

AN ACT

To amend sections 3.15, 9.03, 9.07, 9.239, 9.24, 9.27, 9.28, 9.312, 9.331, 9.334, 9.35, 9.67, 9.681, 9.821, 101.30, 101.352, 101.53, 101.63, 101.65, 101.82, 101.83, 101.84, 102.02, 103.05, 103.051, 103.13, 103.65, 106.02, 106.021, 106.023, 106.024, 106.031, 107.03, 107.032, 107.033, 107.12, 109.02, 109.71, 109.73, 109.77, 109.803, 111.15, 111.27, 113.05, 113.13, 113.40, 113.51, 113.53, 113.78, 117.11, 117.38, 117.44, 117.56, 119.03, 119.04, 120.06, 120.08, 121.02, 121.03, 121.085, 121.22, 121.35, 121.36, 121.37, 121.93, 121.931, 121.95, 121.951, 121.953, 122.09, 122.14, 122.175, 122.1710, 122.41, 122.42, 122.47, 122.49, 122.53, 122.571, 122.59, 122.631, 122.632, 122.633, 122.6510, 122.6511, 122.6512, 122.66, 122.67, 122.68, 122.681, 122.69, 122.70, 122.701, 122.702, 122.84, 122.85, 122.86, 123.10, 123.28, 123.281, 124.02, 124.07, 124.135, 124.1310, 124.1312, 124.152, 124.385, 125.01, 125.041, 125.071, 125.11, 125.111, 125.13, 125.183, 125.31, 125.42, 125.58, 125.95, 126.24, 126.42, 126.60, 126.62, 127.12, 127.13, 127.16, 128.021, 128.41, 128.46, 128.54, 131.01, 131.02, 131.35, 131.43, 131.50, 131.51, 133.18, 135.01, 135.03, 135.143, 135.18, 135.35, 135.70, 135.71, 141.04, 145.012, 145.054, 145.055, 145.09, 145.091, 145.99, 148.01, 148.02, 148.04, 148.041, 148.042, 148.05, 148.10, 149.011, 149.10, 149.30, 149.3010, 149.311, 149.38, 149.43, 153.01, 153.07, 153.08, 153.09, 153.12, 153.13, 153.14, 153.501, 153.502, 153.54, 153.59, 153.63, 153.693, 155.33, 155.34, 163.01, 164.01, 164.05, 164.06, 164.08, 164.14, 165.04, 166.01, 166.02, 166.03, 166.08, 166.12, 166.17, 169.01, 169.05, 169.08, 169.13, 173.38, 173.381, 173.391, 173.50, 173.525, 175.16, 175.17, 303.12, 305.021, 305.03, 306.32, 306.322, 306.43, 307.05, 307.673, 307.696, 307.697, 307.86, 307.985, 308.13, 311.14, 317.20, 319.04, 319.202, 319.301, 319.302, 321.03, 323.131, 323.152, 323.153, 323.155, 323.156, 323.158, 323.611, 325.18, 325.25, 340.01, 340.011, 340.02, 340.021, 340.022, 340.03, 340.032, 340.034, 340.036, 340.037, 340.04, 340.041, 340.05, 340.07, 340.08, 340.09, 340.12, 340.13, 340.16, 345.01, 345.03, 345.04, 349.01, 355.04, 501.09, 501.11, 504.14, 505.24, 505.37, 505.48, 505.481, 507.09, 507.12, 511.28, 511.34, 513.18, 519.12, 523.06, 703.331, 703.34, 717.051, 718.01, 718.031, 718.05, 718.12, 718.13, 718.19, 718.85, 718.88, 718.90, 718.91, 731.14, 731.141, 731.29, 733.81, 735.05, 742.043, 742.044, 742.99, 749.31, 755.181, 901.43, 904.02, 904.04, 905.32, 905.57, 907.13, 907.14, 909.01, 909.02, 909.07, 909.08, 909.09, 909.13, 911.02, 913.23, 915.16, 915.24, 921.01, 921.02, 921.06, 921.09, 921.11, 921.12, 921.13.

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6/30/25
Date: _____

Mike DeWine

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 Date: _____

Mike DeWine

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Mike DeWine

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Mike DeWine

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Date: _____

Mike DeWine

(5180.422), 5101.146 (5180.423), 5101.147 (5180.424), 5101.148 (5180.425), 5101.149 (5180.426), 5101.1410 (5180.427), 5101.1411 (5180.428), 5101.1412 (5180.429), 5101.1413 (5180.4210), 5101.1414 (5180.4211), 5101.1415 (5180.4212), 5101.1416 (5180.4213), 5101.1417 (5180.4214), 5101.1418 (5180.43), 5101.15 (5180.44), 5101.19 (5180.45), 5101.191 (5180.451), 5101.192 (5180.452), 5101.193 (5180.453), 5101.194 (5180.454), 5101.34 (5180.70), 5101.341 (5180.701), 5101.342 (5180.702), 5101.343 (5180.703), 5101.76 (5180.26), 5101.77 (5180.261), 5101.78 (5180.262), 5101.802 (5180.52), 5101.804 (5180.71), 5101.805 (5180.704), 5101.85 (5180.50), 5101.851 (5180.51), 5101.853 (5180.511), 5101.854 (5180.512), 5101.855 (5180.513), 5101.856 (5180.514), 5101.88 (5180.53), 5101.881 (5180.531), 5101.884 (5180.532), 5101.885 (5180.533), 5101.886 (5180.534), 5101.887 (5180.535), 5101.889 (5180.57), 5101.8811 (5180.536), 5101.8812 (5180.56), 5104.50 (5180.04), and 5180.40 (5180.73); to enact new sections 103.41, 107.034, 3313.902, 3313.905, 3314.38, 3321.191, 3333.0415, 3345.86, 3517.991, and 3780.22 and sections 5.62, 9.05, 9.561, 9.64, 9.691, 106.025, 106.026, 106.033, 111.29, 118.29, 121.16, 122.1712, 122.1713, 122.636, 122.97, 122.98, 122.981, 123.14, 123.282, 123.283, 123.30, 124.184, 125.052, 126.024, 126.10, 126.17, 126.67, 131.026, 135.1411, 148.021, 173.503, 319.304, 731.291, 924.212, 943.27, 1310.251, 1349.10, 1349.101, 1501.022, 1501.023, 1501.46, 1501.47, 1509.075, 1513.371, 1546.25, 1546.26, 1713.032, 1713.033, 1713.041, 3301.24, 3301.82, 3310.037, 3310.21, 3310.22, 3310.23, 3310.24, 3310.25, 3310.26, 3310.412, 3310.413, 3310.523, 3311.242, 3313.536, 3313.6031, 3313.6032, 3313.7118, 3314.093, 3314.362, 3315.063, 3317.165, 3317.27, 3317.28, 3317.29, 3317.31, 3319.173, 3319.2310, 3321.043, 3332.17, 3332.21, 3332.22, 3333.0420, 3333.053, 3333.074, 3333.1210, 3333.952, 3333.96, 3333.97, 3345.457, 3345.58, 3345.601, 3345.721, 3345.83, 3345.89, 3375.47, 3501.055, 3701.88, 3704.0310, 3707.61, 3721.074, 3722.15, 3727.46, 3743.48, 3770.074, 3770.075, 3780.37, 3901.047, 3901.3815, 3902.631, 3959.121, 4113.31, 4141.011, 4141.08, 4517.521, 4561.03, 4582.72, 4582.73, 4729.261, 4731.256, 4741.041, 4927.22, 4928.545, 5101.042, 5101.543, 5101.548, 5101.549, 5101.612, 5101.95, 5103.039, 5103.0520, 5103.09, 5104.302, 5104.53, 5104.54, 5104.60, 5119.211, 5119.344, 5119.345, 5123.1613, 5123.423, 5126.222, 5145.32, 5162.08, 5162.14, 5162.25, 5162.251, 5163.04, 5163.104, 5163.11, 5163.50, 5164.093, 5166.50, 5167.09, 5180.705, 5180.706, 5180.707, 5180.99, 5303.34, 5703.83, 5705.17, 5705.316, 5705.60, 5709.89, 5726.62, 5743.511, 5743.521, 5743.621, 5743.631, 5747.073, 5747.124, and 5747.87; and to repeal sections 9.47, 101.38, 103.053, 103.054, 103.24, 103.41, 103.411.

The above boxed and initialed text was disapproved.

Date: 6/30/25

Mike DeWine

103.413, 103.415, 103.60, 103.71, 103.72, 103.74, 103.75, 103.76, 103.77, 103.78, 103.79, 107.034, 113.06, 113.78, 117.113, 117.251, 117.441, 117.51, 122.451, 122.55, 122.56, 122.561, 122.57, 122.852, 125.181, 125.36, 125.38, 125.43, 125.49, 125.51, 125.56, 125.65, 125.76, 125.95, 128.412, 135.144, 501.03, 904.06, 905.56, 935.25, 956.181, 1561.18, 1561.21, 1561.22, 2919.1910, 3313.902, 3313.905, 3314.38, 3314.50, 3317.0218, 3317.036, 3317.071, 3317.23, 3317.231, 3317.24, 3321.191, 3333.0415, 3333.303, 3333.373, 3333.801, 3345.86, 3354.24, 3379.10, 3513.254, 3513.255, 3513.256, 3513.259, 3517.14, 3517.151, 3517.156, 3517.99, 3517.991, 3701.0212, 3701.051, 3780.18, 3780.19, 3780.22, 3780.23, 4115.31, 4115.32, 4115.33, 4115.34, 4115.35, 4115.36, 4729.551, 4758.18, 4758.241, 4758.50, 4928.57, 4928.581, 4928.582, 4928.583, 5104.08, 5123.352, 5160.23, 5163.05, 5165.261, 5166.45, 5180.23, 5180.24, 5180.34, 5310.05, 5310.06, 5310.07, 5310.08, 5310.09, 5310.10, 5310.11, 5310.12, 5310.13, 5310.14, 5537.24, 5705.192, 5705.195, 5705.196, 5705.197, 5726.59, 5739.071, 5747.29, 5747.67, 5747.75, 5751.55, 5902.06, and 5902.20 of the Revised Code and to amend Section 755.60 of H.B. 54 of the 136th General Assembly, Sections 200.30 as subsequently amended, 207.37, 221.15 as subsequently amended, 243.10 as subsequently amended, 363.10, 371.20 as subsequently amended, and 373.15 as subsequently amended of H.B. 2 of the 135th General Assembly, Section 265.550 of H.B. 33 of the 135th General Assembly as subsequently amended, Section 14 of H.B. 238 of the 135th General Assembly, Section 270.14 of H.B. 45 of the 134th General Assembly as subsequently amended, and Section 5 of H.B. 554 of the 134th General Assembly as subsequently amended; to amend Section 733.61 of H.B. 166 of the 133rd General Assembly as subsequently amended to codify it as section 3313.6033 of the Revised Code; and to repeal Sections 335.20 and 757.60 of H.B. 33 of the 135th General Assembly, Section 6 of H.B. 150 of the 134th General Assembly, Section 5 of S.B. 202 of the 134th General Assembly, and Sections 125.10 as subsequently amended and 125.11 as subsequently amended of H.B. 59 of the 130th General Assembly to make operating appropriations for the biennium beginning July 1, 2025, and ending June 30, 2027, to levy taxes, and to provide authorization and conditions for the operation of state programs.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 101.01. That sections 3.15, 9.03, 9.07, 9.239, 9.24, 9.27, 9.28, 9.312, 9.331, 9.334, 9.35, 9.67, 9.681, 9.821, 101.30, 101.352, 101.53, 101.63, 101.65, 101.82, 101.83, 101.84, 102.02, 103.05, 103.051, 103.13, 103.65, 106.02, 106.021, 106.023, 106.024, 106.031, 107.03, 107.032, 107.033, 107.034, 107.035, 107.036, 107.037, 107.038, 107.039, 107.040, 107.041, 107.042, 107.043, 107.044, 107.045, 107.046, 107.047, 107.048, 107.049, 107.050, 107.051, 107.052, 107.053, 107.054, 107.055, 107.056, 107.057, 107.058, 107.059, 107.060, 107.061, 107.062, 107.063, 107.064, 107.065, 107.066, 107.067, 107.068, 107.069, 107.070, 107.071, 107.072, 107.073, 107.074, 107.075, 107.076, 107.077, 107.078, 107.079, 107.080, 107.081, 107.082, 107.083, 107.084, 107.085, 107.086, 107.087, 107.088, 107.089, 107.090, 107.091, 107.092, 107.093, 107.094, 107.095, 107.096, 107.097, 107.098, 107.099, 107.100, 107.101, 107.102, 107.103, 107.104, 107.105, 107.106, 107.107, 107.108, 107.109, 107.110, 107.111, 107.112, 107.113, 107.114, 107.115, 107.116, 107.117, 107.118, 107.119, 107.120, 107.121, 107.122, 107.123, 107.124, 107.125, 107.126, 107.127, 107.128, 107.129, 107.130, 107.131, 107.132, 107.133, 107.134, 107.135, 107.136, 107.137, 107.138, 107.139, 107.140, 107.141, 107.142, 107.143, 107.144, 107.145, 107.146, 107.147, 107.148, 107.149, 107.150, 107.151, 107.152, 107.153, 107.154, 107.155, 107.156, 107.157, 107.158, 107.159, 107.160, 107.161, 107.162, 107.163, 107.164, 107.165, 107.166, 107.167, 107.168, 107.169, 107.170, 107.171, 107.172, 107.173, 107.174, 107.175, 107.176, 107.177, 107.178, 107.179, 107.180, 107.181, 107.182, 107.183, 107.184, 107.185, 107.186, 107.187, 107.188, 107.189, 107.190, 107.191, 107.192, 107.193, 107.194, 107.195, 107.196, 107.197, 107.198, 107.199, 107.200, 107.201, 107.202, 107.203, 107.204, 107.205, 107.206, 107.207, 107.208, 107.209, 107.210, 107.211, 107.212, 107.213, 107.214, 107.215, 107.216, 107.217, 107.218, 107.219, 107.220, 107.221, 107.222, 107.223, 107.224, 107.225, 107.226, 107.227, 107.228, 107.229, 107.230, 107.231, 107.232, 107.233, 107.234, 107.235, 107.236, 107.237, 107.238, 107.239, 107.240, 107.241, 107.242, 107.243, 107.244, 107.245, 107.246, 107.247, 107.248, 107.249, 107.250, 107.251, 107.252, 107.253, 107.254, 107.255, 107.256, 107.257, 107.258, 107.259, 107.260, 107.261, 107.262, 107.263, 107.264, 107.265, 107.266, 107.267, 107.268, 107.269, 107.270, 107.271, 107.272, 107.273, 107.274, 107.275, 107.276, 107.277, 107.278, 107.279, 107.280, 107.281, 107.282, 107.283, 107.284, 107.285, 107.286, 107.287, 107.288, 107.289, 107.290, 107.291, 107.292, 107.293, 107.294, 107.295, 107.296, 107.297, 107.298, 107.299, 107.300, 107.301, 107.302, 107.303, 107.304, 107.305, 107.306, 107.307, 107.308, 107.309, 107.310, 107.311, 107.312, 107.313, 107.314, 107.315, 107.316, 107.317, 107.318, 107.319, 107.320, 107.321, 107.322, 107.323, 107.324, 107.325, 107.326, 107.327, 107.328, 107.329, 107.330, 107.331, 107.332, 107.333, 107.334, 107.335, 107.336, 107.337, 107.338, 107.339, 107.340, 107.341, 107.342, 107.343, 107.344, 107.345, 107.346, 107.347, 107.348, 107.349, 107.350, 107.351, 107.352, 107.353, 107.354, 107.355, 107.356, 107.357, 107.358, 107.359, 107.360, 107.361, 107.362, 107.363, 107.364, 107.365, 107.366, 107.367, 107.368, 107.369, 107.370, 107.371, 107.372, 107.373, 107.374, 107.375, 107.376, 107.377, 107.378, 107.379, 107.380, 107.381, 107.382, 107.383, 107.384, 107.385, 107.386, 107.387, 107.388, 107.389, 107.390, 107.391, 107.392, 107.393, 107.394, 107.395, 107.396, 107.397, 107.398, 107.399, 107.400, 107.401, 107.402, 107.403, 107.404, 107.405, 107.406, 107.407, 107.408, 107.409, 107.410, 107.411, 107.412, 107.413, 107.414, 107.415, 107.416, 107.417, 107.418, 107.419, 107.420, 107.421, 107.422, 107.423, 107.424, 107.425, 107.426, 107.427, 107.428, 107.429, 107.430, 107.431, 107.432, 107.433, 107.434, 107.435, 107.436, 107.437, 107.438, 107.439, 107.440, 107.441, 107.442, 107.443, 107.444, 107.445, 107.446, 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107.780, 107.781, 107.782, 107.783, 107.784, 107.785, 107.786, 107.787, 107.788, 107.789, 107.790, 107.791, 107.792, 107.793, 107.794, 107.795, 107.796, 107.797, 107.798, 107.799, 107.800, 107.801, 107.802, 107.803, 107.804, 107.805, 107.806, 107.807, 107.808, 107.809, 107.810, 107.811, 107.812, 107.813, 107.814, 107.815, 107.816, 107.817, 107.818, 107.819, 107.820, 107.821, 107.822, 107.823, 107.824, 107.825, 107.826, 107.827, 107.828, 107.829, 107.830, 107.831, 107.832, 107.833, 107.834, 107.835, 107.836, 107.837, 107.838, 107.839, 107.840, 107.841, 107.842, 107.843, 107.844, 107.845, 107.846, 107.847, 107.848, 107.849, 107.850, 107.851, 107.852, 107.853, 107.854, 107.855, 107.856, 107.857, 107.858, 107.859, 107.860, 107.861, 107.862, 107.863, 107.864, 107.865, 107.866, 107.867, 107.868, 107.869, 107.870, 107.871, 107.872, 107.873, 107.874, 107.875, 107.876, 107.877, 107.878, 107.879, 107.880, 107.881, 107.882, 107.883, 107.884, 107.885, 107.886, 107.887, 107.888, 107.889, 107.890, 107.891, 107.892, 107.893, 107.894, 107.895, 107.896, 107.897, 107.898, 107.899, 107.900, 107.901, 107.902, 107.903, 107.904, 107.905, 107.906, 107.907, 107.908, 107.909, 107.910, 107.911, 107.912, 107.913, 107.914, 107.915, 107.916, 107.917, 107.918, 107.919, 107.920, 107.921, 107.922, 107.923, 107.924, 107.925, 107.926, 107.927, 107.928, 107.929, 107.930, 107.931, 107.932, 107.933, 107.934, 107.935, 107.936, 107.937, 107.938, 107.939, 107.940, 107.941, 107.942, 107.943, 107.944, 107.945, 107.946, 107.947, 107.948, 107.949, 107.950, 107.951, 107.952, 107.953, 107.954, 107.955, 107.956, 107.957, 107.958, 107.959, 107.960, 107.961, 107.962, 107.963, 107.964, 107.965, 107.966, 107.967, 107.968, 107.969, 107.970, 107.971, 107.972, 107.973, 107.974, 107.975, 107.976, 107.977, 107.978, 107.979, 107.980, 107.981, 107.982, 107.983, 107.984, 107.985, 107.986, 107.987, 107.988, 107.989, 107.990, 107.991, 107.992, 107.993, 107.994, 107.995, 107.996, 107.997, 107.998, 107.999, 108.000, 108.001, 108.002, 108.003, 108.004, 108.005, 108.006, 108.007, 108.008, 108.009, 108.010, 108.011, 108.012, 108.013, 108.014, 108.015, 108.016, 108.017, 108.018, 108.019, 108.020, 108.021, 108.022, 108.023, 108.024, 108.025, 108.026, 108.027, 108.028, 108.029, 108.030, 108.031, 108.032, 108.033, 108.034, 108.035, 108.036, 108.037, 108.038, 108.039, 108.040, 108.041, 108.042, 108.043, 108.044, 108.045, 108.046, 108.047, 108.048, 108.049, 108.050, 108.051, 108.052, 108.053, 108.054, 108.055, 108.056, 108.057, 108.058, 108.059, 108.060, 108.061, 108.062, 108.063, 108.064, 108.065, 108.066, 108.067, 108.068, 108.069, 108.070, 108.071, 108.072, 108.073, 108.074, 108.075, 108.076, 108.077, 108.078, 108.079, 108.080, 108.081, 108.082, 108.083, 108.084, 108.085, 108.086, 108.087, 108.088, 108.089, 108.090, 108.091, 108.092, 108.093, 108.094, 108.095, 108.096, 108.097, 108.098, 108.099, 108.100, 108.101, 108.102, 108.103, 108.104, 108.105, 108.106, 108.107, 108.108, 108.109, 108.110, 108.111, 108.112, 108.113, 108.114, 108.115, 108.116, 108.117, 108.118, 108.119, 108.120, 108.121, 108.122, 108.123, 108.124, 108.125, 108.126, 108.127, 108.128, 108.129, 108.130, 108.131, 108.132, 108.133, 108.134, 108.135, 108.136, 108.137, 108.138, 108.139, 108.140, 108.141, 108.142, 108.143, 108.144, 108.145, 108.146, 108.147, 108.148, 108.149, 108.150, 108.151, 108.152, 108.153, 108.154, 108.155, 108.156, 108.157, 108.158, 108.159, 108.160, 108.161, 108.162, 108.163, 108.164, 108.165, 108.166, 108.167, 108.168, 108.169, 108.170, 108.171, 108.172, 108.173, 108.174, 108.175, 108.176, 108.177, 108.178, 1

12.00
107.033, 107.12, 109.02, 109.71, 109.73, 109.77, 109.803, 111.15, 111.27, 113.05, 113.13, 113.40,
 113.51, 113.53, 113.78, 117.11, 117.38, 117.44, 117.56, 119.03, 119.04, 120.06, 120.08, 121.02,
 121.03, 121.085, 121.22, 121.35, 121.36, 121.37, 121.93, 121.931, 121.95, 121.951, 121.953,
 122.09, 122.14, 122.175, 122.1710, 122.41, 122.42, 122.47, 122.49, 122.53, 122.571, 122.59,
 122.631, 122.632, 122.633, 122.6510, 122.6511, 122.6512, 122.66, 122.67, 122.68, 122.681,
 122.69, 122.70, 122.701, 122.702, 122.84, 122.85, 122.86, 123.10, 123.28, 123.281, 124.02, 124.07,
 124.135, 124.1310, 124.1312, 124.152, 124.385, 125.01, 125.041, 125.071, 125.11, 125.111, 125.13,
 125.183, 125.31, 125.42, 125.58, 125.95, 126.24, 126.42, 126.60, 126.62, 127.12, 127.13, 127.16,
 128.021, 128.41, 128.46, 128.54, 131.01, 131.02, 131.35, 131.43, 131.50, 131.51, 133.18, 135.01,
 135.03, 135.143, 135.18, 135.35, 135.70, 135.71, 141.04, 145.012, 145.054, 145.055, 145.09,
 145.091, 145.99, 148.01, 148.02, 148.04, 148.041, 148.042, 148.05, 148.10, 149.011, 149.10,
 149.30, 149.3010, 149.311, 149.38, 149.43, 153.01, 153.07, 153.08, 153.09, 153.12, 153.13, 153.14,
 153.501, 153.502, 153.54, 153.59, 153.63, 153.693, 155.33, 155.34, 163.01, 164.01, 164.05, 164.06,
 164.08, 164.14, 165.04, 166.01, 166.02, 166.03, 166.08, 166.12, 166.17, 169.01, 169.05, 169.08,
 169.13, 173.38, 173.381, 173.391, 173.50, 173.525, 175.16, 175.17, 303.12, 305.021, 305.03,
306.32, 306.322, 306.43, 307.05, 307.673, 307.696, 307.697, 307.86, 307.985, 308.13, 311.14,
 317.20, 319.04, 319.202, 319.301, 319.302, 321.03, 323.131, 323.152, 323.153, 323.155, 323.156,
 323.158, 323.611, 325.18, 325.25, 340.01, 340.011, 340.02, 340.021, 340.022, 340.03, 340.032,
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3109.172, 3109.173, 3109.178, 3115.201, 3119.01, 3121.441, 3123.89, 3123.90, 3301.01, 3301.02, 3301.03, 3301.06, 3301.071, 3301.074, 3301.079, 3301.0711, 3301.0712, 3301.0714, 3301.0715, 3301.0723, 3301.0727, 3301.136, 3301.17, 3301.541, 3301.57, 3302.03, 3302.034, 3302.20, 3302.42, 3305.05, 3305.053, 3307.044, 3307.05, 3307.06, 3307.07, 3307.073, 3307.074, 3307.10, 3307.11, 3307.27, 3307.99, 3309.073, 3309.074, 3309.47, 3309.99, 3310.033, 3310.41, 3310.51, 3310.52, 3310.58, 3310.64, 3311.053, 3311.50, 3313.27, 3313.413, 3313.46, 3313.489, 3313.5313, 3313.603, 3313.608, 3313.609, 3313.6013, 3313.6022, 3313.6028, 3313.618, 3313.6113, 3313.6114, 3313.64, 3313.753, 3313.90, 3313.975, 3313.98, 3314.011, 3314.013, 3314.015, 3314.016, 3314.017, 3314.02, 3314.021, 3314.03, 3314.034, 3314.038, 3314.05, 3314.07, 3314.08, 3314.19, 3314.191, 3314.261, 3314.29, 3314.35, 3314.351, 3314.36, 3314.361, 3314.381, 3314.382, 3315.18, 3315.181, 3316.031, 3316.041, 3316.043, 3316.06, 3316.08, 3316.16, 3317.01, 3317.011, 3317.012, 3317.014, 3317.016, 3317.017, 3317.018, 3317.019, 3317.0110, 3317.02, 3317.021, 3317.022, 3317.024, 3317.026, 3317.0212, 3317.0213, 3317.0215, 3317.0217, 3317.03, 3317.035, 3317.051, 3317.06, 3317.11, 3317.16, 3317.161, 3317.162, 3317.163, 3317.20, 3317.201, 3317.22, 3317.25, 3318.01, 3318.032, 3318.051, 3318.06, 3318.061, 3318.062, 3318.063, 3318.12, 3318.361, 3318.40, 3318.45, 3318.48, 3319.073, 3319.088, 3319.111, 3319.223, 3319.236, 3319.263, 3319.29, 3319.301, 3319.311, 3319.51, 3320.04, 3321.16, 3321.19, 3321.22, 3323.32, 3325.08, 3325.16, 3325.17, 3326.11, 3326.44, 3326.51, 3327.017, 3327.08, 3327.10, 3328.16, 3328.24, 3332.081, 3333.04, 3333.041, 3333.129, 3333.13, 3333.131, 3333.132, 3333.133, 3333.134, 3333.135, 3333.164, 3333.24, 3333.374, 3334.11, 3335.39, 3339.06, 3344.07, 3345.06, 3345.382, 3345.48, 3345.591, 3345.71, 3345.74, 3345.75, 3352.16, 3354.19, 3358.08, 3358.11, 3364.07, 3365.15, 3375.15, 3375.22, 3375.30, 3375.39, 3375.92, 3379.03, 3379.12, 3381.03, 3381.11, 3381.17, 3501.01, 3501.02, 3501.05, 3501.12, 3501.17, 3501.28, 3505.03, 3505.04, 3505.06, 3505.33, 3505.38, 3513.04, 3513.05, 3513.052, 3513.10, 3513.19, 3517.01, 3517.08, 3517.081, 3517.092, 3517.10, 3517.102, 3517.103, 3517.104, 3517.108, 3517.109, 3517.1012, 3517.11, 3517.121, 3517.13, 3517.152, 3517.153, 3517.154, 3517.155, 3517.157, 3517.20, 3517.21, 3517.22, 3517.23, 3517.992, 3517.993, 3701.021, 3701.033, 3701.045, 3701.511, 3701.65, 3701.79, 3701.841, 3704.01, 3704.03, 3704.031, 3704.09, 3704.111, 3704.14, 3705.126, 3705.16, 3705.17, 3706.01, 3709.15, 3715.021, 3717.071, 3718.02, 3718.04, 3719.04, 3721.32, 3728.01, 3734.021, 3734.05, 3734.57, 3734.79, 3734.901, 3734.904, 3734.907, 3735.67, 3735.671, 3737.83, 3738.01, 3738.03, 3738.04, 3738.06, 3738.08, 3738.09, 3742.32, 3742.50, 3743.04, 3743.06, 3743.17, 3743.19, 3743.25, 3743.60, 3743.61, 3743.63, 3743.65, 3745.11, 3745.21, 3748.13, 3750.02, 3769.088, 3770.071, 3770.072, 3770.073, 3770.10, 3770.12, 3770.121, 3770.13, 3770.25, 3772.02, 3775.16, 3780.02, 3780.03, 3780.06, 3780.10, 3780.24, 3780.26, 3780.30, 3781.10, 3781.102, 3781.1011, 3901.90, 3902.70, 3905.426, 3905.72, 3923.443, 3951.03, 3959.01, 3959.111, 4112.055, 4117.08, 4117.10, 4141.01, 4141.02, 4141.162, 4141.23, 4141.281, 4141.29, 4141.33, 4141.56, 4141.60, 4301.12, 4301.19, 4301.30, 4301.421, 4303.181, 4303.183, 4303.204, 4303.2011, 4303.233, 4305.131, 4501.027, 4501.21, 4501.29, 4501.30, 4501.302, 4503.038, 4503.06, 4503.0610,

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Mike DeWine

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Mike DeWine

5101.804 (5180.71), 5101.805 (5180.704), 5101.85 (5180.50), 5101.851 (5180.51), 5101.853 (5180.511), 5101.854 (5180.512), 5101.855 (5180.513), 5101.856 (5180.514), 5101.88 (5180.53), 5101.881 (5180.531), 5101.884 (5180.532), 5101.885 (5180.533), 5101.886 (5180.534), 5101.887 (5180.535), 5101.889 (5180.57), 5101.8811 (5180.536), 5101.8812 (5180.56), 5104.50 (5180.04), and 5180.40 (5180.73) be amended for the purpose of adopting new section numbers as indicated in parentheses; and new sections 103.41, 107.034, 3313.902, 3313.905, 3314.38, 3321.191, 3333.0415, 3345.86, 3517.991, and 3780.22 and sections 5.62, 9.05, 9.561, 9.64, 9.691, 106.025, 106.026, 106.033, 111.29, 118.29, 121.16, 122.1712, 122.1713, 122.636, 122.97, 122.98, 122.981, 123.14, 123.282, 123.283, 123.30, 124.184, 125.052, 126.024, 126.10, 126.17, 126.67, 131.026, 135.1411, 148.021, 173.503, 319.304, 731.291, 924.212, 943.27, 1310.251, 1349.10, 1349.101, 1501.022, 1501.023, 1501.46, 1501.47, 1509.075, 1513.371, 1546.25, 1546.26, 1713.032, 1713.033, 1713.041, 3301.24, 3301.82, 3310.037, 3310.21, 3310.22, 3310.23, 3310.24, 3310.25, 3310.26, 3310.412, 3310.413, 3310.523, 3311.242, 3313.536, 3313.6031, 3313.6032, 3313.7118, 3314.093, 3314.362, 3315.063, 3317.165, 3317.27, 3317.28, 3317.29, 3317.31, 3319.173, 3319.2310, 3321.043, 3332.17, 3332.21, 3332.22, 3333.0420, 3333.053, 3333.074, 3333.1210, 3333.952, 3333.96, 3333.97, 3345.457, 3345.58, 3345.601, 3345.721, 3345.83, 3345.89, 3375.47, 3501.055, 3701.88, 3704.0310, 3707.61, 3721.074, 3722.15, 3727.46, 3743.48, 3770.074, 3770.075, 3780.37, 3901.047, 3901.3815, 3902.631, 3959.121, 4113.31, 4141.011, 4141.08, 4517.521, 4561.03, 4582.72, 4582.73, 4729.261, 4731.256, 4741.041, 4927.22, 4928.545, 5101.042, 5101.543, 5101.548, 5101.549, 5101.612, 5101.95, 5103.039, 5103.0520, 5103.09, 5104.302, 5104.53, 5104.54, 5104.60, 5119.211, 5119.344, 5119.345, 5123.1613, 5123.423, 5126.222, 5145.32, 5162.08, 5162.14, 5162.25, 5162.251, 5163.04, 5163.104, 5163.11, 5163.50, 5164.093, 5166.50, 5167.09, 5180.705, 5180.706, 5180.707, 5180.99, 5303.34, 5703.83, 5705.17, 5705.316, 5705.60, 5709.89, 5726.62, 5743.511, 5743.521, 5743.621, 5743.631, 5747.073, 5747.124, and 5747.87 of the Revised Code be enacted to read as follows:

Sec. 3.15. (A) Except as otherwise provided in division (B) of this section, at all times during one's term of office:

(1) Each member of the general assembly ~~and each elected voting member of the state board of education~~ shall be a resident of the district the member represents.

(2) Each judge and each elected officer of a court shall be a resident of the territory of that court.

(3) Each person holding an elective office of a political subdivision shall be a resident of that political subdivision.

(4) Each member of a municipal legislative authority who represents a ward shall be a resident of the ward the member represents, and each member of a board of education of a city school district who represents a subdistrict shall be a resident of the subdistrict the member represents.

(B) Any person who fails to meet any of the requirements of division (A) of this section that apply to the person shall forfeit the office. Division (A) of this section applies to persons who have

disapproved.

Date: 6/30/25

Mike DeWine

been either elected or appointed to an elective office. Division (A) of this section does not apply to a member of the general assembly ~~or the state board of education~~, to a member of a municipal legislative authority who represents a ward, or to a member of a board of education of a city school district who represents a subdistrict, during the remainder of the member's existing term of office after there is a change in the member's district's, ward's, or subdistrict's boundaries that leaves the member's permanent residence outside the district, ward, or subdistrict.

Sec. 5.62. (A) The month of June is designated as "Responsible Fatherhood Month" to recognize the importance of fathers in their children's lives, how fathers contribute to their children's safety and stability, and the direct link between positive father involvement and child well-being.

(B) The department of children and youth, local governments, and other agencies are encouraged to sponsor events to promote awareness of responsible fatherhood engagement and the contributions fathers make in the lives of their children.

Sec. 9.03. (A) As used in this section:

(1) "Political subdivision" means any body corporate and politic, ~~except a municipal corporation that has adopted a charter under Section 7 of Article XVIII, Ohio Constitution, and except a county that has adopted a charter under Sections 3 and 4 of Article X, Ohio Constitution,~~ to which both of the following apply:

(a) It is responsible for governmental activities only in a geographic area smaller than the state.

(b) It is subject to the sovereign immunity of the state.

(2) "Cigarettes" and "tobacco product" have the same meanings as in section 5743.01 of the Revised Code.

(3) "Transaction" has the same meaning as in section 1315.51 of the Revised Code.

(4) "Campaign committee," "campaign fund," "candidate," "legislative campaign fund," "political action committee," "political committee," "political party," and "separate segregated fund" have the same meanings as in section 3517.01 of the Revised Code.

(B) Except as otherwise provided in division (C) of this section, the governing body of a political subdivision may use public funds to publish and distribute newsletters, or to use any other means, to communicate information about the plans, policies, and operations of the political subdivision to members of the public within the political subdivision and to other persons who may be affected by the political subdivision.

(C) Except as otherwise provided in division (A)(7) of section 340.03 of the Revised Code, no governing body of a political subdivision shall use public funds to do any of the following:

(1) Publish, distribute, or otherwise communicate information that does any of the following:

(a) Contains defamatory, libelous, or obscene matter;

(b) Promotes alcoholic beverages, cigarettes or other tobacco products, or any illegal product, service, or activity;

(c) Promotes illegal discrimination on the basis of race, color, religion, national origin,

disability, age, or ancestry;

(d) Supports or opposes any labor organization or any action by, on behalf of, or against any labor organization;

(e) Supports or opposes the nomination or election of a candidate for public office, the investigation, prosecution, or recall of a public official, or the passage of a levy or bond issue.

(2) Compensate any employee of the political subdivision for time spent on any activity to influence the outcome of an election for any of the purposes described in division (C)(1)(e) of this section. Division (C)(2) of this section does not prohibit the use of public funds to compensate an employee of a political subdivision for attending a public meeting to present information about the political subdivision's finances, activities, and governmental actions in a manner that is not designed to influence the outcome of an election or the passage of a levy or bond issue, even though the election, levy, or bond issue is discussed or debated at the meeting.

(D) Except as otherwise provided in division (A)(7) of section 340.03 of the Revised Code or in division (E) of this section, no person shall knowingly conduct a direct or indirect transaction of public funds to the benefit of any of the following:

- (1) A campaign committee;
- (2) A political action committee;
- (3) A legislative campaign fund;
- (4) A political party;
- (5) A campaign fund;
- (6) A political committee;
- (7) A separate segregated fund;
- (8) A candidate.

(E) Division (D) of this section does not prohibit the utilization of any person's own time to speak in support of or in opposition to any candidate, recall, referendum, levy, or bond issue unless prohibited by any other section of the Revised Code.

(F) Nothing in this section prohibits or restricts any political subdivision from sponsoring, participating in, or doing any of the following:

- (1) Charitable or public service advertising that is not commercial in nature;
- (2) Advertising of exhibitions, performances, programs, products, or services that are provided by employees of a political subdivision or are provided at or through premises owned or operated by a political subdivision;
- (3) Licensing an interest in a name or mark that is owned or controlled by the political subdivision.

(G) Whoever violates division (D) of this section shall be punished as provided in section 3599.40 of the Revised Code.

Sec. 9.05. (A) As used in the Revised Code:

- (1) "Boy" means a juvenile human male.

(2) "Female" means a person belonging, at conception, to the sex that produces the large reproductive cell.

(3) "Gender identity" means an individual's internal and subjective sense of self, disconnected from biological reality and sex and existing on an infinite continuum, that does not provide a meaningful basis for identification and cannot be recognized as a replacement for sex.

(4) "Girl" means a juvenile human female.

(5) "Male" means an individual belonging, at conception, to the sex that produces the small reproductive cell.

(6) "Man" means an adult human male.

(7) "Sex" means the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender.

(8) "Woman" means an adult human female.

(B) It is the policy of the state of Ohio to recognize two sexes, male and female. These sexes are not changeable and are grounded in fundamental and incontrovertible reality.

Sec. 9.07. (A) As used in this section:

(1) "Deadly weapon" has the same meaning as in section 2923.11 of the Revised Code.

(2) "Governing authority of a local public entity" means whichever of the following is applicable:

(a) For a county, the board of county commissioners of the county;

(b) For a municipal corporation, the legislative authority of the municipal corporation;

(c) For a combination of counties, a combination of municipal corporations, or a combination of one or more counties and one or more municipal corporations, all boards of county commissioners and legislative authorities of all of the counties and municipal corporations that combined to form a local public entity for purposes of this section.

(3) "Local public entity" means a county, a municipal corporation, a combination of counties, a combination of municipal corporations, or a combination of one or more counties and one or more municipal corporations.

(4) "Non-contracting political subdivision" means any political subdivision to which all of the following apply:

(a) A correctional facility for the housing of out-of-state prisoners in this state is or will be located in the political subdivision.

(b) The correctional facility described in division (A)(4)(a) of this section is being operated and managed, or will be operated and managed, by a local public entity or a private contractor pursuant to a contract entered into prior to March 17, 1998, or a contract entered into on or after March 17, 1998, under this section.

(c) The political subdivision is not a party to the contract described in division (A)(4)(b) of this section for the management and operation of the correctional facility.

(5) "Out-of-state jurisdiction" means the United States, any state other than this state, and any political subdivision or other jurisdiction located in a state other than this state.

(6) "Out-of-state prisoner" means a person who is convicted of a crime in another state or under the laws of the United States or who is found under the laws of another state or of the United States to be a delinquent child or the substantially equivalent designation.

(7) "Private contractor" means either of the following:

(a) A person who, on or after March 17, 1998, enters into a contract under this section with a local public entity to operate and manage a correctional facility in this state for out-of-state prisoners.

(b) A person who, pursuant to a contract with a local public entity entered into prior to March 17, 1998, operates and manages on March 17, 1998, a correctional facility in this state for housing out-of-state prisoners.

(B) Subject to division (I) of this section, the only entities other than this state that are authorized to operate a correctional facility to house out-of-state prisoners in this state are a local public entity that operates a correctional facility pursuant to this section or a private contractor that operates a correctional facility pursuant to this section under a contract with a local public entity.

Subject to division (I) of this section, a private entity may operate a correctional facility in this state for the housing of out-of-state prisoners only if the private entity is a private contractor that enters into a contract that comports with division (D) of this section with a local public entity for the management and operation of the correctional facility.

(C)(1) Except as provided in this division, on and after March 17, 1998, a local public entity shall not enter into a contract with an out-of-state jurisdiction to house out-of-state prisoners in a correctional facility in this state. On and after March 17, 1998, a local public entity may enter into a contract with an out-of-state jurisdiction to house out-of-state prisoners in a correctional facility in this state only if the local public entity and the out-of-state jurisdiction with which the local public entity intends to contract jointly submit to the department of rehabilitation and correction a statement that certifies the correctional facility's intended use, intended prisoner population, and custody level, and the department reviews and comments upon the plans for the design or renovation of the correctional facility regarding their suitability for the intended prisoner population specified in the submitted statement.

(2) If a local public entity and an out-of-state jurisdiction enter into a contract to house out-of-state prisoners in a correctional facility in this state as authorized under division (C)(1) of this section, in addition to any other provisions it contains, the contract shall include whichever of the following provisions is applicable:

(a) If a private contractor will operate the facility in question pursuant to a contract entered into in accordance with division (D) of this section, a requirement that, if the facility is closed or ceases to operate for any reason and if the conversion plan described in division (D)(16) of this section is not complied with, the out-of-state jurisdiction will be responsible for housing and

transporting the prisoners who are in the facility at the time it is closed or ceases to operate and for the cost of so housing and transporting those prisoners;

(b) If a private contractor will not operate the facility in question pursuant to a contract entered into in accordance with division (D) of this section, a conversion plan that will be followed if, for any reason, the facility is closed or ceases to operate. The conversion plan shall include, but is not limited to, provisions that specify whether the local public entity or the out-of-state jurisdiction will be responsible for housing and transporting the prisoners who are in the facility at the time it is closed or ceases to operate and for the cost of so housing and transporting those prisoners.

(3) If a local public entity and an out-of-state jurisdiction intend to enter into a contract to house out-of-state prisoners in a correctional facility in this state as authorized under division (C)(1) of this section, or if a local public entity and a private contractor intend to enter into a contract pursuant to division (D) of this section for the private contractor's management and operation of a correctional facility in this state to house out-of-state prisoners, prior to entering into the contract the local public entity and the out-of-state jurisdiction, or the local public entity and the private contractor, whichever is applicable, shall conduct a public hearing in accordance with this division, and, prior to entering into the contract, the governing authority of the local public entity in which the facility is or will be located shall authorize the location and operation of the facility. The hearing shall be conducted at a location within the municipal corporation or township in which the facility is or will be located. At least one week prior to conducting the hearing, the local public entity and the out-of-state jurisdiction or private contractor with the duty to conduct the hearing shall cause notice of the date, time, and place of the hearing to be made by publication in the newspaper with the largest general circulation in the county in which the municipal corporation or township is located. The notice shall be of a sufficient size that it covers at least one-quarter of a page of the newspaper in which it is published. This division applies to a private contractor that, pursuant to the requirement set forth in division (I) of this section, is required to enter into a contract under division (D) of this section.

(D) Subject to division (I) of this section, on and after March 17, 1998, if a local public entity enters into a contract with a private contractor for the management and operation of a correctional facility in this state to house out-of-state prisoners, the contract, at a minimum, shall include all of the following provisions:

(1) A requirement that the private contractor seek and obtain accreditation from the American correctional association for the correctional facility within two years after accepting the first out-of-state prisoner at the correctional facility under the contract and that it maintain that accreditation for the term of the contract;

(2) A requirement that the private contractor comply with all applicable laws, rules, or regulations of the government of this state, political subdivisions of this state, and the United States, including, but not limited to, all sanitation, food service, safety, and health regulations;

(3) A requirement that the private contractor send copies of reports of inspections completed

by appropriate authorities regarding compliance with laws, rules, and regulations of the type described in division (D)(2) of this section to the director of rehabilitation and correction or the director's designee and to the governing authority of the local public entity in which the correctional facility is located;

(4) A requirement that the private contractor report to the local law enforcement agencies with jurisdiction over the place at which the correctional facility is located, for investigation, all criminal offenses or delinquent acts that are committed in or on the grounds of, or otherwise in connection with, the correctional facility and report to the department of rehabilitation and correction all disturbances at the facility;

(5) A requirement that the private contractor immediately report all escapes from the facility, and the apprehension of all escapees, by telephone and in writing to the department of rehabilitation and correction, to all local law enforcement agencies with jurisdiction over the place at which the facility is located, to the state highway patrol, to the prosecuting attorney of the county in which the facility is located, and to a daily newspaper having general circulation in the county in which the facility is located. The written notice may be by either facsimile transmission or mail. A failure to comply with this requirement is a violation of section 2921.22 of the Revised Code.

(6) A requirement that the private contractor provide a written report to the director of rehabilitation and correction or the director's designee and to the governing authority of the local public entity in which the correctional facility is located of all unusual incidents occurring at the correctional facility. The private contractor shall report the incidents in accordance with the incident reporting rules that, at the time of the incident, are applicable to state correctional facilities for similar incidents occurring at state correctional facilities.

(7) A requirement that the private contractor provide internal and perimeter security to protect the public, staff members of the correctional facility, and prisoners in the correctional facility;

(8) A requirement that the correctional facility be staffed at all times with a staffing pattern that is adequate to ensure supervision of inmates and maintenance of security within the correctional facility and to provide for appropriate programs, transportation, security, and other operational needs. In determining security needs for the correctional facility, the private contractor and the contract requirements shall fully take into account all relevant factors, including, but not limited to, the proximity of the facility to neighborhoods and schools.

(9) A requirement that the private contractor provide an adequate policy of insurance that satisfies the requirements set forth in division (D) of section 9.06 of the Revised Code regarding contractors who operate and manage a facility under that section, and that the private contractor indemnify and hold harmless the state, its officers, agents, and employees, and any local public entity in the state with jurisdiction over the place at which the correctional facility is located or that owns the correctional facility, reimburse the state for its costs in defending the state or any of its officers, agents, or employees, and reimburse any local government entity of that nature for its costs

in defending the local government entity, in the manner described in division (D) of that section regarding contractors who operate and manage a facility under that section;

(10) A requirement that the private contractor adopt for prisoners housed in the correctional facility the security classification system and schedule adopted by the department of rehabilitation and correction under section 5145.03 of the Revised Code, classify in accordance with the system and schedule each prisoner housed in the facility, and house all prisoners in the facility in accordance with their classification under this division;

(11) A requirement that the private contractor will not accept for housing, and will not house, in the correctional facility any out-of-state prisoner in relation to whom any of the following applies:

(a) The private entity has not obtained from the out-of-state jurisdiction that imposed the sentence or sanction under which the prisoner will be confined in this state a copy of the institutional record of the prisoner while previously confined in that out-of-state jurisdiction or a statement that the prisoner previously has not been confined in that out-of-state jurisdiction and a copy of all medical records pertaining to that prisoner that are in the possession of the out-of-state jurisdiction.

(b) The prisoner, while confined in any out-of-state jurisdiction, has a record of institutional violence involving the use of a deadly weapon or a pattern of committing acts of an assaultive nature against employees of, or visitors to, the place of confinement or has a record of escape or attempted escape from secure custody.

(c) Under the security classification system and schedule adopted by the department of rehabilitation and correction under section 5145.03 of the Revised Code and adopted by the private contractor under division (B)(10) of this section, the out-of-state prisoner would be classified as being at a security level higher than medium security.

(12) A requirement that the private contractor, prior to housing any out-of-state prisoner in the correctional facility under the contract, enter into a written agreement with the department of rehabilitation and correction that sets forth a plan and procedure that will be used to coordinate law enforcement activities of state law enforcement agencies and of local law enforcement agencies with jurisdiction over the place at which the facility is located in response to any riot, rebellion, escape, insurrection, or other emergency occurring inside or outside the facility;

(13) A requirement that the private contractor cooperate with the ~~correctional institution inspection committee~~ attorney general in the ~~committee's~~ performance of ~~its~~ the attorney general's duties under section ~~103.73—109.39~~ of the Revised Code and provide the ~~committee, its subcommittees, and its~~ attorney general, including staff members, in performing those duties, with access to the correctional facility ~~as described in for purposes of~~ that section;

(14) A requirement that the private contractor permit any peace officer who serves a law enforcement agency with jurisdiction over the place at which the correctional facility is located to enter into the facility to investigate any criminal offense or delinquent act that allegedly has been committed in or on the grounds of, or otherwise in connection with, the facility;

(15) A requirement that the private contractor will not employ any person at the correctional facility until after the private contractor has submitted to the bureau of criminal identification and investigation, on a form prescribed by the superintendent of the bureau, a request that the bureau conduct a criminal records check of the person and a requirement that the private contractor will not employ any person at the facility if the records check or other information possessed by the contractor indicates that the person previously has engaged in malfeasance;

(16) A requirement that the private contractor will not accept for housing, and will not house, in the correctional facility any out-of-state prisoner unless the private contractor and the out-of-state jurisdiction that imposed the sentence for which the prisoner is to be confined agree that, if the out-of-state prisoner is confined in the facility in this state, commits a criminal offense while confined in the facility, is convicted of or pleads guilty to that offense, and is sentenced to a term of confinement for that offense but is not sentenced to death for that offense, the private contractor and the out-of-state jurisdiction will do all of the following:

(a) Unless section 5120.50 of the Revised Code does not apply in relation to the offense the prisoner committed while confined in this state and the term of confinement imposed for that offense, the out-of-state jurisdiction will accept the prisoner pursuant to that section for service of that term of confinement and for any period of time remaining under the sentence for which the prisoner was confined in the facility in this state, the out-of-state jurisdiction will confine the prisoner pursuant to that section for that term and that remaining period of time, and the private contractor will transport the prisoner to the out-of-state jurisdiction for service of that term and that remaining period of time.

(b) If section 5120.50 of the Revised Code does not apply in relation to the offense the prisoner committed while confined in this state and the term of confinement imposed for that offense, the prisoner shall be returned to the out-of-state jurisdiction or its private contractor for completion of the period of time remaining under the out-of-state sentence for which the prisoner was confined in the facility in this state before starting service of the term of confinement imposed for the offense committed while confined in this state, the out-of-state jurisdiction or its private contractor will confine the prisoner for that remaining period of time and will transport the prisoner outside of this state for service of that remaining period of time, and, if the prisoner is confined in this state in a facility operated by the department of rehabilitation and correction, the private contractor will be financially responsible for reimbursing the department at the per diem cost of confinement for the duration of that incarceration, with the amount of the reimbursement so paid to be deposited in the department's prisoner programs fund.

(17) A requirement that the private contractor, prior to housing any out-of-state prisoner in the correctional facility under the contract, enter into an agreement with the local public entity that sets forth a conversion plan that will be followed if, for any reason, the facility is closed or ceases to operate. The conversion plan shall include, but is not limited to, provisions that specify whether the private contractor, the local public entity, or the out-of-state jurisdictions that imposed the sentences

for which the out-of-state prisoners are confined in the facility will be responsible for housing and transporting the prisoners who are in the facility at the time it is closed or ceases to operate and for the cost of so housing and transporting those prisoners.

(18) A schedule of fines that the local public entity shall impose upon the private contractor if the private contractor fails to perform its contractual duties, and a requirement that, if the private contractor fails to perform its contractual duties, the local public entity shall impose a fine on the private contractor from the schedule of fines and, in addition to the fine, may exercise any other rights it has under the contract. Division (F)(2) of this section applies regarding a fine described in this division.

(19) A requirement that the private contractor adopt and use in the correctional facility the drug testing and treatment program that the department of rehabilitation and correction uses for inmates in state correctional institutions;

(20) A requirement that the private contractor provide clothing for all out-of-state prisoners housed in the correctional facility that is conspicuous in its color, style, or color and style, that conspicuously identifies its wearer as a prisoner, and that is readily distinguishable from clothing of a nature that normally is worn outside the facility by non-prisoners, that the private contractor require all out-of-state prisoners housed in the facility to wear the clothing so provided, and that the private contractor not permit any out-of-state prisoner, while inside or on the premises of the facility or while being transported to or from the facility, to wear any clothing of a nature that does not conspicuously identify its wearer as a prisoner and that normally is worn outside the facility by non-prisoners;

(21) A requirement that, at the time the contract is made, the private contractor provide to all parties to the contract adequate proof that it has complied with the requirement described in division (D)(9) of this section, and a requirement that, at any time during the term of the contract, the private contractor upon request provide to any party to the contract adequate proof that it continues to be in compliance with the requirement described in division (D)(9) of this section.

(E) A private correctional officer or other designated employee of a private contractor that operates a correctional facility that houses out-of-state prisoners in this state under a contract entered into prior to, on, or after March 17, 1998, may carry and use firearms in the course of the officer's or employee's employment only if the officer or employee is certified as having satisfactorily completed an approved training program designed to qualify persons for positions as special police officers, security guards, or persons otherwise privately employed in a police capacity, as described in division (A) of section 109.78 of the Revised Code.

(F)(1) Upon notification by the private contractor of an escape from, or of a disturbance at, a correctional facility that is operated by a private contractor under a contract entered into prior to, on, or after March 17, 1998, and that houses out-of-state prisoners in this state, the department of rehabilitation and correction and state and local law enforcement agencies shall use all reasonable means to recapture persons who escaped from the facility or quell any disturbance at the facility, in

accordance with the plan and procedure included in the written agreement entered into under division (D)(12) of this section in relation to contracts entered into on or after March 17, 1998, and in accordance with their normal procedures in relation to contracts entered into prior to March 17, 1998. Any cost incurred by this state or a political subdivision of this state relating to the apprehension of a person who escaped from the facility, to the quelling of a disturbance at the facility, or to the investigation or prosecution as described in division (G)(2) of this section of any offense relating to the escape or disturbance shall be chargeable to and borne by the private contractor. The contractor also shall reimburse the state or its political subdivisions for all reasonable costs incurred relating to the temporary detention of a person who escaped from the facility, following the person's recapture.

(2) If a private contractor that, on or after March 17, 1998, enters into a contract under this section with a local public entity for the operation of a correctional facility that houses out-of-state prisoners fails to perform its contractual duties, the local public entity shall impose upon the private contractor a fine from the schedule of fines included in the contract and may exercise any other rights it has under the contract. A fine imposed under this division shall be paid to the local public entity that enters into the contract, and the local public entity shall deposit the money so paid into its treasury to the credit of the fund used to pay for community policing. If a fine is imposed under this division, the local public entity may reduce the payment owed to the private contractor pursuant to any invoice in the amount of the fine.

(3) If a private contractor, on or after March 17, 1998, enters into a contract under this section with a local public entity for the operation of a correctional facility that houses out-of-state prisoners in this state, the private contractor shall comply with the insurance, indemnification, hold harmless, and cost reimbursement provisions described in division (D)(9) of this section.

(G)(1) Any act or omission that would be a criminal offense or a delinquent act if committed at a state correctional institution or at a jail, workhouse, prison, or other correctional facility operated by this state or by any political subdivision or group of political subdivisions of this state shall be a criminal offense or delinquent act if committed by or with regard to any out-of-state prisoner who is housed at any correctional facility operated by a private contractor in this state pursuant to a contract entered into prior to, on, or after March 17, 1998.

(2) If any political subdivision of this state experiences any cost in the investigation or prosecution of an offense committed by an out-of-state prisoner housed in a correctional facility operated by a private contractor in this state pursuant to a contract entered into prior to, on, or after March 17, 1998, the private contractor shall reimburse the political subdivision for the costs so experienced.

(3)(a) Except as otherwise provided in this division, the state, and any officer or employee, as defined in section 109.36 of the Revised Code, of the state is not liable in damages in a civil action for any injury, death, or loss to person or property that allegedly arises from, or is related to, the establishment, management, or operation of a correctional facility to house out-of-state prisoners

in this state pursuant to a contract between a local public entity and an out-of-state jurisdiction, a local public entity and a private contractor, or a private contractor and an out-of-state jurisdiction that was entered into prior to March 17, 1998, or that is entered into on or after March 17, 1998, in accordance with its provisions. The immunity provided in this division does not apply regarding an act or omission of an officer or employee, as defined in section 109.36 of the Revised Code, of the state that is manifestly outside the scope of the officer's or employee's official responsibilities or regarding an act or omission of the state, or of an officer or employee, as so defined, of the state that is undertaken with malicious purpose, in bad faith, or in a wanton or reckless manner.

(b) Except as otherwise provided in this division, a non-contracting political subdivision, and any employee, as defined in section 2744.01 of the Revised Code, of a non-contracting political subdivision is not liable in damages in a civil action for any injury, death, or loss to person or property that allegedly arises from, or is related to, the establishment, management, or operation of a correctional facility to house out-of-state prisoners in this state pursuant to a contract between a local public entity other than the non-contracting political subdivision and an out-of-state jurisdiction, a local public entity other than the non-contracting political subdivision and a private contractor, or a private contractor and an out-of-state jurisdiction that was entered into prior to March 17, 1998, or that is entered into on or after March 17, 1998, in accordance with its provisions. The immunity provided in this division does not apply regarding an act or omission of an employee, as defined in section 2744.01 of the Revised Code, of a non-contracting political subdivision that is manifestly outside the scope of the employee's employment or official responsibilities or regarding an act or omission of a non-contracting political subdivision or an employee, as so defined, of a non-contracting political subdivision that is undertaken with malicious purpose, in bad faith, or in a wanton or reckless manner.

(c) Divisions (G)(3)(a) and (b) of this section do not affect any immunity or defense that the state and its officers and employees or a non-contracting political subdivision and its employees may be entitled to under another section of the Revised Code or the common law of this state, including, but not limited to, section 9.86 or Chapter 2744. of the Revised Code.

(H)(1) Upon the completion of an out-of-state prisoner's term of detention at a correctional facility operated by a private contractor in this state pursuant to a contract entered into prior to, on, or after March 17, 1998, the operator of the correctional facility shall transport the prisoner to the out-of-state jurisdiction that imposed the sentence for which the prisoner was confined before it releases the prisoner from its custody.

(2) No private contractor that operates and manages a correctional facility housing out-of-state prisoners in this state pursuant to a contract entered into prior to, on, or after March 17, 1998, shall fail to comply with division (H)(1) of this section.

(3) Whoever violates division (H)(2) of this section is guilty of a misdemeanor of the first degree.

(I) Except as otherwise provided in this division, the provisions of divisions (A) to (H) of

this section apply in relation to any correctional facility operated by a private contractor in this state to house out-of-state prisoners, regardless of whether the facility is operated pursuant to a contract entered into prior to, on, or after March 17, 1998. Division (C)(1) of this section shall not apply in relation to any correctional facility for housing out-of-state prisoners in this state that is operated by a private contractor under a contract entered into with a local public entity prior to March 17, 1998. If a private contractor operates a correctional facility in this state for the housing of out-of-state prisoners under a contract entered into with a local public entity prior to March 17, 1998, no later than thirty days after the effective date of this amendment, the private contractor shall enter into a contract with the local public entity that comports to the requirements and criteria of division (D) of this section.

Sec. 9.239. (A) As used in this section:

(1) "Public building" means a building owned by a public entity.

(2) "Public entity" means a subdivision, the general assembly, a court, any department, division, institution, board, commission, authority, bureau or other agency ~~of or~~ instrumentality of the state, the five state retirement systems, or any other governmental entity.

(3) "Subdivision" has the same meaning as in section 2744.01 of the Revised Code.

(B) A person that is primarily responsible for designing energy efficient commercial building property installed in a public building may seek allocation of any deduction allowed under section 179D of the Internal Revenue Code in connection with that installation by submitting a written request to the public entity that owns the building ~~and the tax commissioner~~. Within fifteen days of receiving such a request, the public entity shall respond and, if merited, formally allocate the deduction as required under that section and any associated rules or guidance of the internal revenue service or the United States department of the treasury. ~~The public entity shall send to the commissioner a copy of the response and, if applicable, the document or documents formally allocating the deduction.~~

(C) If a public entity does not respond within fifteen days of receiving a request under division (B) of this section, the entity shall be considered to have approved the request. ~~The commissioner shall provide the person that submitted the request with any documentation necessary to formally allocate the deduction.~~

(D) No public entity and no employee or agent of a public entity acting in the employee's or agent's official capacity shall seek, solicit, charge, or accept a fee, payment, or other consideration in exchange for allocating a deduction allowed under section 179D of the Internal Revenue Code or providing documentation of such an allocation as required under that section and any associated rules or guidance of the internal revenue service or the United States department of the treasury.

Sec. 9.24. (A) Except as may be allowed under division (F) of this section, no state agency and no political subdivision shall award a contract as described in division (G)(1) of this section for goods, services, or construction, paid for in whole or in part with state funds, to a person against whom a finding for recovery has been issued by the auditor of state on and after January 1, 2001, if

the finding for recovery is unresolved.

A contract is considered to be awarded when it is entered into or executed, irrespective of whether the parties to the contract have exchanged any money.

(B) For purposes of this section, a finding for recovery is unresolved unless one of the following criteria applies:

(1) The money identified in the finding for recovery is paid in full to the state agency or political subdivision to whom the money was owed;

(2) The debtor has entered into a repayment plan that is approved by the attorney general and the state agency or political subdivision to whom the money identified in the finding for recovery is owed. A repayment plan may include a provision permitting a state agency or political subdivision to withhold payment to a debtor for goods, services, or construction provided to or for the state agency or political subdivision pursuant to a contract that is entered into with the debtor after the date the finding for recovery was issued.

(3) The attorney general waives a repayment plan described in division (B)(2) of this section for good cause;

(4) The debtor and state agency or political subdivision to whom the money identified in the finding for recovery is owed have agreed to a payment plan established through an enforceable settlement agreement.

(5) The state agency or political subdivision desiring to enter into a contract with a debtor certifies, and the attorney general concurs, that all of the following are true:

(a) Essential services the state agency or political subdivision is seeking to obtain from the debtor cannot be provided by any other person besides the debtor;

(b) Awarding a contract to the debtor for the essential services described in division (B)(5) (a) of this section is in the best interest of the state;

(c) Good faith efforts have been made to collect the money identified in the finding of recovery.

(6) The debtor has commenced an action to contest the finding for recovery and a final determination on the action has not yet been reached;

(7) The debt has been discharged in bankruptcy or is no longer owed based on a final nonappealable court order.

(C) The attorney general shall submit an initial report to the auditor of state, not later than December 1, 2003, indicating the status of collection for all findings for recovery issued by the auditor of state for calendar years 2001, 2002, and 2003. Beginning on January 1, 2004, the attorney general shall submit to the auditor of state, on the first day of every January, April, July, and October, a list of all findings for recovery that have been resolved in accordance with division (B) of this section during the calendar quarter preceding the submission of the list and a description of the means of resolution. The attorney general shall notify the auditor of state when a judgment is issued against an entity described in division (F)(1) of this section.

(D) The auditor of state shall maintain a database, accessible to the public, listing persons against whom an unresolved finding for recovery has been issued, and the amount of the money identified in the unresolved finding for recovery. The auditor of state shall have this database operational on or before January 1, 2004. The initial database shall contain the information required under this division for calendar years 2001, 2002, and 2003.

Beginning January 15, 2004, the auditor of state shall update the database by the fifteenth day of every January, April, July, and October to reflect resolved findings for recovery that are reported to the auditor of state by the attorney general on the first day of the same month pursuant to division (C) of this section.

(E) Before awarding a contract as described in division (G)(1) of this section for goods, services, or construction, paid for in whole or in part with state funds, a state agency or political subdivision shall verify that the person to whom the state agency or political subdivision plans to award the contract has no unresolved finding for recovery issued against the person. A state agency or political subdivision shall verify that the person does not appear in the database described in division (D) of this section or shall obtain other proof that the person has no unresolved finding for recovery issued against the person.

(F) The prohibition of division (A) of this section and the requirement of division (E) of this section do not apply with respect to the companies, payments, or agreements described in divisions (F)(1) and (2) of this section, or in the circumstance described in division (F)(3) of this section.

(1) A bonding company or a company authorized to transact the business of insurance in this state, a self-insurance pool, joint self-insurance pool, risk management program, or joint risk management program, unless a court has entered a final judgment against the company and the company has not yet satisfied the final judgment.

(2) To medicaid provider agreements under the medicaid program.

(3) When federal law dictates that a specified entity provide the goods, services, or construction for which a contract is being awarded, regardless of whether that entity would otherwise be prohibited from entering into the contract pursuant to this section.

(G)(1) This section applies only to contracts for goods, services, or construction that satisfy the criteria in either division (G)(1)(a) or (b) of this section. This section may apply to contracts for goods, services, or construction that satisfy the criteria in division (G)(1)(c) of this section, provided that the contracts also satisfy the criteria in either division (G)(1)(a) or (b) of this section.

(a) The cost for the goods, services, or construction provided under the contract is estimated to exceed twenty-five thousand dollars.

(b) The aggregate cost for the goods, services, or construction provided under multiple contracts entered into by the particular state agency and a single person or the particular political subdivision and a single person within the fiscal year preceding the fiscal year within which a contract is being entered into by that same state agency and the same single person or the same political subdivision and the same single person, exceeded fifty thousand dollars.

(c) The contract is a renewal of a contract previously entered into and renewed pursuant to that preceding contract.

(2) This section does not apply to employment contracts.

(H) As used in this section:

(1) "State agency" has the same meaning as in section 9.66 of the Revised Code.

(2) "Political subdivision" means a political subdivision as defined in section 9.82 of the Revised Code that has received more than fifty thousand dollars of state money in the current fiscal year or the preceding fiscal year.

(3) "Finding for recovery" means a determination issued by the auditor of state, contained in a report the auditor of state gives to the attorney general pursuant to section 117.28 of the Revised Code, that public money has been illegally expended, public money has been collected but not been accounted for, public money is due but has not been collected, or public property has been converted or misappropriated.

(4) "Debtor" means a person against whom a finding for recovery has been issued.

(5) "Person" means the person named in the finding for recovery.

(6) "State money" does not include funds the state receives from another source and passes through to a political subdivision.

Sec. 9.27. (A) As used in this section, "state" and "state agency" mean the state of Ohio, including the governor, lieutenant governor, secretary of state, auditor of state, attorney general, and treasurer of state, and all departments, boards, offices, commissions, agencies, institutions, and other instrumentalities of the state of Ohio, but not including the general assembly or any legislative agency, or any court or judicial agency.

(B) Except as otherwise required or permitted by state or federal law, a contract entered into by the state for the procurement of goods or services shall not include any of the following:

(1) A provision that requires the state to indemnify or hold harmless another person.

(2) A provision by which the state agrees to binding arbitration or any other binding extra-judicial dispute resolution process.

(3) A provision that names a venue for any action or dispute against the state other than a court of proper jurisdiction in Franklin county, Ohio.

(4) A provision that requires the state to agree to limit the liability for any direct loss to the state for bodily injury, death, or damage to property of the state caused by the negligence, intentional or willful misconduct, fraudulent act, recklessness, or other tortious conduct of a person or a person's employees or agents, or a provision that would otherwise impose an indemnification obligation on the state.

(5) A provision that requires the state to be bound by a term or condition that is unknown to the state at the time of signing a contract, that is not specifically negotiated with the state, that may be unilaterally changed by the other party, or that is electronically accepted by a state employee.

(6) A provision that provides for a person other than the attorney general to serve as legal

counsel for the state or for any state agency, unless allowed for under the process set forth in section 109.07 of the Revised Code.

(7) A provision that is inconsistent with the state's obligations under section 149.43 of the Revised Code.

(8) A provision for automatic renewal such that state funds are or would be obligated in subsequent fiscal years.

(9) A provision that limits the state's ability to recover the cost of cover for a replacement contractor.

(10) With respect to a purchase in which a state agency receives a license to use a software application designed to run on generally available desktop or server hardware or cloud platforms, a requirement that the state agency install or run the software on hardware or in a cloud platform dedicated solely to the state agency, or a provision that otherwise restricts the state agency from installing or running the software on hardware or in a cloud platform of the state agency's choosing.

(C) If a contract contains a term or condition described in division (B) of this section, the term or condition is void ab initio, and the contract containing that term or condition otherwise shall be enforceable as if it did not contain such term or condition.

(D) A contract that contains a term or condition described in division (B) of this section shall be governed by and construed in accordance with Ohio law notwithstanding any term or condition to the contrary in the contract.

(E) This section does not apply to a contract in effect before ~~the effective date of this section~~ September 30, 2021, or to the renewal or extension of a contract in effect before ~~the effective date of this section that date~~.

Sec. 9.28. (A) As used in this section:

(1) "Competitive ~~solicitation~~selection" means ~~a request for proposal or any other solicitation or announcement by a public office requiring bids or proposals for the provision of goods or services to that office~~the procedures for making purchases as defined in section 125.01 of the Revised Code.

(2) "Public office" includes any state agency, public institution, political subdivision, or other organized body, office, agency, institution, or entity established by the laws of this state for the exercise of any function of government. "Public office" does not include the nonprofit corporation formed under section 187.01 of the Revised Code.

(3) "State agency" includes every department, bureau, board, commission, office, or other organized body established by the constitution and laws of this state for the exercise of any function of state government, including any state-supported institution of higher education, the general assembly, any legislative agency, any court or judicial agency, or any political subdivision or agency of a political subdivision. "State agency" does not include the nonprofit corporation formed under section 187.01 of the Revised Code.

(B) Except as provided in division (C) of this section, materials ~~submitted to a public office in response relating~~ to a ~~competitive~~ solicitation through competitive selection shall not be

considered public records ~~for purposes of under~~ section 149.43 of the Revised Code until ~~the date the public office announces after the award of a the contract based on the competitive solicitation or the cancellation of the competitive solicitation~~selection.

(C) If a public office rejects all bids or proposals received in response to a ~~competitive solicitation~~ through competitive selection and, concurrently with the announcement of the rejection gives notice of its intent to reissue the solicitation through competitive selection, the materials submitted in response to the original ~~competitive~~ solicitation and the materials submitted in response to the reissued ~~competitive~~ solicitation shall not be considered public records ~~for purposes of under~~ section 149.43 of the Revised Code until ~~the date the public office announces after the award of a the contract based on the reissued competitive solicitation~~ through or the cancellation of the reissued competitive solicitationselection.

Sec. 9.312. (A) If a state agency or political subdivision is required by law or by an ordinance or resolution adopted under division (C) of this section to award a contract to the lowest responsive and responsible bidder, a bidder on the contract shall be considered responsive if the bidder's proposal responds to bid specifications in all material respects and contains no irregularities or deviations from the specifications which would affect the amount of the bid or otherwise give the bidder a competitive advantage. The factors that the state agency or political subdivision shall consider in determining whether a bidder on the contract is responsible include the experience of the bidder, the bidder's financial condition, conduct and performance on previous contracts, facilities, management skills, and ability to execute the contract properly.

For purposes of this division, the provision of a bid guaranty in accordance with divisions (A)(1) and (B) of section 153.54 of the Revised Code issued by a surety licensed to do business in this state is evidence of financial responsibility, but a state agency or political subdivision may request additional financial information for review from an apparent low bidder after it opens all submitted bids. A state agency or political subdivision shall keep additional financial information it receives pursuant to a request under this division confidential, except under proper order of a court. The additional financial information is not a public record under section 149.43 of the Revised Code.

An apparent low bidder found not to be responsive and responsible shall be notified by the state agency or political subdivision of that finding and the reasons for it. Except for contracts awarded by the department of administrative services pursuant to section 125.11 of the Revised Code, the notification shall be given in writing ~~and either by certified mail or, if the state agency or political subdivision has record of an internet identifier of record associated with the bidder, or by ordinary certified mail and by that if no internet identifier of record is available~~. When awarding contracts pursuant to section 125.11 of the Revised Code, the department may send such notice in writing by first class mail or by electronic means.

(B) Where a state agency or a political subdivision that has adopted an ordinance or resolution under division (C) of this section determines to award a contract to a bidder other than the

apparent low bidder or bidders for the construction, reconstruction, improvement, enlargement, alteration, repair, painting, or decoration of a public improvement, it shall meet with the apparent low bidder or bidders upon a filing of a timely written protest. The protest must be received within five days of the notification required in division (A) of this section. No final award shall be made until the state agency or political subdivision either affirms or reverses its earlier determination. Notwithstanding any other provisions of the Revised Code, the procedure described in this division is not subject to Chapter 119. of the Revised Code.

(C) A municipal corporation, township, school district, board of county commissioners, any other county board or commission, or any other political subdivision required by law to award contracts by competitive bidding may by ordinance or resolution adopt a policy of requiring each competitively bid contract it awards to be awarded to the lowest responsive and responsible bidder in accordance with this section.

(D) As used in this section, "internet identifier of record" means an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

Sec. 9.331. (A) Before entering into a contract to employ a construction manager or construction manager at risk, a public authority ~~shall~~ may advertise, ~~in a newspaper of general circulation news media available~~ in the county where the contract is to be performed, and ~~may~~ shall advertise by electronic means ~~pursuant to rules adopted by the director of administrative services,~~ notice of its intent to employ a construction manager or construction manager at risk. The notice shall invite interested parties to submit proposals for consideration and shall be published at least ~~thirty-fourteen~~ thirty-fourteen calendar days prior to the date for accepting the proposals. The public authority also may advertise the information contained in the notice in appropriate trade journals and otherwise notify persons believed to be interested in employment as a construction manager or construction manager at risk.

(B) The advertisement shall include a general description of the project, a statement of the specific management services required, and a description of the qualifications required for the project.

Sec. 9.334. ~~(A)(A)(1)~~ Every public authority planning to contract for construction management services with a construction manager at risk shall evaluate the proposals submitted and select not fewer than three construction managers at risk the public authority considers to be the most qualified to provide the required construction management services, except that the public authority shall select and rank fewer than three when the public authority determines in writing that fewer than three qualified construction managers at risk are available.

(2) For projects valued at less than four million dollars, the public authority may require the construction manager at risk to submit a proposal described in division (A)(1) of this section along with a pricing proposal described in division (C) of this section. The public authority shall provide each construction manager at risk who desires to submit a proposal under this division a pre-

proposal meeting to explore the proposals further, in which the public authority shall provide the construction manager at risk with a description of the project, including the scope and nature of the proposed services and potential technical approaches. The public authority shall proceed with selection and ranking as described in division (A)(1) of this section, based only on the proposal submitted under that division. Once the construction managers at risk have been selected, the public authority shall proceed to evaluate the pricing proposals of each selected construction manager at risk as described in division (D) of this section, continuing the selection process from there.

(B) The public authority shall provide each construction manager at risk selected under division (A) of this section with a description of the project, including a statement of available design detail, a description of how the guaranteed maximum price for the project shall be determined, including the estimated level of design detail upon which the guaranteed maximum price shall be based, the form of the construction management contract, and a request for a pricing proposal.

(C) The pricing proposal of each construction manager at risk shall include at least the following regarding the construction manager at risk:

- (1) A list of key personnel for the project;
- (2) A statement of the general conditions and contingency requirements;
- (3) A fee proposal divided into a preconstruction fee, a construction fee, and the portion of the construction fee to be at risk in a guaranteed maximum price.

(D) The public authority shall evaluate the submitted pricing proposals and may hold discussions with individual construction managers at risk to explore their proposals further, including the scope and nature of the proposed services and potential technical approaches.

(E) After evaluating the pricing proposals, the public authority shall rank the selected construction managers at risk based on its evaluation of the value of each pricing proposal, with such evaluation considering the proposed cost and qualifications.

(F) The public authority shall enter into negotiations for a construction management contract with the construction manager at risk whose pricing proposal the public authority determines to be the best value under division (E) of this section. Contract negotiations shall be directed toward:

- (1) Ensuring that the construction manager at risk and the public authority mutually understand the essential requirements involved in providing the required construction management services, including the provisions for the use of contingency funds and the possible distribution of savings in the final costs of the project;
- (2) Ensuring that the construction manager at risk will be able to provide the necessary personnel, equipment, and facilities to perform the construction management services within the time required by the construction management contract;
- (3) Agreeing upon a procedure and schedule for determining a guaranteed maximum price using an open book pricing method that shall represent the total maximum amount to be paid by the public authority to the construction manager at risk for the project and that shall include the costs of

all the work, the cost of its general conditions, the contingency, and the fee payable to the construction manager at risk.

(G)(1) If the public authority fails to negotiate a construction management contract with the construction manager at risk whose pricing proposal the public authority determines to be the best value under division (E) of this section, the public authority shall inform the construction manager at risk, in writing, of the termination of negotiations.

(2) Upon terminating negotiations, the public authority may enter into negotiations as provided in this section with the construction manager at risk that the public authority ranked next highest under division (E) of this section. If negotiations fail, the public authority may enter into negotiations as provided in this section with the construction manager at risk the public authority ranked next highest under division (E) of this section.

(3) If a public authority fails to negotiate a construction management contract with a construction manager at risk whose pricing proposal the public authority determines to be the best value under division (E) of this section, the public authority may select additional construction managers at risk to provide pricing proposals to the public authority pursuant to this section or may select an alternative delivery method for the project.

(H) If the public authority and construction manager at risk fail to agree on a guaranteed maximum price, nothing in this section shall prohibit the public authority from allowing the construction manager at risk to provide the management services that a construction manager is authorized to provide.

(I) Nothing in this section affects a public authority's right to accept or reject any or all proposals in whole or in part.

Sec. 9.35. (A) As used in this section, "public official" means an elected or appointed officer, employee, or agent of any political subdivision, board, commission, bureau, or other public body established by law who is permitted or required in the performance of his official duties to issue checks, keep books and records, prepare and preserve payroll and other employee records, and make reports or perform other similar duties.

(B) Any public official may contract for and engage the services of a financial institution, or other person engaged in the business or capable of rendering electronic data processing or computer services, to perform the mechanical, clerical, or record-keeping services necessary in the performance of his official duties. Such services may include, but are not limited to, the preparation of payroll and other records, the preparation, signing, and issuance of checks, the preparation of reports and accounts, and the performance of all similar duties.

(C) A contract authorized by division (B) of this section may be entered into only:

(1) If the surety bond required of such public official includes within its coverage any loss which might occur as the result of such contract;

(2) Pursuant to a resolution duly adopted by the governing board, commission, bureau, or other public body having jurisdiction over such public official authorizing a contract for the

performance of such services;

(3) If the contract does not conflict with the accounting requirements prescribed by the auditor of state under section 117.43 of the Revised Code or with accounting procedures prescribed by the director of budget and management under section 126.21 of the Revised Code;

~~(4) If assurances satisfactory to the auditor of state are furnished by both the financial institution, or other person engaged in the business or capable of rendering electronic data processing or computer services, and the public official that the books and records of the public official in the possession of the person performing such.~~

(D) Such services ~~shall be~~ are subject to audit by the auditor of state to the same extent as if such services were being performed by the public official himself.

~~(D)~~(E) A public official, at the request of a person to whom the political subdivision, board, commission, bureau, or other public body is indebted and to whom payment is to be made, may send a check to a bank representing the amount due such person for credit to ~~his~~the person's account in the bank subject to the following conditions:

(1) The person to whom payment is to be made provides the public official with a written request ~~on a form approved by the auditor of state which~~ that designates the bank and contains the endorsement of such bank thereon stating its willingness to act in this respect as agent of such person;

(2) In the event that there are two or more persons who designate the same bank and payments are due to such persons on the same regularly recurring dates, the public official may draw a single check for the total amount due all such persons in favor of the bank for credit to the accounts of the several persons;

(3) Payment of a check drawn in favor of and properly endorsed by the bank designated by a person to whom payment is to be made constitutes a full acquittance to the public official for the amount of such payment.

~~(E)~~(F) Nothing contained in this section relieves such public official from the primary responsibility for the maintenance of the records and performance of the duties of his office.

Sec. 9.561. (A) As used in this section:

(1) "Government entity" means a state agency, public institution, political subdivision, or any other organized body, office, agency, institution, or entity established by the laws of this state for the exercise of any function of government.

(2) "Public building" means any building owned or occupied by a government entity.

(B) No government entity shall place menstrual products in the men's restroom of a public building.

Sec. 9.64. (A) As used in this section:

(1) "Cybersecurity incident" means any of the following:

(a) A substantial loss of confidentiality, integrity, or availability of a covered entity's information system or network;

(b) A serious impact on the safety and resiliency of a covered entity's operational systems and processes;

(c) A disruption of a covered entity's ability to engage in business or industrial operations, or deliver goods or services;

(d) Unauthorized access to an entity's information system or network, or nonpublic information contained therein, that is facilitated through or is caused by:

(i) A compromise of a cloud service provider, managed service provider, or other third-party data hosting provider; or

(ii) A supply chain compromise.

"Cybersecurity incident" does not include mere threats of disruption as extortion; events perpetrated in good faith in response to a request by the system owner or operator; or lawfully authorized activity of a United States, state, local, tribal, or territorial government entity.

(2) "Political subdivision" means a county, township, municipal corporation, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state.

(3) "Ransomware incident" means a malicious cybersecurity incident in which a person or entity introduces software that gains unauthorized access to or encrypts, modifies, or otherwise renders unavailable a political subdivision's information technology systems or data and thereafter the person or entity demands a ransom to prevent the publication of the data, restore access to the data, or otherwise remediate the impact of the software.

(B) A political subdivision experiencing a ransomware incident shall not pay or otherwise comply with a ransom demand unless the political subdivision's legislative authority formally approves the payment or compliance with the ransom demand in a resolution or ordinance that specifically states why the payment or compliance with the ransom demand is in the best interest of the political subdivision.

(C) The legislative authority of a political subdivision shall adopt a cybersecurity program that safeguards the political subdivision's data, information technology, and information technology resources to ensure availability, confidentiality, and integrity. The program shall be consistent with generally accepted best practices for cybersecurity, such as the national institute of standards and technology cybersecurity framework, and the center for internet security cybersecurity best practices, and may include, but are not limited to, the following:

(1) Identify and address the critical functions and cybersecurity risks of the political subdivision.

(2) Identify the potential impacts of a cybersecurity breach.

(3) Specify mechanisms to detect potential threats and cybersecurity events.

(4) Specify procedures for the political subdivision to establish communication channels, analyze incidents, and take actions to contain cybersecurity incidents.

(5) Establish procedures for the repair of infrastructure impacted by a cybersecurity incident.

and the maintenance of security after the incident.

(6) Establish cybersecurity training requirements for all employees of the political subdivision; the frequency, duration, and detail of which shall correspond to the duties of each employee. Annual cybersecurity training provided by the state, and training provided for local governments by the Ohio persistent cyber initiative program of the Ohio cyber range institute, satisfy the requirements of this division.

(D) The legislative authority of a political subdivision, following each cybersecurity incident or ransomware incident, shall notify both of the following:

(1) The executive director of the division of homeland security within the department of public safety, in a manner prescribed by the executive director, as soon as possible but not later than seven days after the political subdivision discovers the incident;

(2) The auditor of state, in a manner prescribed by the auditor of state, as soon as possible but not later than thirty days after the political subdivision discovers the incident.

(E) Any records, documents, or reports related to the cybersecurity program and framework in division (C) of this section, and the reports of a cybersecurity incident or ransomware incident under division (D) of this section, are not public records under section 149.43 of the Revised Code.

(F) A record identifying cybersecurity-related software, hardware, goods, and services, that are being considered for procurement, have been procured, or are being used by a political subdivision, including the vendor name, product name, project name, or project description, is a security record under section 149.433 of the Revised Code.

Sec. 9.67. ~~No~~ (A) Subject to division (B) of this section, no owner of a professional sports team that uses a tax-supported facility for most of its home games and receives financial assistance from the state or a political subdivision thereof shall cease playing most of its home games at the tax-supported facility and begin playing most of its home games ~~elsewhere~~ at a facility located outside of the state unless the owner either does one of the following:

~~(A)~~ (1) Enters into an agreement with the political subdivision permitting the team to play most of its home games ~~elsewhere~~ at a facility located outside of the state;

~~(B)~~ (2) Gives the political subdivision in which the tax-supported facility is located not less than six months' advance written notice of the owner's intention to cease playing most of its home games at the tax-supported facility and, during the six months after such notice, gives the political subdivision or any individual or group of individuals who reside in the area the opportunity to purchase the team.

(B)(1) Any lease, operating agreement, management agreement, non-relocation agreement, or other similar agreement entered into with the political subdivision before, on, or after the effective date of this amendment that expressly obligates the professional sports team to play all or most of the professional sports team's regular season home games at the tax-supported facility for the term of the lease or agreement, or for a shorter period of time as set forth in the lease or agreement, is, upon the expiration of the term of the lease or agreement, or shorter period of time as set forth in the lease

or agreement, as applicable, deemed an agreement with the political subdivision permitting the team to play most of its home games at a different facility in satisfaction of division (A)(1) of this section.

(2) Notwithstanding the expiration of the term of the lease or agreement, or a shorter period of time as set forth in the lease or agreement, as applicable, any lease or agreement described under division (B)(1) of this section is not deemed an agreement with the political subdivision permitting the team to play most of its home games at a different facility, in satisfaction of division (A)(1) of this section, if the different facility is located outside of the state.

Sec. 9.681. (A) As used in this section, "tobacco product" and "alternative nicotine product" have the same meanings as in section 2927.02 of the Revised Code.

(B) The regulation of tobacco products and alternative nicotine products is a matter of general statewide concern that requires statewide regulation. The state has adopted a comprehensive plan with respect to all aspects of the giveaway, sale, purchase, distribution, manufacture, use, possession, licensing, taxation, inspection, and marketing of tobacco products and alternative nicotine products. No political subdivision may enact, adopt, renew, maintain, enforce, or continue in existence any charter provision, ordinance, resolution, rule, or other measure that conflicts with or preempts any policy of the state regarding the regulation of tobacco products or alternative nicotine products, including, without limitation, by:

(1) Setting or imposing standards, requirements, taxes, fees, assessments, or charges of any kind regarding tobacco products or alternative nicotine products that are the same as or similar to, that conflict with, that are different from, or that are in addition to, any standard, requirement, tax, fee, assessment, or other charge established or authorized by state law;

(2) Lowering or raising an age requirement provided for in state law in connection with the giveaway, sale, purchase, distribution, manufacture, use, possession, licensing, taxation, inspection, and marketing of tobacco products or alternative nicotine products;

(3) Prohibiting an employee eighteen years of age or older of a manufacturer, producer, distributor, wholesaler, or retailer of tobacco products or alternative nicotine products from selling tobacco products or alternative nicotine products;

(4) Prohibiting an employee eighteen years of age or older of a manufacturer, producer, distributor, wholesaler, or retailer of tobacco products or alternative nicotine products from handling tobacco products or alternative nicotine products in sealed containers in connection with manufacturing, storage, warehousing, placement, stocking, bagging, loading, or unloading.

(C) In addition to any other relief provided, the court shall award costs and reasonable ~~attorney~~ attorney's fees to any person, group, or entity that prevails in a challenge to an ordinance, resolution, regulation, local law, or other action as being in conflict with this section.

(D) The general assembly finds and declares that this section is part of a statewide and comprehensive legislative enactment regulating all aspects of the giveaway, sale, purchase, distribution, manufacture, use, possession, licensing, taxation, inspection, and marketing of tobacco products and alternative nicotine products. The general assembly further finds and declares that the

imposition of tobacco product and alternative nicotine product regulation by any political subdivision is a matter of statewide concern and would be inconsistent with that statewide, comprehensive enactment. Therefore, regulation of the giveaway, sale, purchase, distribution, manufacture, use, possession, licensing, taxation, inspection, and marketing of tobacco products and alternative nicotine products is a matter of general statewide concern that requires uniform statewide regulation. By the enactment of this section, it is the intent of the general assembly to preempt political subdivisions from the regulation of tobacco products and alternative nicotine products.

(E) This section does not prohibit a political subdivision from levying a tax expressly authorized by state law, including the taxes authorized under Chapters 5739, and 5741, or sections 5743.021, 5743.024, 5743.026, 5743.321, 5743.323, ~~and 5743.324~~, 5743.511, 5743.521, 5743.621, and 5743.631 of the Revised Code.

Sec. 9.691. (A) The general assembly and executive department officers elected under Ohio Constitution, Article III may establish, implement, and fund through public resources, security provisions for the protection of the members of the general assembly and executive department officers covered under this section.

(B)(1) The authority to determine and administer appropriate security provisions for the general assembly is vested in the presiding officer of each house.

(2) The authority to determine and administer security provisions for executive department officers covered by this section is vested in each respective officer.

(3) The supreme court has the authority to adopt rules under its general superintending power that governs security provisions, including establishing, implementing, and funding through public resources, those provisions, for justices, judges, and the judiciary as established by Ohio Constitution, Article IV and the laws of this state.

(C)(1) In addition to the sergeant at arms and any assistant sergeants at arms, each house of the general assembly may appoint, employ, contract with, and fix the compensation of law enforcement officers, as defined in section 9.69 of the Revised Code, or other persons to provide or coordinate security for the members of the general assembly.

(2) Each executive department officer covered by this section may appoint, employ, contract with, and fix the compensation of law enforcement officers, as defined in section 9.69 of the Revised Code, or other persons to provide or coordinate security for the officer.

(3) Any law enforcement officer, as defined in section 9.69 of the Revised Code, who is authorized to provide or coordinate security for the general assembly or the executive department officers covered by this section has the same arrest powers as other peace officers and law enforcement officers to apprehend offenders against the criminal laws who endanger or threaten the security of any person being protected, no matter where the offense occurs. This jurisdiction is concurrent with that of peace officers and law enforcement officers of the county, township, or municipal corporation in which the violation occurs and with the state highway patrol.

(D) This section is in addition to, independent of, and operates concurrently with, any

security provided by the state highway patrol under section 5503.02 of the Revised Code.

Sec. 9.821. (A) The department of administrative services shall direct and manage for state agencies all risk management and insurance programs authorized under section 9.822 of the Revised Code.

(B) The office of risk management is hereby established within the department of administrative services. The director of administrative services, or a deputy director appointed by the director, shall control and supervise the office.

(C) The office may take any of the following actions that it determines to be in the best interests of the state:

(1) Provide all insurance coverages for the state, including, but not limited to, vehicle liability, casualty, property, public liability, and fidelity bonding. The cost of insurance coverage shall be paid from appropriations made to the state agencies that the office has designated to receive the coverage.

(2) Provide coverage of legal expenses that are necessary and related to the legal defense of claims against the state;

(3) Purchase insurance policies consistent with sections 125.01 to 125.111 of the Revised Code, develop and administer self-insurance programs, or do both;

(4) Consolidate and combine state insurance coverages;

(5) Provide technical services in risk management and insurance to state agencies;

(6) Adopt and publish, in accordance with section 111.15 of the Revised Code, necessary rules and procedures governing the administration of the state's insurance and risk management activities.

(D) No state agency, except a state agency exempted under section 125.02 or 125.04 of the Revised Code from the department's purchasing authority, shall purchase any insurance described in this section except as authorized by the department, when the office of risk management determines that the purchase is in the best interest of the state pursuant to division (C)(1) of this section, and in accordance with terms, conditions, and procurement methods established by the department.

(E) With respect to any civil action, demand, or claim against the state that could be filed in the court of claims, nothing in sections 9.82 to 9.823 of the Revised Code shall be interpreted to permit the settlement or compromise of those civil actions, demands, or claims, except in the manner provided in Chapter 2743. of the Revised Code.

(F) The department of administrative services and the office of risk management, while acting pursuant to the responsibilities prescribed in sections 9.82 to 9.83 of the Revised Code, are performing a public duty, as defined in section 2743.01 of the Revised Code.

(G) The office of the attorney general or counsel appointed by the office of the attorney general, including any legal representatives thereof, shall provide and share communications and documents that are made for the purpose of seeking or providing legal advice or counsel in connection with actual or potential litigation, liability claims, contract disputes, risk management

issues, and other matters involving the programs of the office of risk management with the office. All such communications and documents shared between the office, a state agency, and the office of the attorney general or counsel appointed by the office of the attorney general, including any legal representatives thereof, are privileged and confidential.

Sec. 101.30. (A) As used in this section:

(1) "Legislative document" includes, but is not limited to, all of the following:

(a) A working paper, work product, correspondence, preliminary draft, note, proposed bill or resolution, proposed amendment to a bill or resolution, analysis, opinion, memorandum, or other document in whatever form or format prepared by legislative staff, general assembly staff, or a member of the general assembly for a member of the general assembly or for general assembly staff;

(b) Any document or material in whatever form or format provided by a member of the general assembly or general assembly staff to legislative staff, general assembly staff, or a member of the general assembly that requests, or that provides information or materials to assist in, the preparation of any of the items described in division (A)(1)(a) of this section;

(c) Any summary of a bill or resolution or of an amendment to a bill or resolution in whatever form or format that is prepared by ~~or in the possession of legislative staff for~~ a member of the general assembly or general assembly staff, if the summary is prepared before the bill, resolution, or amendment is filed for introduction or presented at a committee hearing or floor session, as applicable.

(2) "Legislative staff" means the staff of the legislative service commission, ~~legislative budget office of the legislative service commission,~~ or any other legislative agency included in the legislative service commission budget group.

(3) "General assembly staff" means an officer or employee of either house of the general assembly who acts on behalf of a member of the general assembly or on behalf of a committee or either house of the general assembly.

~~(B)~~ (B)(1) Legislative staff shall maintain a confidential relationship with each member of the general assembly, and with each member of the general assembly staff, with respect to communications between the member of the general assembly or general assembly staff and legislative staff. Except as otherwise provided in this division and division (C) of this section, a legislative document arising out of this confidential relationship is not a public record for purposes of section 149.43 of the Revised Code. When it is in the public interest and with the consent of the commission, the director of the commission may release to the public any legislative document in the possession of the commission staff arising out of a confidential relationship with a former member of the general assembly or former member of the general assembly staff who is not available to make the legislative document a public record as provided in division (C) of this section because of death or disability, whom the director is unable to contact for that purpose, or who fails to respond to the director after the director has made a reasonable number of attempts to make such contact.

(2) A legislative document that is not otherwise exempt from disclosure as a public record under division (B)(1) of this section is not a public record for purposes of section 149.43 of the Revised Code during the general assembly in which the legislative document was created. After the general assembly in which the legislative document was created has adjourned sine die, the legislative document is a public record for purposes of section 149.43 of the Revised Code unless the legislative document would be privileged under Ohio Constitution, Article II, Section 12.

(C)(1) A legislative document is a public record for purposes of section 149.43 of the Revised Code if it is an analysis, synopsis, fiscal note, or local impact statement prepared by legislative staff that is required to be prepared by law, or by a rule of either house of the general assembly, for the benefit of the members of either or both of those houses or any legislative committee and if it has been presented to those members.

(2) A legislative document is a public record for purposes of section 149.43 of the Revised Code if a member of the general assembly for whom legislative staff prepared the legislative document does any of the following:

(a) Files it for introduction with the clerk of the senate or the clerk of the house of representatives, if it is a bill or resolution;

(b) Presents it at a committee hearing or floor session, if it is an amendment to a bill or resolution or is a substitute bill or resolution;

(c) Releases it, or authorizes general assembly staff or legislative staff to release it, to the public.

(D) Nothing in this section or section 149.43 of the Revised Code diminishes, extinguishes, or otherwise limits or restricts the privileges set forth in, or that emanate from, Ohio Constitution, Article II, Section 12.

Sec. 101.352. If the joint committee on agency rule review becomes aware that an agency subject to its jurisdiction is relying upon a principle of law or policy that, under section 121.93 of the Revised Code, should have been supplanted by its restatement in a rule, the chairperson of the joint committee responsible for calling and conducting meetings under section 101.35 of the Revised Code, in that chairperson's sole discretion, may request the agency to appear before the joint committee to address why, notwithstanding section 121.93 of the Revised Code, it is so relying. The request shall specify the time and place at which a designee of the agency is to appear before the joint committee to address, and to answer the joint committee's questions concerning, the agency's reliance. The date set for the appearance shall be not earlier than thirty days after the joint committee transmits the request to the agency. The joint committee shall transmit the request to the agency electronically. The joint committee also shall publish the request on its web site, as part of the relevant meeting agenda, and shall indicate in conjunction with the published request that any person is invited to appear before the joint committee when the agency appears to offer and make comments to the joint committee concerning the agency's reliance.

Upon receiving the request, the agency shall designate a suitable agency officer or employee

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to appear on behalf of the agency before the joint committee as directed in the request. The agency electronically shall notify the joint committee of the name, title, telephone number, and electronic mail address of the officer or employee who has been designated to appear before the joint committee in response to the request.

Upon appearing before the joint committee, the agency's designee shall address why the agency is relying upon a principle of law or policy that, notwithstanding section 121.93 of the Revised Code, has not been supplanted by its restatement in a rule. The members of the joint committee may question the agency's designee concerning the agency's reliance. Any person may offer and make comments to the joint committee concerning the agency's reliance.

After the appearance has concluded, the joint committee, by vote of a majority of its members, in writing may recommend to the agency that it supplant the principle of law or policy that it is relying upon by its restatement in a rule. The joint committee shall support its recommendation with a brief rationale of why, under section 121.93 of the Revised Code, the principle of law or policy should be supplanted by its restatement in a rule. The joint committee shall transmit the recommendation electronically to the agency. DMD

After receiving the recommendation from the joint committee, the agency shall commence the rule-making process as soon as it is reasonably feasible to do so, but not later than the date that is ~~six~~ three months after the recommendation was received. The principle of law or policy as it is restated in a rule does not need to be wholly congruent with the supplanted principle of law or policy. The agency lawfully may improve or develop further the supplanted principle of law or policy as it is restated in a rule.

The agency may continue to rely upon the principle of law or policy, but only while it is complying with the preceding paragraph. The agency may not rely upon the principle of law or policy in advising with regard to or in determining the rights or liabilities of a person if ~~the~~ any of the following apply:

(A) The agency fails to commence the rule-making process by the deadline specified in the preceding paragraph, or if, after,

(B) After commencing the rule-making process, the agency neglects or abandons the rule-making process before it is completed,

(C) The agency fails to file a rule recommended under this section in final form within one year of receiving a written recommendation from the joint committee in accordance with this section.

(D) After filing a proposed rule and rule summary and fiscal analysis with the joint committee, the agency notifies the joint committee of the agency's intention to file a revised proposed rule as described in division (B) of section 106.02 of the Revised Code.

Sec. 101.53. (A) A legislative action to amend or enact a codified or uncoded statutory section shall be indicated in bills and enrolled acts according to the following principles:

(1) New matter that is to be inserted into an existing codified or uncoded section shall be

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indicated by inserting the new matter, underlined, into the section at the appropriate place, in the same form as it is to appear in the resulting law.

(2) Old matter that is to be omitted from an existing codified or uncoded section shall be indicated by retaining the matter as it appears in the section and striking it through with a horizontal line.

(3) A new codified section that is to be added to the law shall be indicated by presenting the section, underlined, in the same form as it is to appear in the resulting law.

(4) A new uncoded section that is to be added to the law shall be indicated by presenting the section, without underlining, in the same form as it is to appear in the resulting law.

(B)(1) A legislative proposal to amend or enact a section of the Ohio Constitution shall be indicated in a joint resolution the same as an amendment to or an enactment of a codified statutory section in a bill.

(2) A legislative proposal of a schedule or of an amending, enacting, repeal, effective date, or other special clause applying to a proposed amendment of the Ohio Constitution shall be indicated in a joint resolution the same as an enactment of a new uncoded statutory section in a bill.

(C) Bills shall be printed in the exact language in which they were passed, under the supervision of the clerk of the house in which they originated. ~~The legislative service commission, by rule adopted under section 111.15 of the Revised Code, shall direct how new matter shall be indicated and old matter omitted.~~

Sec. 101.63. (A)(1) Not later than the first day of March in the odd-numbered year during which an occupational licensing board is scheduled to be triggered to expire the following even-numbered year under section 101.62 of the Revised Code, the speaker of the house of representatives shall direct a standing committee of the house of representatives to hold hearings to receive the testimony of the public and of the chief executive officer of the board, and otherwise to review, consider, and evaluate the usefulness, performance, and effectiveness of the board. Not later than the fifteenth day of November of that same odd-numbered year, the standing committee shall prepare and publish a report of its findings and recommendations in accordance with section 101.65 of the Revised Code. If the standing committee's report includes a bill, the house of representatives shall consider that bill for passage by the thirty-first day of December of that same odd-numbered year.

(2) Not later than the first day of March in the even-numbered year during which an occupational licensing board is scheduled to be triggered to expire under section 101.62 of the Revised Code, the president of the senate shall direct a standing committee of the senate to hold hearings to receive testimony of the public and of the chief executive officer of the board, and otherwise to review, consider, and evaluate the usefulness, performance, and effectiveness of the board and any bill considered by the house of representatives related to the expiration of that board. Not later than the fifteenth day of November of that same even-numbered year, the standing

committee shall prepare and publish a report of its findings and recommendations in accordance with section 101.65 of the Revised Code. If the standing committee's report includes a bill, the senate shall consider that bill for passage by the thirty-first day of December of that same even-numbered year.

(3) The president of the senate and the speaker of the house of representatives may, in the same manner as described in divisions (A)(1) and (2) of this section, direct a standing committee to review an occupational licensing board for which the director of the legislative service commission, under section 103.27 of the Revised Code, has performed a review.

(4) The president of the senate and the speaker of the house of representatives shall direct standing committees to review approximately thirty-three per cent of the occupational licensing boards each biennium. All occupational licensing boards shall be reviewed over a six-year period including calendar years 2019 through 2024, and also during each subsequent six-year period.

(B) Each occupational licensing board that is scheduled to be reviewed by a standing committee shall submit to the standing committee a report that contains all of the following information:

- (1) The board's primary purpose and its various goals and objectives;
- (2) The board's past and anticipated workload, the number of staff required to complete that workload, and the board's total number of staff;
- (3) The board's past and anticipated budgets and its sources of funding;
- (4) The number of members of its governing board or other governing entity and their compensation, if any.

(C) Each board shall have the burden of demonstrating to the standing committee a public need for its continued existence. In determining whether a board has demonstrated that need, the standing committee shall consider, as relevant, all of the following:

- (1) Whether or not continuation of the board is necessary to protect the health, safety, or welfare of the public, and if so, whether or not the board's authority is narrowly tailored to protect against present, recognizable, and significant harms to the health, safety, or welfare of the public;
- (2) Whether or not the public could be protected or served in an alternate or less restrictive manner;
- (3) Whether or not the board serves a specific private interest;
- (4) Whether or not rules adopted by the board are consistent with the legislative mandate of the board as expressed in the statutes that created and empowered the board;
- (5) The extent to which the board's jurisdiction and programs overlap or duplicate those of other boards, the extent to which the board coordinates with those other boards, and the extent to which the board's programs could be consolidated with the programs of other state departments or boards;
- (6) How many other states regulate the occupation, whether a license is required to engage in the occupation in other states, whether the initial licensing and license renewal requirements for the

occupation are substantially equivalent in every state, and the amount of regulation exercised by the board compared to the regulation, if any, in other states;

(7) The extent to which significant changes in the board's rules could prevent an individual licensed in this state from practicing, or allow an individual licensed in this state to practice, the same occupation in another jurisdiction without obtaining an occupational license for that occupation in that other jurisdiction;

(8) Whether the board recognizes national uniform licensure requirements for the occupation;

(9) Whether or not private contractors could be used, in an effective and efficient manner, either to assist the board in the performance of its duties or to perform these duties instead of the board;

(10) Whether or not the operation of the board has inhibited economic growth, reduced efficiency, or increased the cost of government;

(11) An assessment of the authority of the board regarding fees, inspections, enforcement, and penalties;

(12) The extent to which the board has permitted qualified applicants to serve the public;

(13) The extent to which the board has permitted individuals to practice elements of the occupation without a license;

(14) The cost-effectiveness of the board in terms of number of employees, services rendered, and administrative costs incurred, both past and present;

(15) Whether or not the board's operation has been impeded or enhanced by existing statutes and procedures and by budgetary, resource, and personnel practices;

(16) Whether the board has recommended statutory changes to the general assembly that would benefit the public as opposed to the persons regulated by the board, if any, and whether its recommendations and other policies have been adopted and implemented;

(17) Whether the board has required any persons it regulates to report to it the impact of board rules and decisions on the public as they affect service costs and service delivery;

(18) Whether persons regulated by the board, if any, have been required to assess problems in their business operations that affect the public;

(19) Whether the board has encouraged public participation in its rule-making and decision-making;

(20) The efficiency with which formal public complaints filed with the board have been processed to completion;

(21) Whether the purpose for which the board was created has been fulfilled, has changed, or no longer exists;

(22) Whether federal law requires that the board be renewed in some form;

(23) An assessment of the administrative hearing process of a board if the board has an administrative hearing process, and whether or not the hearing process is consistent with due process

rights;

(24) Whether the requirement for the occupational license is consistent with the policies expressed in section 4798.02 of the Revised Code, serves a meaningful, defined public interest, and provides the least restrictive form of regulation that adequately protects the public interest;

(25) The extent to which licensing ensures that practitioners have occupational skill sets or competencies that are substantially related to protecting consumers from present, significant, and substantiated harms that threaten public health, safety, or welfare, and the impact that those criteria have on applicants for a license, particularly those with moderate or low incomes, seeking to enter the occupation or profession;

(26) The extent to which the requirement for the occupational license stimulates or restricts competition, affects consumer choice, and affects the cost of services;

(27) An assessment of whether or not changes are needed in the enabling laws of the board in order for it to comply with the criteria suggested by the considerations listed in division (C) of this section;

(28) Beginning with reviews commencing on or after January 1, 2027, whether the number of board members is appropriate based on the board's workload and the number of occupational licenses issued by the board.

For division (C) of this section, a government regulatory requirement protects or serves the public interest if it provides protection from present, significant, and substantiated harms to the health, safety, or welfare of the public.

(D) The legislative service commission shall provide staff services to a standing committee performing its duties under this section and section 101.65 of the Revised Code.

Sec. 101.65. (A) After the completion of the review of a board under section 101.63 of the Revised Code, the standing committee that conducted the review shall prepare and publish a report of its findings and recommendations. A standing committee may include in a single report its findings and recommendations regarding more than one board. The committee shall furnish a copy of the report to the president of the senate, the speaker of the house of representatives, the governor, and each affected board. Any published report shall be made available to the public on the standing committee's internet web site, and in the offices of the house of representatives and senate clerks during reasonable hours. As part of a report, the standing committee may present its recommendations to the general assembly in bill form.

(B) Recommendations made by the standing committee shall indicate how or whether their implementation will do each of the following:

- (1) Improve efficiency in the management of state government;
- (2) Improve services rendered to citizens of the state;
- (3) Simplify and improve preparation of the state budget;
- (4) Conserve the natural resources of the state;
- (5) Promote the orderly growth of the state and its government;

(6) Promote that occupational regulations shall be construed and applied to increase economic opportunities, promote competition, and encourage innovation;

(7) Provide for the least restrictive regulation by repealing the current regulation and replacing it with a less restrictive regulation that is consistent with the policies expressed in section 4798.02 of the Revised Code;

(8) Improve the effectiveness of the services performed by the service departments of the state;

(9) Avoid duplication of effort by state agencies or boards;

(10) Improve the organization and coordination of the state government in one or more of the ways listed in divisions (B)(1) to (9) of this section.

(C) Beginning with reviews commencing on or after January 1, 2027, the standing committee's recommendations shall attempt to ensure that each board consists of not fewer than five members and not more than nine members.

Sec. 101.82. As used in sections 101.82 to 101.87 of the Revised Code:

(A) "Agency" means any board, commission, committee, or council, or any other similar state public body required to be established pursuant to state statutes for the exercise of any function of state government and to which members are appointed or elected. "Agency" does not include the following:

(1) The general assembly, or any commission, committee, or other body composed entirely of members of the general assembly;

(2) Any court;

(3) Any public body created by or directly pursuant to the constitution of this state;

(4) The board of trustees of any institution of higher education financially supported in whole or in part by the state;

(5) Any public body that has the authority to issue bonds or notes or that has issued bonds or notes that have not been fully repaid;

(6) The public utilities commission of Ohio;

(7) The consumers' counsel governing board;

(8) ~~The Ohio board of regents;~~

(9) Any state board or commission that has the authority to issue any final adjudicatory order that may be appealed to the court of common pleas under Chapter 119. of the Revised Code;

~~(10)~~(9) Any board of elections;

~~(11)~~(10) The board of directors of the Ohio insurance guaranty association and the board of governors of the Ohio fair plan underwriting association;

~~(12) The Ohio public employees deferred compensation board;~~

~~(13)~~(11) The Ohio retirement study council;

~~(14)~~(12) The board of trustees of the Ohio police and fire pension fund, public employees retirement board, school employees retirement board, state highway patrol retirement board, and

state teachers retirement board;

~~(15)~~(13) The industrial commission;

~~(16)~~(14) The parole board;

~~(17)~~(15) The board of tax appeals;

~~(18)~~(16) The controlling board;

~~(19)~~(17) The release authority of department of youth services;

~~(20)~~(18) The environmental review appeals commission;

~~(21)~~(19) The Ohio ethics commission;

~~(22)~~(20) The Ohio public works commission;

~~(23)~~(21) The self-insuring employers evaluation board;

~~(24)~~(22) The state board of deposit;

~~(25)~~(23) The state employment relations board;

~~(26)~~(24) An agency that is exempted from the requirements of sections 101.82 to 101.87 of the Revised Code by the agency's enabling statutes; and

~~(27)~~(25) The following agencies, deemed to have a purpose related to federal law:

(a) The ~~early childhood~~ children and youth advisory council, under section ~~5104.50-5180.04~~ of the Revised Code;

(b) The emergency response commission under section 3750.02 of the Revised Code;

(c) The public defender commission under section 120.01 of the Revised Code;

(d) The homeland security advisory council under division (E) of section 5502.011 of the Revised Code;

(e) The unemployment compensation review commission under section 4141.06 of the Revised Code.

(B) "Abolish" means to repeal the statutes creating and empowering an agency, remove its personnel, and transfer its records to the department of administrative services pursuant to division (E) of section 149.331 of the Revised Code.

(C) "Terminate" means to amend or repeal the statutes creating and empowering an agency, remove its personnel, and reassign its functions and records to another agency or officer designated by the general assembly.

(D) "Transfer" means to amend the statutes creating and empowering an agency so that its functions, records, and personnel are conveyed to another agency or officer.

(E) "Renew" means to continue an agency, and may include amendment of the statutes creating and empowering the agency, or recommendations for changes in agency operation or personnel.

Sec. 101.83. (A) It is the intent of the general assembly that an agency shall expire by operation of sunset review law, sections 101.82 to 101.87 of the Revised Code, four years more or less after the effective date of the act that established the agency. Unless renewed in accordance with division (E) of this section:

(1) An agency created during an even-numbered general assembly expires at the end of the thirty-first day of December in the second year of the next odd-numbered general assembly;

(2) An agency created during an odd-numbered general assembly expires at the end of the thirty-first day of December in the second year of the next even-numbered general assembly; and

(3) An agency renewed by a prior sunset review committee expires on the expiration date specified in the act that renewed the agency.

(B) Any act renewing an agency shall contain a distinct section providing a specific expiration date for the agency in accordance with this section. With respect to an agency scheduled to expire through operation of sunset review law, sections 101.82 to 101.87 of the Revised Code, the specific expiration date shall be the thirty-first day of December in the second year of a general assembly.

(C) If the general assembly does not renew or transfer an agency on or before its expiration date, it expires on that date.

The director of budget and management shall not authorize the expenditure of any moneys for any agency on or after the date of its expiration.

(D) The general assembly may provide by law for the orderly, efficient, and expeditious conclusion of an agency's business and operation. The rules, orders, licenses, contracts, and other actions made, taken, granted, or performed by the agency continue in effect according to their terms notwithstanding the agency's abolition, unless the general assembly provides otherwise by law. The general assembly may provide by law for the temporary or permanent transfer of some or all of a terminated or transferred agency's functions and personnel to a successor agency or officer.

The abolition, termination, or transfer of an agency does not cause the termination or dismissal of any claim pending against the agency by any person, or any claim pending against any person by the agency. Unless the general assembly provides otherwise by law for the substitution of parties, the attorney general shall succeed the agency with reference to any pending claim.

(E) An agency may be renewed by passage of a bill that continues the statutes creating and empowering the agency, that amends or repeals those statutes, or that enacts new statutes, to improve agency usefulness, performance, or effectiveness.

(F) The chairperson of an agency listed in division ~~(A)(27)~~(A)(25) of section 101.82 of the Revised Code shall notify the speaker of the house of representatives and the president of the senate, in the manner specified in section 101.68 of the Revised Code, and shall notify the governor, if federal law is modified to eliminate the purpose or necessity for the agency's existence. The notification shall be in writing and include the following disclosure:

"The agency known as the _____ was exempted from sunset review law because it had a purpose related to federal law. The federal law specifying that purpose has been amended or repealed eliminating the purpose or necessity for the agency. The sunset review committee, next convened under section 101.82 to 101.87 of the Revised Code, shall schedule the agency for review and shall make a recommendation with respect to the agency in accordance with section 101.87 of

the Revised Code."

Sec. 101.84. (A) A sunset review committee shall be convened during each general assembly. The committee shall be composed of nine members. The president of the senate shall appoint three members of the senate to the committee, not more than two of whom shall be members of the same political party. The speaker of the house of representatives shall appoint three members of the house of representatives to the committee, not more than two of whom shall be members of the same political party. The governor, with the advice and consent of the senate, shall appoint three members to the committee, not more than two of whom shall be members of the same political party. Members shall be appointed within forty-five days after the commencement of the first regular session of each general assembly.

(B) Each member of the committee who is a member of the general assembly shall serve for the duration of the committee, or until that committee member no longer is a member of the senate or the house of representatives. Each member of the committee who is appointed by the governor shall serve for the duration of the committee, but not later than the thirty-first day of December in the second year of the general assembly. A vacancy on the committee shall be filled in the same manner as the original appointment.

In the first year of the general assembly, the chairperson of the committee shall be a member of the house of representatives, and the vice-chairperson of the committee shall be a member of the senate. In the second year of the general assembly, the chairperson of the committee shall be a member of the senate, and the vice-chairperson of the committee shall be a member of the house of representatives.

Members of the committee shall receive no compensation, but shall be reimbursed for their necessary expenses incurred in the performance of their official duties.

(C) The committee shall meet not later than ~~thirty-ninety~~ days after the first day of the first year of the general assembly to choose a chairperson and to commence establishment of the schedule for agency review provided for in section 101.85 of the Revised Code or perform other committee duties under sections 101.82 to 101.87 of the Revised Code. Five members of the committee constitute a quorum for the conduct of committee business.

(D) The sunset review committee, after having prepared and published a report of its findings and recommendations, and furnished the report, as required under section 101.87 of the Revised Code, ceases to exist for the remainder of the biennial general assembly.

Sec. 102.02. (A)(1) Except as otherwise provided in division (H) of this section, all of the following shall file with the appropriate ethics commission the disclosure statement described in this division on a form prescribed by the appropriate commission: every person who is elected to or is a candidate for a state, county, or city office and every person who is appointed to fill a vacancy for an unexpired term in such an elective office; all members of the state board of education; the director, assistant directors, deputy directors, division chiefs, or persons of equivalent rank of any administrative department of the state; the president or other chief administrative officer of every

state institution of higher education as defined in section 3345.011 of the Revised Code; the executive director and the members of the capitol square review and advisory board appointed or employed pursuant to section 105.41 of the Revised Code; all members of the Ohio casino control commission, the executive director of the commission, all professional employees of the commission, and all technical employees of the commission who perform an internal audit function; the individuals set forth in division (B)(2) of section 187.03 of the Revised Code; the chief executive officer and the members of the board of each state retirement system; each employee of a state retirement board who is a state retirement system investment officer licensed pursuant to section 1707.163 of the Revised Code; the members of the Ohio retirement study council appointed pursuant to division (C) of section 171.01 of the Revised Code; employees of the Ohio retirement study council, other than employees who perform purely administrative or clerical functions; the administrator of workers' compensation and each member of the bureau of workers' compensation board of directors; the bureau of workers' compensation director of investments; the chief investment officer of the bureau of workers' compensation; all members of the board of commissioners on grievances and discipline of the supreme court and the ethics commission created under section 102.05 of the Revised Code; every business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or an educational service center; every person who is elected to or is a candidate for the office of member of a board of education of a city, local, exempted village, joint vocational, or cooperative education school district or of a governing board of an educational service center that has a total student count of twelve thousand or more as most recently determined by the department of education and workforce pursuant to section 3317.03 of the Revised Code; every person who is appointed to the board of education of a municipal school district pursuant to division (B) or (F) of section 3311.71 of the Revised Code; all members of the board of directors of a sanitary district that is established under Chapter 6115. of the Revised Code and organized wholly for the purpose of providing a water supply for domestic, municipal, and public use, and that includes two municipal corporations in two counties; every public official or employee who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code; all members appointed to the Ohio livestock care standards board under section 904.02 of the Revised Code; ~~all entrepreneurs in residence assigned by the LeanOhio office in the department of administrative services under section 125.65 of the Revised Code~~ and every other public official or employee who is designated by the appropriate ethics commission pursuant to division (B) of this section.

(2) The disclosure statement shall include all of the following:

(a) The name of the person filing the statement and each member of the person's immediate family and all names under which the person or members of the person's immediate family do business;

(b)(i) Subject to divisions (A)(2)(b)(ii) and (iii) of this section and except as otherwise provided in section 102.022 of the Revised Code, identification of every source of income, other

than income from a legislative agent identified in division (A)(2)(b)(ii) of this section, received during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. If the person filing the statement is a member of the general assembly, the statement shall identify the amount of every source of income received in accordance with the following ranges of amounts: zero or more, but less than one thousand dollars; one thousand dollars or more, but less than ten thousand dollars; ten thousand dollars or more, but less than twenty-five thousand dollars; twenty-five thousand dollars or more, but less than fifty thousand dollars; fifty thousand dollars or more, but less than one hundred thousand dollars; and one hundred thousand dollars or more. Division (A)(2)(b)(i) of this section shall not be construed to require a person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of that business or profession, except for those individual items of income that are attributable to the person's or, if the income is shared with the person, the partner's, solicitation of services or goods or performance, arrangement, or facilitation of services or provision of goods on behalf of the business or profession of clients, including corporate clients, who are legislative agents. A person who files the statement under this section shall disclose the identity of and the amount of income received from a person who the public official or employee knows or has reason to know is doing or seeking to do business of any kind with the public official's or employee's agency.

(ii) If the person filing the statement is a member of the general assembly, the statement shall identify every source of income and the amount of that income that was received from a legislative agent during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. Division (A)(2)(b)(ii) of this section requires the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code, if those clients or patients are legislative agents. Division (A)(2)(b)(ii) of this section requires a person filing the statement who derives income from a business or profession to disclose those individual items of income that constitute the gross income of that business or profession that are received from legislative agents.

(iii) Except as otherwise provided in division (A)(2)(b)(iii) of this section, division (A)(2)(b)(i) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2)(b)(i) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(b)(iii) of this section to disclose the name, other identity,

or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services. Division (A)(2)(b)(i) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(b)(iii) of this section to disclose in the brief description of the nature of services required by division (A)(2)(b)(i) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(c) The name of every corporation on file with the secretary of state that is incorporated in this state or holds a certificate of compliance authorizing it to do business in this state, trust, business trust, partnership, or association that transacts business in this state in which the person filing the statement or any other person for the person's use and benefit had during the preceding calendar year an investment of over one thousand dollars at fair market value as of the thirty-first day of December of the preceding calendar year, or the date of disposition, whichever is earlier, or in which the person holds any office or has a fiduciary relationship, and a description of the nature of the investment, office, or relationship. Division (A)(2)(c) of this section does not require disclosure of the name of any bank, savings and loan association, credit union, or building and loan association with which the person filing the statement has a deposit or a withdrawable share account.

(d) All fee simple and leasehold interests to which the person filing the statement holds legal title to or a beneficial interest in real property located within the state, excluding the person's residence and property used primarily for personal recreation;

(e) The names of all persons residing or transacting business in the state to whom the person filing the statement owes, in the person's own name or in the name of any other person, more than one thousand dollars. Division (A)(2)(e) of this section shall not be construed to require the disclosure of debts owed by the person resulting from the ordinary conduct of a business or profession or debts on the person's residence or real property used primarily for personal recreation, except that the superintendent of financial institutions and any deputy superintendent of banks shall disclose the names of all state-chartered banks and all bank subsidiary corporations subject to regulation under section 1109.44 of the Revised Code to whom the superintendent or deputy superintendent owes any money.

(f) The names of all persons residing or transacting business in the state, other than a depository excluded under division (A)(2)(c) of this section, who owe more than one thousand dollars to the person filing the statement, either in the person's own name or to any person for the person's use or benefit. Division (A)(2)(f) of this section shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or

patients of persons licensed under section 4731.14 of the Revised Code, nor the disclosure of debts owed to the person resulting from the ordinary conduct of a business or profession.

(g) Except as otherwise provided in section 102.022 of the Revised Code, the source of each gift of over seventy-five dollars, or of each gift of over twenty-five dollars received by a member of the general assembly from a legislative agent, received by the person in the person's own name or by any other person for the person's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, or received from spouses, parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor;

(h) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source and amount of every payment of expenses incurred for travel to destinations inside or outside this state that is received by the person in the person's own name or by any other person for the person's use or benefit and that is incurred in connection with the person's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues;

(i) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source of payment of expenses for meals and other food and beverages, other than for meals and other food and beverages provided at a meeting at which the person participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues, that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year;

(j) If the disclosure statement is filed by a public official or employee described in division (B)(2) of section 101.73 of the Revised Code or division (B)(2) of section 121.63 of the Revised Code who receives a statement from a legislative agent, executive agency lobbyist, or employer that contains the information described in division (F)(2) of section 101.73 of the Revised Code or division (G)(2) of section 121.63 of the Revised Code, all of the nondisputed information contained in the statement delivered to that public official or employee by the legislative agent, executive agency lobbyist, or employer under division (F)(2) of section 101.73 or (G)(2) of section 121.63 of the Revised Code.

(3) A person may file a statement required by this section in person, by mail, or by electronic means.

(4) A person who is required to file a statement under this section shall file that statement according to the following deadlines, as applicable:

(a) Except as otherwise provided in divisions (A)(4)(b), (c), and (d) of this section, the person shall file the statement not later than the fifteenth day of May of each year.

(b) A person who is a candidate for elective office shall file the statement no later than the thirtieth day before the primary, special, or general election at which the candidacy is to be voted on, whichever election occurs soonest, except that a person who is a write-in candidate shall file the statement no later than the twentieth day before the earliest election at which the person's candidacy is to be voted on.

(c) A person who is appointed to fill a vacancy for an unexpired term in an elective office shall file the statement within fifteen days after the person qualifies for office.

(d) A person who is appointed or employed after the fifteenth day of May, other than a person described in division (A)(4)(c) of this section, shall file an annual statement within ninety days after appointment or employment.

(5) No person shall be required to file with the appropriate ethics commission more than one statement or pay more than one filing fee for any one calendar year.

(6) The appropriate ethics commission, for good cause, may extend for a reasonable time the deadline for filing a statement under this section.

(7) A statement filed under this section is subject to public inspection at locations designated by the appropriate ethics commission except as otherwise provided in this section.

(B) The Ohio ethics commission, the joint legislative ethics committee, and the board of commissioners on grievances and discipline of the supreme court, using the rule-making procedures of Chapter 119. of the Revised Code, may require any class of public officials or employees under its jurisdiction and not specifically excluded by this section whose positions involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or the execution of other public trusts, to file an annual statement under division (A) of this section. The appropriate ethics commission shall send the public officials or employees written notice of the requirement not less than thirty days before the applicable filing deadline unless the public official or employee is appointed after that date, in which case the notice shall be sent within thirty days after appointment, and the filing shall be made not later than ninety days after appointment.

Disclosure statements filed under this division with the Ohio ethics commission by members of boards, commissions, or bureaus of the state for which no compensation is received other than reasonable and necessary expenses shall be kept confidential. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by business managers, treasurers, and superintendents of city, local, exempted village, joint vocational, or cooperative education school districts or educational service centers shall be kept confidential, except that any person conducting an audit of any such school district or educational service center pursuant to Chapter 117. of the

Revised Code may examine the disclosure statement of any business manager, treasurer, or superintendent of that school district or educational service center. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by the individuals set forth in division (B)(2) of section 187.03 of the Revised Code shall be kept confidential. The Ohio ethics commission shall examine each disclosure statement required to be kept confidential to determine whether a potential conflict of interest exists for the person who filed the disclosure statement. A potential conflict of interest exists if the private interests of the person, as indicated by the person's disclosure statement, might interfere with the public interests the person is required to serve in the exercise of the person's authority and duties in the person's office or position of employment. If the commission determines that a potential conflict of interest exists, it shall notify the person who filed the disclosure statement and shall make the portions of the disclosure statement that indicate a potential conflict of interest subject to public inspection in the same manner as is provided for other disclosure statements. Any portion of the disclosure statement that the commission determines does not indicate a potential conflict of interest shall be kept confidential by the commission and shall not be made subject to public inspection, except as is necessary for the enforcement of Chapters 102. and 2921. of the Revised Code and except as otherwise provided in this division.

(C) No person shall knowingly fail to file, on or before the applicable filing deadline established under this section, a statement that is required by this section.

(D) No person shall knowingly file a false statement that is required to be filed under this section.

(E)(1) Except as provided in divisions (E)(2) and (3) of this section, the statement required by division (A) or (B) of this section shall be accompanied by a filing fee of sixty dollars.

(2) The statement required by division (A) of this section shall be accompanied by the following filing fee to be paid by the person who is elected or appointed to, or is a candidate for, any of the following offices:

	1	2
A	For state office, except member of the state board of education	\$95
B	For office of member of general assembly	\$40
C	For county office	\$60
D	For city office	\$35
E	For office of member of the state board of education	\$35
F	For office of member of a city, local, exempted village, or cooperative	\$30

education board of education or educational service center governing board

G	For position of business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or educational service center	\$30
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(3) No judge of a court of record or candidate for judge of a court of record, and no referee or magistrate serving a court of record, shall be required to pay the fee required under division (E)(1) or (2) or (F) of this section.

(4) For any public official who is appointed to a nonelective office of the state and for any employee who holds a nonelective position in a public agency of the state, the state agency that is the primary employer of the state official or employee shall pay the fee required under division (E) (1) or (F) of this section.

(F) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the appropriate ethics commission shall assess the person required to file the statement a late filing fee of ten dollars for each day the statement is not filed, except that the total amount of the late filing fee shall not exceed two hundred fifty dollars.

(G)(1) The appropriate ethics commission other than the Ohio ethics commission and the joint legislative ethics committee shall deposit all fees it receives under divisions (E) and (F) of this section into the general revenue fund of the state.

(2) The Ohio ethics commission shall deposit all receipts, including, but not limited to, fees it receives under divisions (E) and (F) of this section, investigative or other fees, costs, or other funds it receives as a result of court orders, and all moneys it receives from settlements under division (G) of section 102.06 of the Revised Code, into the Ohio ethics commission fund, which is hereby created in the state treasury. All moneys credited to the fund shall be used solely for expenses related to the operation and statutory functions of the commission.

(3) The joint legislative ethics committee shall deposit all receipts it receives from the payment of financial disclosure statement filing fees under divisions (E) and (F) of this section into the joint legislative ethics committee investigative and financial disclosure fund.

(H) Division (A) of this section does not apply to a person elected or appointed to the office of precinct, ward, or district committee member under Chapter 3517. of the Revised Code; a presidential elector; a delegate to a national convention; village or township officials and employees; any physician or psychiatrist who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code and whose primary duties do not require the exercise of administrative discretion; or any member of a board, commission, or bureau of any county or city who receives less than one thousand dollars per year for serving in that position.

Sec. 103.05. (A) The director of the legislative service commission shall be the codifier of

the rules of the administrative agencies of the state. ~~When~~ In accordance with sections 149.21 to 149.27 of the Revised Code, the commission is the official publisher of the Ohio administrative code.

(B) The director, considering the objectives of uniform codification and the principles of legal drafting, shall publish a rule drafting manual that states standards and procedures to be followed by an agency in drafting a rule that is to be codified into the administrative code. The director shall periodically revise and publish a new edition of the manual to maintain the uniformity of the administrative code. In preparing and updating the rule drafting manual, the director shall consider sections 1.31 and 1.41 to 1.59 of the Revised Code and apply the principles of statutory construction to rule drafting. The rule drafting manual shall prescribe and explain any matters the director determines are pertinent to the uniformity of the administrative code, including:

(1) The rule numbering system an agency shall follow to codify a rule into the administrative code;

(2) The structure of a rule, including:

(a) The rule number;

(b) The subject matter heading, the principal text, any appendices, and the supplemental information, including information with respect to the history of the rule;

(c) A certification that the rule has been lawfully adopted;

(d) The effective date, expiration date, and periodic five-year review date of the rule.

(3) The standard format for drafting an amendment to an existing rule or an appendix if there is one, an enactment of a new rule or appendix, and a rescission of an existing rule or appendix.

(C) When a rule is filed under section 111.15 ~~or, 119.03, or 119.04~~ of the Revised Code, the director ~~or the director's designee~~ shall examine the rule. If the rule is not numbered or if the numbering of the rule is not in conformity with the system established by the director, the director shall give the rule its proper number by designating the proper number on the left hand margin of the rule. The number shall be the official administrative code number of the rule. Any number so assigned shall be published in any publication of the administrative code. Rules of the administrative code shall be cited and referred to by such official numbers.

~~The legislative service commission shall, under section 111.15 of the Revised Code, adopt, amend, and rescind any rules that are necessary to provide a uniform administrative code; to provide standards for use by the director in determining whether to include in the administrative code the full text of, or a reference to, any rule filed with the commission; to permit the director to discharge the director's duties and exercise the director's powers as described in this section; and to permit the director to discharge the director's duties and exercise the director's powers with respect to establishing and maintaining, and enhancing and improving, the electronic rule filing system under section 103.0511 of the Revised Code.~~

~~When the commission adopts rules to provide standards for use by the director in determining whether to include the full text of, or a reference to, a rule in the administrative code, it~~

shall require the director to consider all of the following:

- (1) ~~Whether the rule applies uniformly to all citizens of the state;~~
- (2) ~~Whether the rule applies uniformly to all political subdivisions of the state;~~
- (3) ~~Whether the rule affects the health, welfare, and safety of the citizens of the state;~~
- (4) ~~Whether the rule applies only to the internal affairs of the agency adopting the rule;~~
- (5) ~~The number of persons affected by the rule;~~
- (6) ~~Whether the rule affects the statutory or constitutional rights of any person.~~

~~The director or the director's designee shall accept any rule that is filed under section 111.15 or 119.04 of the Revised Code. If the director or the director's designee accepts a rule that is does not in compliance comply with the rules of the commission this section or the rule drafting manual, the~~ director shall give notice of the noncompliance in electronic form to the agency that filed the rule within thirty days after the date on which the rule is filed. The notice shall indicate why the rule does not comply with ~~the rules of the commission this section or the rule drafting manual~~ and how the rule can be brought into compliance. The failure of the director to give an agency notice within the thirty-day period presumptively establishes that the rule complies with ~~the rules of the commission this section and the rule drafting manual.~~

(B)(D) Any person may publish an acceptable administrative code. The director shall approve as acceptable any person's publication of the code conforming to the requirements of this division.

An Ohio administrative code approved as acceptable by the director shall:

- (1) Contain a compilation of the full text of, or a reference to, each rule filed under section 111.15 or 119.04 of the Revised Code;
- (2) Presumptively establish the rules of all agencies adopting rules under section 111.15 or Chapter 119. of the Revised Code that are in effect on the day of its initial publication;
- (3) Contain the full text of, or a reference to, each rule adopted after its initial publication and be updated at least quarterly;
- (4) Contain an index of the rules and references to rules that are included in the code and each supplement using terms easily understood by the general public;
- (5) Be published in electronic or print format following, to the extent possible, the subject matter arrangement of the Revised Code;
- (6) Be numbered according to the numbering system devised by the director.

~~(C) The director may prepare and publish the code, or contract with any person under this division to prepare and publish the code. Any code published under this division shall include all of the requirements of division (B) of this section. In addition, the director shall furnish any code or supplement published under this division to any person who requests the code or supplement upon payment of a charge established by the director, not to exceed the cost of preparation and publication.~~

~~Upon the request of the director of the legislative service commission under this division, the~~

~~director of administrative services, in accordance with the competitive selection procedure of Chapter 125. of the Revised Code, shall let a contract for the compilation, preparation, and printing or publication of the administrative code and supplements.~~

Sec. 103.051. The "Register of Ohio" is an electronic publication that functions as a gazette to which members of the public may readily resort for notice of and information about rule-making processes. The director of the legislative service commission shall publish the register. The register is to include all rule-making documents that are required by statute to be published in the register. The director shall display the register free of charge on the internet, and shall ensure that printed copies of all or part of a document published in the register can be easily produced by users of the internet.

The director, taking into consideration the public notice and information functions performed by the register, shall update the register at reasonable intervals, but not less often than weekly. The director shall establish a reasonable deadline before each updating. A document received by the director on or before a deadline is to be published in the register upon the register's next updating. The director shall purge a document from the register when its display no longer serves the public notice and information functions performed by the register.

The director upon request of any person shall provide the person with a printed copy of all or part of a document published in the register. The director may charge and collect a fee for this service. Any such fee is not to exceed the actual cost of printing and delivering the printed copy to the person requesting it. ~~The director shall deposit the fees into the state treasury to the credit of the register of Ohio fund.~~

Sec. 103.13. The Ohio legislative service commission shall:

(A) Conduct research, make investigations, and secure information or data on any subject and make reports thereon to the general assembly;

(B) Ascertain facts and make reports concerning the state budget, the revenues and expenditures of the state, and of the organization and functions of the state, its departments, subdivisions, and agencies;

(C) Make surveys, investigations, and studies, and compile data, information, and records on any question which may be referred to it by either house of the general assembly or any standing committee of the general assembly;

(D) Assist and cooperate with any interim legislative committee or other agency created by the general assembly;

(E) Prepare or advise in the preparation of any bill or resolution, when requested by any member of the general assembly;

(F) Collect, classify, and index the documents of the state which shall include executive and legislative documents and departmental reports and keep on file all bills, resolutions, and official journals printed by order of either house of the general assembly;

(G) Provide members of the general assembly with impartial and accurate information and

reports concerning legislative problems in accordance with rules prescribed by the commission;

(H) Annually collect the reports required by section 4743.01 of the Revised Code and prepare a report evaluating the extent to which state boards and commissions which regulate occupations are financially self-supporting. The report shall be presented to the speaker and the minority leader of the house of representatives, the president and the minority leader of the senate, and the chairperson and ranking minority member of the finance committees of both houses, on or before the thirty-first day of December each year.

(I) Codify the rules of administrative agencies of the state in accordance with the provisions of section 103.05 of the Revised Code;

(J) Publish the register of Ohio under section 103.051 of the Revised Code;

(K) Operate the electronic rule-filing system under section 103.0511 of the Revised Code;

(L) Assist the standing committees of the house of representatives and the senate that primarily consider legislation governing the medicaid program, to carry out continuing oversight and other duties regarding the state's medicaid program enumerated under sections 103.41 to 103.412 of the Revised Code.

Sec. 103.41. The standing committees of the house of representatives and the senate that primarily consider legislation governing the medicaid program shall meet jointly during each session of the general assembly to oversee the medicaid program on a continuing basis.

In odd numbered years, the standing committees shall meet jointly at the call of the chairperson of the senate committee that considers the medicaid program. In even numbered years, the standing committees shall meet jointly at the call of the chairperson of the house of representatives committee that considers the medicaid program.

Sec. 103.412 103.411. (A) JMOC shall oversee the medicaid program on a continuing basis. As part of its oversight, JMOC To assist the standing committees overseeing the medicaid program as provided in section 103.41 of the Revised Code, the legislative service commission shall do all of the research, review, and summarize the following to the joint standing committees on request of the chairperson who calls the meeting:

(1) Review how (A) How the medicaid program relates to the public and private provision of health care coverage in this state and the United States;

(2) Review the reforms implemented under section 5162.70 of the Revised Code and evaluate the reforms' successes in achieving their objectives (B) Reports issued by all agencies that participate in the medicaid program that are submitted to the commission;

(3) Recommend policies (C) Policies and strategies related to encourage both of the following:

(a) (1) Medicaid recipients being physically and mentally able to join and stay in the workforce and ultimately becoming self-sufficient;

(b) (2) Less use of the medicaid program.

(4) Recommend, to the extent JMOC determines appropriate, improvements in statutes and

(D) Newly-adopted rules concerning the medicaid program;

~~(5) Develop a plan of action for the future of the medicaid program~~(E) Pending Ohio medicaid legislation;

~~(6) Receive and consider reports submitted by local~~(F) Medicaid legislation and innovations in other states;

(G) Local healthier buckeye councils reports submitted under section 355.04 of the Revised Code.

~~(B) JMOC may do all of the following:~~

~~(1) Plan, advertise, organize, and conduct forums, conferences, and other meetings at which representatives of state agencies and other individuals having expertise in the medicaid program may participate to increase knowledge and understanding of, and to develop and propose improvements in, the medicaid program;~~

~~(2) Prepare and issue reports on the medicaid program;~~

~~(3) Solicit written comments on, and conduct public hearings at which persons may offer verbal comments on, drafts of its reports.~~

Sec. 403.414 103.412. (A) Before the beginning of each fiscal biennium, JMOC the legislative service commission shall contract with an actuary to determine the projected medical inflation rate for the upcoming fiscal biennium. The contract shall require the actuary to make the determination using the same types of classifications and sub-classifications of medical care that the United States bureau of labor statistics uses in determining the inflation rate for medical care in the consumer price index. The contract also shall require the actuary to provide JMOC the commission a report with its determination at least one hundred twenty days before the governor is required to submit a state budget for the fiscal biennium to the general assembly under section 107.03 of the Revised Code.

(B) On receipt of the actuary's report, JMOC the commission shall share the report with the standing committees overseeing the medicaid program under section 103.41 of the Revised Code. The standing committees, acting jointly, shall determine whether it agrees they agree with the actuary's projected medical inflation rate. If JMOC disagrees they disagree with the actuary's projected medical inflation rate, JMOC shall the standing committees shall work with the commission to determine a different projected medical inflation rate for the upcoming fiscal biennium.

The actuary, the commission, and, if JMOC determines a different projected medical inflation rate, JMOC standing committees shall determine the projected medical inflation rate for the state unless that is not practicable in which case the determination shall be made for the midwest region.

Regardless of whether it agrees with the actuary's projected medical inflation rate or determines a different projected medical inflation rate, JMOC shall complete a report regarding the projected medical inflation rate. JMOC shall include a copy of the actuary's report in JMOC's report.

~~JMOC's report shall state whether JMOC agrees with the actuary's projected medical inflation rate and, if JMOC disagrees, the reason why JMOC disagrees and the different medical inflation rate JMOC determined. At least ninety days before the governor is required to submit a state budget for the upcoming fiscal biennium to the general assembly under section 107.03 of the Revised Code, JMOC shall submit a copy of the report to the general assembly in accordance with section 101.68 of the Revised Code and to the governor and medicaid director.~~

(C) At least ninety days before the governor is required to submit a state budget for the upcoming fiscal biennium to the general assembly under section 107.03 of the Revised Code, the commission shall submit a report to the governor, medicaid director, and the standing committees that includes the following information:

(1) The projected medical inflation rate, whether the standing committees recommend the actuary's rate or the alternate rate recommended by the standing committees;

(2) If the standing committees recommend an alternate rate, an explanation for rejecting the actuary's rate;

(3) A copy of the actuary's report.

Sec. 103.65. (A) There is hereby created the Ohio health oversight and advisory committee. The committee shall consist of the following members:

(1) Three members of the senate appointed by the president of the senate, two of whom are members of the majority party and one of whom is a member of the minority party;

(2) Three members of the house of representatives appointed by the speaker of the house of representatives, two of whom are members of the majority party and one of whom is a member of the minority party.

(B) The president and speaker shall make the initial appointments to the committee not later than fifteen calendar days after June 23, 2021. The president and speaker shall make subsequent appointments not later than forty-five calendar days after the commencement of the first regular session of each general assembly. Members of the committee shall serve on the committee until appointments are made in the first regular session of the following general assembly, until a member no longer serves as a member of the chamber from which the member was initially appointed, or until a member is removed by the speaker or president. No committee member shall be removed during the member's term during a state of emergency as defined in section 107.42 of the Revised Code, unless an extraordinary circumstance exists that prevents a member from serving on the committee. A vacancy on the committee shall be filled in the same manner as the original appointment.

(C) In odd-numbered years, the president shall designate one committee member from the senate who is a member of the majority party as the committee chairperson, and the speaker shall designate one committee member from the house who is a member of the majority party as the committee vice-chairperson and one committee member from the house who is a member of the minority party as the committee ranking minority member. In even-numbered years, the speaker

shall designate one committee member from the house who is a member of the majority party as the committee chairperson, and the president shall designate one committee member from the senate who is a member of the majority party as the committee vice-chairperson and one committee member from the senate who is a member of the minority party as the committee ranking minority member.

(D) In appointing members from the minority party, and in designating ranking minority members, the president and speaker shall consult with the minority leader of their respective houses.

(E) The Ohio health oversight and advisory committee shall meet at the call of the chairperson.

(F) The ~~executive director and other employees of the joint medicaid oversight committee legislative service commission~~ shall ~~serve provide staff services to~~ the Ohio health oversight and advisory committee to enable the committee to successfully and efficiently perform its duties.

Sec. 106.02. Except as provided in section 106.026 of the Revised Code, all of the following apply to a proposed rule:

(A) Subject to division (B) of this section, when an agency files a proposed rule and rule summary and fiscal analysis with the joint committee on agency rule review, the joint committee shall review the proposed rule and rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the sixty-fifth day after the day on which the proposed rule was filed with the joint committee. If, after filing the original version of a proposed rule, the agency makes a revision in the proposed rule, the agency shall file the revised proposed rule and a revised rule summary and fiscal analysis with the joint committee. If the revised proposed rule is filed thirty-five or fewer days after the original version of the proposed rule was filed, the joint committee shall review the revised proposed rule and revised rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the sixty-fifth day after the original version of the proposed rule was filed. If, however, the revised proposed rule is filed more than thirty-five days after the original version of the proposed rule was filed, the joint committee shall review the revised proposed rule and revised rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the thirtieth day after the revised proposed rule was filed with the joint committee. *Revised*

(B) If, after filing a proposed rule and rule summary and fiscal analysis with the joint committee, an agency determines that it needs additional time to consider the proposed rule and possibly file a revised proposed rule, the agency may notify the joint committee of the agency's intention to file a revised proposed rule. When the agency notifies the joint committee of its intention to file a revised proposed rule, the running of the time within which an invalidating concurrent resolution may be adopted is tolled.

If, after notifying the joint committee of the agency's intention to file a revised proposed rule, the agency makes a revision in the proposed rule, the agency shall file the revised proposed rule and a revised rule summary and fiscal analysis with the joint committee. If the revised proposed rule

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Date 6/30/25

Mike DeWine

is filed thirty-five or fewer days after the agency filed the original version of the proposed rule, the joint committee shall review the revised proposed rule and revised rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the sixty-fifth day after the agency filed the original version of the proposed rule. If, however, the revised proposed rule is filed more than thirty-five days after the agency filed the original version of the proposed rule, the joint committee shall review the revised proposed rule and revised rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the thirtieth day after the revised proposed rule is filed with the joint committee.

(C) When an original or revised version of a proposed rule and rule summary and fiscal analysis is filed with the joint committee in December or in the following January before the first day of the legislative session, the joint committee shall review the proposed rule and rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, as if the original version of the proposed rule and rule summary and fiscal analysis had been filed with the joint committee on the first day of the legislative session in the following January. If, however, the original version of a proposed rule and rule summary and fiscal analysis have been pending before the joint committee for more than thirty-five days, and the proposed rule and rule summary and fiscal analysis are revised in December or in the following January before the first day of the legislative session, the joint committee shall review the revised proposed rule and revised rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the thirtieth day after the first day of the legislative session in the following January. *END*

(D) A revised proposed rule supersedes each earlier version of the same proposed rule.

(E) The joint committee shall endeavor not to hold its public hearing on a proposed rule earlier than the forty-first day after the proposed rule was filed with the joint committee. The chairperson of the joint committee responsible for calling and conducting meetings under section 101.35 of the Revised Code may select a date for the committee's public hearing on a proposed rule that is earlier than the forty-first day after the proposed rule was filed.

Sec. 106.021. If, upon reviewing a proposed rule or revised proposed rule, the joint committee on agency rule review makes any of the following findings with regard to the proposed rule or revised proposed rule, the joint committee may recommend to the senate and house of representatives the adoption of a concurrent resolution to invalidate the proposed rule or revised proposed rule or a part thereof:

(A) The proposed rule or revised proposed rule exceeds the scope of its statutory authority.

(B) The proposed rule or revised proposed rule conflicts with the legislative intent of the statute under which it was proposed.

(C) The proposed rule or revised proposed rule conflicts with another proposed or existing rule.

(D) The proposed rule or revised proposed rule incorporates a text or other material by reference and:

The above boxed and initialed text was
disapproved.

Date 6/30/25

Mike DeWine

(1) The accompanying citation is not such as reasonably would enable a reasonable person to whom the proposed rule or revised proposed rule applies readily and without charge to find and inspect the incorporated text or other material;

(2) The accompanying citation is not such as reasonably would enable the joint committee readily and without charge to find and inspect the incorporated text or other material, and the agency did not file or otherwise make the incorporated text or other material available without charge to the joint committee; or

(3) The agency has treated the proposed rule or revised proposed rule in whole or in part as exempt from sections 121.71 to 121.74 of the Revised Code on grounds the incorporated text or other material has one or more of the characteristics described in division (B) of section 121.75 of the Revised Code, but the incorporated text or other material actually does not have any of those characteristics.

(E) The agency has failed to prepare a complete and accurate rule summary and fiscal analysis of the proposed rule or revised proposed rule as required by section 106.024 of the Revised Code.

(F) The agency has failed to demonstrate through the business impact analysis, recommendations from the common sense initiative office, and the memorandum of response that the regulatory intent of the proposed rule or revised proposed rule justifies its adverse impact on businesses in this state.

(G) If the state agency is subject to sections 121.95, 121.951, 121.952, and 121.953 of the Revised Code, the agency has failed to justify the proposed adoption, amendment, or rescission of a rule containing a regulatory restriction.

(H) The proposed rule or revised proposed rule implements a federal law or rule in a manner that is more stringent or burdensome than the federal law or rule requires.

(I) If the state agency is subject to sections 121.95, 121.951, 121.952, and 121.953 of the Revised Code, for purposes of those sections, the proposed rule or revised proposed rule removes or replaces "shall," "must," "require," "shall not," "may not," "prohibit," or similar words in a portion of a rule but does not remove a regulatory restriction as defined in section 121.95 of the Revised Code. *RM*

(J) The proposed rule or revised proposed rule is subject to section 106.025 of the Revised Code, and the joint committee has complied with division (B) of that section.

Sec. 106.023. (A) An agency may not adopt a proposed rule or revised proposed rule or file it in final form unless the proposed rule has been filed with the joint committee on agency rule review under division (D) of section 111.15 or division (C) of section 119.03 of the Revised Code and ~~the one of the following applies:~~ *RM*

(1) The time for the joint committee to review the proposed rule and for the adoption of an invalidating concurrent resolution has expired without adoption of a concurrent resolution to invalidate the proposed rule;

(2) The rule or revised proposed rule is subject to section 106.026 of the Revised Code, and

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a law authorizing its adoption has been enacted in accordance with Ohio Constitution, Article II, Sections 15 and 16.

(B) If, before the time for its review of a proposed rule or revised proposed rule expires, the joint committee recommends adoption of a concurrent resolution invalidating the proposed rule or revised proposed rule, and the senate and house of representatives does not, within the time remaining for adoption of the concurrent resolution, hold five sessions at which its journal records a roll call vote disclosing a sufficient number of members in attendance to pass a bill, the time within which that house may adopt the concurrent resolution is extended until it has held five such sessions.

Sec. 106.024. (A) As used in this section:

(1) "Agency" has the meaning defined in section 106.01 of the Revised Code.

(2) "Rule" includes the adoption, amendment, or rescission of a rule.

(3) "Proposed rule" means the original version of a proposed rule, and each revised version of the same proposed rule, that is filed with the joint committee on agency rule review under division (D) of section 111.15 or division (C) of section 119.03 of the Revised Code.

(B) An agency shall prepare, on the form designed by the joint committee on agency rule review, a complete and accurate rule summary and fiscal analysis of each proposed rule that it files under division (D) of section 111.15 or division (C) of section 119.03 of the Revised Code. *RMD*

The joint committee on agency rule review shall design a form for the rule summary and fiscal analysis. In the form, the joint committee shall include a space where an agency shall explain the reasoning for any proposed rescission of a rule, including a statement as to whether the agency intends to continue relying on a principle of law or policy stated in the rule when conducting adjudications or other determinations of rights and liabilities or in issuing writings and other materials.

The form also may solicit information such as the following information:

(1) The name, address, and telephone number of the agency, and the name, telephone number, and electronic mail address of an individual or office within the agency designated by that agency to be responsible for coordinating and making available information in the possession of the agency regarding the proposed rule;

(2) The Ohio Administrative Code rule number of the proposed rule;

(3) A brief summary of, and the legal basis for, the proposed rule, including citations identifying the statute that prescribes the procedure in accordance with which the agency is required to adopt the proposed rule, the statute that authorizes the agency to adopt the proposed rule, and the statute that the agency intends to amplify or implement by adopting the proposed rule;

(4) An estimate, in dollars, of the amount by which the proposed rule would increase or decrease revenues or expenditures during the current biennium;

(5) A citation identifying the appropriation that authorizes each expenditure that would be necessitated by the proposed rule;

(6) A summary of the estimated cost of compliance with the rule to all directly affected

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persons;

(7) The reasons why the rule is being proposed;

(8) If the rule has a fiscal effect on school districts, counties, townships, or municipal corporations, an estimate in dollars of the cost of compliance with the rule, or, if dollar amounts cannot be determined, a written explanation of why it was not possible to ascertain dollar amounts;

(9) If the rule has a fiscal effect on school districts, counties, townships, or municipal corporations and is the result of a federal requirement, a clear explanation that the proposed state rule does not exceed the scope and intent of the requirement, or, if the state rule does exceed the minimum necessary federal requirement, a justification of the excess cost, and an estimate of the costs, including those costs for local governments, exceeding the federal requirement;

(10) If the rule has a fiscal effect on school districts, counties, townships, or municipal corporations, a comprehensive cost estimate that includes the procedure and method of calculating the costs of compliance and identifies major cost categories including personnel costs, new equipment or other capital costs, operating costs, and indirect central service costs related to the rule. The fiscal analysis shall also include a written explanation of the agency's and the affected local government's ability to pay for the new requirements and a statement of any impact the rule will have on economic development.

(11) If the rule incorporates a text or other material by reference, and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code on grounds the incorporated text or other material has one or more of the characteristics described in division (B) of section 121.75 of the Revised Code, an explanation of how the incorporated text or other material is exempted under that division;

(12) If the rule imposes a fee, an explanation of how the fee directly relates to the cost actually incurred by the agency in performing the function for which the fee is charged.

The rule summary and fiscal analysis form, instead of or in addition to the foregoing, may solicit any other information the joint committee on agency rule review considers necessary to make the proposed rule or the fiscal effect of the proposed rule fully understandable.

(C) The agency shall file the rule summary and fiscal analysis in electronic form along with the proposed rule that it files under division (D) of section 111.15 or divisions (B) and (C) of section 119.03 of the Revised Code. The joint committee on agency rule review shall not accept any proposed rule for filing unless a copy of the rule summary and fiscal analysis of the proposed rule, completely and accurately prepared, is filed along with the proposed rule.

(D) The joint committee on agency rule review shall review the fiscal effect of each proposed rule that is filed under division (D) of section 111.15 or division (C) of section 119.03 of the Revised Code.

Sec. 106.025. (A) Except as provided in division (C) of this section, on reviewing a proposed rule or revised proposed rule, the joint committee on agency rule review may proceed in accordance with division (B) of this section if it makes any of the following findings with respect to the rule's

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summary and fiscal analysis:

(1) The proposed rule or revised proposed rule will increase the agency's expenditures during the current biennium by one hundred thousand dollars or more.

(2) The cost to comply with the proposed rule or revised proposed rule for a directly affected person will be one hundred thousand dollars or more.

(3) The proposed rule or revised proposed rule will impose an annual effect on this state's economy of one million dollars or more.

(B) If the joint committee makes one or more of the findings listed in division (A) of this section, the chairperson of the joint committee responsible for calling and conducting meetings under section 101.35 of the Revised Code may request a designee of the filing agency to appear before the joint committee to answer questions about the fiscal effect of the proposed rule or revised proposed rule. The request shall be transmitted to the agency electronically and specify the time and place at which a designee is to appear before the joint committee to answer the joint committee's questions.

On receiving the request, the agency shall designate a suitable agency officer or employee to appear on behalf of the agency before the joint committee as directed in the request. The agency electronically shall notify the joint committee of the name, title, telephone number, and electronic mail address of the officer or employee who has been designated to appear before the joint committee in response to the request.

After the appearance has concluded, or if the agency designee fails to appear, the joint committee may do any of the following:

(1) Allow the time for legislative review to expire;

(2) Recommend the adoption of a concurrent resolution to invalidate the proposed rule under section 106.021 of the Revised Code;

(3) By vote of a majority of its members, refer the rule for consideration by the full general assembly in accordance with section 106.026 of the Revised Code.

(C) This section does not apply to a proposed rule or revised proposed rule if the rule is based on specific statutory language authorizing or requiring an agency to adopt the rule as opposed to a general grant of authority to adopt rules implementing a law.

Sec. 106.026. (A) This section applies to a proposed rule or revised proposed rule that the joint committee on agency rule review has, in accordance with section 106.025 of the Revised Code, referred for consideration by the full general assembly.

(B) If a proposed rule or revised proposed rule is subject to this section, the chairperson of the joint committee on agency rule review responsible for calling and conducting meetings under section 101.35 of the Revised Code shall immediately transmit the proposed rule or revised proposed rule and rule summary and fiscal analysis to the clerk of the senate and the clerk of the house of representatives. After the chairperson of the joint committee transmits the rule and rule summary and fiscal analysis under this division, all of the following apply:

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(1) The joint committee shall take no further action with respect to the proposed rule until after it is adopted or refiled in accordance with division (D) of this section.

(2) The agency shall not file a revised proposed version of the rule.

(3) The agency shall not adopt the proposed rule unless adoption is authorized by a law enacted in accordance with Ohio Constitution, Article II, Sections 15 and 16 after the chairperson transmits the rule and rule summary and fiscal analysis under this division.

(C) As soon as practicable after receiving a proposed rule or revised proposed rule transmitted under division (B) of this section:

(1) The clerk of the senate shall make the proposed rule or revised proposed rule and rule summary and fiscal analysis available to all members of the senate; and

(2) The clerk of the house of representatives shall make the proposed rule or revised proposed rule and rule summary and fiscal analysis available to all members of the house of representatives.

Any member of the general assembly may introduce legislation authorizing the agency to adopt the proposed rule or revised proposed rule.

(D) If a law authorizing the proposed rule or revised proposed rule is enacted before the general assembly adjourns sine die, legislative review under this chapter ends and the agency may, on or after the law's effective date, file the rule in compliance with section 111.15 or 119.04 of the Revised Code, as applicable. If a law authorizing the rule is not enacted before the general assembly adjourns sine die, the proposed rule or revised proposed rule is invalidated. The agency may refile the rule and rule summary and fiscal analysis with the joint committee. *Rm D*

(E) This section does not apply to any rule that is exempt from legislative review under division (D) of section 111.15 of the Revised Code or division (C) of section 119.03 of the Revised Code.

(F) The enactment of a law in accordance with Ohio Constitution, Article II, Sections 15 and 16, authorizing an agency to adopt a proposed rule or revised proposed rule to which this section applies, does not do either of the following:

(1) Grant an agency additional rulemaking authority or modify the agency's existing rulemaking authority;

(2) Extinguish or modify any claim against an agency arising from the rule.

(G) The enactment of a law in accordance with Ohio Constitution, Article II, Sections 15 and 16, authorizing an agency to adopt a proposed rule or revised proposed rule to which this section applies, shall not be used as evidence in any proceeding concerning the rule except for the purpose of determining whether the rule is in effect.

Sec. 106.031. If an agency, on the basis of its review of a rule under section 106.03 of the Revised Code, determines that the rule does not need to be amended or rescinded, proceedings shall be had as follows:

(A)(1) If, considering only the standard of review specified in division (A)(7) of section

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106.03 of the Revised Code, the rule has an adverse impact on businesses, the agency shall prepare a business impact analysis that describes its review of the rule under that division and that explains why the regulatory intent of the rule justifies its adverse impact on businesses. If the rule does not have an adverse impact on businesses, the agency may proceed under division (B) of this section.

(2) The agency shall transmit a copy of the full text of the rule and the business impact analysis electronically to the common sense initiative office. The office shall make the rule and analysis available to the public on its web site under section 107.62 of the Revised Code.

(3) The agency shall consider any recommendations made by the office.

(4) Not earlier than the sixteenth business day after transmitting the rule and analysis to the office, the agency shall either (a) proceed under divisions (A)(5) and (B) of this section or (b) commence, under division (B)(1) of section 106.03 of the Revised Code, the process of rescinding the rule or of amending the rule to incorporate into the rule features the recommendations suggest will eliminate or reduce the adverse impact the rule has on businesses. If the agency determines to amend or rescind the rule, the agency is not subject to the time limit specified in division (B)(1) of section 106.03 of the Revised Code.

(5) If the agency receives recommendations from the office, and determines not to amend or rescind the rule, the agency shall prepare a memorandum of response that explains why the rule is not being rescinded or why the recommendations are not being incorporated into the rule.

(B) The agency shall assign a new review date to the rule. The review date assigned shall be not later than five years after the immediately preceding review date pertaining to the rule. If the agency assigns a review date that exceeds the five-year maximum, the review date is five years after the immediately preceding review date. The immediately preceding review date includes the date of the review of a rule under section 106.032 of the Revised Code.

(C) The agency shall file all the following, in electronic form, with the joint committee on agency rule review, the secretary of state, and the director of the legislative service commission: a copy of the rule specifying its new review date, a complete and accurate rule summary and fiscal analysis, and, if relevant, a business impact analysis of the rule, any recommendations received from the common sense initiative office, and any memorandum of response.

(D) The joint committee shall publish notice of the agency's determination not to amend or rescind the rule in the register of Ohio for four consecutive weeks after the rule is filed under division (C) of this section.

(E) During the ninety-day period after a rule is filed under division (C) of this section, but after the four-week notice period required by division (D) of this section has ended, the joint committee may recommend to the senate and house of representatives the adoption of a concurrent resolution invalidating the rule if the joint committee finds any of the following:

(1) The agency improperly applied the standards in division (A) of section 106.03 of the Revised Code in reviewing the rule and in determining that the rule did not need amendment or rescission.

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(2) The rule has an adverse impact on businesses, and the agency has failed to demonstrate through a business impact analysis, recommendations from the common sense initiative office, and a memorandum of response that the regulatory intent of the rule justifies its adverse impact on businesses.

(3) If the rule incorporates a text or other material by reference, any of the following applies:

(a) The citation accompanying the incorporation by reference is not such as reasonably would enable a reasonable person to whom the rule applies readily and without charge to find and inspect the incorporated text or other material;

(b) The citation accompanying the incorporation by reference is not such as reasonably would enable the joint committee readily and without charge to find and inspect the incorporated text or other material; or

(c) The rule has been exempted in whole or in part from sections 121.71 to 121.74 of the Revised Code on grounds the incorporated text or other material has one or more of the characteristics described in division (B) of section 121.75 of the Revised Code, but the incorporated text or other material actually does not have any of those characteristics.

(4) If the agency is subject to sections 121.95, 121.951, 121.952, and 121.953 of the Revised Code, the agency has failed to justify the retention of a rule containing a regulatory restriction.

(5) The rule implements a federal law or rule in a manner that is more stringent or burdensome than the federal law or rule requires. (2nd)

(F) If the agency fails to comply with section 106.03 or 106.031 of the Revised Code, the joint committee shall afford the agency an opportunity to appear before the joint committee to show cause why the agency has not complied with either or both of those sections. If the agency appears before the joint committee at the time scheduled for the agency to show cause, and fails to do so, the joint committee, by vote of a majority of its members present, may recommend the adoption of a concurrent resolution invalidating the rule for the agency's failure to show cause. Or if the agency fails to appear before the joint committee at the time scheduled for the agency to show cause, the joint committee, by vote of a majority of its members present, may recommend adoption of a concurrent resolution invalidating the rule for the agency's default.

(G)(1) When the joint committee recommends that a rule be invalidated for the agency's failure to show cause at an appearance before the joint committee, the recommendation does not suspend operation of the rule, and the rule remains operational pending action by the senate and house of representatives on the concurrent resolution embodying the recommendation. If the senate and house of representatives adopt the concurrent resolution, the rule is invalid. If, however, the senate and house of representatives do not adopt the resolution, the rule continues in effect, and shall next be reviewed according to the new review date assigned to the rule.

(2) When the joint committee recommends that a rule be invalidated for the agency's failure to appear before the joint committee, the recommendation does not suspend operation of the rule, and the rule remains operational pending action by the senate and house of representatives on the

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concurrent resolution embodying the recommendation. If the senate and house of representatives adopt the concurrent resolution, the rule is invalid. If, however, the senate and house of representatives do not adopt the resolution, the rule expires in accordance with section 106.033 of the Revised Code.

Sec. 106.033. Notwithstanding any provision of section 106.031 of the Revised Code to the contrary, if an agency fails to perform a review of an existing rule in accordance with section 106.03 of the Revised Code for one year after the rule's review date, the rule is invalid. The agency shall cease enforcing the rule and shall not rely on a principle of law or policy stated in the rule when conducting adjudications or other determinations of rights and liabilities or in issuing writings and other materials. The agency may institute rulemaking proceedings with regard to a rule that is invalid under this section.

Sec. 107.03. (A) As used in this section, "transportation budget" means the biennial budget that primarily includes the following:

- (1) Motor fuel excise tax-related appropriations for the department of transportation, public works commission, and department of development;
- (2) Other appropriations that pertain to transportation and infrastructure related to transportation.

(B) The governor shall submit a transportation budget to the general assembly not later than four weeks after the general assembly's organization.

(C) The governor shall submit to the general assembly, not later than four weeks after its organization, a state budget containing a complete financial plan for the ensuing fiscal biennium, excluding items of revenue and expenditure described in section 126.022 of the Revised Code. However, in years of a new governor's inauguration, this budget shall be submitted not later than the fifteenth day of March.

(D) In years of a new governor's inauguration, only the new governor shall submit a budget to the general assembly. In addition to other things required by law, each of the governor's budgets shall contain:

(1) A general budget summary by function and agency setting forth the proposed total expenses from each and all funds and the anticipated resources for meeting such expenses; such resources to include any available balances in the several funds at the beginning of the biennium and a classification by totals of all revenue receipts estimated to accrue during the biennium under existing law and proposed legislation.

(2) A detailed statement showing the amounts recommended to be appropriated from each fund for each fiscal year of the biennium for current expenses, including, but not limited to, personal services, supplies and materials, equipment, subsidies and revenue distribution, merchandise for resale, transfers, and nonexpense disbursements, obligations, interest on debt, and retirement of debt, and for the biennium for capital outlay, to the respective departments, offices, institutions, as defined in section 121.01 of the Revised Code, and all other public purposes; and, in comparative form, the

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actual expenses by source of funds during each fiscal year of the previous two bienniums for each such purpose. No alterations shall be made in the requests for the legislative and judicial branches of the state filed with the director of budget and management under section 126.02 of the Revised Code. If any amount of federal money is recommended to be appropriated or has been expended for a purpose for which state money also is recommended to be appropriated or has been expended, the amounts of federal money and state money involved shall be separately identified.

(3) A detailed estimate of the revenue receipts in each fund from each source under existing laws during each year of the biennium; and, in comparative form, actual revenue receipts in each fund from each source for each year of the two previous bienniums;

(4) The estimated cash balance in each fund at the beginning of the biennium covered by the budget; the estimated liabilities outstanding against each such balance; and the estimated net balance remaining and available for new appropriations;

(5) A detailed estimate of the additional revenue receipts in each fund from each source under proposed legislation, if enacted, during each year of the biennium;

(6) The most recent report prepared by the department of taxation under section 5703.48 of the Revised Code, which shall be submitted to the general assembly as an appendix to the governor's budget;

(7) The most recent TANF spending plan prepared by the department of job and family services under section 5101.806 of the Revised Code, which shall be submitted to the general assembly as an appendix to the governor's budget;

(8) The medicaid caseload and expenditure forecast report prepared by the office of budget and management, in consultation with the department of medicaid, under section 126.021 of the Revised Code. The report shall be submitted to the general assembly as a supplemental budget document to provide an in-depth analysis of the governor's budget recommendations for the medicaid budget as a whole and for each of the major medicaid appropriation items. The report shall clearly distinguish a proposed policy change from continuing law or administrative policy and indicate whether the data used throughout the report is proposed, estimated, or actual data for the current or proposed budget biennium. At a minimum, the report shall delineate a part-to-whole mapping of the state and federal shares of the general revenue fund appropriation item 651525, medicaid health care services, or any other equivalent general revenue fund appropriation item, by eligibility group and subgroup, service delivery system, delivery system, medicaid provider, and program.

(E) The governor shall not submit to the general assembly a state budget that suspends the operation of section 131.44 of the Revised Code for the fiscal year immediately prior to the biennium covered by the budget resulting in a beginning cash balance for the general revenue fund for the biennium covered by the budget that is greater than the ending fund balance required by section 131.44 of the Revised Code, excluding any encumbered funds that are to be disbursed in the biennium covered by the budget.

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Sec. 107.032. As used in sections 107.033 to 107.035 of the Revised Code:

(A) "Aggregate general revenue fund appropriations" means all appropriations made by the general assembly either directly from the general revenue fund appropriations made by the general assembly or indirectly from any nongeneral revenue fund supported by cash transfers from the general revenue fund except for the following:

- (1) Appropriations of money received from the federal government;
- (2) Appropriations made for tax relief or refunds of taxes and other overpayments;
- (3) Appropriations of money received as gifts.

(B) "~~Rate of inflation~~" means ~~the percentage increase or decrease in the consumer price index over a one year period, based on the most recent consumer price index for all urban consumers, midwest region, all items, as determined by the bureau of labor statistics of the United States department of labor or, if that index is no longer published, a generally available comparable index.~~

(C) "~~Rate of population change~~" means ~~the percentage increase or decrease in the population of this state over a one year period, based on the most recent population data available for the state published by the bureau of the census of the United States department of commerce, or its successor in responsibility, in the population estimates program, or its successive equivalent.~~

(D) "~~Recast fiscal year~~" means fiscal years 2012, 2016, 2020, and each fourth fiscal year thereafter.

Sec. 107.033. As part of the state budget the governor submits to the general assembly under section 107.03 of the Revised Code, the governor shall include the state appropriation limitations the general assembly shall not exceed when making aggregate general revenue fund appropriations for each respective fiscal year of the biennium covered by that budget. The aggregate general revenue fund appropriations the governor proposes in the state budget also shall not exceed those limitations for each respective fiscal year of the biennium covered by that budget. As part of this submission, the governor shall identify all nongeneral revenue fund appropriation line items that are subject to the state appropriation limitation for the current fiscal year. If the governor decides to continue funding any of those nongeneral revenue fund line items, the governor shall, to the greatest extent possible, propose funding for those nongeneral revenue fund line items from the general revenue fund for each respective fiscal year of the biennium covered by that budget. Also as part of this submission, the governor shall include a table listing any remaining nongeneral revenue fund appropriation line items that are subject to the state appropriation limitation for the current fiscal year and for each respective fiscal year of the biennium covered by that budget.

(A) For fiscal year 2008, the state appropriation limitation is the sum of the following:

- (1) The aggregate general revenue fund appropriations for fiscal year 2007; plus
- (2) The aggregate general revenue fund appropriations for fiscal year 2007 multiplied by either three and one half per cent, or the sum of the rate of inflation plus the rate of population change, whichever is greater.

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~~(B)~~ For each fiscal year ~~thereafter~~ that is not a recast fiscal year, the state appropriation limitation is the sum of the following:

- (1) The state appropriation limitation for the previous fiscal year; plus
- (2) The state appropriation limitation for the previous fiscal year multiplied by ~~either three and one-half per cent, or the sum of the rate of inflation plus the rate of population change, whichever is greater.~~

~~(C)~~(B) For each recast fiscal year, the state appropriation limitation is the sum of the following:

- (1) The aggregate general revenue fund appropriations for the previous fiscal year; plus
- (2) The aggregate general revenue fund appropriations for the previous fiscal year multiplied by ~~either three and one-half per cent, or the sum of the rate of inflation plus the rate of population change, whichever is greater.~~

~~(D)~~(C) The state appropriation limitation for a fiscal year shall be increased by the amount of a nongeneral revenue fund appropriation made in the immediately preceding fiscal year, if all of the following apply to the nongeneral revenue fund appropriation:

- (1) It was made on or after July 1, 2013.
- (2) It is included in the aggregate general revenue fund appropriations proposed for that fiscal year.
- (3) It is being made for the first time from the general revenue fund.

(D) The main operating appropriations act shall contain a list of all nongeneral revenue fund appropriation line items subject to the state appropriation limitations under this section.

Sec. 107.034. For the purpose of calculations made on and after the effective date of this section, any tax revenue credited to the general revenue fund under section 113.09 of the Revised Code any time during fiscal years 2026 and 2027 shall be considered a general revenue fund tax source to fund general revenue fund appropriations for each succeeding fiscal year with respect to the determination of the state appropriation limitations under section 107.033 of the Revised Code, even if that tax revenue is subsequently credited to a nongeneral revenue fund account. An appropriation made from that nongeneral revenue fund account shall be considered as if it were made from the general revenue fund.

Sec. 107.12. (A) As used in this section, "organization" means a faith-based or other organization that is exempt from federal income taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended, and provides charitable services to needy residents of this state.

(B) There is hereby established within the office of the governor the governor's office of faith-based and community initiatives. The office shall:

- (1) Serve as a clearinghouse of information on federal, state, and local funding for charitable services performed by organizations;
- (2) Encourage organizations to seek public funding for their charitable services;

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(3) Assist local, state, and federal agencies in coordinating their activities to secure maximum use of funds and efforts that benefit people receiving charitable services from organizations;

(4) Advise the governor, general assembly, and the advisory board of the governor's office of faith-based and community initiatives on the barriers that exist to collaboration between organizations and governmental entities and on ways to remove the barriers.

(C) The governor shall appoint an executive director and such other staff as may be necessary to manage the office and perform or oversee the performance of the duties of the office. Within sixty days after being appointed, and every twelve months thereafter, the executive director shall distribute to the advisory board and review with the board a strategic plan. The executive director shall report to the board at least quarterly on proposed initiatives and policies. A report shall include the condition of the budget and the finances of the office.

(D)(1) There is hereby created the advisory board of the governor's office of faith-based and community initiatives. The board shall consist of the following members:

(a) Four individuals appointed by the governor;

(b) One member of the house of representatives appointed by the speaker of the house of representatives;

(c) One member of the senate appointed by the president of the senate;

(d) Two individuals to represent the faith-based and other nonprofit community, one appointed by the speaker of the house of representatives, and one appointed by the president of the senate.

(2) Members of the house of representatives and of the senate who are appointed to serve on the advisory board shall serve on the board for the duration of the general assembly during which they were appointed. Terms of the office for all other members of the advisory board shall be one year. Any vacancy that occurs on the board shall be filled in the same manner as the original appointment.

(3) Members of the board are not entitled to compensation, but public members appointed by the governor, the speaker of the house of representatives, and the president of the senate shall be reimbursed for their actual and necessary expenses that are incurred in relation to board meetings.

(4) The board shall be presided over by a chairperson and a vice-chairperson, who shall be the members of the board who are also members of the house of representatives or the senate. Annually on the first day of January, the chairpersonship and vice-chairpersonship shall alternate between the members of the house of representatives and the senate. The member of the senate shall be the chairperson during the first regular session of a general assembly and the member of the house of representatives shall be the chairperson during the second regular session of the general assembly.

(E) The board shall have the following duties:

(1) Provide direction, guidance, and oversight to the office;

(2) Assist in the dissemination of information about, and in the stimulation of public awareness of, the service programs supported by the office;

(3) Review the budget and finances of the office, proposed initiatives and policies, and the executive director's annual strategic plan at board meetings;

(4) Provide feedback for and proposed modifications of the executive director's strategic plan. Within forty-five days after submitting a strategic plan, the executive director shall contact each advisory board member to obtain feedback. With the approval of the advisory board chairperson, the executive director shall lead a strategic plan discussion at the first board meeting following the distribution of the strategic plan.

(5) Publish a report of its activities and accomplishments on or before the first day of August of each year, and deliver copies of the report to the governor, the speaker and minority leader of the house of representatives, and the president and minority leader of the senate.

(F) No member of the board or organization that the member is affiliated or involved with is eligible to receive any grant that the office administers or assists in administering.

Sec. 109.02. The attorney general is the chief law officer for the state and all its departments and shall be provided with adequate office space in Columbus. Except as provided in division (E) of section 120.06 and in sections 101.55, 107.13, and ~~3517.152 to 3517.157~~ 3517.14 to 3517.18 of the Revised Code, no state officer or board, or head of a department or institution of the state shall employ, or be represented by, other counsel or attorneys at law. The attorney general shall appear for the state in the trial and argument of all civil and criminal causes in the supreme court in which the state is directly or indirectly interested. When required by the governor or the general assembly, the attorney general shall appear for the state in any court or tribunal in a cause in which the state is a party, or in which the state is directly interested. Upon the written request of the governor, the attorney general shall prosecute any person indicted for a crime.

Sec. ~~403.73~~ 109.39. (A) ~~The correctional institution inspection committee shall do all of the following:~~

~~(1) Subject to division (C) of this section, establish~~ There is, as a section within the office of the attorney general, an office of correctional facility inspection services. The office shall establish and maintain a continuing program of inspection of each state correctional institution used for the custody, control, training, and rehabilitation of persons convicted of crime and of each private correctional facility. Subject to division (C) of this section, the committee may inspect: any local correctional institution used for the same purposes; and any youth services facility. ~~Subject to division (C) of this section, the committee, and each member of the committee, for the purpose of making an inspection pursuant to this section, shall have access to any state or local correctional institution, to any private correctional facility, or to any part of the institution or facility and shall not be required to give advance notice of, or to make prior arrangements before conducting, an inspection. Each inspection shall include an evaluation of the inmate grievance procedure, compliance with meal requirements, at least one review of rehabilitative or educational programs,~~

and any other compliance area the office determines is appropriate. Not later than the last day of January of each year, the office shall submit a report on its findings from the previous calendar year to the general assembly in accordance with section 101.68 of the Revised Code.

~~(2) Evaluate and~~ (B) The correctional facility inspection services office may assist the attorney general and correctional facility leadership in the development and evaluation of programs to improve the condition or operation of ~~correctional~~ the facilities or institutions listed in division (A) of this section;

~~(3) Prepare a report for submission to the succeeding general assembly of the findings the committee makes in its inspections and of any programs that have been proposed or developed to improve the condition or operation of the correctional institutions in the state. The report shall contain a separate evaluation of the inmate grievance procedure at each state correctional institution. The committee shall submit the report to the succeeding general assembly within fifteen days after commencement of that general assembly's first regular session.~~

~~(B) Subject to division (C) of this section, the committee shall make an inspection of each state correctional institution each biennium and of each private correctional facility each biennium. The inspection shall include attendance at one general meal period and one rehabilitative or educational program~~

(C) The office of correctional facility inspection services shall not be required to give advance notice of, or to make prior arrangements before conducting, an inspection under division (A) of this section.

~~(C) An inspection of a state correctional institution, a private correctional facility, or a local correctional institution under division (A) or (B) of this section or under section 103.74 of the Revised Code, or an inspection under section 103.76 of the Revised Code, is subject to and shall be conducted in accordance with all of the following:~~

~~(1) The inspection shall not be conducted unless the chairperson of the committee grants prior approval for the inspection.~~

~~(2) The inspection shall be conducted by at least one staff member of the committee and may include one or more of the members appointed to the committee.~~

~~(3) Unless the chairperson of the committee determines that the inspection must be conducted outside of normal business hours for any reason, including emergency circumstances or a justifiable cause that perpetuates the mission of the committee, and the chairperson specifies in the grant of prior approval for the inspection that the chairperson has so determined, the inspection shall be conducted only during normal business hours. If the chairperson determines that the inspection must be conducted outside of normal business hours and the chairperson specifies in the grant of prior approval for the inspection that the chairperson has so determined, the inspection may be conducted outside of normal business hours.~~

(D) The attorney general shall provide adequate office space, staff, equipment, and materials to the correctional facility inspection services office.

(E) The total costs of each inspection conducted under this section shall be recovered by the attorney general from the department of corrections and rehabilitation or the department of youth services.

(F) As used in this section:

(1) "Local public entity," "out-of-state prisoner," and "private contractor" have the same meanings as in section 9.07 of the Revised Code.

(2) "Private correctional facility" means a correctional facility in this state that houses out-of-state prisoners and that is operated by a private contractor under a contract with a local public entity pursuant to section 9.07 of the Revised Code.

"Youth services facility" means a facility operated, or contracted for, by the department of youth services that is used for the care, protection, treatment, or secure confinement of any child committed to the department's custody.

Sec. 109.71. There is hereby created in the office of the attorney general the Ohio peace officer training commission. The commission shall consist of ten members appointed by the governor with the advice and consent of the senate and selected as follows: one member representing the public; one member who represents a fraternal organization representing law enforcement officers; two members who are incumbent sheriffs; two members who are incumbent chiefs of police; one member from the bureau of criminal identification and investigation; one member from the state highway patrol; one member who is the special agent in charge of a field office of the federal bureau of investigation in this state; and one member from the department of education and workforce, trade and industrial education services, law enforcement training.

This section does not confer any arrest authority or any ability or authority to detain a person, write or issue any citation, or provide any disposition alternative, as granted under Chapter 2935. of the Revised Code.

~~Pursuant to division (A)(9) of section 101.82 of the Revised Code, the~~ The commission is exempt from the requirements of sections 101.82 to 101.87 of the Revised Code.

As used in sections 109.71 to 109.801 of the Revised Code:

(A) "Peace officer" means:

(1) A deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint police district police force, member of a police force employed by a metropolitan housing authority under division (D) of section 3735.31 of the Revised Code, or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority, and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws of this state, ordinances of a municipal corporation, resolutions of a township, or regulations of a board of county commissioners or board of township trustees, or any of those laws, ordinances, resolutions, or regulations;

(2) A police officer who is employed by a railroad company and appointed and

commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;

(3) Employees of the department of taxation engaged in the enforcement of Chapter 5743. of the Revised Code and designated by the tax commissioner for peace officer training for purposes of the delegation of investigation powers under section 5743.45 of the Revised Code;

(4) An undercover drug agent;

(5) Enforcement agents of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;

(6) An employee of the department of natural resources who is a natural resources law enforcement staff officer designated pursuant to section 1501.013, a natural resources officer appointed pursuant to section 1501.24, a forest-fire investigator appointed pursuant to section 1503.09, or a wildlife officer designated pursuant to section 1531.13 of the Revised Code;

(7) An employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code;

(8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;

(9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;

(10) Veterans' homes police officers designated under section 5907.02 of the Revised Code;

(11) A police officer who is employed by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code;

(12) A state university law enforcement officer appointed under section 3345.04 of the Revised Code or a person serving as a state university law enforcement officer on a permanent basis on June 19, 1978, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(13) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;

(14) A member of a campus police department appointed under section 1713.50 of the Revised Code;

(15) A member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code;

(16) Investigators appointed by the auditor of state pursuant to section 117.091 of the Revised Code and engaged in the enforcement of Chapter 117. of the Revised Code;

(17) A special police officer designated by the superintendent of the state highway patrol pursuant to section 5503.09 of the Revised Code or a person who was serving as a special police officer pursuant to that section on a permanent basis on October 21, 1997, and who has been

awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(18) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code or a person serving as a special police officer employed by a port authority on a permanent basis on May 17, 2000, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(19) A special police officer employed by a municipal corporation who has been awarded a certificate by the executive director of the Ohio peace officer training commission for satisfactory completion of an approved peace officer basic training program and who is employed on a permanent basis on or after March 19, 2003, at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended;

(20) A police officer who is employed by an owner or operator of an amusement park that has an average yearly attendance in excess of six hundred thousand guests and that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to section 4973.17 of the Revised Code;

(21) A police officer who is employed by a bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, who has been appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code, and who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of a state, county, municipal, or department of natural resources peace officer basic training program;

(22) An investigator, as defined in section 109.541 of the Revised Code, of the bureau of criminal identification and investigation who is commissioned by the superintendent of the bureau as a special agent for the purpose of assisting law enforcement officers or providing emergency assistance to peace officers pursuant to authority granted under that section;

(23) A state fire marshal law enforcement officer appointed under section 3737.22 of the Revised Code or a person serving as a state fire marshal law enforcement officer on a permanent basis on or after July 1, 1982, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training

program;

(24) A gaming agent employed under section 3772.03 of the Revised Code;

(25) An employee of the state board of pharmacy designated by the executive director of the board pursuant to section 4729.04 of the Revised Code to investigate violations of Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the Revised Code and rules adopted thereunder.

(B) "Undercover drug agent" has the same meaning as in division (B)(2) of section 109.79 of the Revised Code.

(C) "Crisis intervention training" means training in the use of interpersonal and communication skills to most effectively and sensitively interview victims of rape.

(D) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.

(E) "Tactical medical professional" means an EMT, EMT-basic, AEMT, EMT-I, paramedic, nurse, or physician who is trained and certified in a nationally recognized tactical medical training program that is equivalent to "tactical combat casualty care" (TCCC) and "tactical emergency medical support" (TEMS) and who functions in the tactical or austere environment while attached to a law enforcement agency of either this state or a political subdivision of this state.

(F) "EMT-basic," "EMT-I," and "paramedic" have the same meanings as in section 4765.01 of the Revised Code and "EMT" and "AEMT" have the same meanings as in section 4765.011 of the Revised Code.

(G) "Nurse" means any of the following:

(1) Any person who is licensed to practice nursing as a registered nurse by the board of nursing;

(2) Any certified nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse-midwife who holds a certificate of authority issued by the board of nursing under Chapter 4723. of the Revised Code;

(3) Any person who is licensed to practice nursing as a licensed practical nurse by the board of nursing pursuant to Chapter 4723. of the Revised Code.

(H) "Physician" means a person who is licensed pursuant to Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(I) "County correctional officer" has the same meaning as in section 341.41 of the Revised Code.

(J)(1) "Fire investigator" means an employee of a fire department charged with investigating fires and explosions who has been authorized, in accordance with sections 737.27 and 3737.24 of the Revised Code, to perform the duties of investigating the origin and cause of fires and explosions using the scientific method to investigate elements of the event including the circumstances, actions, persons, means, and motives that resulted in the fire or explosion or the report of a fire or explosion within this state.

(2) "Fire investigator" does not include a person who is acting as a fire investigator on behalf of an insurance company or any other privately owned or operated enterprise.

(K) "Fire department" means a fire department of the state or an instrumentality of the state or of a municipal corporation, township, joint fire district, or other political subdivision.

(L) "At-risk youth" means an individual who is all of the following:

(1) Under twenty-one years of age;

(2) One of the following:

(a) At risk of becoming an abused, neglected, or dependent child, delinquent or unruly child, or juvenile traffic offender;

(b) An abused, neglected, or dependent child, delinquent or unruly child, or juvenile traffic offender.

(3) Residing in a state correctional institution, a department of youth services institution, or a residential facility.

(M) "Residential facility" has the same meaning as in section 2151.46 of the Revised Code.

Sec. 109.73. (A) The Ohio peace officer training commission shall recommend rules to the attorney general with respect to all of the following:

(1) The approval, or revocation of approval, of peace officer training schools administered by the state, counties, municipal corporations, public school districts, technical college districts, and the department of natural resources;

(2) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved state, county, municipal, and department of natural resources peace officer training schools;

(3) Minimum qualifications for instructors at approved state, county, municipal, and department of natural resources peace officer training schools;

(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; crisis intervention training; and training in the handling of missing children and child abuse and neglect cases; and training in handling violations of section 2905.32 of the Revised Code; and the time within which such basic training shall be completed following appointment to a probationary term;

(5) The requirements of minimum basic training that peace officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, crisis intervention training, and training in the handling of missing children and child abuse and neglect cases, and training in handling violations of section 2905.32 of the Revised Code, and the time within which such basic training shall be

completed following appointment on other than a permanent basis;

(6) Categories or classifications of advanced in-service training programs for peace officers, including programs in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, in crisis intervention, and in the handling of missing children and child abuse and neglect cases, and in handling violations of section 2905.32 of the Revised Code, and minimum courses of study and attendance requirements with respect to such categories or classifications;

(7) Permitting persons, who are employed as members of a campus police department appointed under section 1713.50 of the Revised Code; who are employed as police officers by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code; who are appointed and commissioned as bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions police officers, as railroad police officers, or as hospital police officers pursuant to sections 4973.17 to 4973.22 of the Revised Code; or who are appointed and commissioned as amusement park police officers pursuant to section 4973.17 of the Revised Code, to attend approved peace officer training schools, including the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if the private college or university that established the campus police department; qualified nonprofit corporation police department; bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions; railroad company; hospital; or amusement park sponsoring the police officers pays the entire cost of the training and certification and if trainee vacancies are available;

(8) Permitting undercover drug agents to attend approved peace officer training schools, other than the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if, for each undercover drug agent, the county, township, or municipal corporation that employs that undercover drug agent pays the entire cost of the training and certification;

(9)(a) The requirements for basic training programs for bailiffs and deputy bailiffs of courts of record of this state and for criminal investigators employed by the state public defender that those persons shall complete before they may carry a firearm while on duty;

(b) The requirements for any training received by a bailiff or deputy bailiff of a court of record of this state or by a criminal investigator employed by the state public defender prior to June 6, 1986, that is to be considered equivalent to the training described in division (A)(9)(a) of this section.

(10) Establishing minimum qualifications and requirements for certification for dogs utilized by law enforcement agencies;

(11) Establishing minimum requirements for certification of persons who are employed as

correction officers in a full-service jail, five-day facility, or eight-hour holding facility or who provide correction services in such a jail or facility;

(12) Establishing requirements for the training of humane society agents under section 1717.061 of the Revised Code, including, without limitation, a requirement that the agents receive instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices;

(13) Permitting tactical medical professionals to attend approved peace officer training schools, including the Ohio peace officer training academy, to receive training of the type described in division (A)(14) of this section and to receive certificates of satisfactory completion of training programs described in that division;

(14) The requirements for training programs that tactical medical professionals shall complete to qualify them to carry firearms while on duty under section 109.771 of the Revised Code, which requirements shall include at least the firearms training specified in division (A) of section 109.748 of the Revised Code;

(15) Procedures and requirements for a portion of basic training that peace officers complete in proper interactions with civilians during traffic stops and other in-person encounters as specified in division (B)(4) of section 109.803 of the Revised Code and including the topics of instruction listed for active duty peace officers under divisions (B)(4)(a) to (d) of that section;

(16) Permitting county correctional officers to attend approved peace officer training schools, including the Ohio peace officer training academy, to receive training of the type described in division (A)(17) of this section, and to receive certificates of satisfactory completion of basic training programs described in that division;

(17) The requirements for basic training programs that county correctional officers shall complete to qualify them to carry firearms while on duty under section 109.772 of the Revised Code, which requirements shall include the firearms training specified in section 109.773 of the Revised Code;

(18) Permitting fire investigators to attend approved peace officer training schools, including the Ohio peace officer training academy, to receive training of the type described in division (A)(19) of this section, and to receive certificates of satisfactory completion of training programs described in that division;

(19) The requirements for training programs that fire investigators shall complete to qualify them to carry firearms while on duty under section 109.774 of the Revised Code, which requirements shall include at least the firearms training specified in division (A) of section 109.7481 of the Revised Code;

(20) The requirements for refresher training under division (M) of section 109.77 of the Revised Code.

(B) The commission shall appoint an executive director, with the approval of the attorney general, who shall hold office during the pleasure of the commission. The executive director shall

perform such duties assigned by the commission. The executive director shall receive a salary fixed pursuant to Chapter 124. of the Revised Code and reimbursement for expenses within the amounts available by appropriation. The executive director may appoint officers, employees, agents, and consultants as the executive director considers necessary, prescribe their duties, and provide for reimbursement of their expenses within the amounts available for reimbursement by appropriation and with the approval of the commission.

(C) The commission may do all of the following:

(1) Recommend studies, surveys, and reports to be made by the executive director regarding the carrying out of the objectives and purposes of sections 109.71 to 109.77 of the Revised Code;

(2) Visit and inspect any peace officer training school that has been approved by the executive director or for which application for approval has been made;

(3) Make recommendations, from time to time, to the executive director, the attorney general, and the general assembly regarding the carrying out of the purposes of sections 109.71 to 109.77 of the Revised Code;

(4) Report to the attorney general from time to time, and to the governor and the general assembly at least annually, concerning the activities of the commission;

(5) Establish fees for the services the commission offers under sections 109.71 to 109.79 of the Revised Code, including, but not limited to, fees for training, certification, and testing;

(6) Perform such other acts as are necessary or appropriate to carry out the powers and duties of the commission as set forth in sections 109.71 to 109.77 of the Revised Code.

(D) In establishing the requirements, under division (A)(12) of this section, the commission may consider any portions of the curriculum for instruction on the topic of animal husbandry practices, if any, of the Ohio state university college of veterinary medicine. No person or entity that fails to provide instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices, shall qualify to train a humane society agent for appointment under section 1717.06 of the Revised Code.

(E)(1) As used in this division, "license" has the same meaning as in section 4796.01 of the Revised Code, except that it includes a certificate of completion of a training program required under sections 109.71 to 109.804 of the Revised Code. "License" does not include a certificate of completion of a firearm basic training program under division (B)(1) of section 109.78 of the Revised Code or a certificate of completion of any firearm requalification training program.

(2) Notwithstanding any requirement for a license issued by the commission, the commission shall issue a license in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

(a) The individual holds a license in another state.

(b) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter in the same profession, occupation, or occupational activity as the profession, occupation, or occupational activity for which the license is required in this state

in a state that does not require such a license.

Sec. 109.77. (A) As used in this section:

(1) "Felony" has the same meaning as in section 109.511 of the Revised Code.

(2) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.

(B)(1) Notwithstanding any general, special, or local law or charter to the contrary, and except as otherwise provided in this section, no person shall receive an original appointment on a permanent basis as any of the following unless the person previously has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program:

(a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;

(b) A natural resources law enforcement staff officer, forest-fire investigator, wildlife officer, or natural resources officer of the department of natural resources;

(c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;

(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;

(e) A state university law enforcement officer;

(f) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;

(g) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;

(h) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;

(i) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended;

(j) A gaming agent employed under section 3772.03 of the Revised Code.

(2) Every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as any of the following shall forfeit the appointed position unless the person previously has completed satisfactorily or, within the time prescribed by rules adopted by the attorney general pursuant to section 109.74 of the Revised Code, satisfactorily completes a state, county, municipal, or department of natural resources peace officer basic training program for temporary or probationary officers and is awarded a certificate by the director attesting to the

satisfactory completion of the program:

(a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;

(b) A natural resources law enforcement staff officer, park officer, forest officer, preserve officer, wildlife officer, or state watercraft officer of the department of natural resources;

(c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;

(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;

(e) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;

(f) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;

(g) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;

(h) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended.

(3) For purposes of division (B) of this section, a state, county, municipal, or department of natural resources peace officer basic training program, regardless of whether the program is to be completed by peace officers appointed on a permanent or temporary, probationary, or other nonpermanent basis, shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, crisis intervention training, and training on companion animal encounters and companion animal behavior. The requirement to complete training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code does not apply to any person serving as a peace officer on March 27, 1979, and the requirement to complete training in crisis intervention does not apply to any person serving as a peace officer on April 4, 1985. Any person who is serving as a peace officer on April 4, 1985, who terminates that employment after that date, and who subsequently is hired as a peace officer by the same or another law enforcement agency shall complete training in crisis intervention as prescribed by rules adopted by the attorney general pursuant to section 109.742 of the Revised Code. No peace officer shall have employment as a peace officer terminated and then be reinstated with intent to circumvent this section.

(4) Division (B) of this section does not apply to any person serving on a permanent basis on March 28, 1985, as a park officer, forest officer, preserve officer, wildlife officer, or state watercraft officer of the department of natural resources or as an employee of a park district under section 511.232 or 1545.13 of the Revised Code, to any person serving on a permanent basis on March 6, 1986, as an employee of a conservancy district designated pursuant to section 6101.75 of the Revised Code, to any person serving on a permanent basis on January 10, 1991, as a preserve officer of the department of natural resources, to any person employed on a permanent basis on July 2, 1992, as a special police officer by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or by the department of developmental disabilities pursuant to section 5123.13 of the Revised Code, to any person serving on a permanent basis on May 17, 2000, as a special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code, to any person serving on a permanent basis on March 19, 2003, as a special police officer employed by a municipal corporation at a municipal airport or other municipal air navigation facility described in division (A)(19) of section 109.71 of the Revised Code, to any person serving on a permanent basis on June 19, 1978, as a state university law enforcement officer pursuant to section 3345.04 of the Revised Code and who, immediately prior to June 19, 1978, was serving as a special police officer designated under authority of that section, or to any person serving on a permanent basis on September 20, 1984, as a liquor control investigator, known after June 30, 1999, as an enforcement agent of the department of public safety, engaged in the enforcement of Chapters 4301. and 4303. of the Revised Code.

(5) Division (B) of this section does not apply to any person who is appointed as a regional transit authority police officer pursuant to division (Y) of section 306.35 of the Revised Code if, on or before July 1, 1996, the person has completed satisfactorily an approved state, county, municipal, or department of natural resources peace officer basic training program and has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of such an approved program and if, on July 1, 1996, the person is performing peace officer functions for a regional transit authority.

(C) No person, after September 20, 1984, shall receive an original appointment on a permanent basis as a veterans' home police officer designated under section 5907.02 of the Revised Code unless the person previously has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved police officer basic training program. Every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as a veterans' home police officer designated under section 5907.02 of the Revised Code shall forfeit that position unless the person previously has completed satisfactorily or, within one year from the time of appointment, satisfactorily completes an approved police officer basic training program.

(D) No bailiff or deputy bailiff of a court of record of this state and no criminal investigator who is employed by the state public defender shall carry a firearm, as defined in section 2923.11 of

the Revised Code, while on duty unless the bailiff, deputy bailiff, or criminal investigator has done or received one of the following:

(1) Has been awarded a certificate by the executive director of the Ohio peace officer training commission, which certificate attests to satisfactory completion of an approved state, county, or municipal basic training program for bailiffs and deputy bailiffs of courts of record and for criminal investigators employed by the state public defender that has been recommended by the Ohio peace officer training commission;

(2) Has successfully completed a firearms training program approved by the Ohio peace officer training commission prior to employment as a bailiff, deputy bailiff, or criminal investigator;

(3) Prior to June 6, 1986, was authorized to carry a firearm by the court that employed the bailiff or deputy bailiff or, in the case of a criminal investigator, by the state public defender and has received training in the use of firearms that the Ohio peace officer training commission determines is equivalent to the training that otherwise is required by division (D) of this section.

(E)(1) Before a person seeking a certificate completes an approved peace officer basic training program, the executive director of the Ohio peace officer training commission shall request the person to disclose, and the person shall disclose, any previous criminal conviction of or plea of guilty of that person to a felony.

(2) Before a person seeking a certificate completes an approved peace officer basic training program, the executive director shall request a criminal history records check on the person. The executive director shall submit the person's fingerprints to the bureau of criminal identification and investigation, which shall submit the fingerprints to the federal bureau of investigation for a national criminal history records check.

Upon receipt of the executive director's request, the bureau of criminal identification and investigation and the federal bureau of investigation shall conduct a criminal history records check on the person and, upon completion of the check, shall provide a copy of the criminal history records check to the executive director. The executive director shall not award any certificate prescribed in this section unless the executive director has received a copy of the criminal history records check on the person to whom the certificate is to be awarded.

(3) The executive director of the commission shall not award a certificate prescribed in this section to a person who has been convicted of or has pleaded guilty to a felony or who fails to disclose any previous criminal conviction of or plea of guilty to a felony as required under division (E)(1) of this section.

(4) The executive director of the commission shall revoke the certificate awarded to a person as prescribed in this section, and that person shall forfeit all of the benefits derived from being certified as a peace officer under this section, if the person, before completion of an approved peace officer basic training program, failed to disclose any previous criminal conviction of or plea of guilty to a felony as required under division (E)(1) of this section.

(F)(1) Regardless of whether the person has been awarded the certificate or has been

classified as a peace officer prior to, on, or after October 16, 1996, the executive director of the Ohio peace officer training commission shall revoke any certificate that has been awarded to a person as prescribed in this section if the person does either of the following:

(a) Pleads guilty to a felony committed on or after January 1, 1997;

(b) Pleads guilty to a misdemeanor committed on or after January 1, 1997, pursuant to a negotiated plea agreement as provided in division (D) of section 2929.43 of the Revised Code in which the person agrees to surrender the certificate awarded to the person under this section.

(2) The executive director of the commission shall suspend any certificate that has been awarded to a person as prescribed in this section if the person is convicted, after trial, of a felony committed on or after January 1, 1997. The executive director shall suspend the certificate pursuant to division (F)(2) of this section pending the outcome of an appeal by the person from that conviction to the highest court to which the appeal is taken or until the expiration of the period in which an appeal is required to be filed. If the person files an appeal that results in that person's acquittal of the felony or conviction of a misdemeanor, or in the dismissal of the felony charge against that person, the executive director shall reinstate the certificate awarded to the person under this section. If the person files an appeal from that person's conviction of the felony and the conviction is upheld by the highest court to which the appeal is taken or if the person does not file a timely appeal, the executive director shall revoke the certificate awarded to the person under this section.

(G)(1) If a person is awarded a certificate under this section and the certificate is revoked pursuant to division (E)(4) or (F) of this section, the person shall not be eligible to receive, at any time, a certificate attesting to the person's satisfactory completion of a peace officer basic training program.

(2) The revocation or suspension of a certificate under division (E)(4) or (F) of this section shall be in accordance with Chapter 119. of the Revised Code.

(H)(1) A person who was employed as a peace officer of a county, township, or municipal corporation of the state on January 1, 1966, and who has completed at least sixteen years of full-time active service as such a peace officer, or equivalent service as determined by the executive director of the Ohio peace officer training commission, may receive an original appointment on a permanent basis and serve as a peace officer of a county, township, or municipal corporation, or as a state university law enforcement officer, without complying with the requirements of division (B) of this section.

(2) Any person who held an appointment as a state highway trooper on January 1, 1966, may receive an original appointment on a permanent basis and serve as a peace officer of a county, township, or municipal corporation, or as a state university law enforcement officer, without complying with the requirements of division (B) of this section.

(I) No person who is appointed as a peace officer of a county, township, or municipal corporation on or after April 9, 1985, shall serve as a peace officer of that county, township, or

municipal corporation unless the person has received training in the handling of missing children and child abuse and neglect cases from an approved state, county, township, or municipal police officer basic training program or receives the training within the time prescribed by rules adopted by the attorney general pursuant to section 109.741 of the Revised Code.

(J) No part of any approved state, county, or municipal basic training program for bailiffs and deputy bailiffs of courts of record and no part of any approved state, county, or municipal basic training program for criminal investigators employed by the state public defender shall be used as credit toward the completion by a peace officer of any part of the approved state, county, or municipal peace officer basic training program that the peace officer is required by this section to complete satisfactorily.

(K) This section does not apply to any member of the police department of a municipal corporation in an adjoining state serving in this state under a contract pursuant to section 737.04 of the Revised Code.

(L) The executive director of the commission shall issue a certificate of completion of a training program required under this section in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

(1) The individual holds a certificate of completion of such a program in another state.

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter in the same profession, occupation, or occupational activity as the profession, occupation, or occupational activity for which the certificate is required in this state in a state that does not require completion of such a training program.

(M)(1) Except as provided in division (M)(2) of this section, no certificate awarded by the executive director of the Ohio peace officer training commission attesting to a person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program shall be deemed insufficient for an appointment to a position listed in division (B)(1) of this section because of a lapse in the person's service as a peace officer.

(2) The Ohio peace officer training commission shall require a re-appointed peace officer to complete refresher training of the following duration prior to performing the functions of a peace officer, if the peace officer, having previously been awarded a certificate by the executive director of the commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program or pursuant to Chapter 4796. of the Revised Code, for at least one year prior to an appointment, was not employed as a peace officer:

(a) If the period of lapse was at least one year, but less than four years, up to forty hours;

(b) If the period of lapse was four years or longer, eighty hours.

Sec. 109.803. (A)(1) Subject to divisions (A)(2) and (B) of this section, every appointing authority shall require each of its appointed peace officers and troopers to complete twenty-four hours of continuing professional training each calendar year. Twenty-four hours is intended to be a

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minimum requirement, and appointing authorities are encouraged to exceed the twenty-four hour minimum. A minimum of twenty-four hours of continuing professional training shall be reimbursed each calendar year and a maximum of forty hours of continuing professional training may be reimbursed each calendar year. No reimbursement shall be available under this section for continuing professional training provided for a peace officer or trooper appointed by a state agency.

(2) An appointing authority may submit a written request to the peace officer training commission that requests for a calendar year because of emergency circumstances an extension of the time within which one or more of its appointed peace officers or troopers must complete the required minimum number of hours of continuing professional training set by the commission, as described in division (A)(1) of this section. A request made under this division shall set forth the name of each of the appointing authority's peace officers or troopers for whom an extension is requested, identify the emergency circumstances related to that peace officer or trooper, include documentation of those emergency circumstances, and set forth the date on which the request is submitted to the commission. A request shall be made under this division not later than the fifteenth day of December in the calendar year for which the extension is requested.

Upon receipt of a written request made under this division, the executive director of the commission shall review the request and the submitted documentation. If the executive director of the commission is satisfied that emergency circumstances exist for any peace officer or trooper for whom a request was made under this division, the executive director may approve the request for that peace officer or trooper and grant an extension of the time within which that peace officer or trooper must complete the required minimum number of hours of continuing professional training set by the commission. An extension granted under this division may be for any period of time the executive director believes to be appropriate, and the executive director shall specify in the notice granting the extension the date on which the extension ends. Not later than thirty days after the date on which a request is submitted to the commission, for each peace officer and trooper for whom an extension is requested, the executive director either shall approve the request and grant an extension or deny the request and deny an extension and shall send to the appointing authority that submitted the request written notice of the executive director's decision.

If the executive director grants an extension of the time within which a particular appointed peace officer or trooper of an appointing authority must complete the required minimum number of hours of continuing professional training set by the commission, the appointing authority shall require that peace officer or trooper to complete the required minimum number of hours of training not later than the date on which the extension ends.

(B) With the advice of the Ohio peace officer training commission, the attorney general shall adopt in accordance with Chapter 119. of the Revised Code rules setting forth minimum standards for continuing professional training for peace officers and troopers and governing the administration of continuing professional training programs for peace officers and troopers. The rules adopted by the attorney general under division (B) of this section shall do all of the following:

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(1) Allow peace officers and troopers to earn credit for up to four hours of continuing professional training for time spent while on duty providing drug use prevention education training that utilizes evidence-based curricula to students in school districts, community schools established under Chapter 3314., STEM schools established under Chapter 3326., and college-preparatory boarding schools established under Chapter 3328. of the Revised Code.

(2) Allow a peace officer or trooper appointed by a law enforcement agency to earn hours of continuing professional training for other peace officers or troopers appointed by the law enforcement agency by providing drug use prevention education training under division (B)(1) of this section so that hours earned by the peace officer or trooper providing the training in excess of four hours may be applied to offset the number of continuing professional training hours required of another peace officer or trooper appointed by that law enforcement agency.

(3) Prohibit the use of continuing professional training hours earned under division (B)(1) or (2) of this section from being used to offset any mandatory hands-on training requirement.

(4) Require a peace officer to complete training on proper interactions with civilians during traffic stops and other in-person encounters, which training shall have an online offering and shall include all of the following topics:

(a) A person's rights during an interaction with a peace officer, including all of the following:

- (i) When a peace officer may require a person to exit a vehicle;
- (ii) Constitutional protections from illegal search and seizure;
- (iii) The rights of a passenger in a vehicle who has been pulled over for a traffic stop;
- (iv) The right for a citizen to record an encounter with a peace officer.

(b) Proper actions for interacting with a civilian and methods for diffusing a stressful encounter with a civilian;

(c) Laws regarding questioning and detention by peace officers, including any law requiring a person to present proof of identity to a peace officer, and the consequences for a person's or officer's failure to comply with those laws;

(d) Any other requirements and procedures necessary for the proper implementation of this section.

(C) The attorney general shall transmit a certified copy of any rule adopted under this section to the secretary of state.

(D) As used in this section:

(1) "Peace officer" has the same meaning as in section 109.71 of the Revised Code.

(2) "Trooper" means an individual appointed as a state highway patrol trooper under section 5503.01 of the Revised Code.

(3) "Appointing authority" means any agency or entity that appoints a peace officer or trooper.

Sec. 111.15. (A) As used in this section:

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