AM2164

Sub. H.B. 197
As Reported by S. Ways and Means

_____ moved to amend as follows:

Engross the bill as directed by the commands in the amendments attached hereto, ignoring matter extraneous to those commands

INDEX

The following amendments are attached hereto:

Amendment No.	Subject
G-0334-3	Drinking water access
G-0335-2	Staff member ratios for child day-care centers
G-0336-2	Food processing for Seamless Summer Food Program
G-0337-2	School distance learning make up of hours
G-0338-5	Deadline extensions due to COVID-19 emergency
G-0339-2	Rehiring recently retired state employees

AM2164

Amendment No.	Subject
G-0340-1	Department of Administrative Services – state agency capital projects
G-0341-1	Medicaid payments to COVID-19 community providers
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G-0360	Budget Stabilization Fund transfer
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AM2164

Amendment No.	Subject
G-0393-3	Tolling of statutes of limitations and time limitations and deadlines
G-0421-1	County recorders – transfers/processing titles online
G-0441	Delay Step Up to Quality requirement
G-0442-2	Ohio Public Works Commission, Ohio Water Development Authority, and Ohio Environmental Protection Agency waive penalties and fees
G-0445	Recent nursing graduates obtain a temporary license
G-0472	Certified registered nurse anesthetists authority
G-0474-1	Extension of absent voting for March 17, 2020, primary election
G-0475	Bill title and emergency clause
G-0478-2	Educational Choice Scholarship suspension
G-0479	Severability clause

The motion was _____ agreed to.

g_133_0334-3

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to authorize the Director of Environmental Protection to issue certain orders to public water systems during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of emergency continues beyond that date, and to declare an emergency"

After line _____, insert:

"Section 1. (A) For purposes of ensuring the supply of safe drinking water to the citizens of this state and pursuant to section 6109.04 of the Revised Code, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Environmental Protection may issue an order that does any of the following:

(1) Requires a public water system to restore service to any customer whose service was disconnected as a result of nonpayment of fees and charges;

(2) Requires a public water system to waive all fees for connection or reconnection to the public water system;

(3) Prohibits a public water system from disconnecting customers because of nonpayment of fees and charges.

(B) An order issued under division (A) of this section is deemed an order issued under Chapter 6109. of the Revised Code. As such, the order may be enforced in the same manner as any other order issued under that chapter. Such enforcement may include the imposition of administrative, civil, and criminal penalties authorized under Chapter 6109. of the Revised Code.

(C) An order issued under division (A) of this section is valid during the period of the emergency declared by Executive Order 2020-01D issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date."

After line _____, insert:

"Section 2. This act is an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act goes into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Drinking water access

Sections 1 and 2

Authorizes the Director of Environmental Protection (during a state of emergency declared by the Governor under Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of emergency continues beyond that date) to issue an order that does any of the

following:

1. Requires a public water system to restore service to any customer whose service was disconnected as a result of nonpayment of fees and charges;

2. Requires a public water system to waive all fees for connection or reconnection; and

3. Prohibits a public water system from disconnecting customers because of nonpayment of fees and charges.

Specifies that an order issued under the amendment may be enforced in the same manner as any other order issued under the Safe Drinking Water Law, including the imposition of administrative, civil, and criminal penalties.

Specifies that the order is valid during the emergency period declared by the Governor, but not beyond December 1, 2020, if the period of emergency continues beyond that date.

Declares an emergency.

g_133_0335-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to suspend the law governing child day-care center staff member ratios and maximum group sizes, and to declare an emergency"

After line _____, insert:

"**Section 1.** Notwithstanding section 5104.016 of the Revised Code, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the requirements of section 5104.033 of the Revised Code regarding the maximum number of children per child-care staff member and maximum group sizes are suspended."

After line _____, insert:

"**Section 2.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Staff member ratios and maximum group sizes for child day-care centers

Sections 1 and 2

Suspends child day-care center staff member ratios and maximum group sizes until the earlier of the following: December 1, 2020, or the date on which Executive Order 2020-01D is rescinded.

Declares an emergency.

g_133_0336-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to authorize the Director of Agriculture to exempt schools and other entities from food processing establishment regulations only during the Governor's Executive Order 2020-01D (related to COVID-19), but not beyond December 1, 2020, and to declare an emergency"

After line _____, insert:

"**Section 1.** (A) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Agriculture may exempt a school from regulation as a food processing establishment under section 3715.021 of the Revised Code if the school:

(1) Has been issued a food service operation license under Chapter 3717. of the Revised Code; and

(2) Is transporting food only for purposes of the Seamless Summer Option Program or the Summer Food Service Program administered by the United States Department of Agriculture.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Agriculture may

exempt an entity from regulation as a food processing establishment under section 3715.021 of the Revised Code if the entity:

(1) Has been issued a food service operation license under Chapter 3717. of the Revised Code; and

(2) Is transporting food only for purposes of the Summer Food Service Program administered by the United States Department of Agriculture."

After line _____, insert:

"Section 2. This act is an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act goes into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Food processing for Seamless Summer Food Program

Sections 1 and 2

During the period of the emergency declared by Executive Order 2020-01D (related to COVID-19), but not beyond December 1, 2020, if the period of the emergency continues beyond that date, authorizes the Director of Agriculture to exempt from regulation as a food processing establishment a school or entity that:

1. Has been issued a food service operation license (an establishment that receives a majority of its revenue from sales

of food that is prepared and served in individual portions, e.g. restaurants and schools);

(2) With respect to a school, is transporting food only for purposes of the Seamless Summer Option Program or the Summer Food Service Program administered by the U.S.D.A.;

(3) With respect to any other entity, is transporting food only for purposes of the Summer Food Service Program administered by the U.S.D.A.

Declares an emergency.

(Under current law, a food processing establishment is a premises or part of a premises where food is processed, packaged, manufactured, or otherwise held or handled for distribution to another location or for sale at wholesale. Confectioneries, canneries, and bottlers are examples of food processing facilities.)

g_133_0337-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to remove the limitation on the number of distance learning make-up days permitted for the 2019-2020 school year to account for school closings in compliance with any order by the Director of Health, or local board of health, or an extension of any order, due to the implications of COVID-19 and to declare an emergency"

After line _____, insert:

"**Section 1.** Notwithstanding anything to the contrary in section 3313.482 of the Revised Code, the board of education of a school district, the governing authority of a community school established under Chapter 3314. of the Revised Code that is not an internet- or computer-based community school, the governing body of a STEM school established under Chapter 3326. of the Revised Code, or the governing authority of a chartered nonpublic school shall be permitted to do either of the following to make up days or hours schools were closed in the 2019-2020 school year due to the Director of Health's order under section 3701.13 of the Revised Code "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, or any local board of health order, and any extension of any order:

(A) If the board, governing body, or governing authority

has adopted a plan under section 3313.482 of the Revised Code to require students to access and complete classroom lessons posted on the district's or school's web site in order to make up hours in the 2019-2020 school year for which it is necessary to close schools due to conditions described in that section, the board, governing body, or governing authority may amend that plan, anytime on or after the effective date of this section, to provide for making up any number of hours schools were closed in the 2019-2020 school year in compliance with the Director's order, local board of health order, or an extension of an order.

(B) If the board, governing body, or governing authority has not adopted a plan under section 3313.482 of the Revised Code to require students to access and complete classroom lessons posted on the district's or school's web site in order to make up hours for the 2019-2020 school year, the board, governing body, or governing authority may adopt such a plan, anytime on or after the effective date of this section, to provide for making up any number of hours schools were closed in the 2019-2020 school year in compliance with the Director's order, local board of health order, or an extension of an order."

After line _____, insert:

"Section 2. This act is an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act goes into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

School distance learning make up of hours

Sections _____ and _____

For the 2019-2020 school year, permits school districts, STEM schools, community schools that are not Internet- or computer-based schools (e-schools), and chartered nonpublic schools to make up through distance learning any number of days or hours necessary due to school closures as a result of the Director of Health's order "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, any local board of health order, or any extension of an order regarding COVID-19. A district or school may amend its existing plan or adopt one, if it does not have an existing plan, to make up those days or hours. (Current law limits make up through distance learning to not more than three days.)

Declares an emergency.

g_133_0338-5

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "regarding extending certain deadlines until after the COVID-19 emergency ends and to declare an emergency"

After line _____, insert:

"**Section 1.** (A) As used in this section:

(1) "License" means any license, permit, certificate, commission, charter, registration, card, or other similar authority that is issued or conferred by a state agency, a political subdivision of this state, or an official of a political subdivision of this state.

(2) "Person" has the same meaning as in section 1.59 of the Revised Code.

(3) "State agency" means every organized body, office, or agency established by the laws of the state for the exercise of any function of state government. "State agency" includes all of the following:

(a) The nonprofit corporation formed under section 187.01 of the Revised Code;

(b) The Public Employees Retirement Board, Board of Trustees of the Ohio Police and Fire Pension Fund, State Teachers Retirement Board, School Employees Retirement Board,

and State Highway Patrol Retirement Board;

(c) A state institution of higher education as defined in section 3345.011 of the Revised Code.

(B) If a state agency is required by law to take action during the period of the emergency declared by Executive Order 2020-01D, issued March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, notwithstanding the date by which action is required to be taken in accordance with that law, the state agency shall take that action not later than the earlier of either ninety days after the date the emergency ends or December 1, 2020.

(C)(1) Except as provided in division (E) of this section, if a person is required by law to take action to maintain the validity of a license during the period of the emergency declared by Executive Order 2020-01D, issued March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, notwithstanding the date by which action with respect to that license is required to be taken in accordance with that law, the person shall take that action not later than the sooner of either ninety days after the date the emergency ends or December 1, 2020.

(2) Except as provided in division (E) of this section, a license otherwise expiring pursuant to law during the period of the emergency declared by Executive Order 2020-01D, issued March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, notwithstanding the date on which the license expires in accordance with that law, remains valid until the earlier of either ninety days after the date the emergency ends or December 1, 2020, unless revoked, suspended, or otherwise subject to discipline or limitation

under the applicable law for reasons other than delaying taking action to maintain the validity of the license in accordance with division (C)(1) of this section.

(D) Nothing in division (C) of this section limits the authority of a state agency, political subdivision, or official that issues a license to take disciplinary action under the applicable law against a person with respect to a license, provided that a state agency, political subdivision, or official shall not take disciplinary action against a person who delays in taking action to maintain the validity of the license in accordance with division (C)(1) of this section.

(E)(1) If a concealed handgun license has been issued to a person under section 2923.125 of the Revised Code and if the date on which that license was, or is, scheduled to expire falls during the period of emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, notwithstanding that date of scheduled expiration or any other provision of law to the contrary, the date on which that license was, or is, scheduled to expire is hereby extended to the sooner of either ninety days or December 1, 2020, with the ninety-day extension period commencing on that date of scheduled expiration.

(2) Division (E)(1) of this section applies with respect to a concealed handgun license that is described in that division even if the date of scheduled expiration of that license occurred prior to the effective date of this section. In such a case, the ninety-day extension period, if applicable, shall be considered to have commenced on that date of scheduled expiration, notwithstanding the fact that the date already has

passed, and divisions (F) and (G) of this section apply regarding the license and the person to whom it was issued with respect to the entire applicable extension period, notwithstanding the fact that the date already has passed.

(F) If division (E)(1) of this section applies with respect to a concealed handgun license, during the extension period described in that division that is applicable to that license, both of the following apply:

(1) The license shall be valid for all purposes under the law of this state.

(2) The person to whom the license was issued shall be considered for all purposes under the law of this state to be a holder of a valid license to carry a concealed handgun.

(G) If division (E) of this section applies with respect to a concealed handgun license:

(1) The application of that division does not affect the operation of section 2923.128 of the Revised Code, during the applicable extension period described in that division or at any other time.

(2) The provisions of section 2923.128 of the Revised Code requiring the suspension or revocation of a concealed handgun license for specified conduct, or for a specified activity or factor, apply to the license with respect to which division (E) of this section applies and to the person to whom the license was issued, during the applicable extension period described in that division or at any other time.

(H) This section does not apply to any of the following:

(1) An offender who has violent offender database duties

as defined in section 2903.41 of the Revised Code;

(2) An offender who has a duty to register under section 2909.15 of the Revised Code;

(3) An offender who has a duty to register under section 2950.04 or 2950.041 of the Revised Code.

(I) No cause of action accrues due to the delay of an action taken under division (B), (C), or (E) of this section.

(J) The General Assembly encourages any person to whom the extension of time described in division (C)(1) or (E) of this section applies to make all reasonable efforts, taking into consideration the detrimental risks of COVID-19 to the health and safety of the person and other individuals, to take action with respect to a license within the extension granted under that division before the extension elapses."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Deadline extensions due to COVID-19 emergency

Sections ____ and ____

Extends current law deadlines with which a state agency must comply that occurs during the emergency declared by Executive Order 2020-01D until the sooner of 90 days after the emergency ends or December 1, 2020.

Extends current law deadlines with which a licensee must comply to maintain a license's validity that occurs during the emergency declared by Executive Order 2020-01D until the sooner of 90 days after the emergency ends or December 1, 2020.

Extends a license's validity until the sooner of 90 days after the emergency declared by Executive Order 2020-01D ends or December 1, 2020, if the license would otherwise expire during the emergency, unless it is revoked, suspended, or otherwise subject to discipline or limitation under the applicable law for reasons other than complying with the deadline extensions by delaying in taking action to maintain the license.

Specifies that a licensing entity may take disciplinary action against a licensee except because of a licensee's compliance with the deadline extensions in delaying in taking action to maintain the license.

With respect to standard concealed handgun licenses that are scheduled to expire during the period of emergency declared by Executive Order 2020-01D: (1) provides an extension of 90 days or until December 1, 2020, whichever occurs sooner, for the validity of those licenses, with the 90-day period commencing on the scheduled expiration date; (2) specifies that during that extension, for all purposes under Ohio law, the license is valid and the person to whom the license was issued is considered to be a holder of a valid license to carry a concealed handgun; and (3) specifies that the extension does not affect the operation of the Revised Code section (R.C. 2923.128) regarding the

suspension or revocation of a license to carry a concealed handgun or the provisions of that section requiring a suspension or revocation for specified conduct, activities, or factors, during the extension or at any other time.

Excludes from the deadline extensions an individual's duty to register or enroll as a violent offender, arson offender, or sex offender.

Exempts from suit a state agency or licensee for complying with the the deadline extensions.

Specifies that the General Assembly encourages a licensee to make all reasonable efforts to take action with respect to a license within the bill's deadline extension before the extension elapses.

Declares an emergency.

g_133_0339-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to waive the reemployment penalty for a retired state retirement system member who becomes reemployed by certain public employers during a COVID-19 state of emergency and to declare an emergency"

After line _____, insert:

"**Section 1.** (A) As used in this section:

(1) "PERS retirant" and "other system retirant" have the same meanings as in section 145.38 of the Revised Code.

(2) "Public employer" has the same meaning as in section 145.01 of the Revised Code.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of emergency goes beyond that date, a PERS retirant or other system retirant who is employed by any of the following public employers shall not be required to forfeit the retirant's retirement allowance as described in division (B)(4) of section 145.38 of the Revised Code:

(1) The Department of Rehabilitation and Correction;

(2) The Department of Youth Services;

(3) The Department of Mental Health and Addiction Services;

(4) The Department of Veterans Services;

(5) The Department of Developmental Disabilities."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Waiver of reemployment penalties during a COVID-19 outbreak

Sections 1 and 2

Removes the requirement that, until the earlier of December 1, 2020, or the period of the state of emergency due to COVID-19 declared by the Governor on March 9, 2020, ends, a retired state retirement system member who has received a retirement allowance for less than two months and is reemployed by any of the following public employers forfeit the retirement allowance during that two-month period:

--The Department of Rehabilitation and Correction;

--The Department of Youth Services;

--The Department of Mental Health and Addiction Services;

--The Department of Veterans Services;

--The Department of Developmental Disabilities.

Declares an emergency.

g_133_0340-1

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to make a temporary cash transfer, and to make an appropriation."

After line _____, insert:

"Section 1. All items in this section are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. All appropriations made in this section are for the capital biennium ending June 30, 2020, and are in addition to any other appropriations made for the capital biennium ending June 30, 2020.

1	2	3	
A	DAS DEPARTMENT OF ADMINISTRATIVE SERVICES		
B	Administrative Building Fund (Fund 7026)		
C	C10050 State Agency Capital Projects	$	20,000,000
D	TOTAL Administrative Building Fund	$	20,000,000
E	TOTAL ALL FUNDS	$	20,000,000

Within the limits set forth in this section, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this section, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this section shall be accounted for as though made in H.B. 529 of the 132nd General Assembly.

The appropriations made in this section are subject to all provisions of H.B. 529 of the 132nd General Assembly that are generally applicable to such appropriations."

After line _____, insert:

"Section 2. Upon request of the Director of Administrative Services, the Director of Budget and Management may transfer up to $20,000,000 cash from the Building Improvement Fund (Fund 5KZ0) to the Administrative Building Fund (Fund 7026) to pay costs associated with state agency capital projects. When the cash balance in Fund 7026 can support such an action, the Director of Administrative Services shall request that the Director of Budget and Management transfer cash from Fund 7026 to Fund 5KZ0 in an amount equal to the initial cash transfer made under this section."

The motion was _____ agreed to.

SYNOPSIS

Department of Administrative Services

Sections 1 and 2

Appropriates $20 million to capital appropriation item

C10050, State Agency Capital Projects. Authorizes the Director of Budget and Management, at the request of the Director of Administrative Services, to transfer up to $20.0 million cash from the Building Improvement Fund (Fund 5KZ0) to the Administrative Building Fund (Fund 7026) to pay costs associated with state agency capital projects.

Requires the Director of Administrative Services to request the Director of Budget and Management to transfer cash from Fund 7026 to repay Fund 5KZ0 in an amount equal to the initial cash transfer between the two funds when there is a sufficient cash balance in Fund 7026 to support such a transfer.

g_133_0341-1

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "regarding Medicaid payments to COVID-19 community providers, and to make an appropriation"

After line _____, insert:

"**Section 1.** (A) As used in this section, "Medicaid provider" has the same meaning as in section 5164.01 of the Revised Code.

(B) During the state of emergency due to COVID-19, declared by Executive Order 2020-01D, issued on March 9, 2020, or until December 1, 2020, whichever is earlier, the Medicaid Director may do any of the following:

(1) Classify certain Medicaid providers as COVID-19 community providers;

(2) Direct Medicaid payments to COVID-19 community providers from previously appropriated Medicaid funds;

(3) Request the Director of Budget and Management to designate additional funds related to the COVID-19 outbreak for Medicaid payments to COVID-19 community providers;

(4) Make Medicaid payments to COVID-19 community providers from funds designated under division (B)(3) of this section;

(5) Facilitate payments to COVID-19 community providers by transferring funds designated under division (B)(2) or (3) of this section to the Departments of Developmental Disabilities and Mental Health and Addiction Services via intrastate transfer vouchers.

(C) The Medicaid Director shall specify all of the following regarding the Medicaid payments authorized by this section:

(1) Any requirements that a COVID-19 community provider must meet;

(2) Enhanced rates or additional services reimbursement;

(3) Methods of payment.

(D) Section 5162.07 of the Revised Code as it pertains to seeking federal approval for components of the Medicaid program applies to this section.

(E) All amounts in this section are hereby appropriated."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Medicaid payments to COVID-19 community providers

Sections 1 and 2

Authorizes the Medicaid Director, during the state of emergency due to COVID-19, or until December 1, 2020, whichever is earlier, to (1) classify certain Medicaid providers as COVID-19 community providers, (2) request the Director of Budget and Management to designate additional funds related to the COVID-19 outbreak for Medicaid payments to COVID-19 community providers, (3) make payments to COVID-19 community providers, and (4) facilitate payments to COVID-19 community providers by transferring funds to the Departments of Developmental Disabilities and Mental Health and Addiction Services via intrastate transfer vouchers. Appropriates funds in this section.

Declares an emergency.

g_133_0351-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert ", to establish a public body open meetings policy and policy regarding hearings for use during only the period of emergency declared by Executive Order 2020-01D, but not beyond December 1, 2020, and to declare an emergency"

After line _____, insert:

"**Section 1.** (A) As used in this section:

"Hearing" means an administrative hearing, hearing as defined in section 119.01 of the Revised Code, or other hearing at which a person may present written or oral testimony on a matter before the public body.

"Public body" and "meeting" have the meanings defined in section 121.22 of the Revised Code.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, members of a public body may hold and attend meetings and may conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology and all of the following apply:

(1) Any resolution, rule, or formal action of any kind shall have the same effect as if it had occurred during an open

meeting or hearing of the public body.

(2) Notwithstanding division (C) of section 121.22 of the Revised Code, members of a public body who attend meetings or hearings by means of teleconference, video conference, or any other similar electronic technology, shall be considered present as if in person at the meeting or hearing, shall be permitted to vote, and shall be counted for purposes of determining whether a quorum is present at the meeting or hearing.

(3) Public bodies shall provide notification of meetings and hearings held under this section to the public, to the media that have requested notification of a meeting, and to the parties required to be notified of a hearing, at least twenty-four hours in advance of the meeting or hearing by reasonable methods by which any person may determine the time, location, and the manner by which the meeting or hearing will be conducted, except in the event of an emergency requiring immediate official action. In the event of an emergency, the public body shall immediately notify the news media that have requested notification or the parties required to be notified of a hearing of the time, place, and purpose of the meeting or hearing.

(4) The public body shall provide the public access to a meeting held under this section, and to any hearing held under this section that the public would otherwise be entitled to attend, commensurate with the method in which the meeting or hearing is being conducted, including, but not limited to, examples such as live-streaming by means of the internet, local radio, television, cable, or public access channels, call in information for a teleconference, or by means of any other similar electronic technology. The public body shall ensure that

the public can observe and hear the discussions and deliberations of all the members of the public body, whether the member is participating in person or electronically.

(C) When members of a public body conduct a hearing by means of teleconference, video conference, or any other similar electronic technology, the public body must establish a means, through the use of electronic equipment that is widely available to the general public, to converse with witnesses, and to receive documentary testimony and physical evidence.

(D) The authority granted in this section applies notwithstanding any conflicting provision of the Revised Code. Nothing in this section shall be construed to negate any provision of section 121.22 of the Revised Code, Chapter 119. of the Revised Code, or other section of the Revised Code that is not in conflict with this section.

(E) This section is effective during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, or until December 1, 2020, if the period of the emergency continues beyond that date."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to minimize the impact to Ohio citizens from the COVID-19 outbreak, and to establish a public body open meetings policy for use only during this public health emergency. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Public body open meetings and hearing policy during emergency

Sections 1 and 2

Establishes a public body open meetings policy and a policy regarding hearings, which utilize the use of electronic communication in lieu of in person meetings and hearings, for use only during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date.

Declares an emergency.

g_133_0360

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "To authorize a transfer from the Budget Stabilization Fund to the General Revenue Fund and to declare an emergency"

After line _____, insert:

"**Section 1.** BUDGET STABILIZATION FUND TRANSFER

Notwithstanding division (D) of section 127.14 of the Revised Code, the Director of Budget and Management may request, prior to the end of fiscal year 2020, approval from the Controlling Board for a transfer of cash from the Budget Stabilization Fund to the General Revenue Fund to help ensure that the available revenue receipts and balances in the General Revenue Fund are not less than the expenditures for fiscal year 2020. Upon the approval of at least two members of the Controlling Board who are members of the Senate and at least two members of the Controlling Board who are members of the House of Representatives, the Director may transfer cash in the amount approved from the Budget Stabilization Fund to the General Revenue Fund."

After line _____, insert:

"**Section 2.** This act is an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action

is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act goes into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Budget Stabilization Fund transfer

Section 1

Authorizes the Director of Budget and Management to transfer cash in FY 2020 from the Budget Stabilization Fund to the GRF to ensure the fiscal year 2020 GRF budget is balanced, on the approval of at least two Controlling Board members from each chamber of the General Assembly.

Declares an emergency.

g_133_0361

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to provide a county central committee of a political party an additional forty-five days to fill a vacancy during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020"

After line _____, insert:

"Section 1. Notwithstanding sections 3.16, 305.02, 731.43, 733.08, 733.31, 1901.31, and 3513.31 of the Revised Code, the county central committee of the political party that is responsible for filling any vacancy shall have an additional forty-five days to fill the vacancy from the date the vacancy was required to be filled during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020."

The motion was _____ agreed to.

SYNOPSIS

Vacancies to be filled by county central committees

Section 1

Provides a county central committee of a political party an additional forty-five days to fill a vacancy from the date

the vacancy was required to be filled during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020.

g_133_0362-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to account for school closings in compliance with the Director of Health's order, or local board of health order or extension of any order, due to the implications of COVID-19 and to declare an emergency"

After line _____, insert:

"**Section 1.** Notwithstanding anything in the Revised Code or Administrative Code to the contrary, for the 2019-2020 school year only, except as otherwise provided in this section, due to the Director of Health's order under section 3701.13 of the Revised Code "In re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, or any local board of health order, and any extension of any order, based on the implications of COVID-19, all of the following apply:

(A)(1) Any city, exempted village, local, joint vocational, or municipal school district, any community school established under Chapter 3314. of the Revised Code, any STEM school established under Chapter 3326. of the Revised Code, any chartered nonpublic school, and the State School for the Deaf and the State School for the Blind shall not be required to administer the assessments prescribed in sections 3301.0710, 3301.0711, 3301.0712, 3313.903, and 3314.017 of the Revised Code, including the Ohio English Language Proficiency Assessment

administered to English learners pursuant to division (C)(3)(b) of section 3301.0711 of the Revised Code and the Alternate Assessment for Students with Significant Cognitive Disabilities prescribed in division (C)(1) of section 3301.0711 of the Revised Code.

(2) Any chartered nonpublic school that has chosen to administer assessments under section 3313.619 of the Revised Code that has not administered such assessments by March 17, 2020, shall not be required to administer those assessments.

(3) The Department of Education shall not exclude any student to whom an assessment was not administered in the 2019-2020 school year under division (A) of this section from counting in a district's or school's enrollment for the 2020-2021 school year pursuant to division (L)(3) of section 3314.08, division (E)(3) of section 3317.03, or division (C) of section 3326.37 of the Revised Code.

(4) If a student was not administered an assessment in the 2019-2020 school year under division (A) of this section, that school year shall not count in determining if the student is subject to withdrawal from a school pursuant to section 3313.6410 or 3314.26 of the Revised Code.

(5) No student who received a scholarship under the Educational Choice Scholarship Program under section 3310.03 or 3310.032 of the Revised Code, the Jon Peterson Special Needs Scholarship Program under section 3310.52 of the Revised Code, or the Pilot Project Scholarship Program under section 3313.975 of the Revised Code for the 2019-2020 school year shall be considered ineligible to renew that scholarship for the 2020-2021 school year solely because the student was not administered an assessment in the 2019-2020 school year under division (A) of

this section.

(B)(1) The Department of Education shall not publish state report card ratings under section 3302.03, 3302.033, 3314.012, or 3314.017 of the Revised Code nor shall the Department be required to submit preliminary data for the report cards by July 31, 2020, as required by those sections. Furthermore, the Department shall not assign an overall letter grade under division (C)(3) of section 3302.03 of the Revised Code for any school district or building, shall not assign an individual grade to any component prescribed under division (C)(3) of section 3302.03 of the Revised Code, shall not assign a grade to any measures under division (C)(1) of section 3302.03 of the Revised Code, and shall not rank school districts, community schools, or STEM schools under section 3302.21 of the Revised Code for the 2019-2020 school year.

However, the Department shall report any data that it has regarding the performance of districts and buildings for the 2019-2020 school year by September 15, 2020.

(2) The absence of report card ratings for the 2019-2020 school year shall have no effect in determining sanctions or penalties, and shall not create a new starting point for determinations that are based on ratings over multiple years. The report card ratings of any previous or subsequent years shall be considered in determining whether a school district or building is subject to sanctions or penalties. If a school district or building was subject to any of the following penalties or sanctions in the 2019-2020 school year based on its report card rating for previous school years, those penalties or sanctions shall remain for the 2020-2021 school year. Those penalties and sanctions include the following:

(a) Any restructuring provisions established under Chapter 3302. of the Revised Code, except as required under federal law;

(b) Provisions for the Columbus City School Pilot Project under section 3302.042 of the Revised Code;

(c) Provisions for academic distress commissions under section 3302.10 of the Revised Code. While a district subject to an academic distress commission prior to the effective date of this section shall be considered to be subject to an academic distress commission for the 2020-2021 school year, that year shall not be included for purposes of determining progressive consequences under divisions (H), (I), (J), (K), and (L) of section 3302.10 of the Revised Code that are in addition to those that were being exercised by the chief executive officer during the 2019-2020 school year or for purposes of the appointment of a new board of education under division (K) of that section. Nothing in division (B)(2)(c) of this section shall be construed to limit the powers that the chief executive officer exercised under section 3302.10 of the Revised Code prior to the 2020-2021 school year.

(d) Provisions prescribing new buildings where students are eligible for the Educational Choice Scholarships under section 3310.03 of the Revised Code;

(e) Provisions defining "challenged school districts" in which new start-up community schools may be located, as prescribed in section 3314.02 of the Revised Code;

(f) Provisions prescribing community school closure requirements under section 3314.35 or 3314.351 of the Revised Code;

(g) Provisions of state or federal law that identify

school districts or buildings for comprehensive or targeted support and improvement or additional targeted support and improvement. Districts and buildings so identified shall continue to receive supports and interventions consistent with their support and improvement plans in the 2020-2021 school year.

(h) Provisions that determine the conditions under which community schools may change sponsors under section 3314.034 of the Revised Code.

(C) No school district, community school, or STEM school and no chartered nonpublic school that is subject to section 3301.163 of the Revised Code shall retain a student in the third grade under that section or section 3313.608 of the Revised Code based solely on a student's academic performance in reading in the 2019-2020 school year unless the principal of the school building in which a student is enrolled and the student's reading teacher agree that the student is reading below grade level and is not prepared to be promoted to the fourth grade.

(D)(1) Division (D) of this section applies to any student who meets both of the following criteria:

(a) The student was enrolled in the twelfth grade in the 2019-2020 school year or was on track to graduate in the 2019-2020 school year, as determined by the school district or other public or chartered nonpublic school in which the student was enrolled, regardless of the graduation cohort in which the student is included.

(b) The student had not completed the requirements for a high school diploma under section 3313.61, 3313.612, or 3325.08 of the Revised Code or under Section 3 of H.B. 491 of the 132nd

General Assembly, as of March 17, 2020.

(2) A city, exempted village, local, or municipal school district, a community school, a STEM school, a chartered nonpublic school, the State School for the Blind, and the State School for the Deaf shall grant a high school diploma to any student to whom this section applies, if the student's principal, in consultation with teachers and counselors, reviews the student's progress toward meeting the requirements for a diploma and determines that the student has successfully completed the curriculum in the student's high school or the individualized education program developed for the student by the student's high school pursuant to section 3323.08 of the Revised Code, or qualified under division (D) or (F) of section 3313.603 of the Revised Code, at the time the student's school closed pursuant to the Director of Health's order under section 3701.13 of the Revised Code "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020. No district or school shall grant a high school diploma under division (D)(2) of this section after September 30, 2020.

(3) If the board of education of a school district or the governing authority of a community school, STEM school, chartered nonpublic school, the State School for the Blind, or the State School for the Deaf has adopted a resolution under division (E) of section 3313.603 of the Revised Code requiring a more challenging curriculum than otherwise required under division (C) of that section, the district superintendent or the chief administrator of the school may elect to require only the minimum curriculum specified in division (C) of that section for the purpose of determining if a student to whom division (D) of this section applies has successfully completed the curriculum under division (D)(2) of this section. If such an election is

made, the superintendent or chief administrator shall evaluate each student to whom division (D) of this section applies using the minimum curriculum specified in division (C) of this section.

(4) It is the intent of the General Assembly that school districts and other public and private schools do both of the following:

(a) Continue to provide ways to keep students actively engaged in learning opportunities between March 17, 2020, and the remainder of the school year;

(b) Grant students who need in-person instructional experiences to complete requirements for a diploma or a career-technical education program access to school facilities as soon as it is reasonably possible after the Director of Health permits such access to resume, even if the last instructional day of the school year has already passed.

(E) For the purpose of teacher evaluations conducted under sections 3319.111 and 3319.112 of the Revised Code, no school district board of education shall use value-added progress dimension data, established under section 3302.021 of the Revised Code, from the 2019-2020 school year to measure student learning attributable to the teacher being evaluated.

(F) For community school sponsor evaluations required under section 3314.016 of the Revised Code, the Department shall not issue a rating for the academic performance component under division (B)(1)(a) of that section to any sponsor and shall not include academic performance in the calculation of an overall rating for the sponsor. The Department's rating of a sponsor for the 2019-2020 school year shall be based only on the components

listed in divisions (B)(1)(b) and (c) of that section.

In evaluating a sponsor based on the components in divisions (B)(1)(b) and (c) of section 3314.016 of the Revised Code for the 2019-2020 school year, the Department shall not find a sponsor or a school out of compliance with an applicable law or administrative rule for any requirement for an action that should have occurred while schools were closed pursuant to the Director of Health's order under section 3701.13 of the Revised Code "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, any local board of health order, or any extension of an order.

(G) The Superintendent of Public Instruction may waive the requirement to complete any report prescribed by law that is based on data from assessments that would have been but were not administered during the 2019-2020 school year pursuant to division (A) of this section.

(H) The Department, on behalf of the State Board of Education, may issue a one-year, nonrenewable provisional license to any individual to practice in any category, type, and level for which the State Board issues a license pursuant to Title XXXIII of the Revised Code, if the individual has met all requirements for the requested license except for the requirement to pass an examination prescribed by the State Board in the subject area for which application is being made. Any individual to whom a provisional license is issued under this division shall take and pass the appropriate subject area examination prior to expiration of the license as a condition of advancing the license in the appropriate category, type, and level. The Department shall not issue a provisional license under this division that is valid on or after July 1, 2021.

(I) The Superintendent of Public Instruction may extend or waive any deadline for an action required of the State Board of Education, the Department of Education, or any person or entity licensed or regulated by the State Board or Department during the duration of the Director of Health's order under section 3701.13 of the Revised Code "In re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, or any local board of health order, and any extension of any order, based on the implications of COVID-19, as necessary to ensure that the safety of students, families, and communities are prioritized while continuing to ensure the efficient operation of the Department and public and private schools in this state. Deadlines that may be extended or waived by the State Superintendent include, but are not limited to, deadlines related to the following:

(1) The conduct of evaluations for school personnel under Chapter 3319. of the Revised Code;

(2) Notice of intent not to reemploy school personnel under Chapter 3319. Of the Revised Code;

(3) The conduct of school safety drills under section 3737.73 of the Revised Code;

(4) The emergency management test required by division (E) of section 3313.536 of the Revised Code;

(5) The filling of a vacancy in a board of education;

(6) Updating of teacher evaluation policies to conform with the framework for evaluation of teachers adopted under section 3319.112 of the Revised Code;

(7) Identification and screening of gifted students under Chapter 3324. of the Revised Code.

(J) Notwithstanding anything in the Revised Code or Administrative Code to the contrary, the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction, may waive, extend, suspend, or modify requirements of the College Credit Plus program if the Chancellor, in consultation with the Superintendent, determines the waiver, extension, suspension, or modification is necessary in response to COVID-19.

(K) The Superintendent of Public Instruction shall collaborate with providers in the 22+ Adult High School Diploma Program authorized under sections 3314.38, 3317.23, 3317.231, 3317.24, and 3345.86 of the Revised Code and the Adult Diploma Program authorized under section 3313.902 of the Revised Code, and rules adopted thereunder, to ensure that the providers have maximum flexibility to assist students whose progress in the program has been affected by the Director of Health's order to complete the requirements to earn a high school diploma. For this purpose, the State Superintendent may waive or extend deadlines, or otherwise grant providers and students flexibility, for completion of program requirements.

(L) No school district shall require the parent of any student who was instructed at home in accordance with section 3321.04 of the Revised Code for the 2019-2020 school year to submit to the district superintendent the results of a standardized achievement assessment administered to the student as a condition of the district allowing the student to continue to receive home instruction for the 2020-2021 school year.

(M) Notwithstanding anything in the Revised Code to the contrary, the board of education of any school district that, prior to the Director of Health's order under section 3701.13 of

the Revised Code "In re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, had not completed an evaluation that was required under Chapter 3319. of the Revised Code for the 2019-2020 school year for an employee of the district, including a teacher, administrator, or superintendent, may elect not to conduct an evaluation of the employee for that school year, if the district board determines that it would be impossible or impracticable to do so. If a district board elects not to evaluate an employee for the 2019-2020 school year, the employee shall be considered not to have had evaluation procedures complied with pursuant to section 3319.111 of the Revised Code for purposes of section 3319.11 of the Revised Code. The district board may collaborate with any bargaining organization representing employees of the district in determining whether to complete evaluations for the 2019-2020 school year. Nothing in this section shall preclude a district board from using an evaluation completed prior to the Director of Health's order in employment decisions."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state during the period of emergency arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Waiver of education requirements due to COVID-19 emergency

Section 1

For the 2019-2020 school year, due to the Director of Health's order "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, any local board of health order, or any extension of an order to close all kindergarten through 12th grade schools, does all of the following:

Exempts all public and chartered nonpublic schools from administering state achievement and alternative assessments, including the Ohio English Language Proficiency Assessment administered to English learners, WebXams, and the Alternate Assessment for Students with Significant Cognitive Disabilities.

Prohibits the Department of Education from subtracting from a district or school's state aid account for students who were unable to complete assessments.

Prohibits an e-school from withdrawing students who were unable to complete assessments.

Specifies that students participating in the Educational Choice Scholarship Program, the Jon Peterson Special Needs Scholarship Program, or the Pilot Project (Cleveland) Scholarship Program must be considered eligible to renew that scholarship for the 2020-2021 school year in spite of the student not being administered an assessment in the 2019-2020 school year.

Prohibits the Department from publishing and issuing ratings for overall grades, components, and individual measures on the state report cards, report cards for dropout recovery schools, report cards for joint vocational school districts and

other career-technical planning districts, and submitting preliminary data for report cards for school districts and buildings.

Establishes a safe harbor from penalties and sanctions for districts and schools based on the absence of state report card grades for the 2019-2020 school year. Includes safe harbor from:

- Restructuring under state law based on poor performance;

- The Columbus City School Pilot Project;

- Provisions for academic distress commissions and progressive consequences for existing commissions (but specifically retains the chief executive officer's powers prior to the 2020-2021 school year);

- Buildings becoming subject to the Educational Choice Scholarship;

- Determination of "challenged school districts" where new start-up community schools may be located;

- Community school closure requirements;

- Identification of school districts and buildings for federal and state targeted support and improvement;

- Conditions under which community schools may change sponsors.

Exempts schools from retaining students in the third grade under the Third-Grade Reading Guarantee, unless the school principal and student's reading teacher determine the student is not reading at grade level.

Permits public and private schools to grant a diploma to any student on track to graduate and for whom the principal, in

consultation with teachers and counselors, determines that the student has successfully completed the student's high school curriculum or individualized education program at the time of the Director's order.

Permits a district or school that has previously adopted a resolution to exceed the minimum curriculum requirements prescribed under current law to elect to require only the minimum curriculum for the purpose of determining high school graduation for the 2019-2020 school year.

Declares the intent of the General Assembly that school districts and other public and private schools continue to find ways to keep students actively engaged in learning opportunities for the remainder of the school year and to grant students who need in-person instructional experiences to complete diploma requirements or career-technical education programs to access school facilities as soon as reasonably possible after the Director of Health permits such access, even if the last instructional day of the school year has passed.

Prohibits the use of the value-added progress dimension from the 2019-2020 school year to measure student learning attributable to teachers for their performance evaluations.

For community school sponsor ratings: (1) prohibits the Department from issuing a rating for the academic performance component; (2) prohibits the use of that rating for the overall rating; and (3) prohibits the Department from finding a sponsor out of compliance with applicable laws and rules for any requirement for an action that should have occurred while schools were closed.

Permits the Superintendent of Public Instruction to waive

the requirement to complete any report based on data from assessments that were to be administered in the 2019-2020 school year.

Permits the Department to issue one-year, nonrenewable, provisional licenses to educators that have met all other requirements for the requested license except for the requirement to pass a subject area exam prescribed by the State Board. However, an educator that is issued a provisional license is required to take and pass the appropriate subject area exam prior to expiration of the license as a condition of advancing the license.

Gives authority to the State Superintendent to adjust deadlines set in current law and required of the State Board of Education, educators, and schools, including:

-Teacher evaluations;

-Intent to reemploy notifications;

-School safety drills;

-Emergency management tests;

-Requirements to fill a vacancy on a board of education;

-Updating teacher evaluation policies; and

-Gifted screening requirements.

Permits the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction to extend, waive, or otherwise modify requirements of the College Credit Plus Program.

Permits the Superintendent of Public Instruction to waive or extend deadlines, or otherwise grant providers and students

flexibility, for completion of adult education program requirements interrupted due to the COVID-19 outbreak.

Waives the requirement that the parents of a homeschooled student must submit assessment data to the resident school district as a condition of the district allowing the student to continue to receive home instruction for the 2020-2021 school year.

Permits a board of education to elect not to conduct evaluations of district employees, including teachers, administrators, or a superintendent for the 2019-2020 school year, if the district board determines that it would be impossible or impracticable to do so. If a district board elects not to evaluate an employee for the 2019-2020 school year, the employee shall be considered not to have had evaluation procedures complied with and shall not be penalized for the purpose of reemployment. Specifies that the district board may collaborate with any bargaining organization representing employees of the district in determining whether to complete evaluations for the 2019-2020 school year. Nothing in the amendment precludes a district board from using an evaluation completed prior to the Director of Health's order in employment decisions.

Emergency clause

Section 2

Declares an emergency.

g_133_0364

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to authorize payments to publicly funded child care providers during the period of the emergency declared by Executive Order 2020-01D and to declare an emergency"

After line _____, insert:

"Section 1. During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, the Department of Job and Family Services may continue to pay a provider of publicly funded child care if both of the following apply:

(A) The provider is under contract with the Department as described in section 5104.32 of the Revised Code;

(B) The provider is unable to provide publicly funded child care to children of eligible caretaker parents as a result of the emergency."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Payments to publicly funded child care providers

Sections 1 and 2

Authorizes the Ohio Department of Job and Family Services to continue to pay providers of publicly funded child care during the period of the COVID-19 emergency declared on March 9, 2020, and declares an emergency.

g_133_0365-1

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to make temporary changes to the Unemployment Compensation Law during a COVID-19 state of emergency, and to declare an emergency"

After line _____, insert:

"**Section 1.** (A) As used in this section:

(1) "Benefits," "benefit year," "claim for benefits," "employer," and "unemployed" have the same meanings as in section 4141.01 of the Revised Code.

(2) "Reimbursing employer" means an employer that makes payments in lieu of contributions as defined in section 4141.01 of the Revised Code.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of emergency continues beyond that date, all of the following apply:

(1) The requirement that an individual serve a waiting period under division (B) of section 4141.29 of the Revised Code before receiving benefits does not apply to a benefit year that begins after the effective date of this section.

(2) The Director of Job and Family Services may waive the requirement that an individual be actively seeking suitable work

under division (A)(4)(a) of section 4141.29 of the Revised Code for any claim for benefits filed during the duration of this section.

(3) Notwithstanding division (D)(2) of section 4141.29 of the Revised Code, an individual shall not be disqualified from being paid benefits if the individual is unemployed or is unable to return to work because of an order, including an isolation or quarantine order, issued by any of the following:

(a) The individual's employer;

(b) The Governor;

(c) The board of health of a city health district pursuant to section 3709.20 of the Revised Code;

(d) The board of health of a general health district pursuant to section 3709.21 of the Revised Code;

(e) A health commissioner pursuant to section 3707.34 of the Revised Code;

(f) The Director of Health pursuant to section 3701.13 of the Revised Code.

(4) Benefits that may become payable to an individual described in division (B)(3) of this section shall be charged to the mutualized account created by division (B) of section 4141.25 of the Revised Code, provided that no charge shall be made to the mutualized account for benefits chargeable to a reimbursing employer, except as provided in division (D)(2) of section 4141.24 of the Revised Code."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public

peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Changes to unemployment compensation during a COVID-19 outbreak

Sections 1 and 2

Suspends, until the earlier of December 1, 2020, or the date on which the state of emergency declared by Executive Order 2020-01D, dated March 9, 2020, ends, a requirement that an individual serve a waiting period before receiving unemployment benefits.

Permits the Director of Job and Family Services, during the period described above, to waive the requirement that a person actively search for suitable work as a condition of receiving unemployment benefits.

Provides, during the period described above, that an individual is not disqualified from receiving unemployment benefits if the individual is unemployed or is unable to return to work because of an order, including an order to be isolated or quarantined, issued by any of the following:

--The individual's employer;

--The Governor;

--The board of health of a city health district;

--The board of health of a general health district;

--A health commissioner;

--The Department of Health.

Charges benefits paid to an individual who is unemployed or unable to return to work due to an isolation or quarantine order during the period described above to the mutualized account, unless the benefits are chargeable to a reimbursing employer.

Declares an emergency.

g_133_0366-1

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to permit certain license holders to deliver services electronically or via telehealth communications to special needs students during a COVID-19 outbreak and to declare an emergency"

After line _____, insert:

"**Section 1.** (A) As used in this section, "license" includes any license, certificate, permit, or other authorization issued by a state licensing board that allows the holder to practice a job or profession.

(B) This section applies to all of the following during the period of the Director of Health's order under section 3701.13 of the Revised Code "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, any local board of health order to close schools, or any extension of an order due to the implications of COVID-19, or until December 1, 2020, if the order or extension of the order has not been rescinded by that date:

(1) The Ohio Speech and Hearing Professionals Board described in section 4753.05 of the Revised Code;

(2) The Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board created under section 4755.01 of the Revised Code;

(3) The State Board of Psychology appointed under section 4732.02 of the Revised Code;

(4) The Counselor, Social Worker, and Marriage and Family Therapist Board created under section 4757.03 of the Revised Code;

(5) The State Board of Education with respect to intervention specialists.

(C) Notwithstanding anything to the contrary in the Revised Code or in an administrative rule adopted by a licensing board to which this section applies, a person who holds a valid license issued by such a board may provide services within the scope of practice authorized under the license by electronic delivery method or telehealth communication to any student participating in the Autism Scholarship Program established under section 3310.41 of the Revised Code or the Jon Peterson Special Needs Scholarship Program established under section 3310.52 of the Revised Code, or to any student who was enrolled in a public or private school and was receiving those services, regardless of the method of delivery, prior to the issuance of the Director of Health's order. No licensing board to which this section applies shall take any disciplinary action against a license holder who provides services to a student in accordance with this section, including limiting, suspending, or revoking the person's license or refusing to issue a license to the person, solely because the license holder provided such services."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to

address urgent needs of the state during the period of emergency arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Delivery of services to special needs students during COVID-19 emergency

Section 1

During the duration of the Director of Health's order "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued on March 14, 2020, local board of health order, or extension of any order, or until December 1, 2020, if the order or extension of the order has not been rescinded by that date, permits the holders of licenses issued by the following boards to provide services electronically or via telehealth communication to children who receive services through their resident school districts or under the Autism Scholarship or the Jon Peterson Special Needs Scholarship with no penalty:

- The Ohio Speech and Hearing Professionals Board;

- The Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board;

- The State Board of Psychology;

- The Counselor, Social Worker, and Marriage and Family Therapist Board;

- The State Board of Education, with respect to intervention specialists.

Emergency Clause

Section 2

Declares an emergency.

g_133_0371-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to extend tax filing and payment deadlines and specify the municipal income tax status of employees' alternative workplaces, and to declare an emergency"

After line _____, insert:

"**Section 1.** (A) Notwithstanding section 5703.35 of the Revised Code, the Tax Commissioner may do any of the following during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020:

(1) Extend to any company, firm, corporation, person, association, partnership, or public utility affected by the emergency a further specified time within which to file any report required by law to be filed with the Commissioner, in which event the attaching of any penalty for failure to file such report or pay any tax or fee shall be extended accordingly, without regard to the forty-five-day limitation of section 5703.35 of the Revised Code;

(2) Extend to any company, firm, corporation, person, association, partnership, or public utility affected by the emergency a further specified time within which to make any estimated or accelerated payment that would otherwise be due pursuant to Chapter 718., 3734., 3769., 4303., or 4305., or Title LVII of the Revised Code, in which event the attaching of

any penalty for failure to file such report or pay any tax or fee shall be extended accordingly;

(3) Waive the payment of interest that is calculated at the rate per annum prescribed by section 5703.47 of the Revised Code and that would otherwise be due pursuant to Chapter 718., 3734., 3769., 4303., or 4305., or Title LVII of the Revised Code for any payment extended under division (A)(1) or (2) of this section.

(B) If the Tax Commissioner extends for all taxpayers the date for filing state income tax returns under division (A) of this section or division (G) of section 5747.08 of the Revised Code during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, a taxpayer shall automatically receive an extension for the filing of a municipal net profit tax return under section 718.85 of the Revised Code during that period. The extended due date of the municipal net profit tax return shall be the same as the extended due date of the state income tax return."

After line _____, insert:

"Section 2. Notwithstanding section 718.011 of the Revised Code, and for the purposes of Chapter 718. of the Revised Code, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, and for thirty days after the conclusion of that period, any day on which an employee performs personal services at a location, including the employee's home, to which the employee is required to report for employment duties because of the declaration shall be deemed to be a day performing personal services at the employee's principal place of work."

After line _____, insert:

"Section 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to minimize the disruption to tax compliance efforts during the COVID-19 disease outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Tax compliance mitigation

Sections 1, 2, and 3

Expressly authorizes the Tax Commissioner to extend state tax filing and payment deadlines for the duration of the Governor's COVID-19 emergency declaration and to waive associated interest and penalties for taxpayers affected by the emergency. Also applies to school district income taxes, municipal income taxes administered by the state, and certain fees administered by the Department of Taxation.

Specifies that, for municipal income tax purposes, employees who must report to a temporary worksite (including their home) during the emergency period, or within 30 days thereafter, are considered to be working at their otherwise principal place of work (which, by law, is where the employee reports for work on "a regular and ordinary basis"). This affects which municipal corporation the employer must withhold income taxes for, which municipal corporation may tax the employee's pay, and whether and how much of the employer's own

income is subject to a municipality's income tax. (Under current law, an employee may work in a municipality for up to 20 days per year without the employee becoming subject to that municipality's income tax and the employer becoming subject to that municipality's tax withholding requirements. And, if an employee does not exceed the 20-day threshold, that employee's pay is not counted toward the business's payroll factor, one of three factors--along with property and sales--that determines whether, and the extent to which, an employer's own income is subject to the municipality's tax on net profits. See R.C. 718.011, 718.02, and 718.82.)

Declares an emergency.

g_133_0389-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to allow a public retirement system board to delay a board member election scheduled to take place during the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, and to declare an emergency"

After line _____, insert:

"Section 1. The Public Employees Retirement Board, State Teachers Retirement Board, School Employees Retirement Board, or State Highway Patrol Retirement Board may delay an election of members to the applicable board that is scheduled to take place during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but before December 1, 2020, until December 1, 2020. The delayed election shall be conducted as provided for in section 145.058, 3307.075, 3309.075, or 5505.047 of the Revised Code.

The Ohio Police and Fire Pension Fund Board of Trustees may delay an election of members to the Board that is scheduled to take place during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but before December 1, 2020, until December 1, 2020. The delayed election shall be conducted as provided in section 742.04 of the Revised Code, except that the Board shall adjust the dates in that section for nominating petitions to be filed and ballots to be

returned to the Board to reflect the new election date.

If a board delays an election in accordance with this section, the elected members of the board whose terms were set to expire following the original election date shall continue in office subsequent to the expiration date of the member's term until the member's successor is elected and takes office."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Delay of public retirement system board elections

Sections 1 and 2

Allows the Public Employees Retirement Board, Ohio Police and Fire Pension Fund Board of Trustees, State Teachers Retirement Board, School Employees Retirement Board, or State Highway Patrol Retirement Board to delay an election for board members scheduled to take place during the period of the emergency declared by the Governor on March 9, 2020, but before December 1, 2020, until December 1, 2020.

Requires the current elected board members whose terms

expire after the original election date to continue in office until the member's successor is elected and takes office.

Declares an emergency.

g_133_0392-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to allow the Auditor of State to waive certain current law requirements for agreed-upon procedure audits during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020,"

After line _____, insert:

"**Section 1.** The Auditor of State, on a case-by-case basis, may determine that the requirement under division (D) of section 117.114 of the Revised Code to have one audit performed under division (A) of section 117.11 or division (A) of section 117.12 of the Revised Code may be waived, if the waiver applies to an audit period during which the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, is or was in effect."

After line _____, insert:

"**Section 2.** The Auditor of State, on a case-by-case basis, may determine that a qualifying subdivision that fails to meet any of the criteria established by rule under division (B) of section 117.114 of the Revised Code is otherwise eligible for an agreed-upon procedure audit and may, in writing, grant a waiver of particular criteria, if the waiver applies to an audit period during which the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, is or was in effect."

The motion was _____ agreed to.

SYNOPSIS

Frequency of agreed-upon procedure audits

Sections _____

Specifies that the Auditor of State, for an audit period during which the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, is or was in effect, may waive:

- The current law requirement that the Auditor of State conduct a standard financial audit after conducting an agreed-upon procedure audit in two consecutive audit periods; and

- All criteria a public office is required to satisfy in order for the Auditor of State to conduct an agreed-upon procedure audit instead of a standard financial audit (currently, the Auditor of State may waive one criterion).

g_133_0393-3

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to toll the criminal statutes of limitation, the civil statutes of limitation, the administrative statutes of limitation, and court time limitations and deadlines"

After line _____, insert:

"Section 1. (A) The following that are set to expire between March 9, 2020, and July 30, 2020, shall be tolled:

(1) A statute of limitation, as follows:

(a) For any criminal offense, notwithstanding any other provision of law to the contrary, the applicable period of limitation set forth in section 2901.13 of the Revised Code for the criminal offense;

(b) When a civil cause of action accrues against a person, notwithstanding any other provision of law to the contrary, the period of limitation for commencement of the action as provided under any section in Chapter 2305. of the Revised Code, or under any other provision of the Revised Code that applies to the cause of action;

(c) For any administrative action or proceeding, the period of limitation for the action or proceeding as provided under the Revised Code or the Administrative Code, if

applicable.

(2) The time within which a bill of indictment or an accusation must be returned or the time within which a matter must be brought before a grand jury;

(3) The time within which an accused person must be brought to trial or, in the case of a felony, to a preliminary hearing and trial;

(4) Time deadlines and other schedule requirements regarding a juvenile, including detaining a juvenile;

(5) The time within which a commitment hearing must be held;

(6) The time by which a warrant must be issued;

(7) The time within which discovery or any aspect of discovery must be completed;

(8) The time within which a party must be served;

(9) The time within which an appearance regarding a dissolution of marriage must occur pursuant to section 3105.64 of the Revised Code;

(10) Any other criminal, civil, or administrative time limitation or deadline under the Revised Code.

(B) This section applies retroactively to the date of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020.

(C) Division (A) of this section expires on the date the period of emergency ends or July 30, 2020, whichever is sooner."

The motion was _____ agreed to.

SYNOPSIS

Tolling of statutes of limitations and time limitations and deadlines

Section 1

Requires the criminal statutes of limitations, the civil statutes of limitations, and the administrative statutes of limitations and other court time limitations and deadlines that are set to expire between March 9, 2020, and July 30, 2020, be tolled; specifies that it is retroactive to March 9, 2020; and specifies that it expires on the date the period of emergency ends or July 30, 2020, whichever is sooner.

g_133_0421-1

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert ", to suspend section 317.33 of the Revised Code until August 30, 2020; to require county recorders, county auditors, county map offices, and county title offices to remain open and operational in order to perform all services essential to effectuating a property transfer and in order to allow physical access as necessary to search records and process titles that are not otherwise available online, subject to certain restrictions and requirements, and to declare an emergency"

After line _____, insert:

"**Section 1.** Section 317.33 of the Revised Code is suspended until August 30, 2020."

After line _____, insert:

"**Section 2.** (A) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, and notwithstanding an order or directive from the court of common pleas or the board of county commissioners, the office of a county recorder, the office of a county auditor, the title office of a clerk of court of common pleas, and the county map office shall remain open and operational in order to allow land professionals physical access to the office as necessary to search records that are not otherwise available online, digital, or by some other means, so long as all necessary public land

records are available. The office may provide such access during limited hours and for a limited duration, and may subject searchers to requirements and restrictions in the interest of public health. The office may allow persons other than land professionals physical access to the office at the discretion of the office during such limited hours, for such limited duration, and subject to such requirements and restrictions in the interest of public health as the office determines. All essential services to effectuate a property transfer shall remain open and available with all offices.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, and notwithstanding an order or directive from the court of common pleas or the board of county commissioners, the title office of a clerk of court of common pleas shall remain open and operational in order to allow land professionals, automobile, watercraft, outboard motor, all terrain vehicles, and mobile home dealers access to the office as necessary to process titles that are not otherwise available online. The office may provide such access during limited hours and for a limited duration, and may subject nonclerk personnel to requirements and restrictions in the interest of public health. The office may allow persons other than the aforementioned land professionals and dealers physical access to the office at the discretion of the office during such limited hours, for such limited duration, and subject to such requirements and restrictions in the interest of public health as the office determines."

After line _____, insert:

"Section 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to

address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Local offices to remain open

Sections 1 and 2

Suspends, until August 30, 2020, a provision of law regarding liability of a county recorder for failure to perform certain duties of the office, including the duty to record a document not later than the morning of the day after the document was filed for recording.

During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, does the following:

Requires the office of a county recorder, the office of a county auditor, the title office of a clerk of court of common pleas, and a county map office to remain open and operational in order to allow land professionals physical access to the office as necessary to search records that are not otherwise available online, digital, or by some other means, so long as all necessary public land records are available. Specifies that all essential services to effectuate a property transfer must remain open and available with all offices.

Requires the title office of a clerk of court of common pleas shall remain open and operational in order to allow land professionals, automobile, watercraft, outboard motor, all

terrain vehicles, and mobile home dealers access to the office as necessary to process titles that are not otherwise available online.

Specifies that the office may provide such access during limited hours and for a limited duration, and may subject searchers to requirements and restrictions in the interest of public health.

Specifies that the office may allow persons other than land professionals physical access to the office at the discretion of the office during such limited hours, for such limited duration, and subject to such requirements and restrictions in the interest of public health as the office determines.

These provisions apply notwithstanding an order or directive from the court of common pleas or the board of county commissioners.

Declares an emergency.

g_133_0441

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "5104.31"

In line _____ of the title, after "_____" insert "to extend the date by which publicly funded child care providers must be rated through the Step Up to Quality Program and to declare an emergency"

After line _____, insert:

"Section 1. That section 5104.31 of the Revised Code be amended to read as follows:

Sec. 5104.31. (A) Publicly funded child care may be provided only by the following:

(1) Any of the following licensed by the department of job and family services pursuant to section 5104.03 of the Revised Code or pursuant to rules adopted under section 5104.018 of the Revised Code:

(a) A child day-care center, including a parent cooperative child day-care center;

(b) A type A family day-care home, including a parent cooperative type A family day-care home;

(c) A licensed type B family day-care home.

(2) An in-home aide who has been certified by the county department of job and family services pursuant to section

5104.12 of the Revised Code;

(3) A child day camp approved pursuant to section 5104.22 of the Revised Code;

(4) A licensed preschool program;

(5) A licensed school child program;

(6) A border state child care provider, except that a border state child care provider may provide publicly funded child care only to an individual who resides in an Ohio county that borders the state in which the provider is located.

(B) Publicly funded child day-care may be provided in a child's own home only by an in-home aide.

(C)(1) Beginning ~~July~~ September 1, 2020, and except as provided in division (C)(2) of this section, a licensed child care program may provide publicly funded child care only if the program is rated through the step up to quality program established pursuant to section 5104.29 of the Revised Code.

(2) A licensed child care program that is any of the following may provide publicly funded child care without being rated through the step up to quality program:

(a) A program that operates only during the summer and for not more than fifteen consecutive weeks;

(b) A program that operates only during school breaks;

(c) A program that operates only on weekday evenings, weekends, or both;

(d) A program that holds a provisional license issued under section 5104.03 of the Revised Code;

(e) A program that had its step up to quality program

rating removed by the department of job and family services within the previous twelve months;

(f) A program that is the subject of a revocation action initiated by the department, but the license has not yet been revoked.

Section 2. That existing section 5104.31 of the Revised Code is hereby repealed."

After line _____, insert:

"Section 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Step Up To Quality ratings deadline for publicly funded child care providers

R.C. 5104.31

Extends to September 1, 2020 (from July 1, 2020) the date by which publicly funded child care providers must be rated through the Step Up to Quality Program.

Declares an emergency.

g_133_0442-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to allow the Ohio Public Works Commission, the Ohio Water Development Authority, and the Ohio Environmental Protection Agency, during the state of emergency due to COVID-19, but not beyond December 1, 2020, to waive certain penalties and late fees and suspend certain reporting requirements, and to declare an emergency"

After line _____, insert:

"**Section 1.** During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, all of the following apply:

(A) Notwithstanding Chapter 164. of the Revised Code or any other provision of law to the contrary, the Ohio Public Works Commission may automatically extend project schedules. The extension shall be for a duration determined by the Commission. The Commission shall not provide for an extension if federal law does not provide for or allow an extension regarding any particular project. The Commission also may waive penalties and late fees owed to the Commission from the issuance of outstanding loans.

(B) Notwithstanding Chapter 6121. or 6123. of the Revised Code or any other provision of law to the contrary, the Ohio Water Development Authority may waive penalties and late fees

owed to the Authority from the issuance of outstanding loans.

(C) Notwithstanding Chapter 3734., 3745., or 6119. of the Revised Code or any other provision of law to the contrary, the Ohio Environmental Protection Agency may waive penalties or late fees owed to the Agency from the issuance of outstanding loans or permits. The Agency also may suspend reporting requirements for water research recovery facilities or solid waste facilities."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act goes into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Waive various government fees and requirements

Sections ___ and ____

Allows the following governmental entities, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, to do the following:

-- For the Ohio Public Works Commission, to automatically extend project schedules and waive penalties and late fees owed to the Commission from the issuance of outstanding loans;

-- For the Ohio Water Development Authority, to waive penalties and late fees owed to the Authority from the issuance of outstanding loans; and

-- For the Ohio Environmental Protection Agency, to waive penalties or late fees owed to the Agency from the issuance of outstanding loans or permits and to suspend reporting requirements for water research recovery facilities or solid waste facilities.

Declares an emergency.

g_133_0445

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to provide in relation to COVID-19 for the issuance of temporary licenses to practice nursing without the otherwise required licensure examination, and to declare an emergency"

After line _____, insert:

"Section 1. (A) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, the requirement of division (A)(2)(a) of section 4723.09 of the Revised Code is suspended. Accordingly, during such period, the Board of Nursing shall grant to an applicant described in division (A) of section 4723.09 of the Revised Code a temporary license to practice nursing as a registered nurse or as a licensed practical nurse if the conditions of divisions (A)(1) and (A)(2)(b) to (d) of section 4723.09 of the Revised Code have been met.

(B) A temporary license issued under this section shall be valid until whichever of the following dates occurs first:

(1) The date that is ninety days after December 1, 2020;

(2) The date that is ninety days after the duration of the period of the emergency described in division (A) of this section."

After line _____, insert:

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Temporary nursing licenses without examination

Sections 1 and 2

Suspends, for the period of the COVID-19 emergency, the law requiring an applicant for a nursing license to have passed the licensure examination approved by the Board of Nursing.

Requires the Board to issue a temporary license to practice as a registered nurse or licensed practical nurse to an applicant if the applicant meets the remaining statutory requirements, including completing a nursing education program and criminal records check.

Specifies that a temporary nursing license is valid until whichever of the following occurs first: (1) 90 days after December 1, 2020, or (2) 90 days after the duration of the period of the COVID-19 emergency.

Declares an emergency.

g_133_0472

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "4723.43, 4729.01, and 4761.17"

In line _____ of the title, after "_____" insert "4723.433, 4723.434, and 4723.435"

In line _____ of the title, after "_____" insert "to make changes regarding the practice of certified registered nurse anesthetists, and to declare an emergency"

After line _____, insert:

"**Section 1.** That sections 4723.43, 4729.01, and 4761.17 be amended and sections 4723.433, 4723.434, and 4723.435 of the Revised Code be enacted to read as follows:

Sec. 4723.43. A certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner may provide to individuals and groups nursing care that requires knowledge and skill obtained from advanced formal education and clinical experience. In this capacity as an advanced practice registered nurse, a certified nurse-midwife is subject to division (A) of this section, a certified registered nurse anesthetist is subject to division (B) of this section, a certified nurse practitioner is subject to division (C) of this section, and a clinical nurse specialist is subject to division (D) of this section.

(A) A nurse authorized to practice as a certified nurse-midwife, in collaboration with one or more physicians, may provide the management of preventive services and those primary care services necessary to provide health care to women antepartally, intrapartally, postpartally, and gynecologically, consistent with the nurse's education and certification, and in accordance with rules adopted by the board of nursing.

No certified nurse-midwife may perform version, deliver breech or face presentation, use forceps, do any obstetric operation, or treat any other abnormal condition, except in emergencies. Division (A) of this section does not prohibit a certified nurse-midwife from performing episiotomies or normal vaginal deliveries, or repairing vaginal tears. A certified nurse-midwife may, in collaboration with one or more physicians, prescribe drugs and therapeutic devices in accordance with section 4723.481 of the Revised Code.

(B) A nurse authorized to practice as a certified registered nurse anesthetist~~, with the supervision and in the immediate presence of a physician, podiatrist, or dentist, may administer anesthesia and perform anesthesia induction, maintenance, and emergence, and may perform with supervision preanesthetic preparation and evaluation, postanesthesia care, and clinical support functions~~, consistent with the nurse's education and certification~~,~~ and in accordance with rules adopted by the board, may do the following:

(1) With supervision and in the immediate presence of a physician, podiatrist, or dentist, administer anesthesia and perform anesthesia induction, maintenance, and emergence;

(2) With supervision, obtain informed consent for anesthesia care and perform preanesthetic preparation and

evaluation, postanesthetic preparation and evaluation, postanesthesia care, and, subject to section 4723.433 of the Revised Code, clinical support functions;

(3) With supervision and in accordance with section 4723.434 of the Revised Code, engage in the activities described in division (A) of that section.

The physician, podiatrist, or dentist supervising a certified registered nurse anesthetist must be actively engaged in practice in this state. When a certified registered nurse anesthetist is supervised by a podiatrist, the nurse's scope of practice is limited to the anesthesia procedures that the podiatrist has the authority under section 4731.51 of the Revised Code to perform. A certified registered nurse anesthetist may not administer general anesthesia under the supervision of a podiatrist in a podiatrist's office. When a certified registered nurse anesthetist is supervised by a dentist, the nurse's scope of practice is limited to the anesthesia procedures that the dentist has the authority under Chapter 4715. of the Revised Code to perform.

(C) A nurse authorized to practice as a certified nurse practitioner, in collaboration with one or more physicians or podiatrists, may provide preventive and primary care services, provide services for acute illnesses, and evaluate and promote patient wellness within the nurse's nursing specialty, consistent with the nurse's education and certification, and in accordance with rules adopted by the board. A certified nurse practitioner may, in collaboration with one or more physicians or podiatrists, prescribe drugs and therapeutic devices in accordance with section 4723.481 of the Revised Code.

When a certified nurse practitioner is collaborating with

a podiatrist, the nurse's scope of practice is limited to the procedures that the podiatrist has the authority under section 4731.51 of the Revised Code to perform.

(D) A nurse authorized to practice as a clinical nurse specialist, in collaboration with one or more physicians or podiatrists, may provide and manage the care of individuals and groups with complex health problems and provide health care services that promote, improve, and manage health care within the nurse's nursing specialty, consistent with the nurse's education and in accordance with rules adopted by the board. A clinical nurse specialist may, in collaboration with one or more physicians or podiatrists, prescribe drugs and therapeutic devices in accordance with section 4723.481 of the Revised Code.

When a clinical nurse specialist is collaborating with a podiatrist, the nurse's scope of practice is limited to the procedures that the podiatrist has the authority under section 4731.51 of the Revised Code to perform.

Sec. 4723.433. When performing clinical support functions as authorized by section 4723.43 of the Revised Code, a certified registered nurse anesthetist may direct a registered nurse, licensed practical nurse, or respiratory therapist to provide supportive care, including monitoring vital signs, conducting electrocardiograms, and administering intravenous fluids, if the nurse or therapist is authorized by law to provide such care.

In addition, the certified registered nurse anesthetist may direct the nurse or therapist to administer treatments, drugs, and intravenous fluids to treat conditions related to the administration of anesthesia if the nurse or therapist is authorized by law to administer treatments, drugs, and

intravenous fluids and a physician, podiatrist, or dentist ordered the treatments, drugs, and intravenous fluids.

Sec. 4723.434. (A) During the time period that begins on a patient's admission for a surgery or procedure to a health care facility where the certified registered nurse anesthetist practices and ends with the patient's discharge from recovery, the nurse may engage in one or more of the following activities:

(1) Performing and documenting evaluations and assessments, which may include ordering and evaluating one or more diagnostic tests for conditions related to the administration of anesthesia;

(2) As necessary for patient management and care, selecting, ordering, and administering treatments, drugs, and intravenous fluids for conditions related to the administration of anesthesia;

(3) As necessary for patient management and care, directing registered nurses, licensed practical nurses, and respiratory therapists to perform either or both of the following activities if authorized by law to perform such activities:

(a) Providing supportive care, including monitoring vital signs, conducting electrocardiograms, and administering intravenous fluids;

(b) Administering treatments, drugs, and intravenous fluids to treat conditions related to the administration of anesthesia.

(B)(1) A certified registered nurse anesthetist may not engage in one or more of the activities described in division (A) of this section unless all of the following apply:

(a) The nurse is physically present at the health care facility when performing the activities.

(b) The nurse's supervising physician, podiatrist, or dentist is physically present at the health care facility where the nurse is performing the activities.

(c) The health care facility where the nurse practices has adopted a written policy developed by the facility's medical, nursing, and pharmacy directors that meets the requirements of section 4723.435 of the Revised Code.

(2) A certified registered nurse anesthetist shall not engage in one or more of the activities described in division (A) of this section if the supervising physician, podiatrist, or dentist or the health care facility where the nurse practices determines that it is not in a patient's best interest for the nurse to perform such an activity or activities. If a supervising physician, podiatrist, or dentist or facility makes such a determination, the patient's medical or electronic health record shall indicate that the nurse is prohibited from performing the activity or activities.

(3) If a certified registered nurse anesthetist performs one or more of the activities described in division (A) of this section, the nurse shall so indicate in the patient's medical or electronic health record.

(C)(1) This section does not authorize a certified registered nurse anesthetist to prescribe a drug for use outside of the health care facility where the nurse practices.

(2) This section does not prohibit a certified registered nurse from implementing a verbal order of a supervising physician, podiatrist, or dentist.

Sec. 4723.435. (A) A written policy adopted by a health care facility as described in section 4723.434 of the Revised Code shall establish standards and procedures to be followed by certified registered nurse anesthetists when performing one or more of the following activities in the health care facility:

(1) Selecting, ordering, and administering treatments, drugs, and intravenous fluids;

(2) Ordering diagnostic tests and evaluating those tests;

(3) Directing registered nurses, licensed practical nurses, and respiratory therapists to perform activities as described in division (A)(3) of section 4723.434 of the Revised Code.

(B) In adopting a policy, both of the following apply:

(1) The health care facility shall not authorize a certified registered nurse anesthetist to select, order, or administer any drug that a supervising physician, podiatrist, or dentist is not authorized to prescribe.

(2) The health care facility shall allow a supervising physician, podiatrist, or dentist to issue every order related to a patient's anesthesia care.

Sec. 4729.01. As used in this chapter:

(A) "Pharmacy," except when used in a context that refers to the practice of pharmacy, means any area, room, rooms, place of business, department, or portion of any of the foregoing where the practice of pharmacy is conducted.

(B) "Practice of pharmacy" means providing pharmacist care requiring specialized knowledge, judgment, and skill derived from the principles of biological, chemical, behavioral, social,

pharmaceutical, and clinical sciences. As used in this division, "pharmacist care" includes the following:

(1) Interpreting prescriptions;

(2) Dispensing drugs and drug therapy related devices;

(3) Compounding drugs;

(4) Counseling individuals with regard to their drug therapy, recommending drug therapy related devices, and assisting in the selection of drugs and appliances for treatment of common diseases and injuries and providing instruction in the proper use of the drugs and appliances;

(5) Performing drug regimen reviews with individuals by discussing all of the drugs that the individual is taking and explaining the interactions of the drugs;

(6) Performing drug utilization reviews with licensed health professionals authorized to prescribe drugs when the pharmacist determines that an individual with a prescription has a drug regimen that warrants additional discussion with the prescriber;

(7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;

(8) Acting pursuant to a consult agreement with one or more physicians authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, if an agreement has been established;

(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;

(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.

(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:

(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;

(3) As an incident to research, teaching activities, or chemical analysis;

(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;

(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:

(a) At the time the request is made, the drug is not commercially available regardless of the reason that the drug is not available, including the absence of a manufacturer for the drug or the lack of a readily available supply of the drug from a manufacturer.

(b) A limited quantity of the drug is compounded and provided to the professional.

(c) The drug is compounded and provided to the professional as an occasional exception to the normal practice

of dispensing drugs pursuant to patient-specific prescriptions.

(D) "Consult agreement" means an agreement that has been entered into under section 4729.39 of the Revised Code.

(E) "Drug" means:

(1) Any article recognized in the United States pharmacopoeia and national formulary, or any supplement to them, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;

(2) Any other article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;

(3) Any article, other than food, intended to affect the structure or any function of the body of humans or animals;

(4) Any article intended for use as a component of any article specified in division (E)(1), (2), or (3) of this section; but does not include devices or their components, parts, or accessories.

"Drug" does not include "hemp" or a "hemp product" as those terms are defined in section 928.01 of the Revised Code.

(F) "Dangerous drug" means any of the following:

(1) Any drug to which either of the following applies:

(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or

the drug may be dispensed only upon a prescription;

(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.

(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;

(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;

(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.

(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.

(H) "Prescription" means all of the following:

(1) A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;

(2) For purposes of sections 2925.61, 4723.488, 4730.431, and 4731.94 of the Revised Code, a written, electronic, or oral order for naloxone issued to and in the name of a family member, friend, or other individual in a position to assist an individual who there is reason to believe is at risk of experiencing an opioid-related overdose.

(3) For purposes of section 4729.44 of the Revised Code, a written, electronic, or oral order for naloxone issued to and in the name of either of the following:

(a) An individual who there is reason to believe is at risk of experiencing an opioid-related overdose;

(b) A family member, friend, or other individual in a position to assist an individual who there is reason to believe is at risk of experiencing an opioid-related overdose.

(4) For purposes of sections 4723.4810, 4729.282, 4730.432, and 4731.93 of the Revised Code, a written, electronic, or oral order for a drug to treat chlamydia, gonorrhea, or trichomoniasis issued to and in the name of a patient who is not the intended user of the drug but is the sexual partner of the intended user;

(5) For purposes of sections 3313.7110, 3313.7111, 3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 4731.96, and 5101.76 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a school, school district, or camp;

(6) For purposes of Chapter 3728. and sections 4723.483, 4729.88, 4730.433, and 4731.96 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a qualified entity, as defined in section 3728.01 of the Revised Code.

(I) "Licensed health professional authorized to prescribe drugs" or "prescriber" means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual's professional practice, including only the following:

(1) A dentist licensed under Chapter 4715. of the Revised Code;

(2) A clinical nurse specialist, certified nurse-midwife,

or certified nurse practitioner who holds a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse ~~issued under Chapter 4723. of the Revised Code~~;

(3) A certified registered nurse anesthetist who holds a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse, but only to the extent of the nurse's authority under sections 4723.43 and 4723.434 the Revised Code;

(4) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry under a therapeutic pharmaceutical agents certificate;

~~(4)~~ (5) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

~~(5)~~ (6) A physician assistant who holds a license to practice as a physician assistant issued under Chapter 4730. of the Revised Code, holds a valid prescriber number issued by the state medical board, and has been granted physician-delegated prescriptive authority;

~~(6)~~ (7) A veterinarian licensed under Chapter 4741. of the Revised Code.

(J) "Sale" or "sell" includes any transaction made by any person, whether as principal proprietor, agent, or employee, to do or offer to do any of the following: deliver, distribute, broker, exchange, gift or otherwise give away, or transfer, whether the transfer is by passage of title, physical movement, or both.

(K) "Wholesale sale" and "sale at wholesale" mean any sale

in which the purpose of the purchaser is to resell the article purchased or received by the purchaser.

(L) "Retail sale" and "sale at retail" mean any sale other than a wholesale sale or sale at wholesale.

(M) "Retail seller" means any person that sells any dangerous drug to consumers without assuming control over and responsibility for its administration. Mere advice or instructions regarding administration do not constitute control or establish responsibility.

(N) "Price information" means the price charged for a prescription for a particular drug product and, in an easily understandable manner, all of the following:

(1) The proprietary name of the drug product;

(2) The established (generic) name of the drug product;

(3) The strength of the drug product if the product contains a single active ingredient or if the drug product contains more than one active ingredient and a relevant strength can be associated with the product without indicating each active ingredient. The established name and quantity of each active ingredient are required if such a relevant strength cannot be so associated with a drug product containing more than one ingredient.

(4) The dosage form;

(5) The price charged for a specific quantity of the drug product. The stated price shall include all charges to the consumer, including, but not limited to, the cost of the drug product, professional fees, handling fees, if any, and a statement identifying professional services routinely furnished

by the pharmacy. Any mailing fees and delivery fees may be stated separately without repetition. The information shall not be false or misleading.

(O) "Wholesale distributor of dangerous drugs" or "wholesale distributor" means a person engaged in the sale of dangerous drugs at wholesale and includes any agent or employee of such a person authorized by the person to engage in the sale of dangerous drugs at wholesale.

(P) "Manufacturer of dangerous drugs" or "manufacturer" means a person, other than a pharmacist or prescriber, who manufactures dangerous drugs and who is engaged in the sale of those dangerous drugs.

(Q) "Terminal distributor of dangerous drugs" or "terminal distributor" means a person who is engaged in the sale of dangerous drugs at retail, or any person, other than a manufacturer, repackager, outsourcing facility, third-party logistics provider, wholesale distributor, or pharmacist, who has possession, custody, or control of dangerous drugs for any purpose other than for that person's own use and consumption. "Terminal distributor" includes pharmacies, hospitals, nursing homes, and laboratories and all other persons who procure dangerous drugs for sale or other distribution by or under the supervision of a pharmacist, licensed health professional authorized to prescribe drugs, or other person authorized by the state board of pharmacy.

(R) "Promote to the public" means disseminating a representation to the public in any manner or by any means, other than by labeling, for the purpose of inducing, or that is likely to induce, directly or indirectly, the purchase of a dangerous drug at retail.

(S) "Person" includes any individual, partnership, association, limited liability company, or corporation, the state, any political subdivision of the state, and any district, department, or agency of the state or its political subdivisions.

(T) "Animal shelter" means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code or a dog pound operated pursuant to Chapter 955. of the Revised Code.

(U) "Food" has the same meaning as in section 3715.01 of the Revised Code.

(V) "Pain management clinic" has the same meaning as in section 4731.054 of the Revised Code.

(W) "Investigational drug or product" means a drug or product that has successfully completed phase one of the United States food and drug administration clinical trials and remains under clinical trial, but has not been approved for general use by the United States food and drug administration. "Investigational drug or product" does not include controlled substances in schedule I, as defined in section 3719.01 of the Revised Code.

(X) "Product," when used in reference to an investigational drug or product, means a biological product, other than a drug, that is made from a natural human, animal, or microorganism source and is intended to treat a disease or medical condition.

(Y) "Third-party logistics provider" means a person that provides or coordinates warehousing or other logistics services pertaining to dangerous drugs including distribution, on behalf

of a manufacturer, wholesale distributor, or terminal distributor of dangerous drugs, but does not take ownership of the drugs or have responsibility to direct the sale or disposition of the drugs.

(Z) "Repackager of dangerous drugs" or "repackager" means a person that repacks and relabels dangerous drugs for sale or distribution.

(AA) "Outsourcing facility" means a facility that is engaged in the compounding and sale of sterile drugs and is registered as an outsourcing facility with the United States food and drug administration.

(BB) "Laboratory" means a laboratory licensed under this chapter as a terminal distributor of dangerous drugs and entrusted to have custody of any of the following drugs and to use the drugs for scientific and clinical purposes and for purposes of instruction: dangerous drugs that are not controlled substances, as defined in section 3719.01 of the Revised Code; dangerous drugs that are controlled substances, as defined in that section; and controlled substances in schedule I, as defined in that section.

Sec. 4761.17. All of the following apply to the practice of respiratory care by a person who holds a license or limited permit issued under this chapter:

(A) The person shall practice only pursuant to a prescription or other order for respiratory care issued by any of the following:

(1) A physician;

(2) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid

license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse and has entered into a standard care arrangement with a physician;

(3) A certified registered nurse anesthetist who holds a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse and acts in compliance with sections 4723.43, 4723.433, and 4723.434 of the Revised Code;

(4) A physician assistant who holds a valid prescriber number issued by the state medical board, has been granted physician-delegated prescriptive authority, and has entered into a supervision agreement that allows the physician assistant to prescribe or order respiratory care services.

(B) The person shall practice only under the supervision of any of the following:

(1) A physician;

(2) A certified nurse practitioner, certified nurse-midwife, or clinical nurse specialist;

(3) A physician assistant who is authorized to prescribe or order respiratory care services as provided in division ~~(A)(3)~~ (A)(4) of this section.

(C)(1) When practicing under the prescription or order of a certified nurse practitioner, certified nurse midwife, or clinical nurse specialist or under the supervision of such a nurse, the person's administration of medication that requires a prescription is limited to the drugs that the nurse is authorized to prescribe pursuant to section 4723.481 of the Revised Code.

(2) When practicing under the order of a certified registered nurse anesthetist, the person's administration of medication is limited to the drugs that the nurse is authorized to order or direct the person to administer, as provided in sections 4723.43, 4723.433, and 4723.434 of the Revised Code.

(3) When practicing under the prescription or order of a physician assistant or under the supervision of a physician assistant, the person's administration of medication that requires a prescription is limited to the drugs that the physician assistant is authorized to prescribe pursuant to the physician assistant's physician-delegated prescriptive authority.

Section 2. That existing sections 4723.43, 4729.01, and 4761.17 of the Revised Code are hereby repealed."

After line _____, insert:

"Section 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Certified registered nurse anesthetists

R.C. 4723.43, 4723.433, 4723.434, 4723.435, 4729.01, 4761.17; Section 3

Grants a certified registered nurse anesthetist (CRNA) authority to select, order, and administer drugs, treatments, and intravenous fluids for conditions related to the administration of anesthesia, but only during specified time periods and in accordance with a health care facility's required policy.

Permits a CRNA – under certain circumstances – to direct nurses and respiratory therapists to perform specified tasks, including administering drugs.

Authorizes a CRNA to perform additional activities or services, including ordering and evaluating diagnostic tests.

Allows a supervising practitioner or health care facility to prohibit a CRNA from performing an activity or service authorized by the amendment if the supervising practitioner or facility determines that it is not in a patient's best interest for the CRNA to do so.

Declares an emergency.

g_133_0474-1

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to extend absent voting by mail for the March 17, 2020, primary election to April 28, 2020, to make an appropriation,"

After line _____, insert:

"**Section 1.** Notwithstanding any contrary provision of the Revised Code:

(A) Secretary of State Directive 2020-06, issued on March 16, 2020, is void.

(B) During the period beginning on the effective date of this section and ending at 7:30 p.m. on April 28, 2020, no board of elections, and no election official, shall do any of the following:

(1) Count any ballots cast in the March 17, 2020, primary election, or in any special election held on the day of the primary election;

(2) Release the count or any portion of the count of any ballots cast in the March 17, 2020, primary election, or in any special election held on the day of the primary election;

(3) Process any voter registration application submitted after February 18, 2020.

(C)(1)(a) An elector who has not already cast a ballot in the March 17, 2020, primary election, or in any special election held on the day of the primary election, and who was registered to vote in this state as of February 18, 2020, may vote in that election in accordance with this section.

(b) An elector who was registered to vote in this state as of February 18, 2020, and who cast a ballot at any time before the effective date of this section in the March 17, 2020, primary election, or in any special election held on the day of the primary election, shall have the elector's ballot counted if it is received at the office of the board not later than the applicable deadline specified in division (E) of this section and is otherwise eligible to be counted.

(2) As soon as possible after the effective date of this section, the Secretary of State shall send a postcard to each registered elector in this state, notifying the elector of the methods by which the elector may obtain an application for absent voter's ballots, the procedures and deadlines to apply for absent voter's ballots under this section, and the procedures and deadline to return voted ballots to the office of the board of elections under this section.

(3) An elector described in division (C)(1)(a) of this section may apply by mail to the appropriate board of elections for absent voter's ballots. If the elector is eligible to cast absent voter's ballots with the assistance of election officials under section 3509.08 of the Revised Code, the elector may include with the elector's application a request that the board of elections assist the elector in casting the elector's ballots in accordance with section 3509.08 of the Revised Code. All applications submitted under this division shall be received at

the office of the board not later than noon on April 25, 2020, except that an application submitted by an elector described in division (C)(1)(a) of this section who would be eligible to apply for absent voter's ballots not later than 3:00 p.m. on the day of an election under section 3509.08 of the Revised Code shall be received at the office of the board not later than 3:00 p.m. on April 28, 2020. Any application received after the applicable deadline shall be invalid.

(4) At the end of each day, the board of elections shall compile and transmit to the Secretary of State a list of all applications the board received that day, provided that the list shall exclude all information that is not considered a public record under the laws of this state. The Secretary of State shall make the list available to the public upon request.

(5)(a) If a board of elections receives an application under this section that does not contain all of the required information, the board promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application. In order for the application to be valid, the applicant shall provide that additional information to the board not later than the applicable deadline under division (C)(3) of this section.

(b) An application submitted under this section shall not be considered invalid solely on the basis that the applicant indicated a date other than March 17, 2020, as the date of the 2020 primary election or of any special election held on the day of the election.

(6) If the board of elections determines that an application submitted under this section is valid, the board promptly shall deliver absent voter's ballots to the elector.

The board shall deliver those ballots by mail, except as otherwise provided in division (D) of this section and except in the case of an elector whom the board assists in casting the elector's ballots in accordance with section 3509.08 of the Revised Code. When the board delivers those ballots by mail, it shall prepay the return postage for the ballots.

(7) If the board of elections determines that an application submitted under this section is not valid because the applicant is an elector who has moved or had a change of name without updating the elector's registration, as described in section 3503.16 of the Revised Code, or for any other reason, the board promptly shall deliver a provisional ballot to the applicant. The board shall deliver the ballot by mail, except as otherwise provided in division (D) of this section and except in the case of an elector whom the board assists in casting the elector's ballot in accordance with section 3509.08 of the Revised Code. When the board delivers the ballot by mail, it shall prepay the return postage for the ballot. The board shall include all of the following with the provisional ballot:

(a) The reason the applicant has received a provisional ballot instead of absent voter's ballots;

(b) Instructions for the applicant to complete the provisional ballot affirmation, including an option to submit a copy of a form of identification described in section 3505.182 of the Revised Code;

(c) Instructions for the applicant to return the provisional ballot in the same manner as absent voter's ballots and a return envelope in which the applicant may return the provisional ballot;

(d) Instructions for the applicant to ascertain the status of the applicant's provisional ballot, as described in section 3505.181 of the Revised Code.

(D)(1) Only the following electors may apply for and cast absent voter's ballots in person at the office of the board of elections on April 28, 2020, not later than 7:30 p.m., instead of applying to receive those ballots by mail:

(a) An elector to whom division (C)(1)(a) of this section applies, who has a disability, and who wishes to cast absent voter's ballots using a direct recording electronic voting machine or marking device that is accessible for voters with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters. Each board shall have at least one such machine or device available for use at the office of the board.

(b) An elector to whom division (C)(1)(a) of this section applies and who is unable to receive mail at the place where the elector resides or at another location.

(2) All eligible electors waiting in line to cast ballots in person under division (D) of this section as of 7:30 p.m. on April 28, 2020, shall be permitted to cast absent voter's ballots.

(E)(1) Absent voter's ballots and provisional ballots cast at any time before or after the effective date of this section by electors who were registered to vote in this state as of February 18, 2020, for the March 17, 2020, primary election, or for any special election held on the day of the primary

election, shall be eligible to be counted if they are received at the office of the appropriate board of elections not later than 7:30 p.m. on April 28, 2020. The board shall place a secure receptacle outside the office of the board for the return of ballots under this section. Except as otherwise provided in divisions (F)(2) and (3) of this section, ballots received after 7:30 p.m. on April 28, 2020, shall not be counted.

(2) Ballots received by mail at the office of the board after 7:30 p.m. on April 28, 2020, and not later than May 8, 2020, are eligible to be counted if they are postmarked on or before April 27, 2020, and are not postmarked using a postage evidencing system, including a postage meter, as defined in 39 C.F.R. 501.1.

(3) Ballots cast by uniformed services and overseas absent voters that are received by mail at the office of the board after 7:30 p.m. on April 28, 2020, and not later than May 8, 2020, are eligible to be counted if they were submitted for mailing not later than 12:01 a.m. at the place where the voter completed the ballots on April 28, 2020, regardless of whether the ballots are postmarked.

(F)(1) If the election officials find that the identification envelope statement of voter containing absent voter's ballots for the March 17, 2020, primary election, or for any special election held on the day of the primary election, is incomplete or that the information contained in that statement does not conform to the information contained in the Statewide Voter Registration Database concerning the voter, as described in section 3509.06 of the Revised Code, the voter shall provide the necessary information to the board of elections in accordance with that section not later than May 5, 2020.

(2) An individual who casts a provisional ballot under this section and who is required under sections 3505.181 to 3505.183 of the Revised Code to provide identification or additional information to the board of elections shall provide the necessary identification or information to the board in accordance with those sections not later than May 5, 2020.

(G) The boards of elections and the Secretary of State shall complete the unofficial count, the canvass of the election returns, and all other post-election procedures with respect to the March 17, 2020, primary election, and any special election held on the day of the primary election, on the dates provided in the Revised Code, except that each deadline shall be calculated by adding 42 days.

(H) For the purpose of the contribution limits described in section 3517.102 of the Revised Code, the date of the 2020 primary election is March 17, 2020. However, the statements of contributions and expenditures required to be filed under division (A)(2) of section 3517.10 of the Revised Code after the primary election shall be filed not later than 4:00 p.m. on June 5, 2020.

(I) In implementing this act, the Secretary of State shall proceed as though the Department of Administrative Services has suspended, under section 125.061 of the Revised Code, the purchasing and contracting requirements contained in Chapter 125. of the Revised Code that otherwise would apply to the Secretary of State. The Secretary of State shall comply with division (E) of that section."

After line _____, insert:

"Section 2. All items in this section are hereby appropriated as designated out of any moneys in the state

treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2020 and those in the second column are for fiscal year 2021. The appropriations made in this act are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

1	2	3	4	5
A		SOS SECRETARY OF STATE		
B	Dedicated Purpose Fund Group			
C	5RG0 050627	Absent Voter's Ballot Application Mailings	$ 7,000,000	$ 0
D	TOTAL Dedicated Purpose Fund Group		$ 7,000,000	$ 0
E	TOTAL ALL BUDGET FUND GROUPS		$ 7,000,000	$ 0

ABSENT VOTER'S BALLOT APPLICATION MAILINGS

The foregoing appropriation item 050627, Absent Voter's Ballot Application Mailings, shall be used by the Secretary of State to pay for expenses related to implementing this act.

An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 050627, Absent Voter's Ballot Application Mailings, at the end of fiscal year 2020 is hereby reappropriated to the Secretary of State for the same

purpose in fiscal year 2021.

On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer $7,000,000 cash from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Absent Voter's Ballot Application Mailing Fund (Fund 5RG0).

Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in the main operating appropriations act of the 133rd General Assembly.

The appropriations made in this act are subject to all provisions of H.B. 166 of the 133rd General Assembly that are generally applicable to such appropriations."

The motion was _____ agreed to.

SYNOPSIS

Extension of absent voting for March 17, 2020, primary election

Section 1

Voids Secretary of State directive 2020-06, issued on March 16, 2020.

Extends absent voting in the March 17, 2020, primary

election through April 28, 2020.

Allows an elector who has not already cast a ballot in the election, and who was registered to vote in Ohio as of the February 18, 2020, deadline, to cast absent voter's ballots in the election through 7:30 p.m. on April 28.

Requires ballots already cast in the election before or after the bill's effective date also to be counted after 7:30 p.m. on April 28.

Requires the Secretary of State to mail a postcard to each elector in Ohio with information about voting under the bill.

Requires generally that an elector apply for absent voter's ballots by mail to the board of elections by noon on April 25.

Requires the board daily to compile a list of the applications received and to transmit the list to the Secretary, who must make it available to the public upon request.

Allows a person who applies for absent voter's ballots under the bill by the applicable deadline, and whose application is denied, to cast a provisional ballot by mail.

Requires the board to prepay the return postage on ballots sent to electors under the bill.

Requires the board to provide assistance in casting ballots and, as applicable, an extended application deadline for electors who are ill, have disabilities, or are confined, in the same manner as under current law.

Permits an elector instead to cast absent voter's ballots in person at the office of the board on April 28 by 7:30 p.m. if (1) the elector has a disability and wishes to use an accessible

voting machine, or (2) the elector is unable to receive mail.

Requires the board to place a secure receptacle outside the office of the board for the return of ballots under the bill.

Requires all ballots to be received at the office of the board not later than 7:30 p.m. on April 28 in order to be counted, but includes a ten-day grace period for ballots to arrive by mail after that time, the same as under the statute.

Allows an absent voter or provisional voter to cure an incomplete ballot statement or provide additional information, if required, not later than May 5.

Requires the Secretary of State and the boards of elections to conduct all post-election procedures by adding 42 days to the statutory deadlines (the number of days between March 17 and April 28).

Requires candidates and political entities to file their post-primary campaign finance statements using March 17 as the date of the primary, but extends the filing deadline to 4:00 p.m. on June 5, 2020.

Specifies that for the purpose of contribution limits that apply during a primary election period, the primary election period ended on March 17.

Suspends the state purchasing and contracting requirements, such as competitive bidding, that otherwise would apply to the Secretary of State for the purpose of implementing the bill.

Requires the Secretary to file a report with the President of the Controlling Board describing all purchases the Secretary

made for which the Secretary did not follow the state purchasing and contracting requirements.

Appropriation

Section 2

Appropriates $7 million to the Secretary of State, which the Secretary must use to pay for expenses related to implementing the bill.

g_133_0475

. B. No.

_____ moved to amend as follows:

After line _____, insert:

"**Section 1.** Notwithstanding any other amendment to the title of H.B. 197 adopted during Third Consideration in the Senate, the title shall express the bill's content as follows: "to continue essential operations of state government and maintain the continuity of the state tax code in response to the declared pandemic and global health emergency related to COVID-19, to make appropriations, and to declare an emergency"

In line 19950 of H.B. 197, delete "This" and insert "Sections 1 to 6 of this"

Notwithstanding any other amendment revising the emergency clause of H.B. 197, or adding an emergency clause to H.B. 197, adopted during Third Consideration in the Senate, only one section of the bill shall declare an emergency, which shall be the last section of the bill, to read as follows: "This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to continue essential operation of various facets of state government, maintain the continuity of the state tax code, and respond to the declared pandemic and global health emergency related to COVID-19. Therefore, this act

shall go into immediate effect."

The motion was _____ agreed to.

SYNOPSIS

Bill title and emergency clause

Section ____

Harmonizes the various amendments to the bill's title and emergency clause.

g_133_0478-2

. B. No.

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "to suspend certain first-time performance-based Educational Choice scholarships for the 2020-2021 school year,"

After line _____, insert:

"Section 1. (A) Notwithstanding section 3310.03 of the Revised Code, Section 265.210 of H.B. 166 of the 133rd General Assembly, as amended by S.B. 120 of the 133rd General Assembly, and any other provision of law to the contrary, the Department of Education shall not accept, process, or award first-time performance-based Educational Choice scholarships under section 3310.03 of the Revised Code for the 2020-2021 school year to students who are eligible for the scholarship for the first time for the 2020-2021 school year and whose scholarships would have been paid for under Section 265.210 of H.B. 166 of the 133rd General Assembly, as amended by S.B. 120 of the 133rd General Assembly.

However, the Department shall accept, process, and award scholarships for any of the following:

(1) Students who received a scholarship in the 2019-2020 school year;

(2) A student who satisfies all of the following criteria:

(a) The student's sibling received a scholarship under section 3310.03 of the Revised Code during the 2019-2020 school year.

(b) The student is enrolled in or would be enrolled in a building that, in the 2019-2020 school year, met any of the conditions prescribed in section 3310.03 of the Revised Code.

(c) The student was enrolled in a public or nonpublic school in any of grades kindergarten through twelve or was homeschooled for the equivalent of those grades for the 2019-2020 school year, or will be enrolled in kindergarten or will start homeschooling for the equivalent of kindergarten in the 2020-2021 school year.

As used in this section, "sibling" means a brother, half-brother, sister, or half-sister, by birth, adoption, or marriage, without regard to residence or custodial status, or a child residing in the same household as a foster child or under a guardianship or custodial order. As used in this section, "foster child" means a child placed in a family foster home, as defined in section 5103.02 of the Revised Code.

(3) Students who were eligible for scholarships for the 2019-2020 school year, regardless of whether the students received scholarships for that school year, and remain eligible for the 2020-2021 school year;

(4) Students who did not receive a scholarship for the 2019-2020 school year but, for the 2020-2021 school year are or would be newly enrolled in a building operated by the students' resident district that met the conditions prescribed in section 3310.03 of the Revised Code for the 2019-2020 school year, as that section existed for that school year, and also continued to

meet the conditions for the 2020-2021 school year, including students entering kindergarten, entering high school students, or students who have recently relocated to the district or building's attendance territory.

Scholarships for students described in divisions (A)(1), (2), (3), and (4) of this section shall be funded through deductions from the students' resident school districts in the manner described in section 3310.08 of the Revised Code.

The Department shall accept, process, or award performance-based Educational Choice scholarships for the 2020-2021 school year for students described in divisions (A)(1) to (4) of this section under the sixty-day-application period that begins on April 1, 2020, pursuant to Section 265.210 of H.B. 166 of the 133rd General Assembly, as amended by S.B. 120 of the 133rd General Assembly.

(B) The Department shall accept, process, and award performance-based Educational Choice scholarships under section 3310.03 of the Revised Code on February 1, 2021, for the 2021-2022 school year.

(C) This section does not affect the awarding of income-based scholarships."

The motion was _____ agreed to.

SYNOPSIS

Educational Choice Scholarship suspension

Section ___

Prohibits the Department of Education from accepting, processing, and awarding first-time performance-based Educational Choice scholarships for the 2020-2021 school year to students first eligible to receive those scholarships in that school year, which were to be funded under the appropriation made in Section 265.210 of H.B. 166 of the 133rd General Assembly, as amended by S.B. 120 of the 133rd General Assembly.

Requires the Department to accept, process, and award first-time performance-based scholarships for the 2020-2021 school year, to be paid through the usual deduct and transfer method, to a student (a) whose sibling received a performance-based scholarship in the 2019-2020 school year, (b) who is enrolled in, or would be enrolled in, a school building that satisfied the conditions for eligibility for performance-based scholarships in the 2019-2020 school year, and (c) who was enrolled in a public or nonpublic school in any of grades K-12 or was homeschooled for the equivalent of those grades for the 2019-2020 school year, or will be enrolled in kindergarten in a public or nonpublic school or will begin homeschooling for the equivalent of kindergarten in the 2020-2021 school year.

Defines "sibling" as a brother, half-brother, sister, or half-sister, by birth, adoption, or marriage, without regard to residence or custodial status, or a child residing in the same household as a foster child or under a guardianship or custodial order.

Requires the Department to accept, process, and award Educational Choice scholarships, to be paid through the usual deduct and transfer method, to students who received one in the prior school year and to students who were eligible in the 2019-2020 and 2020-2021 school years, but did not receive one in the

2019-2020 school year.

Requires the Department to accept, process, and award Educational Choice scholarships, to be paid through the usual deduct and transfer method, to students who are or would be newly enrolled in a building or district that would qualify a student for a scholarship in both the 2019-2020 and 2020-2021 school years, including entering kindergarten students, rising high school students, and students who move into a qualified building's district or territory.

Requires the Department to resume accepting, processing, and awarding performance-based Educational Choice scholarships on February 1, 2021, for scholarships for the 2021-2022 school year. (Maintains 60-day window beginning April 1, 2020, for performance-based scholarships for students eligible to receive one for the 2020-2021 school year.)

g_133_0479

. B. No.

_____ moved to amend as follows:

After line _____, insert:

"Section 1. The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item of law or application."

The motion was _____ agreed to.

SYNOPSIS

Severability clause

Section ___

Stipulates that the items of law contained in bill, and their applications, are severable. If any item is held invalid, the invalidity does not affect the bill's other items.