



Gerald T. Noel, Jr.

Final Analysis
Legislative Service Commission

Am. H.B. 264
123rd General Assembly
(As Passed by the General Assembly)

Reps. Salerno, Sutton, Allen, Barrett, Bender, Boyd, Britton, Clancy, Evans, Flannery, Ford, Goodman, Hartnett, James, Jones, Lucas, Metelsky, Mottley, Myers, Olman, Opfer, Pringle, Sullivan, Sulzer, Sykes, Taylor, Terwilleger, Willamowski, Williams, Young, Barnes, Austria, Damschroder, Thomas, DePiero, Verich, Patton, Core, Womer Benjamin, Tiberi, Householder, Padgett, Perry, Logan

Sens. Latta, Herington, Watts, Spada, White

Effective date: March 17, 2000

ACT SUMMARY

- Substitutes "disability" for "handicap" in the Ohio Civil Rights Commission Law and certain other related laws.

CONTENT AND OPERATION

Handicap

Prior Ohio Civil Rights Commission (OCRC) Law defined "handicap" to mean (1) a "physical or mental impairment" that substantially limits one or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working, (2) a record of a physical or mental impairment, or (3) being regarded as having a physical or mental impairment (sec. 4112.01(A)(13)). The Law further listed specific diseases, disorders, or conditions that either were, or were not, considered to be a "physical or mental impairment" that could constitute a "handicap" (sec. 4112.01(A)(16)).

The act changes the term "handicap" to the term "disability" in the definition described in the immediately preceding paragraph, but does *not change the substance* (1) of that definition, (2) of the specific diseases, disorders, or conditions that either are, or are not, considered to be a "physical or mental impairment" that may constitute a disability, or (3) of any associated unlawful discriminatory practice (sec. 4112.01(A)(13)). This change applies to (1)

provisions of the OCRC Law that forbid discrimination on the basis of "handicap" in employment, housing, public accommodations, the provision of credit or other services, and certain other contexts and (2) related Revised Code sections that previously used "handicap" as it was defined in the OCRC Law or that used that term without explicitly defining it. These related sections generally prohibit public agencies, private entities, or individuals from discriminating against persons because they are disabled or require these agencies, entities, or individuals to take some specific action for the benefit of persons who are disabled. (Secs. 124.93(B), 125.111(A), 153.59, 175.05(D)(1), 175.06(L), 176.04(B)(3), 176.06(D), 306.43(H)(9), 717.01(AA), 1501.012(C)(9), 2927.03(A)(3), 3781.111, 4112.01(A)(11) and (21), 4112.02, 4112.021, 4112.022, 4112.04, 4112.05(E), 4112.08, 4117.19(B)(5), 4735.16(C), 4735.55(A)(2), 4757.07, 5119.61(G), and 5123.351(E).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	03-22-99	p. 330
Reported, H. State Gov't	05-13-99	pp. 661-662
Passed House (95-0)	05-19-99	pp. 679-680
Reported, S. Judiciary	09-09-99	p. 988
Passed Senate (33-0)	10-13-99	pp. 1067-1068

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