

## OHIO PUBLIC TRANSIT ASSOCIATION

### Bill Information

#### **HB74** ENACT FY22-23 TRANSPORTATION BUDGET *(OELSLAGER S)*

To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2021, and ending June 30, 2023, and to provide authorization and conditions for the operation of those programs.

#### CURRENT STATUS

3/31/2021 - **SIGNED BY GOVERNOR**; eff. immediately

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#### **HB110** OPERATING BUDGET *(OELSLAGER S)*

To make operating appropriations for the biennium beginning July 1, 2021, and ending June 30, 2023, to levy taxes, and to provide authorization and conditions for the operation of state programs.

#### CURRENT STATUS

7/1/2021 - **SIGNED BY GOVERNOR**; effective 7/1/21

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#### **HB140** MODIFY ELECTION NOTICES, BALLOT LANGUAGE FOR PROPERTY TAX LEVIES *(MERRIN D)*

To enact the "Ballot Uniformity and Transparency Act" to modify the form of election notices and ballot language for property tax levies.

#### CURRENT STATUS

9/21/2021 - Senate Ways and Means, (Second Hearing)

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#### **HB141** MAKE PUBLIC TRANSPORTATION APPROPRIATIONS *(SKINDELL M, UPCHURCH T)*

To make appropriations related to public transportation.

#### CURRENT STATUS

2/24/2021 - Referred to Committee House Finance

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HB146

**REGARDS APPLYING PREVAILING WAGE LAW TO PUBLIC PROJECTS** (RIEDEL C, MANCHESTER

S)

To allow political subdivisions, special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects.

**CURRENT STATUS**

6/23/2021 - House Commerce and Labor, (Second Hearing)

HB157

**MODIFY MUNICIPAL INCOME TAX RULES - COVID WFH** (JORDAN K, EDWARDS J)

To amend Section 29 of H.B. 197 of the 133rd General Assembly to modify municipal income tax employer withholding rules for COVID-19-related work-from-home employees.

**CURRENT STATUS**

6/2/2021 - Referred to Committee Senate Ways and Means

HB267

**LIMIT PUBLIC HEALTH ORDERS** (JORDAN K)

To limit the duration of public health orders and to allow the General Assembly to act via concurrent resolution in response to a public health emergency if the Governor or Department of Health does not.

**CURRENT STATUS**

5/4/2021 - Referred to Committee House State and Local Government

HB275

**EXPAND POLITICAL SUBDIVISION JOINT PURCHASING AUTHORITY** (LAMPTON B)

To expand political subdivision joint purchasing authority to expressly include purchases for construction services.

**CURRENT STATUS**

5/12/2021 - House Commerce and Labor, (First Hearing)

HB283

**EXPAND DISTRACTED DRIVING LAWS** (ABRAMS C, LAMPTON B)

To expand the texting while driving prohibition to a general prohibition against using an electronic wireless communications device while driving, with certain exceptions, and to create data collection requirements based on associated violations of the distracted driving laws.

**CURRENT STATUS**

9/23/2021 - **BILL AMENDED**, House Criminal Justice, (Third Hearing)

## **HB350** PROHIBIT MANDATORY COVID-19 VACCINE *(CUTRONA A)*

To prohibit mandatory COVID-19 vaccinations, requiring proof of COVID-19 vaccination, and certain other actions relating to an individual's COVID-19 vaccination or health status and to declare an emergency.

### **CURRENT STATUS**

6/22/2021 - House Civil Justice, (First Hearing)

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## **HB388** REGARDING VACCINE REFUSAL *(JORDAN K)*

To prohibit taking certain actions against an individual because the individual refuses to be vaccinated against a disease.

### **CURRENT STATUS**

8/12/2021 - Introduced

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## **HB401** EMPLOYER-MANDATED COVID VACCINATION INJURY *(EDWARDS J)*

To exempt an injury or disability caused by an employer-mandated COVID-19 vaccination from the Workers' Compensation Law and to allow the employee to sue the employer for damages.

### **CURRENT STATUS**

8/24/2021 - Introduced

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## **HB435** VACCINE REQUIREMENTS *(CARFAGNA R, SEITZ B)*

To address COVID-19 vaccine requirements for employees and students; to extend certain timelines for qualified civil immunity and expand immunity to include hearing aid dealers and hearing aid fitters; to authorize emergency medical technicians to administer COVID-19 tests; to expressly cover COVID-19 vaccine injuries under the workers' compensation system; and to repeal sections 3792.05, 3792.06, 3792.07, and 3792.08 of the Revised Code on June 30, 2023.

### **CURRENT STATUS**

10/13/2021 - Bills for Third Consideration; (Pending Committee Report)

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## **HB477** EXPULSION, TERMINATION BASED ON VACCINATION STATUS *(RICHARDSON T)*

To prevent expulsion from school and termination from employment based on COVID-19 vaccination status.

### **CURRENT STATUS**

11/1/2021 - Introduced

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## HCR30 OPPOSE VACCINE MANDATES *(KOEHLER K)*

To urge the Congress of the United States to oppose any COVID-19 vaccine mandates made by government entities and to prohibit discrimination based on COVID-19 vaccination status.

### 🚩 CURRENT STATUS

10/26/2021 - Referred to Committee House Government Oversight

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## SB4 EXEMPT EMS LINE OPERATORS-PUBLIC RECORDS *(ROEGNER K)*

To include emergency service telecommunicators, protective services workers, certain Ohio National Guard members, and certain mental health care providers as individuals whose residential and familial information is exempt from disclosure under the Public Records Law.

### 🚩 CURRENT STATUS

6/8/2021 - **SIGNED BY GOVERNOR**; eff. 9/7/21

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## SB15 FISCAL OFFICERS-LIABILITY *(WILSON S)*

To change the circumstances in which certain fiscal officers may be held liable for a loss of public funds.

### 🚩 CURRENT STATUS

3/24/2021 - Referred to Committee House State and Local Government

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## SB18 INTERNAL REVENUE CODE *(ROEGNER K, SCHAFFER T)*

To expressly incorporate changes in the Internal Revenue Code since March 27, 2020, into Ohio law, to exclude certain loan amounts forgiven under federal law from the commercial activity tax, to authorize a commercial activity tax exclusion for Bureau of Workers' Compensation dividends paid to employers, and to declare an emergency.

### 🚩 CURRENT STATUS

3/31/2021 - **SIGNED BY GOVERNOR**; eff. immediately

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## SB19 REGARDING PROPERTY TAXATION *(SCHAFFER T)*

To modify the law regarding property taxation and sales and use tax.

### 🚩 CURRENT STATUS

6/28/2021 - **PASSED BY HOUSE**; Amended on Floor, Bill Vote 61-36

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## **SB32** ELECTRIC VEHICLE CHARGING STATION *(RULLI M)*

To require the Director of Transportation to establish an electric vehicle charging station grant rebate program and to make an appropriation.

### **CURRENT STATUS**

2/17/2021 - Senate Transportation, (First Hearing)

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## **SB56** INDEMNITY-DESIGN CONTRACTS *(BLESSING III L)*

To regulate the use of indemnity provisions in professional design contracts related to public improvements.

### **CURRENT STATUS**

10/12/2021 - House Civil Justice, (Third Hearing)

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## **SB67** STUDY PROGRESS / CHALLENGES OF AFRICAN AMERICANS *(WILLIAMS S)*

To establish a committee to study the progress and challenges of African Americans in Ohio and to make an appropriation.

### **CURRENT STATUS**

3/16/2021 - Senate Finance, (First Hearing)

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## **SB93** REQUIRE VOTE-COUNTY SALES TAX INCREASE *(ANTANI N)*

To require voter approval of any increase in the rate of a county sales tax.

### **CURRENT STATUS**

9/21/2021 - Senate Ways and Means, (First Hearing)

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## **SB97** MUNICIPAL INCOME TAX-WORK FROM HOME *(ROEGNER K)*

To modify municipal income tax employer withholding rules for COVID-19-related work-from-home employees

### **CURRENT STATUS**

5/12/2021 - Senate Ways and Means, (First Hearing)

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## **SB152** FRAUD, WASTE, ABUSE TASK FORCE *(HOAGLAND F)*

To establish the Fraud, Waste, and Abuse Task Force in the office of the Attorney General and to make an appropriation.

## 📌 CURRENT STATUS

4/21/2021 - Referred to Committee Senate Finance

## SB169 PROHIBIT MANDATORY VACCINATIONS (BRENNER A)

To prohibit mandatory vaccinations against the coronavirus, to prohibit requiring proof of vaccinations generally, and to declare an emergency.

## 📌 CURRENT STATUS

5/26/2021 - **SUBSTITUTE BILL ACCEPTED**, Senate Health, (First Hearing)

## SB209 MASK MANDATES (BRENNER A)

With regard to mask mandates and facial covering requirements for public schools, state institutions of higher education, and businesses.

## 📌 CURRENT STATUS

9/8/2021 - Referred to Committee Senate General Government Budget

## 🔄 Week in Review

Friday, Oct. 29, 2021

### ABORTION

Doctors who fail to complete a "child survival form" following an attempted abortion would be guilty of a third-degree felony under legislation passed along party lines by the Senate on Wednesday. The bill, SB157 (Johnson-S. Huffman), also expands the current crime of "abortion manslaughter" to include instances where the doctor fails to "take measures to preserve the health of a child born alive after abortion." Additionally, the bill allows health care providers to be sued for abortion manslaughter and for failing to fulfill the new documentation and reporting requirements. Earlier in the day, the legislation was amended by the Senate Government Oversight and Reform Committee to include a provision prohibiting abortion providers from listing on variances any consulting physicians that are affiliated with state institutions of higher education, state hospitals or other public institutions. That amendment, AM1766-8, was accepted on a party-line vote.

Arguing that the U.S. Department of Health and Human Services' (HHS) proposed Title X rule would allow for "taxpayer dollars to be used to encourage and support abortions," Attorney General Dave Yost filed a lawsuit to block the new family planning regulation Monday in the U.S. District Court for the Southern District of Ohio. It asks the court to enjoin the Biden administration's rule, entitled, "Ensuring Access to Equitable, Affordable, Client-Centered, Quality Family Planning Services." Yost said he and legal representatives from 11 other states would like HHS to reinstate the Trump administration's 2019 "gag rule," which prohibited family planning program funding recipients from referring patients to abortion services. Planned Parenthood of Greater Ohio withdrew from the Title X program due to the Trump administration's rule.

Members of Mason City Council voted 4-3 Monday night to pass an ordinance banning abortion and abortion-related services within city limits, becoming the second Ohio municipality to designate itself as a "sanctuary city for the unborn." Lebanon City Council approved a similar measure in May. There are no abortion providers located in Mason or Lebanon. There are currently nine abortion clinics in Ohio, with locations in Cincinnati, Columbus, Dayton, Toledo, Bedford, Shaker Heights, Cuyahoga Falls and Cleveland. There are two clinics in Columbus. According to Ohio Right to Life (ORTL), Mason is the 41st local government in the U.S. to enact a measure banning abortion and abortion-related services.

### AGRICULTURE

The General Assembly should provide specific funding for the statewide watershed planning and management program it created in 133-HB7 (Ghanbari-Patterson), according to Ohio Department of Agriculture (ODA) Director Dorothy Pelanda. Both the House

Finance Committee and Senate Finance Committee were updated on H2Ohio by the water quality program's leaders on Tuesday. Legislators heard from Pelanda, Ohio Department of Natural Resources (ODNR) Director Mary Mertz, Ohio Environmental Protection Agency (Ohio EPA) Director Laurie Stevenson and Ohio Lake Erie Commission Executive Director Joy Mulinex.

The Ohio Department of Agriculture (ODAg) on Thursday announced a quarantine to combat the spread of the Spotted Lanternfly (SLF). SLF is now designated a "destructive plant pest" under Ohio law, which increases inspections and restricts movement of certain items from infested counties in Ohio and other states into non-infested Ohio counties.

## **ARTS, SPORTS AND ENTERTAINMENT**

International soccer governing body FIFA should choose Cincinnati to host the World Cup in 2026, Gov. Mike DeWine said Friday. "This bid is very exciting and important for Ohio. Having a world class sporting event where the whole world is watching, you can't get any better than that," DeWine said in a news release. "The entire state of Ohio is behind Cincinnati and we know they would be the perfect host for the FIFA World Cup." DeWine met with members of FIFA and the U.S. Soccer Delegation in Cincinnati on Friday.

For the second time this year, the General Assembly has sent Gov. Mike DeWine a bill legalizing the use of consumer fireworks in Ohio -- HB172 (Baldridge-O'Brien). While Senate President Matt Huffman (R-Lima) told reporters after session that the Ohio Department of Commerce (DOC) "signed off" on the changes, Gov. Mike DeWine said Thursday he is not enthusiastic about expanded fireworks use but feels better about the latest legislative proposal on the topic than the last, SB113 (Rulli-Johnson), which he vetoed in July. DeWine also noted he has to weigh the possibility that lawmakers will revive the vetoed bill via an override should he decline to sign the new one. DeWine said he will likely sign HB172 if his office's review confirms it is, as they suspect, an improvement over SB113.

The Cleveland Guardians roller derby team has filed a lawsuit against Cleveland's Major League Baseball team, arguing the baseball team cannot change its name from "Indians" to "Guardians." "Two sports teams in the same city cannot have identical names. Major League Baseball would never permit 'Chicago Cubs' lacrosse or 'New York Yankees' rugby teams to operate alongside its storied baseball clubs, and rightly so. Confusion would otherwise result. Imagine seeing a 'New York Yankees' shirt for sale and buying it. Which team did you just support?" says the lawsuit, filed in the U.S. District Court for the Northern District of Ohio.

## **ATTORNEY GENERAL**

Cuyahoga County grand jury has declined to indict the law enforcement officer who shot and killed 19-year-old Vincent Belmonte, Attorney General Dave Yost announced Friday. On Jan. 5, 2021, Belmonte was fatally shot by East Cleveland Police Department Sgt. Larry McDonald in the 1800 block of Allandale Avenue following a pursuit. By request, the Ohio Bureau of Criminal Investigation (BCI) initiated an investigation the same day, Yost said during a press conference.

Attorney General Dave Yost honored peace officers, state investigators, prosecutors and one civilian with 2021's Distinguished Law Enforcement Awards. "There are officers all over Ohio who heroically serve our communities every day and are the backbone of the civil society we all enjoy," Yost said. "The officers being honored represent the best of those heroes, and I am proud of their dedication to protecting the unprotected."

Attorney General Dave Yost says edible cannabis and hemp derivatives packaged to look like major snack brands cited by the U.S. Department of Homeland Security is no laughing matter but instead a serious threat to young people. The AG points to law enforcement seizures of "Dabisco Stoneo" (i.e., Nabisco Oreos), "Post Fruity Pebbles" distributed by Sky High Edibles, "Nerds Medicated Rope Bites," "Doritos Nacho Cheese," "Cheetos Puffs" -- the latter three containing 600mg of THC -- and "Stoney Patch," whose familiar cartoon figures feature bloodshot eyes.

## **BUSINESS/CORPORATE**

Declaring that it is "hard to be innovative or to come up with new products" in highly regulated industries, Senate Financial Institutions and Technology Committee Chair Sen. Steve Wilson (R-Maineville) testified on his latest "FinTech" proposal before his committee Tuesday. He said SB249 "creates a regulatory sandbox program for novel financial products and services in Ohio" -- that is, a "space" where industries such as the one he came out of, banking, can try out a new product or process for a limited time with a limited number of clients to see if it works.

## **CENSUS**

Census Bureau data released in October highlights the scope of disruptions to education posed by the COVID-19 pandemic from preschool into adulthood, showing 2.9 million fewer Americans enrolled in school in 2020 compared to 2019. The data are from the Current Population Survey, a joint effort of the Census Bureau and the Bureau of Labor Statistics that focuses on the labor force. At the younger ages, nursery school enrollment fell by a quarter, but among working mothers of 3- to 4-year-olds, the drop was higher, 35 percent.

## **CHILDREN/FAMILIES**

Gov. Mike DeWine Thursday signed an executive order that allows for the emergency adoption of the Ohio Department of Education's Rule 3301-107-01 of the Ohio Administrative Code that implements the afterschool child enrichment educational savings account program. The program will provide up to \$500 per year for children ages 6-18 from families with an income of less than 300 percent of the Federal Poverty Level. According to the governor's office, funds in these accounts can be used for various enrichment and educational activities, including tutoring, day camps, music lessons, study skills services and field trips.

## **ECONOMIC DEVELOPMENT**

Gov. Mike DeWine's administration announced Monday the approval of assistance for five projects expected to create 679 new jobs and retain 549 jobs statewide. During its monthly meeting, the Ohio Tax Credit Authority (TCA) reviewed economic development proposals brought by JobsOhio and its regional partners. The projects are expected to collectively result in more than \$42 million in new payroll and spur more than \$12 million in investments across Ohio.

## **EDUCATION**

State Board of Education President Laura Kohler will resign Friday rather than face rejection of her reappointment in the Senate, she told *Hannah News*. The situation stems from her opposition to repealing a July 2020 board resolution on racism and equity in education, but she said she has no regrets over support of that resolution. Meanwhile, a House committee took another step Thursday on a push to remove gubernatorial appointees from the board entirely by amending HB298 (Bird-J. Miller) to expand the board to 15 members and having them elected from the 15 congressional districts.

The Ohio Department of Health (ODH) Monday updated its official advice to schools for how to handle direct exposure of students and staff to COVID-19 in school settings, saying that with certain masking and testing policies in place they should be able to avoid home quarantine and continue to play sports and participate in other school-related activities. The new ODH guidance, which is voluntary for schools to adopt, includes "mask to stay" and "test to play" options, as follows:

- Those directly exposed to COVID-19 in school or a school-related setting can stay in the classroom and avoid home quarantine if they wear a mask for 14 days, monitor for symptoms and isolate if such symptoms develop. The 14-day in-school quarantine can end early with a negative result on a test administered between five and seven days after exposure.
- Those directly exposed to COVID-19 in school or a school-related setting can continue to participate in sports and extracurricular activities if they get tested upon initial notification of exposure and again between five and seven days after exposure, and also wear a mask when able, such as while riding on the bus to games or standing on the sidelines. As with the classroom option, a negative result on the second test can end the quarantine period.

Attorney General Dave Yost said Wednesday that U.S. Attorney General Merrick Garland should withdraw a directive for federal law enforcement to respond to threats against local school board members, since the organization that requested the intervention, the National School Boards Association (NSBA), has apologized for the request. The NSBA had sent a letter to President Joe Biden in late September asking for federal law enforcement to respond to the threats and likening some of them to domestic terrorism and hate crimes. In response, Garland announced in early October he'd directed the FBI and U.S. attorney's offices to meet with local law enforcement leaders to respond to the threats. However, the NSBA letter, particularly its language about domestic terrorism, sparked a backlash and the Ohio School Boards Association (OSBA) this week withdrew its membership from NSBA over the letter.

Members of district boards of education and their statewide association urged a House committee Tuesday to approve legislation that would increase their per-meeting compensation, expand the training they're required to undergo and boost what they can be reimbursed for attending the training. Under HB334 (Ingram-Sobecki), board members' per-meeting pay would increase from \$125 to \$200, and the cap on annual compensation of \$5,000 would be lifted. Pay for attending trainings would increase from \$60 to \$96 for training lasting up to three hours, and from \$125 to \$200 for longer trainings.

Student testing data show significant learning losses for students at all grade levels during the pandemic, and particularly for Black and Brown students, according to a presentation on academic achievement during the pandemic from Ohio State University (OSU) Political Science Professor Vladimir Kogan to the Senate Primary and Secondary Education Committee Tuesday.

Legislation that would prohibit the teaching of "divisive concepts" in schools and in higher education received a new version Wednesday, with House Speaker Bob Cupp (R-Lima) indicating there is "great interest" among the Republican majority in the chamber in passing the bill. Rep. Sarah Fowler Arthur (R-Rock Creek) introduced substitute version 1448-7 to HB327 (Grendell-Fowler) in the House State and Local Government Committee, saying the sponsors are trying to be responsive to the concerns raised in testimony and working with interested parties to refine the bill a bit more. She said the substitute bill would "remove some of the ambiguous language. It is more specific in the definitions of promote or promotion. It would also specifically ensure that teaching about divisive concepts and a complete history of the United States including slavery, oppression and segregation are respected and protected while specifying that promotion of or using tax dollars to indoctrinate into a partisan philosophy or ideology is a misuse of funds. Protections and accountability for teachers are included."

The Ohio Afterschool Network gathered with its member programs and heard kudos from state lawmakers Thursday as part of the annual Lights on Afterschool event to celebrate contributions to children's wellbeing and learning. While noting the network is not advocating for passage, Executive Director Michele Ritchlin said that should Ohio enact adult-use marijuana legalization, policymakers ought to consider afterschool programs as a beneficiary of the tax revenue. Plans to earmark marijuana tax revenue for youth development programming are in place or under consideration in Alaska, California, Colorado, Illinois, New York, New Jersey and Vermont, Ritchlin said.

## **ELECTIONS**

After approximately six hours of testimony on Thursday, the Ohio Elections Commission (OEC) still needs more time to consider a campaign finance complaint against Allen Freeman, a former candidate backed by former House Speaker Larry Householder (R-Glenford).



## **ELECTIONS 2021**

Early voting is underway in Ohio ahead of the Tuesday, Nov. 2 General Election, when voters in 23 Ohio counties will elect 47 judges for municipal court. Ohio judges serve six-year terms. Their terms are staggered, and odd-numbered years -- like 2021 -- have only municipal court judges on the ballot. To make informed choices for judicial candidates, Ohio voters can go to [JudicialVotesCount.com](http://JudicialVotesCount.com), the state's nonpartisan, statewide judicial election resource, to learn more about judge candidates before casting their ballots in the general election.

New campaign finance reports filed recently for congressional campaigns outlining third quarter activity shows a tight money race in the battle to succeed U.S. Sen. Rob Portman (R-OH), with a number of candidates lending their own campaign funds to boost their totals. Among the Republicans running for the seat, Bernie Moreno reported the most funds received with \$3.7 million. He also spent \$603,765, owes \$3 million in debts including a loan to his campaign and has \$4.7 million on hand. Former Ohio Treasurer Josh Mandel has the largest war chest with \$5.9 million, though he raised less than the other candidates, reporting \$865,936 in receipts and \$37,111 in spending for the third quarter.

According to a database maintained by the Ohio School Boards Association (OSBA), 99 school funding questions are on local ballots for the Nov. 2 election. Portage County and Miami County voters will see the most, with six issues on the ballot each.

According to the Ohio Library Council, 15 library systems are seeking voter approval of funding requests in the November election, the vast majority of them renewals of existing levies.

The following endorsement was made over the week:

- The Giffords PAC endorsed Shontel Brown for the U.S. House of Representatives from Ohio's 11th Congressional District.

## **ELECTIONS 2022**

The following endorsement was made over the week:

- Sen. Teresa Fedor (D-Toledo) endorsed Cincinnati Mayor John Cranley for governor.

## **EMPLOYMENT/UNEMPLOYMENT**

Ohio's unemployment rate stayed at 5.4 percent in September, according to the Ohio Department of Job and Family Services (ODJFS). The unemployment rate was also 5.4 percent in August and July. Ohio's non-agricultural wage and salary employment increased 9,900 over the month, from a revised 5,346,000 in August to 5,355,900 in September, ODJFS said.

## **ENERGY**

The state's utility owners of the Ohio Valley Electric Corporation (OVEC) said the push to repeal corporate subsidies in HB351 (Lanese-Stoltzfus) could hinder the power plants' credit rating and debt profile and remove a potential "hedge" against rising consumer costs from higher natural gas prices this winter. Concerned with the legal footing of coal price supports, Duke Energy Ohio called the bill an unlawful attack on the Public Utilities Commission of Ohio's (PUCO) "legislative" authority and a piece of unconstitutional, "retroactive ratemaking." Duke, American Electric Power (AEP) of Ohio, and AES (formerly DP&L) appeared before the House Public Utilities Committee with OVEC management and Ohio Electric Cooperatives (OEC), a fourth Ohio party to the coal plants' Inter-Company Power Agreement (ICPA).

## **ENVIRONMENT**

A diverse group representing farmers, environmentalists, researchers and conservationists told the Senate Agriculture and Natural Resources Committee Tuesday they had put aside competing interests to form the Ohio Agriculture Conservation Initiative (OACI), a multidisciplinary organization that has adopted a "proactive, collaborative approach to improving Ohio's waterways and lakes."

## **FEDERAL**

The Internal Revenue Service is digesting a withering critique of its "comprehensive financial account information reporting regime" proposed in the Biden administration's FY22 revenue forecast and targeted by 20 Republican states' attorneys general including Ohio Attorney General Dave Yost. They say mandatory financial institution reporting on "all business and personal accounts" of \$600 or more, detailed in the May 2021's 114-page General Explanations of the Administration's FY22 Revenue Proposals, is "wholly unacceptable" and a "Big Brother-mandate."

## **GENERAL ASSEMBLY/STATEHOUSE**

Speaker of the House Bob Cupp (R-Lima) announced Monday that he has named Rep. Bride Sweeney (D-Cleveland) as the Ranking Member on the House Finance Committee. She succeeds former Rep. Erica Crawley (D-Columbus) who left the General Assembly earlier this year to become a Franklin County commissioner. In addition, Rep. Catherine Ingram (D-Cincinnati) was appointed to the finance committee.

Tuesday's *House Journal* included committee assignments for newly appointed Rep. Latyna Humphrey (D-Columbus). Humphrey replaces Rep. Catherine Ingram (D-Cincinnati) on the House Financial Institutions Committee; Rep. Allison Russo (D-Upper Arlington) on the House State and Local Government Committee; and she has also been appointed to the House Armed Services and Veterans Affairs Committee. Additionally, Rep. Paula Hicks-Hudson (D-Toledo) will replace Rep. Bride Sweeney (D-Cleveland) as Ranking

Member on the House Government Oversight Committee.

The House Wednesday overwhelmingly passed two bills addressing domestic violence as their sponsors noted the increased incidents that have happened across the country and in the state during the COVID-19 pandemic. The first bill was HB3 (Boyd-Carruthers), dubbed "Aisha's Law" after Aisha Fraser, who was murdered in front of her children by Lance Mason, a former state legislator and judge. The House also passed HB254 (Abrams-Boggs), which allows counties to create domestic violence fatality review boards, similar to child fatality review boards already in law.

The House also passed HB226 (Pavliga-A. Miller), which expands intimidation offenses to include guardians ad litem and court appointed special advocates. In other action, the House passed SB36 (Manning-S. Huffman) revising the eligibility standards and procedures for awarding reparations to crime victims by a vote of 95-1. Rep. David Leland (D-Columbus) said the bill expands access for crime victims to the victims' fund, noting several victims of the Dayton shooting who testified on the bill said that they were denied access to reparations for reasons he said did not make sense and did not align with the goals of the program.

The House approved Senate amendments to fireworks legislation HB172 (Baldridge-O'Brien) on a vote of 74-22, with an emergency clause adopted 72-24.

During Wednesday's session, the Senate also unanimously passed HB228 (Roemer), which makes changes to the administration of municipal taxes. The House then concurred with the Senate amendments, sending the bill on to the governor.

The House State and Local Government Committee Wednesday continued its review of occupational licensing boards, hearing testimony from the State Embalmers and Funeral Directors Board, the Chemical Dependency Professionals Board, the Ohio Veterinary Medical Licensing Board and the Ohio State Dental Board.

In other action, the House Criminal Justice Committee reported out SB54 (Gavarone) which deals with telecommunications fraud; the House Primary and Secondary Education Committee reported out SB181 (Gavarone) which deals with student religious expression in athletics and extracurricular activities; the House Transportation and Public Safety Committee reported out highway naming bill HB417 (Hillyer), license plate bill HB216 (Galonski) and HB292 (Sobecki-Cutrona) which enacts a temporary sales tax exemption for electric vehicles; the House Armed Services and Veterans Affairs Committee reported out SB59 (Schaffer) which prohibits disposal of certain war relics; the House State and Local Government Committee reported out HCR22 (Young-Plummer) which deals with securing the southern border and HCR13 (Koehler-Creech) which would make daylight saving time permanent; the House Technology and Innovation Committee reported out HB230 (Ray-Hall) which addresses state information technology systems; the House Families, Aging and Human Services Committee reported out SB58 (Antonio-Brenner) which provides for electronic monitoring of nursing home rooms and HB371 (Schmidt-Denson) which revises laws governing coverage of screening mammography; and the House Government Oversight Committee reported out HB227 (Brinkman-Jordan) which would enact "constitutional carry" of handguns.

## **GOVERNOR**

Gov. Mike DeWine Thursday signed the following bills into law:

- **SB1** (Wilson-McColley) which addresses teaching financial literacy in high school, provides discretion regarding educational requirements of substitute teachers for the 2021-2022 school year, and declares an emergency. It became effective immediately on Thursday, Oct. 28 with the governor's signing the bill.

- **HB21** (Koehler) which increases the annual contribution for the "Donate Life" license plate and requested contributions to the Second Chance Trust Fund and provides additional opportunities for Ohio residents to register as an organ donor.

- **HB176** (Carfagna-Hall) which revises the law governing the practice of athletic training.

## **GREAT LAKES**

A total of 800 producers in the 10-county Western Lake Erie Basin (WLEB) expansion area have enrolled 600,000 acres in the H2Ohio program, Gov. Mike DeWine announced Monday. "High enrollment among farmers shows their commitment to improving our state's water quality," DeWine said. The applications in the expansion area represent nearly \$11.5 million in H2Ohio practice incentives and approximately 36 percent of the cropland in the project area. As part of the H2Ohio program, the Ohio Department of Agriculture (ODAg) provides incentives to producers for implementing BMPs to help reduce nutrient runoff into waterways. It was originally rolled out in 14 counties of the Maumee River Watershed and was expanded by 10 to include all 24 counties in the WLEB.

## **GUNS**

Democrats' Gun Violence Prevention Caucus said Monday that homicides owing to domestic violence have seen a 62 percent spike under COVID-19 compared to two years ago, with more youth dying in household incidents than at any time since 2015. Bicameral caucus founders Rep. Jessica E. Miranda (D-Forest Park) and Sen. Cecil Thomas (D-Cincinnati) gathered with staff attorney and Policy Director Micaela Deming of the Ohio Domestic Violence Network (ODVN) in a virtual press conference on domestic-related gun violence.

## **HEALTH AND HUMAN SERVICES**

The Ohio Department of Health (ODH) is encouraging parents to set up well-child appointments and ensure their children are up to date on recommended vaccinations, following a decrease in both categories earlier in the pandemic. This effort includes statewide public service announcements.

"Vaccines have protected us for years, like those preventing polio, measles and mumps," ODH Director Dr. Bruce Vanderhoff said Wednesday. "Before vaccines, diseases like these were common, and caused great suffering and deaths every year. When enough people are vaccinated, it can greatly decrease the spread of dangerous diseases from child to child."

## **HIGHER EDUCATION**

Amid continued decreases in enrollment and the resulting projected budgetary impact, the Youngstown State University (YSU) Board of Trustees held a special meeting Monday to discuss efforts to sustain the future of the university. "The demographic trends that we've anticipated are proving true as our enrollment declined significantly this year and is projected to continue into future years," said John Jakubek, board chair. "Those realities, impacted even more by the disruptions of the COVID-19 pandemic, mean that we must take steps to take charge of our future to reduce the decline and ensure the continued delivery of high quality, distinctive academic programs."

Ohio University (OU) announced the Kiplinger Program in Public Affairs Journalism, located within the E.W. Scripps School of Journalism and Scripps College of Communication, will transition from teaching digital media skills to focusing on the reporting of pressing current issues. Starting with the 2022 class, each year Kiplinger will welcome journalists from specialized fields of reporting as its fellows. The first fellowship will focus on climate change, OU said, and future fellowships will address social justice, global pandemics, wealth inequities and poverty, human trafficking and opioid abuse.

The University of Toledo (UT) is launching a national search for the next vice president and director of athletics to replace Mike O'Brien, who is retiring from the position at the end of his contract April 30, 2022. UT said it is partnering with Collegiate Sports Associates, an executive search firm specializing in intercollegiate athletic hiring for colleges and universities.

Ohio State University (OSU) President Kristina M. Johnson will teach a research and conservation course next semester with the title "Pathways to Net Zero Carbon Neutrality." The project-based course will provide students an opportunity to work in small teams to develop a strategic technology energy plan (STEP) to reduce Ohio State's greenhouse gas (GHG) emissions to net zero.

## **HOUSING/HOMELESSNESS**

Ohio home sales are 6.1 percent higher so far this year than they were through the first three quarters of 2020, according to Ohio Realtors. Sales for the first nine months of 2021 reached 124,802, versus 117,642 for the same period in 2020. The average sales price of \$239,608 represents a 13.9 percent increase from the \$210,451 seen in the first three quarters of last year.

## **HUMAN SERVICES**

Former foster youth joined two Democratic senators to advocate for codification of rights for children under state protection, to help them have a voice in setting the direction of their own lives and to give them meaningful recourse when facing mistreatment. SB254 was introduced by Sens. Teresa Fedor (D-Toledo) and Tina Maharath (D-Canal Winchester) and referred to Senate Judiciary Committee. Fedor and Maharath -- the latter of whom spent time in foster care -- joined several advocates who experienced foster care themselves to press for action on the measure during a press conference Friday. A codified bill of rights for foster youth was among recommendations of the DeWine administration's Children Services Transformation Advisory Council.

## **JUDICIAL**

The Ohio Supreme Court resumed its offsite civic education program this week after putting the nationally recognized effort on hiatus during the worst of COVID-19. University of Akron's School of Law hosted the Offsite Court session and hundreds of high school students for oral arguments in six cases.

Of the 964 aspiring lawyers who sat for the latest Ohio Bar Examination, 708 -- or 73.4 percent -- passed the test, the Ohio Supreme Court announced. Among the 824 first-time test takers for the July exam, 82.3 percent earned passing scores. The exam was the third remote Ohio bar exam due to COVID-19 restrictions. The Court website references technical issues that were experienced by examinees and the ensuing review. That notice can be found at <https://tinyurl.com/ubexev94>, as can a list of the bar examination results.

## **LOCAL GOVERNMENT**

Gov. Mike DeWine, Lt. Gov. Jon Husted and other top Ohio officials traveled the state this week, promoting the first round of water infrastructure grant awards in the "Ohio BUILDS" initiative. A total of \$93 million will be provided to 54 projects benefiting communities in 60 counties. The rest of the \$250 million total awards will be announced later. The funds will help reduce or eliminate the burden on local governments for constructing new water systems, replacing aging lines and installing new water mains. They can also be used to improve sewer systems.

## **MEDICAID/MEDICAID REFORM**

Pharmacists told the Joint Medicaid Oversight Committee (JMOC) at its Wednesday hearing that pharmacy benefit managers have replaced profits from now-banned spread pricing models with delayed clawbacks of payments made months earlier. But the witnesses also expressed hope that Ohio's redesigned managed care structure, which includes a single pharmacy benefit manager hired by the state to serve all managed care plans, will address this practice. "This system is built for manipulation, and just when you think you have the answers, the drug supply chain will change the questions," said Antonio Ciaccia, formerly with the Ohio Pharmacists Association and now head of consultancy at 3 Axis Advisors.

Ciaccia said after Ohio ordered its managed care plans to reach new contracts with PBMs that eliminated spread pricing, PBMs started instead overpaying pharmacists and accumulating an excess they could later claw back. "This issue is the next big issue," he said. "This is spread pricing just done in a different way."

## **NATURAL RESOURCES**

As a part of Gov. Mike DeWine's H2Ohio initiative, frequently flooded farmland has been transformed into nutrient-reducing wetland in Crawford County, according to the Ohio Department of Natural Resources (ODNR). State leaders this week cut the ribbon at the Sandusky Headwaters Preserve Wetland and Habitat Restoration, ODNR announced.

Northeast Ohio disc golfers have a new course to play at Lake Milton State Park, according to the ODNR. The free course is open daily to park visitors, ODNR said.

In recognition of Veterans Day, ODNR and U.S. Hotels will offer U.S. military -- both active duty and veterans -- a 30 percent discount off one camping, getaway rental, state-operated cabin or resort lodge stay during the month of November.

Testing for Chronic Wasting Disease (CWD) in Ohio's white-tailed deer population will continue during the 2021-22 hunting season, according to the ODNR Division of Wildlife. CWD is a fatal neurological disease that affects white-tailed deer and other similar species, including mule deer, elk and moose. According to the U.S. Centers for Disease Control and Prevention (CDC), there is no strong evidence that CWD is transmissible to humans. Two CWD-positive wild deer were confirmed during the 2020-21 hunting season in Wyandot County. A disease surveillance area has been established in response to the confirmed cases, and intensive monitoring will continue for at least three years in Wyandot County and portions of Hardin and Marion counties, according to ODNR.

## **PENSIONS**

The State Teachers Retirement System (STRS) Board of Trustees heard an overview of the pension fund's holdings in "alternative" investments -- private equity, venture capital, hedge funds and the like. That investment pool has come in for criticism by an investigator hired by retired teachers to scrutinize the system's practices in light of benefit and cost-of-living adjustment cuts. Investment experts who consult for the Ohio Retirement Study Council have also noted the increasing use of alternative investments among retirement systems as funds seek to make up for relatively meager fixed-income returns from recent years. Aaron DiCenzo, head of alternative investments for STRS, provided an overview of strategies and assets involved in the fund's alternative holdings.

## **PEOPLE**

The Ohio Business Roundtable (OBRT) announced Thursday that its members had unanimously elected RPM International, Inc. Chairman and CEO Frank Sullivan to serve as chairman of the organization beginning Jan. 1, 2022. His term will last two years.

## **PUBLIC SAFETY**

Rep. Haraz N. Ghanbari (R-Perrysburg) challenged fellow elected officials Wednesday to "ride along and learn" from law enforcement officers (LEOs) and other first responders in their districts. Ghanbari touted it as a way to engage with local law enforcement and first responders to find out what their jobs entail. "The law enforcement community is being defunded through the demoralization of their profession," said Ghanbari. "I am challenging our elected officials and key influencers across the country to spend a shift on a ride-along with their local LEOs; it will provide an opportunity to gain an appreciation of their service, sacrifice, training and professionalism."

## **REDISTRICTING/REAPPORTIONMENT**

Filings in three lawsuits challenging new General Assembly maps showed the legislative members of the Ohio Redistricting Commission blaming the other side for the failure of the commission to reach a compromise on those maps. The maps were passed along party lines by the commission in September and will only last four years if they stand. A number of groups have filed three separate lawsuits in the Ohio Supreme Court arguing the commission did not meet constitutional requirements for drawing the maps. On Friday, the plaintiffs in those lawsuits filed a number of documents and evidence in the cases, including responses by members of the commission on questions from the plaintiffs about the process of drawing the maps.

The Senate this week introduced congressional redistricting placeholder legislation SB258 (McColley) and referred it to the Senate Local Government and Elections Committee, in preparation of the General Assembly's taking over the responsibility for drawing the congressional districts after the Ohio Redistricting Commission failed to. Senate President Matt Huffman (R-Lima) told reporters he wanted to get the bill introduced and referred to committee this week, as there is no session next week.

Leaders of Ohio's redistricting reform efforts joined a national political analyst and a Republican strategist at Wednesday's Columbus Metropolitan Club forum to discuss potential outcomes of Ohio's congressional map drawing exercise and litigation over new Statehouse districts. Jen Miller of the League of Women Voters, Sam Gresham of Common Cause Ohio, Kyle Kondik of the University of Virginia Center for Politics and GOP strategist Terry Casey spoke on the topic during a discussion moderated by journalist Jessie Balmert of the Gannett Ohio newspaper network.

The Ohio Redistricting Commission held its only hearing on a new congressional map Thursday before it passes the task of drawing that map back to the General Assembly, leaving at least one member "frustrated" with the process. Secretary of State Frank LaRose, who as a lawmaker pushed for redistricting reform, told reporters after the hearing that he is disappointed and sees the commission punting its responsibility as a missed opportunity.

## **STATE GOVERNMENT**

Monday's Controlling Board meeting saw 10 items held for questions, with all were approved afterward. An item from the Ohio Facilities Construction Commission was deferred at the agency's request, and an Ohio Department of Job and Family Services (ODJFS) item was also added to the agenda by board vote.

## **TECHNOLOGY/AEROSPACE**

The Ohio state government won a cybersecurity award sponsored by the National Association of State Chief Information Officers (NASCIO), the Department of Administrative Services (DAS) announced in a newsletter Monday. State officials were also a finalist in the NASCIO "Digital Services" category.

With only 20 percent of Ohio's 9-1-1 systems able to receive text messages from a person in an emergency, new legislation looks to give the systems a long-overdue upgrade and finally implement changes that began in the 130th General Assembly. Reps. Rick Carfagna (R-Westerville) and Kent Smith (D-Euclid) gave sponsor testimony Tuesday on their HB445, which Carfagna said will fund and construct a statewide next-generation 9-1-1 system (NG9-1-1), fulfilling the statutory charge of the statewide Emergency Services Internet Protocol Network (ESINet) Steering Committee created under 130-HB59.

He said today's 9-1-1 systems were originally designed for static, landline telephones with permanent street addresses and physical connections to carrier switches and networks, but over the last decade, society has almost completely transitioned to smartphones, with fewer than one in five 9-1-1 calls coming from landline phones.

## **UNEMPLOYMENT COMPENSATION**

The Ohio Department of Job and Family Services (ODJFS) paid out nearly \$3.8 billion in fraudulent unemployment compensation (UC) claims and overpayments from March 1, 2020 through Feb. 28, 2021, the Ohio Auditor of State's Office (AOS) reported Thursday. "That equates to over \$673 for every Ohioan in the labor force," Auditor Keith Faber's office said in announcing its latest report on Ohio's UC system. Auditors said changes to the federal requirements and a lack of controls led to vulnerabilities in the system, allowing for more than \$475 million to be paid to criminals while another \$3.3 billion in overpayments were made. ODJFS Director Matt Damschroder thanked the AOS for the audit and said the department is already implementing many of the recommendations.

For the week ending Oct. 23, ODJFS reported 7,044 initial traditional unemployment claims to the U.S. Department of Labor (DOL). That number is lower than the previous week, when the state reported 7,554 traditional jobless claims. Ohioans filed 42,410 continued traditional unemployment claims last week, which was 3,340 fewer than the previous week. The total number of traditional claims filed from Oct. 17 to Oct. 23 was 49,454.

## **UTILITIES**

The Office of Ohio Consumers' Counsel (OCC) says a newly subpoenaed text from former FirstEnergy CEO Chuck Jones warrants the release of a 2020 audit report on the utility quashed by four of five current members of the Public Utilities Commission of Ohio (PUCO) under the leadership of former Chairman Sam Randazzo. The text appears to indicate the former FirstEnergy lobbyist was still working for the company as chairman, and even that PUCO staff had questioned his true loyalties. Led by Randazzo, sitting Commissioners Beth Trombold, Lawrence Friedeman, Daniel Conway and Dennis Deters moved unanimously to dismiss FirstEnergy's distribution modernization rider (DMR) audit case in February 2020 after the Ohio Supreme Court found in 2019 that DMR revenues were not actually used for modernization and therefore improper. FirstEnergy was allowed to keep nearly a half billion dollars in unlawful charges, however, due to the Supreme Court and PUCO's current policy against utility refunds.

## **VETERANS**

After cancellation of the 2020 event, the Military/Veterans Educational Foundation, or MilVets, will hold the Central Ohio Veterans Day Parade at noon Friday, Nov. 5 in downtown Columbus. Parade participation is free and open to the public. Applications to be part of the parade are available at [www.ohiomilvets.com](http://www.ohiomilvets.com).

## **WORKERS' COMPENSATION**

The Ohio Bureau of Workers Compensation (BWC) Board of Directors approved language expanding the COVID-19 exemption for employers' insurance risk factor to members of its deductible and "individual retrospective" rating programs. Medical formulary changes adopted Friday, moreover, will allow BWC claims reimbursement for antiretroviral drugs prescribed for diagnosed HIV or exposure to HIV. COVID-19 exemptions adopted by the board last June applied explicitly to BWC's individual and group employers and its group retrospective rating programs. Employer feedback has since prompted the board to make that exemption equally clear for individual retrospective and deductible state insurance plans.