

## Executive

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**DPSCD35 Minimum age to sell tobacco products****R.C. 2927.02**

Expands the offense of illegal distribution of tobacco products to additionally prohibit tobacco businesses from permitting an employee under 18 years of age to sell tobacco product. Makes the penalty for a first violation of the prohibition a fourth degree misdemeanor, and a third degree misdemeanor for any subsequent violation.

**Fiscal effect: Potential increase in annual operating costs for county and municipal criminal justice systems to prosecute and sanction violators, and a related annual revenue gain in court costs and fees, and fines distributed between the state and subdivisions.**

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**DPSCD33 Enforcement of illegal tobacco distribution****R.C. 5502.14**

Authorizes a Department of Public Safety enforcement agent to investigate and enforce the law related to illegally selling and distributing cigarettes and tobacco without the offense being associated with a Liquor Law violation.

**Fiscal effect: Potential increase in annual operating costs for county and municipal criminal justice systems to prosecute and sanction violators, and a related annual revenue gain in court costs and fees, and fines distributed between the state and subdivisions.**

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**DPSCD34 Local government employee immunity****R.C. 5502.30**

Specifies that an employee of a political subdivision who renders aid in another state in accordance with the Emergency Management Assistance Compact is considered a state employee for immunity purposes, is considered an agent of the requesting state for tort liability and immunity purposes, and not liable for any act or omission done in good faith while engaged or on account of the maintenance or use of any equipment or supplies.

**Fiscal effect: Potential state and local government savings effect in relation to adjudication, litigation, and settlement costs that otherwise may be incurred under current law.**

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**Executive****DPSCD22 Recovery Ohio Law Enforcement****Section: 373.20**

Makes the following earmarks in each fiscal year of GRF appropriation item 761403, Recovery Ohio Law Enforcement:

- (1) Up to \$6,575,000 to create and maintain a highly specialized Narcotics Intelligence Center consisting of personnel assigned to intelligence and computer forensic analysis that will assist Ohio narcotics task forces and law enforcement agencies.
- (2) Up to \$3,400,000 to be used to support local law enforcement narcotics task forces that focus on cartel trafficking interdiction. Requires the interdiction task forces to be designated Ohio Organized Crime Commission task forces subject to approval and supervision of the Commission. Permits the money to also be used to provide funding to local law enforcement agencies, the Commission for task force related equipment purchases, and for operating expenses of the Office of Criminal Justice Services related to the narcotics interdiction task force program.
- (3) Up to \$2,500,000 for narcotics task forces in order to build new and strengthen existing partnerships with local law enforcement, for local law enforcement agencies, and for operating expenses of the Office of Criminal Justice Services related to the Ohio narcotics task force program.
- (5) Up to \$600,000 to be used to partner with the Office of Information Technology in the Department of Administrative Services to enhance and maintain a uniform records management and data intelligence system, and provide case management, collaboration, data sharing, and data analytics tools for Ohio narcotics task forces and law enforcement agencies.

**DPSCD23 Justice Program Services****Section: 373.20**

Earmarks the following amounts of GRF appropriation item 768425, Justice Program Services, for use by the Office of Criminal Justice Services in each fiscal year:

- (1) Up to \$5,000,000 to administer and distribute grants to state and local law enforcement agencies for body-worn camera programs.
- (2) Up to \$4,000,000 to administer and distribute grants to local law enforcement agencies to assist local communities in reducing and preventing crime through the use of promising and proven crime reduction strategies. Specifies that the funds may be used for, but are not limited to, overtime, equipment, technical assistance, and analytical support to implement crime reduction strategies.

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(3) Up to \$1,000,000 for grants to state and/or local law enforcement to conduct investigations on sexual assault kit testing results and related expenditures.

(4) Up to \$500,000 to support state and local law enforcement agencies in the recruitment, hiring, and training of qualified individuals to serve as peace officers.

(5) Up to \$250,000 for the purposes of implementing recommendations of the Governor's Warrant Task Force.

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**DPSCD24 Youthful Driver Safety****Section: 373.20**

Requires GRF appropriation item 769407, Youthful Driver Safety, be used to enhance driver training for a statewide youthful driver safety program using best practices and technology focused on behind-the-wheel driver training for drivers aged 16-24 in order to reduce the number of at-fault youthful fatal car crashes.

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**DPSCD25 School Safety****Section: 373.20**

Requires GRF appropriation item 769501, School Safety, be used to pay for the operations of the Ohio School Safety Center, including maintaining and promoting the Safer Ohio Schools Tip Line, and assisting local schools and first responders in preventing, preparing for, and responding to threats and acts of violence, including self-harm, through a holistic, solutions-based approach to improving school safety.

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**DPSCD26 Local Disaster Assistance****Section: 373.20**

(1) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763511, Local Disaster Assistance, at the end of FY 2021 to FY 2022 for the April 17, 2018, and April 8, 2019 Major Disaster Declarations for FY 2022.

(2) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763511, Local Disaster Assistance, at the end of FY 2022 to FY 2023 for the same purpose.

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**DPSCD27 State Disaster Relief****Section: 373.20**

(1) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$1,875,000 from the Disaster Services Fund (Fund 5E20) to the State Disaster Relief Fund (Fund 5330) to pay for estimated program administrative costs and Emergency Operations Center activation costs for that fiscal year.

(2) Permits the State Disaster Relief Fund to be used for the following purposes:

(a) Accept transfers of cash or appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency (Ohio EMA) disaster response costs and disaster program management costs.

(b) Accept transfers of cash or appropriations from Controlling Board appropriation items for Ohio EMA recovery and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for disaster-related costs.

(c) Accept transfers of cash or appropriations from Controlling Board appropriation items to cover costs incurred and to reimburse government entities for Emergency Management Assistance Compact (EMAC) missions.

(d) Accept disaster-related reimbursement from federal, state, and local governments. Permits the Director of Budget and Management to transfer cash from reimbursements received by Fund 5330 to other state funds from which transfers were originally approved by the Controlling Board.

(e) Accept transfers of cash or appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program, for disasters qualifying for the program by written authorization of the Governor, and the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the program by written authorization of the Governor.

(3) Permits Fund 5330 to accept, hold, administer and expend any cash received from a gift, donation, bequest, devise or contribution.

**DPSCD28 Transfer from State Fire Marshal Fund to Emergency Management Agency Service Reimbursement Fund****Section: 373.30**

(1) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$200,000 from the State Fire Marshal Fund (Fund 5460) used by the Department of Commerce to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) used by the Department of Public Safety.

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(2) Requires those amounts to be distributed to the Ohio Task Force One – Urban Search and Rescue Unit, other similar urban search and rescue programs around the state, and for maintenance of the statewide fire emergency response by an entity recognized by the Ohio Emergency Management Agency.

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**DPSCD29 Drug Law Enforcement Fund****Section: 373.30**

Specifies that, notwithstanding R.C. 5502.68, in each of FYs 2022 and 2023, the cumulative amount of funding provided to any single drug task force out of the Drug Law Enforcement Fund (Fund 5ET0) may not exceed \$500,000 in any calendar year.

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**DPSCD30 Community Police Relations****Section: 373.30**

Requires DPF Fund 5RS0 appropriation item 768621, Community Police Relations, be used to implement key recommendations of the Ohio Task Force on Community-Police Relations, including a database on use of force and officer involved shootings, a public awareness campaign, and state-provided assistance with policy-making and manuals.

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**DPSCD31 SARA Title III HAZMAAT Planning****Section: 373.30**

Authorizes the SARA Title III HAZMAT Planning Fund (Fund 6810) to receive grants from the Emergency Response Commission to implement the Ohio Emergency Management Agency's responsibilities under R.C. Chapter 3750.

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**DPSCD32 Security Grants****Section: 373.30**

(1) Requires GRF appropriation item 763513, Security Grants, be used to make competitive grants of up to \$100,000 to nonprofit organizations, houses of worship, chartered nonpublic schools, and licensed preschools for the following purposes:

- (a) To make eligible security improvements that assist the organization in preventing, preparing for, or responding to acts of terrorism;
  - (b) To acquire the services of a resource officer, special duty police officer, or licensed armed security guards; or
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- (c) To purchase qualified equipment, including equipment for emergency and crisis communication, crisis management, or trauma and crisis response to assist in preventing, preparing for, or responding to acts of terrorism.
- (2) Requires the Emergency Management Agency (EMA) to administer and award the grants, as well as establish procedures and forms by which applicants may apply for a grant, a competitive process for ranking applicants and awarding the grants, and procedures for distributing grants to recipients.
- (3) Specifies that the EMA's procedures shall require each applicant do all of the following and requires the EMA to consider all of the following in evaluating grant applications:
- (a) Identify and substantiate prior threats or attacks by a terrorist organization, network, or cell against the nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool.
  - (b) Indicate the symbolic or strategic value of one or more site that renders the site a possible target of terrorism.
  - (c) Discuss potential consequences to the organization if the site is damaged, destroyed, or disrupted by a terrorist.
  - (d) Describe how the grant will be used to integrate organizational preparedness with broader state and local preparedness efforts.
  - (e) Submit a vulnerability assessment conducted by experienced security, law enforcement, or military personnel, or a credible intelligence and threat analysis from one or more qualified homeland security, counterintelligence, or anti-terrorism experts, and a description of how the grant will be used to address the vulnerabilities identified in the assessment.
- (4) Specifies that any grant submission described in R.C. 3313.536 or R.C. 149.433 is not a public record under R.C. 149.43 and is not subject to mandatory release or disclosure under that section.
- (5) Permits the EMA to use up to 2.5% of the total amount appropriated to administer the program and specifies that a portion of that amount may be used to pay costs incurred by the Department of Public Safety to provide security-related or specialized assistance in reviewing vulnerability assessments and prioritizing grant applications.
- (6) Defines "eligible security improvements" as:
- (a) Physical security enhancement equipment or inspection and screening equipment included on the Authorized Equipment List published by the United States Department of Homeland Security, or
  - (b) Attendance fees and associated materials, supplies, and equipment costs for security-related training courses and programs regarding the protection of critical infrastructure and key resources, physical and cyber security, target hardening, or terrorism awareness or preparedness.

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(c) Specifies that personnel and travel costs associated with training are not considered to be an eligible expense of the grant.

(7) Defines “nonprofit organization” as a corporation, association, group, institution, society, or other organization that is exempt from federal income taxation under section 501(c)(3) of the “Internal Revenue Code of 1986,” 100 Stat. , 26 U.S.C 501(c)(3), as amended.

(8) Defines "resource officer" as any law enforcement officer of an accredited local law enforcement agency providing special duty services in a school setting to create or maintain a safe, secure, and orderly environment, and specifies that a resource officer may include a special duty police officer, off-duty police officer, deputy sheriff, or other peace officer of the applicable local law enforcement agency in which the chartered nonpublic school or licensed preschool is located or qualifying personnel of an accredited local law enforcement agency for any jurisdiction in Ohio.

(9) Defines "terrorism" as any act taken by a group or individual used to intimidate or coerce a nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool, its employees, and anyone who is or in the future may be associated with it, as well as their families; to influence the policy of the nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool; and to affect the conduct of the nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool.

(10) Requires the Director of Budget and Management, on July 1, 2021 to cancel any existing encumbrances against GRF appropriation item 763514, Security Grants – Personnel, and reestablish them against GRF appropriation item 763513, Security Grants.

(11) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763513, Security Grants, at the end of FY 2021 and FY 2022, respectively, to the following fiscal year.

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**OBMCD44 GRF transfer to Statewide Community Police Relations Fund (Fund 5RS0)****Section: 512.30**

Authorizes the Director of OBM, in FY 2023, to transfer up to \$1,150,000 cash from the GRF to the Statewide Community Police Relations Fund (Fund 5RS0).

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**OBMCD40 Utility Radiological Safety Board assessments****Section: 514.10**

Specifies the maximum amounts, unless the agency and nuclear electric utility mutually agree to a higher amount by contract, that may be assessed against nuclear electric utilities under RC 4937.05 (B) (2) and deposited into the following funds:

\$101,130 in each of FY 2022 and FY 2023 to the Utility Radiological Safety Fund (Fund 4E40) used by the Department of Agriculture;

\$1,300,000 in each of FY 2022 and FY 2023 to the Radiation Emergency Response Fund (Fund 6100) used by the Department of Health;

\$325,370 in FY 2022 and \$332,287 in FY 2023 to the ER Radiological Safety Fund (Fund 6440) used by the Environmental Protection Agency; and

\$1,368,624 in FY 2022 and \$1,378,304 in FY 2023 to the Emergency Response Plan Fund (Fund 6570) used by the Department of Public Safety.

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**Executive****CEBCD2 Disaster Services Fund****Section: 247.20**

(1) Requires the Controlling Board to use the Disaster Services Fund (Fund 5E20), pursuant to requests submitted by state agencies, to transfer cash used for the payment of state agency disaster relief program expenses for disasters having a written Governor's authorization, if the Director of Budget and Management determines that sufficient funds exist.

(2) Permits the Department of Public Safety to request, and the Controlling Board to approve, cash transfers from Fund 5E20 to any fund used by the Department to provide for assistance to political subdivisions made necessary by natural disasters or emergencies. Permits such transfers to be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

(3) Requires Public Safety's Emergency Management Agency (EMA) to use the cash to fund: (a) the State Disaster Relief Program for disasters that qualify for the program by written authorization of the Governor, and (b) the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the program by written authorization from the Governor. Requires the EMA to publish and make available application packets for those two programs.

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## LOCCD5 Arrest warrant entry into LEADS/NCIC

## R.C. 2935.01, 2935.10

(1) Creates a class of serious offenses known as "Tier 1" offenses and defines a "Tier 1" offense as the offenses of aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, aggravated vehicular homicide, vehicular homicide, vehicular manslaughter, felonious assault, aggravated assault, aggravated menacing, menacing by stalking, kidnapping, abduction, trafficking in persons, rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, pandering obscenity involving a minor or an impaired person, pandering sexually oriented matter involving a minor or an impaired person, illegal use of a minor or impaired person in nudity-oriented material or performance, aggravated arson, arson, terrorism, aggravated robbery, robbery, aggravated burglary, domestic violence, escape, improperly discharging a firearm at or into a habitation, in a school safety zone, or with intent to cause harm or panic to persons in a school, in a school building, or at a school function or the evacuation of a school function, failure to register as a sexually oriented offender, failure to provide notice of residence address change as a registered sexually oriented offender, failure to timely verify residence address change as a registered sexually oriented offender.

(2) Requires law enforcement agencies to enter Tier 1 warrants into the Law Enforcement Automated Data System (LEADS) and the National Crime Information system (NCIC) within 48 hours of receipt, and to enter the warrants with a full extradition radius as defined by the Ohio LEADS administrator, who is the Superintendent of the Ohio State Highway Patrol under continuing law.

**Fiscal effect: Potential increase in administrative expenses for law enforcement agencies to enter and remove such orders within the time limit set, and for the Superintendent of the Ohio State Highway Patrol to define "full extradition radius."**