regarding certain terms and conditions relating to these new investment vehicles.
- Creates the State Securities Tender Program Fund, consisting of certain fees paid to the state for interim fund investments and used solely for operations of the Office of the Treasurer of State.

S.B. 9

Primary Sponsors: Sens. McColley and Roegner

Effective date: June 8, 2022; appropriation effective March 9, 2022; one conforming amendment effective September 30, 2024

Reduction in regulatory restrictions

- Requires each state agency to reduce the regulatory restrictions contained in its rules by 30% by June 30, 2025, according to a schedule and criteria set forth in the act.
- Prohibits an agency from adopting new regulatory restrictions that would increase the percentage of restrictions in the agency's rules.
- Beginning July 1, 2025, requires an agency that does not achieve a reduction in regulatory restrictions according to the schedule to eliminate two restrictions before adopting a new rule containing a restriction.

- Extends the preexisting prohibition against adopting a new regulatory restriction without eliminating two existing restrictions (the “two-for-one” rule) from June 30, 2023, to June 30, 2025.
- Allows the Joint Committee on Agency Rule Review (JCARR) to lessen an agency’s required reduction in regulatory restrictions if the agency fails to meet a reduction goal and shows cause why the agency’s required reduction should be lessened.
- Beginning July 1, 2025, caps the total number of regulatory restrictions that may be in effect in Ohio.
- Requires an agency to produce a revised inventory and historical progress report before September 15, 2022, and annually thereafter until the agency has met its reduction goal.
- Allows an administrative department head to direct otherwise independent officials or state agencies organized under the department to reduce regulatory restrictions.
- Allows the Common Sense Initiative Office (CSIO) to review any rules containing regulatory restrictions that an agency is required to include in its inventory and to direct an agency to eliminate a regulatory restriction, and permits the agency to appeal that decision to JCARR.
- Directs JCARR to compile the agencies’ inventories and reports into an annual comprehensive inventory and progress report that includes a description of JCARR’s work over the past year in assisting agencies.
- Requires JCARR to consult with Legislative Information Systems (LIS) to create and maintain a system for agencies to enter regulatory restriction data and compile and send inventories and reports.
- Requires JCARR to consult with LIS to establish the Cut Red Tape System, which must include a website and allow the public to request information, to communicate with JCARR, about regulatory restrictions.

Continuing rule adoption and review process

- Changes the criteria that all agencies must use when conducting a five-year review of an existing rule to match the act’s criteria for eliminating regulatory restrictions.
- Requires JCARR to apply the same modified standards when reviewing an existing rule that an agency has decided not to change.
- Allows JCARR to recommend that the General Assembly invalidate a proposed or existing rule on the basis that an agency subject to the regulatory restriction reduction requirement has failed to justify a rule containing a regulatory restriction.
- Requires all agencies adopting a new rule or conducting a five-year review to consider whether the rule implements a federal law or rule in a manner that is more stringent or burdensome than the federal law or rule requires.

- Allows JCARR to recommend that the General Assembly invalidate a proposed or existing rule if JCARR determines that it implements a federal law or rule in a manner that is more stringent or burdensome than the federal law or rule requires.

Appropriation for 2022 primary election

- Appropriates \$9 million in FY 2022 to provide financial assistance to county boards of elections in administering Ohio's 2022 primary election.

Liquor control laws

- Makes various technical and corrective changes in the Liquor Control Law, including allowing a local option election for the sale of beer to be held at a special election on a day when a primary election may be held.

Taxation

H.B. 51

Primary Sponsor: Rep. Lampton

Effective date: Emergency: Incorporation of Internal Revenue Code changes and public meetings and hearings effective February 17, 2022; provisions addressing valuation adjustments effective May 19, 2022

- Allows a county auditor to initiate the property valuation adjustment process for destroyed or damaged property.
- Requires the Department of Taxation to prescribe a form to be used to request a valuation adjustment.
- Incorporates changes to federal tax law taking effect since March 31, 2021, into Ohio income tax law.
- Establishes a policy for virtual public meetings and hearings for use until June 30, 2022.

H.B. 66

Primary Sponsor: Rep. Hoops

Effective date: April 3, 2023; operating appropriations effective January 2, 2023

Property taxation

Exemption reporting

- Requires the Tax Commissioner's biennial report on state tax expenditures to include information on property tax exemptions.

Community school tax exemption

- Removes a requirement that community schools file an annual statement after an initial application with the Tax Commissioner as a condition of retaining a property tax exemption.

Combined school district property and income tax levies

- Allows a school district to propose to renew an emergency property tax levy and a combination income and property tax levy in a single ballot question.
- Applies the changes to resolutions adopted or proceedings that are pending or completed on or before April 3, 2023.

ADAMHS district taxing authority

- Requires revenue from certain joint-county alcohol, drug addiction, and mental health service (ADAMHS) district property taxes to be spent for the benefit of the residents of the county from which it is collected.
- Requires a member county of a joint-county ADAMHS district and, in certain circumstances, a withdrawing county from such a district to continue to levy and collect an ADAMHS-related tax following reorganization of the district.
- Requires, under certain circumstances, a new ADAMHS-related county tax to be labeled as a renewal or replacement for ballot language purposes.

Tax abatements

- Provides a temporary period for the owner of property located in an enterprise zone to apply for exemption from property taxation and abatement and refund of unpaid taxes.
- Provides a temporary period for a school district that acquired property in February 2021 to apply for abatement and remission of paid taxes, penalties, and interest for that tax year, payable to the person that paid them.
- Provides a temporary period for an agricultural society that acquired property from a county in March 2021 to apply for tax exemption for the property, notwithstanding the fact that the property has outstanding taxes assessed prior to its transfer.

Exemption and abatement of certain TIF property

- Allows municipal corporations that adopted a tax increment financing ordinance between June 1 and December 31, 2002, to temporarily file for tax exemption according to the terms of the ordinance, including parcel-by-parcel exemptions.
- Applies the temporary provision to exemption applications pending on April 3, 2023.

Sales and use tax exemptions

- Exempts the following from sales and use tax:
 - Electronic tax filing and payment services used in business to report or pay income tax, other than employee withholding, on behalf of an individual;
 - Certain taxable services that might be provided incidentally or supplementally to those electronic tax preparation services;
 - Documentary service charges imposed by motor vehicle and manufactured home dealers from the sales and use tax; and
 - Certain watercraft that are seasonally stored or repaired in Ohio.

Pollution control, energy conversion facilities

- Modifies existing property and sales and use tax exemptions for facilities primarily devoted to pollution control, energy conversion, and thermal efficiency improvement, as follows:
 - Extends the exemptions to leased property;
 - Extends the exemptions to property that primarily benefits a business, so long as that benefit aligns with an exempt purpose;
 - Extends the exemptions to property used to haul industrial waste to a point of disposal or treatment, or to store, filter, process, or dispose of such waste.
- Applies the changes to new exemption applications and applications pending on April 3, 2023.

Income tax credits

Commercial vehicle operator training

- Authorizes a nonrefundable income tax credit of up to \$25,000 per year for training expenses paid by employers after 2023 and before 2028 to train employees to operate a commercial vehicle.
- Limits the total amount of credits awarded each year to \$1.5 million.

Donations to scholarship organizations

- Modifies the credit cap of an existing income tax credit for donations to scholarship granting organizations for joint filers.

Refunds of tax penalties

- Allows taxpayers to obtain a refund of any tax-related penalties and fees the taxpayer overpaid or paid improperly.

Tax Expenditure Review Committee

- Eliminates the Tax Expenditure Review Committee as of April 3, 2023.

Video service changes

- Limits “video service” to “the provision by a video service provider of video programming” (a person granted video service authorization under Ohio’s video service authorization law is a video service provider).
- Provides that direct-to-home satellite services, as defined under federal law, and video streaming content, are not video services.
- Clarifies that direct-to-home satellite services and video streaming services are subject to sales tax.

Appropriations

- Appropriates \$30 million in FY 2023 to provide grants to eligible minor league sports teams.
- Appropriates \$35 million in the FY 2023 – FY 2024 biennium to fund certain cultural and sports facilities projects.

H.B. 95

Primary Sponsors: Reps. Manchester and Lightbody

Effective date: July 18, 2022; appropriation effective April 18, 2022

Tax credits to assist beginning farmers

- Authorizes a nonrefundable income tax credit for beginning farmers who attend a financial management program.
- Authorizes a nonrefundable income tax credit for individuals or businesses that sell or rent farmland, livestock, buildings, or equipment to beginning farmers.
- Requires the Department of Agriculture, and allows land grant state universities (Ohio State University and Central State University), to certify individuals as beginning farmers.
- Sunsets the credit on January 1, 2028.
- Limits the total amount of tax credits awarded to \$10 million.

Tax increment financing

- Allows a municipality to concurrently exempt improvements to the same parcel through both an incentive district tax increment financing (TIF) arrangement and a subsequent project or urban redevelopment TIF, if each exemption was authorized before March 1, 2022.
- Prescribes rules for allocating the exemption percentage, school district and county reimbursements, and service payment uses between the two TIF exemptions.
- Requires that municipal TIFs created after March 1, 2022, terminate and replace any prior TIF exemption granted to the same parcel by the same municipality.
- Establishes an alternative means by which a subdivision may effectuate notice to bind future owners of the property to TIF service payments.

Property tax abatement

- Provides a temporary period for a municipal corporation that acquired property from the state in 2020 to apply for abatement of unpaid taxes, penalties, and interest.

Motor vehicle show sales

- Expands the types of trucks that may be sold at certain motor vehicle shows to include motor vehicles that have a gross vehicle weight rating of 6,800 pounds or more.

Federal school lunch appropriation

- Appropriates \$338 million of federal funds in FY 2022 for the federal school lunch program.

H.B. 126

Primary Sponsor: Rep. Merrin

Effective date: July 21, 2022

- Limits a political subdivision from filing a property tax valuation complaint against property it does not own, unless the property was sold within a certain timeframe and the sale price was at least 10% and \$500,000 more than the auditor's current valuation.
- Requires the legislative authority of a political subdivision, before filing any property tax complaint, to pass a resolution at a public meeting authorizing the filing.
- Removes a requirement that school boards receive notice from a county board of revision (BOR) when certain property tax complaints are filed.
- Requires a BOR to dismiss an original complaint filed by a political subdivision within one year after the complaint is filed if the board does not render a decision by then.
- Prohibits a political subdivision that has filed a complaint or counter-complaint from appealing a BOR decision.
- Prohibits a property owner and a political subdivision from entering into a private payment agreement whereby the owner pays the political subdivision to dismiss, not file, or settle a complaint or counter-complaint.

H.B. 140

Primary Sponsor: Rep. Merrin

Effective date: September 13, 2022

- Requires property tax election notices and ballot language to display a property tax levy's rate in dollars for each \$100,000 of the county auditor's appraised value (i.e., true value), instead of in dollars for each \$100 of taxable value, in the following manner:
 - For a levy that is a renewal, decrease, increase, or expansion of an existing tax, the levy's effective tax rate for property classified as residential/agricultural;
 - For all other levies, the levy's voted millage rate.
- Requires most election notices and ballot language to state the estimated amount the levy would collect annually.
- Prohibits any portion of a property tax question from being printed on the ballot in boldface type or with differing font size, with some exceptions.
- Modifies the deadline for the county auditor's certification of a fixed-sum emergency levy or growth levy.

H.B. 223

Primary Sponsor: Rep. Hillyer

Effective date: March 23, 2023

- Allows vendors to deduct sales tax remitted for bad debts on private label credit accounts when the debt is charged off as uncollectible by the credit account lender or by a person succeeding to the accounts (e.g., debt collector).

H.B. 513

Primary Sponsors: Reps. Cross and Roemer

Effective date: Vetoed

- Would have allowed a wholesaler or distributor to obtain a refund of excise taxes on cigarettes, other tobacco products, and nicotine vapor products remitted on bad debts arising from the sale of those products.
- Would have authorized an exemption from the state's vapor products tax for certain distributors.
- Would have prohibited local regulation of tobacco products and alternative nicotine products.

H.B. 515

Primary Sponsors: Reps. Hoops and Riedel

Effective date: September 23, 2022

- Specifies two situations in which income from the sale of an ownership interest in a business is considered business income for Ohio income tax purposes.
- Changes, from daily to monthly, the reporting and payment period for the sports gaming tax.

S.B. 225

Primary Sponsor: Sen. Schuring

Effective date: September 13, 2022

Historic building rehabilitation tax credit

- Increases, from \$60 million to \$120 million, the amount of historic building rehabilitation tax credits that may be awarded by the Director of Development in each of FY 2023 and FY 2024.
- Allows several credit enhancements for rehabilitation projects approved by the Director before July 1, 2024.

- Permits owners of projects approved after June 30, 2020, and before the act's effective date, September 13, 2022, to reapply for an enhanced credit so long as construction on the project has not yet commenced.
- Provides that a state historic rehabilitation tax credit certificate is "effective" on the date that all historic buildings rehabilitated by the project are "placed in service," according to the meaning prescribed by federal income tax law.
- Requires the Director to consider the potential for increased attendance and gross revenue in determining whether to approve a project rehabilitating a historic theater.

Ohio opportunity zone investment tax credit

- Expands eligibility to receive an Ohio opportunity zone investment tax credit to investors in Ohio opportunity zones that are not subject to the personal income tax.
- Transitions the overall cap on the amount of Ohio opportunity zone investment tax credits from a biennial to an annual limit, and requires that compliance be determined based on the amount of credits awarded by the Director rather than the amount of credits claimed by recipients or transferees.
- Increases the cap for the FY 2022-FY 2023 biennium from \$50 million to \$75 million, and sets caps of \$50 million for FY 2024 and \$25 million for FY 2025 and thereafter.
- Requires the Director to conduct two application periods annually, each covering qualifying investments made during the preceding six months.
- Expands the circumstances under which a tax credit may be transferred.

Tax increment financing and downtown redevelopment districts

- Allows for retrospective application of two provisions of H.B. 110 of the 134th General Assembly related to tax increment financing districts (TIFs) and downtown redevelopment districts (DRDs).

Canton Hartford-Houtz Poor Fund

- Relieves the city of Canton of the requirement to appoint a board of trustees to take charge of property bequeathed to the city by an 1879 act of the General Assembly.
- Authorizes the city to distribute all moneys and proceeds bequeathed to it under the 1879 act to the Canton Ex-Newsboys Association or any other charitable organization.

S.B. 231

Primary Sponsor: Sen. Hottinger

Effective date: September 13, 2022

- Expressly authorizes the Department of Taxation to issue an income tax refund in the name of both a deceased taxpayer and the taxpayer's legal representative.

S.B. 246

Primary Sponsors: Sens. Rulli and Lang

Effective date: June 14, 2022

- Levies a tax on a pass-through entity's (PTE's) income apportioned to Ohio at a rate of 5% for taxable years beginning in 2022 and 3% for taxable years thereafter, but only if the PTE elects to become subject to the tax.
- Authorizes a PTE owner to claim a refundable credit against the owner's Ohio income tax liability equal to the owner's proportionate share of the tax paid by the PTE.
- Credits all tax revenue to the GRF.

Utilities

H.B. 364

Primary Sponsor: Rep. Patton

Effective date: April 4, 2023

Infrastructure improvement surcharge

- Changes the law governing waterworks and sewage disposal system company infrastructure improvement surcharges, imposed on customers to recover costs for capital improvements to infrastructure plant, to do the following:
 - Adds the requirements that the capital improvements be (1) prudent and (2) properly classified in the Uniform System of Accounts (USOA) adopted by the National Association of Regulatory Utility Commissioners (NARUC), instead of just used and useful in rendering public utility service;
 - Includes capital improvements consisting of the replacement of an existing plant included in *accounts under NARUC's USOA* instead of including specific listed facilities.
- Permits a surcharge to include capital expenditures made to comply with any consent decree, final order, or final rule of the U.S. or Ohio Environmental Protection Agency.
- Extends surcharge eligibility to include as a “replacement of an existing plant” any replacement that results in an upgrade or improvement to the previously existing plant if it is prudent, qualifies for recovery, and performs the same or similar function as the plant replaced.
- Permits a waterworks or sewage disposal system company with \$250,000 or more of annual operating income to impose, subject to refund, its proposed infrastructure improvement surcharge of certain companies if the Public Utilities Commission fails to issue a final order on the surcharge within 180 days.
- Delays infrastructure improvement surcharge termination by operation of law to no later than December 31, 2036.

Hazardous waste incinerators

- Creates two limited exceptions to the moratorium against modifications to hazardous waste incinerator installation and operation permits.

Public water system asset management program

- Eliminates the requirement that a transient noncommunity water system demonstrate the technical, managerial, and financial capability to comply with the Safe Drinking Water Law through implementation of an asset management program.

- Prohibits the Director of Environmental Protection from adopting or enforcing any rules requiring a transient noncommunity water system to implement, prepare, or complete an asset management program.
- Eliminates the requirement that the operator of a transient noncommunity water system include information regarding the system’s asset management program when applying to install a new water well.

Residential PACE lien priority

- Specifies that the priority for a residential PACE lien is:
 - Always subordinate to a first mortgage, regardless of when that mortgage is recorded with the county recorder;
 - Subordinate to all other liens recorded prior to the recordation of the residential PACE lien;
 - Superior to all other liens recorded after the recordation of the residential PACE lien.
- Specifies that a residential PACE lien is a lien for a residential PACE (property assessed clean energy) loan, which is a loan to pay for the installation of cost effective energy improvements on a homeowner’s qualifying residential real property and is repayable by the homeowner through a special assessment.

H.B. 430

Primary Sponsor: Rep. Cross

Effective date: September 23, 2022

Interstate hazardous liquid or gas pipelines

- Requires that if a public improvement is within 660 feet of the center point of any interstate hazardous liquid pipeline or interstate gas pipeline, the pipeline operator must provide specified information to the public authority constructing the public improvement.
- Requires the public authority, if it is notified that the public improvement is within 660 feet of the center point of an interstate hazardous liquid pipeline or interstate gas pipeline, to include certain information related to the pipeline in the plans and specifications.
- Requires a utility to provide the location information of an interstate hazardous pipeline or interstate gas pipeline to a developer or designer of a proposed project requiring excavation when the project is within 660 feet of a center point of the pipeline.
- Requires the developer and designer to include the notice information provided by the utility in the developer’s or designer’s plans and specifications.
- Authorizes a public authority to withhold approval of a project until the developer and utility have satisfied the requirements.

- Provides that a public authority is immune from liability related to the approval or construction of the development when the approval is based on information provided by the developer in the plans and specifications.

Mobile computing units and building regulations

- Exempts “mobile computing units” from statutes governing the construction and condition of buildings and related rules adopted by the Board of Building Standards.

Ingress/egress obstructions

- Requires the Board of Building Standards to adopt rules providing for the use of a device in a nonresidential building that prevents both ingress and egress through a door in the building for a finite period of time, in an emergency situation, and during active shooter drills.

PUCO regulatory restrictions

- Prohibits the Public Utilities Commission of Ohio (PUCO), in certain service abandonment or withdrawal proceedings, from imposing on certain telecommunication providers or services any regulatory requirement or restriction that does not generally apply to the service or provider in other contexts.
- Requires PUCO to adopt rules by December 22, 2022, to implement these provisions.

Rent control and rent stabilization

- Applies to all political subdivisions the law prohibiting a municipal corporation or township from adopting any regulation that conflicts with or regulates the rights and obligations of parties to a rental agreement regulated by the Landlord and Tenant Law.
- Prohibits rent control and rent stabilization regulations adopted by political subdivisions, specifying that these are considered rental agreement regulations covered by the state Landlord and Tenant Law.
- Allows political subdivisions to adopt and enforce rent control and rent stabilization regulations in specified circumstances.
- States legislative findings relating to rent control and rent stabilization regulations.

Orphaned well plugging

- Revises the law governing idle and orphaned oil and gas wells (which, under former law, were wells for which a bond had been forfeited or an abandoned well for which no money was available to plug the well).
- Renames that term “orphaned well” and specifies that an orphaned well is a well that was not properly plugged or its land surface restored in accordance with the Oil and Gas Law to which either of the following apply:
 - The well owner is unknown, deceased, or cannot be located and the well is abandoned; or

- The owner has abandoned the well and there is no money available to plug the well in accordance with that Law.
- Alters the procedures that applied to plugging an idle and orphaned well and applies those procedures to orphaned wells, including all of the following:
 - Streamlining procedures for reporting and evaluating orphaned wells;
 - Modifying the requirements and procedures governing contracts to plug an orphaned well;
 - Revising the procedures that allow a landowner to plug an orphaned well;
 - Modifying the authorized uses of the Oil and Gas Well Fund.

Use of Abandoned Mine Reclamation Fund

- Allows money from the federal Infrastructure Investment and Jobs Act to be deposited in the Abandoned Mine Reclamation Fund.
- Allows the ODNR Division of Mineral Resources Management to use the money for reclaiming land affected by mining or controlling mine drainage in accordance with the requirements of the federal Act.

Ohio Work Zone Safety Awareness Month

- Designates April as “Ohio Work Zone Safety Awareness Month.”

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