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Emergency Management Association of Ohio

Legislative Update

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- HB33** **FY24-25 OPERATING BUDGET (EDWARDS J)** To make operating appropriations for the biennium beginning July 1, 2023, and ending June 30, 2025, to levy taxes, and to provide authorization and conditions for the operation of state programs.
Current Status: 1/24/2024 - Consideration of Governor's Veto; Senate Overrides Veto, Vote 24-8
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-33>
- HB77** **DRONE OPERATION REQUIREMENTS, PROHIBITIONS (WILLIS B)** To establish requirements and prohibitions governing the operation of unmanned aerial vehicles in Ohio.
Current Status: 4/24/2024 - **PASSED BY HOUSE**; Vote 89-2
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-77>
- HB94** **RETIREMENT SERVICE CREDIT (CLICK G, WILLIS B)** Regarding transfers or purchases of certain retirement service credit.
Current Status: 10/3/2023 - House Pensions, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-94>
- HB149** **DRONE SURVEILLANCE REQUIREMENTS (WILLIS B)** To establish requirements related to the use of an uncrewed aerial vehicle for surveillance.
Current Status: 4/23/2024 - House Aviation and Aerospace, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-149>
- HB266** **EVACUATION PLANS FOR STUDENTS WITH DISABILITIES (WIGGAM S)** To require school districts and schools to update emergency management plans to include evacuation procedures for individuals with disabilities and to amend the version of section 3314.03 of the Revised Code that is scheduled to take effect Jan. 1, 2025, to continue the changes on and after that effective date.
Current Status: 12/12/2023 - House Primary and Secondary Education, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-266>
- SB50** **911 SERVICE LAW CHANGES (WILSON S, SMITH K)** To make changes to the law governing 9-1-1 service and to repeal program requirements for emergency-service-



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telecommunicator training.

Current Status: 6/6/2023 - **REPORTED OUT**, Senate Financial Institutions and Technology, (Eighth Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-SB-50>

Friday, April 26, 2024

ABORTION

Since December 2023, Ohio Planned Parenthood facilities have seen a 25 percent increase in patients traveling from states with abortion bans, according to Planned Parenthood of Greater Ohio (PPGOH) President and CEO Erica Wilson-Domer. "And we anticipate that to grow," Wilson-Domer said during the organization's "Care. No Matter What" celebration in Columbus on Thursday night, April 18. "We expect to be a greater haven state from our next-door neighbors -- West Virginia, Kentucky and Tennessee -- who have total bans. There is no abortion access available in those states at all. We anticipate there are 17,000 patients from those communities who will need to travel out-of-state for care," she said. The number of patients seeking care in Ohio will increase even more when Florida's six-week ban takes effect on Wednesday, May 1, Wilson-Domer said.

The decades-old federal law requiring emergency departments to provide treatment to individuals regardless of their ability to pay could soon be weakened or eliminated, according to doctors and an attorney associated with Ohio Physicians for Reproductive Rights (OPRR). In *Idaho v. U.S.*, which the U.S. Supreme Court heard on Wednesday, April 24, the state of Idaho is arguing that the federal Emergency Medical Treatment and Labor Act (EMTALA) does not preempt its state law banning nearly all abortions. The U.S. is arguing that EMTALA requires all health care providers to provide abortion services in life- or health-saving emergency situations. "Despite language in EMTALA that specifies that EMTALA preempts state and local laws that might conflict with its requirements, some states have tried to enforce very restrictive reproductive laws that violate EMTALA," health care attorney Jennifer Nelson Carney said during a virtual press conference. "The criminalization by the states of conduct required by EMTALA places health care providers in a very grim situation of risking criminal liability if they follow their expertise, training and ethical obligations."

ADDICTION/SUBSTANCE ABUSE

The Ohio Department of Public Safety (DPS), RecoveryOhio, and the Ross County Sheriff's Office worked with local law enforcement and treatment agencies this week to



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conduct a coordinated drug/outreach saturation event known as Operation BRIDGE, or Bridging Recovery and Interdiction Data Gathering Enforcement. The purpose of the two-day event was to remove drugs and drug traffickers from the streets while connecting those with substance use disorder to treatment, DPS explained.

AGRICULTURE

Statewide H2Ohio open enrollment for row-crop producers who farm in Ohio's 64 counties outside of Northwest Ohio's Lake Erie Western Basin will be available in the coming days, Gov. Mike DeWine and Ohio Department of Agriculture (ODAg) Director Brian Baldrige announced Friday. ODAg will enroll 500,000 acres into the program for a two-week sign-up period that began Monday, April 22 and runs through Monday, May 6, with enrollment available on a first-come, first-served basis.

The DeWine administration and Intel announced Thursday the company was donating funds for a new H2Ohio wetland restoration project involving the Licking River. The project will restore 90 acres of retired farmland along the river, and the resulting floodplain wetland will capture phosphorous nitrogen and sediment in flood waters to prevent them from contaminating the river. The Licking River flows into the Dillon Lake Reservoir and eventually the Ohio River. The H2Ohio program is the DeWine administration's statewide water quality initiative, and Intel is working to invest in local watersheds where it operates. That alignment with H2Ohio led to the partnership.

ATTORNEY GENERAL

Attorney General Dave Yost Monday filed an emergency motion with the Ohio Supreme Court, arguing that Franklin County Judge Michael Holbrook overstepped his authority by granting a sweeping injunction placing all of transgender bill HB68 (Click) on hold for 14 days or until a hearing is held. Holbrook issued the temporary restraining order (TRO) last week against HB68 requested by families of two children, identified by the pseudonyms Madeline Moe and Grace Goe, who are in the midst of or considering hormonal treatments that would be disrupted by the law, which was vetoed by Gov. Mike DeWine, but that veto was overridden by lawmakers. The judge ruled that the plaintiffs would likely succeed on their claims of a single-subject violation. HB68 was to have taken effect on Wednesday, April 24 before Holbrook's order. Yost is asking for the Ohio Supreme Court to narrow the ruling of the TRO so that it only applies to the plaintiffs, rather than the entire state, and allow enforcement against nonparties to the lawsuit.

AUDITOR OF STATE

Auditor of State Keith Faber issued a warning to state and local government employees about reviewing requests to redirect payments from public accounts, saying that at least



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23 government offices in Ohio have been affected by such scam attacks in the past 12 months. Those have cost hundreds of thousands of dollars in public funds, Faber added. Under the redirect schemes, also known as "business email compromises," individuals will impersonate vendors or other government employees and request payments be sent to different bank accounts. The impersonation can occur in the middle of an existing email conversation.

CHILDREN/FAMILIES

Representatives from the Ohio Department of Children and Youth (DCY) outlined steps the state is taking toward improving child care, pregnancy-related deaths and other social determinants of health Tuesday during a meeting of the Commission on Infant Mortality. Joel Potts of DCY said the department is looking at its initiatives as outcomes and not merely just programs. To that end, Potts said the question becomes whether the department is serving the people in its programs well. Potts said the department is in the process of hiring parent ambassadors across the state, saying about families in need of services, "They often don't know what they don't know, and we help connect them." Potts also said the Legislature has expanded the number of slots available in the department's early education programs.

Gov. Mike DeWine announced Monday that Ohio will become the first state in the nation to begin screening all newborn babies for Duchenne Muscular Dystrophy (DMD). The provision was included in HB33 (Edwards), the state's budget bill for FY24-25. It added DMD to the list of 40 other rare medical conditions included in the Ohio Department of Health's (ODH) Newborn Screening program. DMD is the most common hereditary neuromuscular disease and one of the most severe forms of inherited muscular dystrophies. An estimated 20,000 cases are diagnosed each year worldwide. It is characterized by progressive muscle degeneration and weakness. Symptom onset is in early childhood, usually between ages 2 and 3. There is currently no cure; however, new treatments through gene therapy can help slow the progression of symptoms and improve quality of life.

CORONAVIRUS/MONKEYPOX

The Ohio Department of Health (ODH) released the COVID-19 numbers Thursday noting 1,350 new cases, 69 hospitalizations, three ICU admissions and 17 deaths. That compared to 2,291 cases, 96 hospitalizations, three ICU admissions and 37 deaths on March 28. Since the pandemic began, ODH has reported 3.74 million total cases, 151,331 hospitalizations, 15,802 ICU admissions and 43,926 Ohio resident deaths.

New research shows Ohio had the 12th worst prison death rate in the nation during COVID-19's onset with an 84 percent increase in inmate fatalities. That places it out of



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the top 10 but higher than all neighboring states except Michigan, where the incarcerated deaths rose 116 percent in 2020. The New York-based Marshall Project derived figures from a national study published by the University of California - Irvine and Brigham and Women's Hospital in Boston, which found inmates nationally died three and a half times more often than the general population in the first nine months of the coronavirus. "While admissions into prisons dropped, states across the country -- including Ohio -- failed to release older populations most vulnerable to the virus. In fact, fewer people than in a typical year were let out of prisons, and many who were approved for parole found themselves stuck in prison," the Marshall Project said in a statement accompanying its analysis.

DISASTERS

Gov. Mike DeWine Friday sent a letter asking the Small Business Administration (SBA) to issue a Rapid Disaster Declaration for Logan County residents, families and businesses affected by tornadoes on March 14, 2024. According to damage assessments conducted by federal, state and local agencies, a total of 63 homes and/or businesses in Logan County have uninsured damage, which surpasses the damage threshold necessary to request a disaster declaration from the SBA. Although Logan County is the only county that meets this threshold, impacted counties that are contiguous to Logan County would also qualify for SBA support, according to the governor's office. DeWine requested a FEMA Presidential Disaster Declaration for all 11 counties affected by the March 14 tornadoes on March 29. The SBA requires that governors wait 20 days after requesting a FEMA declaration before requesting a standalone declaration from the SBA.

EARTH DAY

DeWine administration leaders and the Center of Science and Industry (COSI) celebrated Earth Day with a celebration focused on the importance of water, the Ohio Department of Agriculture (ODAg) announced. "Earth Day is a wonderful opportunity to celebrate all Ohio has to offer with our beautiful lakes, rivers and other waterways, and we appreciate the opportunity to partner with COSI to reach young Ohioans in a fun, engaging way," Gov. Mike DeWine said. "Today is a perfect fit to highlight how H2Ohio is improving our waters and our communities with the next generation." As part of the H2Ohio initiative, ODAg Director Brian Baldrige, Ohio Department of Natural Resources (ODNR) Director Mary Mertz, Ohio Environmental Protection Agency (Ohio EPA) Director Anne Vogel and Ohio Lake Erie Commission (OLEC) Director Joy Mulinex participated in an early Earth Day celebration at COSI.

Attorney General Dave Yost spotlighted the accomplishments of his Environmental Enforcement Section so far in 2024 on Monday, Earth Day. "Earth Day serves as a powerful reminder of our duty to help preserve the planet for future generations," Yost



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said. "I'm proud of my environmental team's diligence in protecting Ohio's natural resources so that our air, water, and land remain safe for all." In the first three-and-a-half months of the year, the team settled a high-profile construction and demolition debris case, sent two polluters to jail, and filed a complaint against another suspected polluter.

EAST PALESTINE DERAILMENT

Sen. Bill Reineke (R-Tiffin) unveiled his SB250 Wednesday morning in the Senate Transportation Committee which revises the mandate that wayside or stationery defect detectors be installed every 10 miles along all rail lines in Ohio that was approved in the transportation budget, HB23 (Edwards), and passed in the wake of the East Palestine derailment. Reineke testified that SB250 "maintains the original intent of the law, to make sure that Ohio communities have a fully appropriate level of protection provided by wayside defect detectors, while sizing the requirement to better fit the characteristics of smaller railroads."

ECONOMIC DEVELOPMENT

The DeWine administration and JobsOhio announced a new economic development network partner for Ashtabula, Columbiana, Mahoning and Trumbull counties Wednesday, called the "Lake to River" region. The region is connected from Lake Erie in Ashtabula to the Ohio River in East Liverpool, and S.R. 11 provides strong infrastructure capabilities for that area. The other JobsOhio network partners are the Dayton Development Coalition, Ohio Southeast Economic Development, One Columbus, REDI Cincinnati, Regional Growth Partnership in Northwest Ohio and Team NEO. The new region had been the state's only major-metro media market not represented in JobsOhio's network.

ECONOMY

Ohio's unemployment rose to 3.8 percent in March, according to the Ohio Department of Job and Family Services (ODJFS), up from 3.7 percent in February as the state added 11,500 jobs over the month. ODJFS said the number of workers unemployed in Ohio in March was 220,000, up from 214,000 in February. The number of unemployed has increased by 17,000 in the past 12 months from 203,000. The March unemployment rate for Ohio has increased 0.3 percentage points from 3.5 percent in March 2023.

EDUCATION

Ohio school districts would have to adopt a policy limiting cell phone use to avoid distractions, as urged by Gov. Mike DeWine, under legislation approved Tuesday in the Senate Education Committee. The committee voted to report HB250 (Miranda-



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Richardson), initially written to change the Military Enlistment diploma seal, after adopting two amendments, both moved by Sen. Sandra O'Brien (R-Rome), the vice chair. DeWine recently used his "State of the State" speech to exhort schools to restrict cell phone use, referencing plans by Sen. Andrew Brenner (R-Delaware), the committee chair, to move legislation on the topic. According to O'Brien, the amendment requires schools to adopt a policy governing use of cellular devices in schools, and directs the Ohio Department of Education and Workforce (DEW) to create a model policy for schools to adopt should they opt not to create one of their own. The policies are to include exceptions for devices used as learning tools, for monitoring health conditions, or for those necessary as part of a student's individualized education plan (IEP). The bill passed the Senate 32-0 on Wednesday.

The National Institute for Early Education Research (NIEER) recently released its "State of Preschool 2023 Yearbook" report, showing states emerging from pandemic-era challenges but still behind pre-COVID benchmarks. The section on Ohio finds the state meeting five out of 10 possible benchmarks, ranking in the bottom half of states on access to preschool for 4-year-olds (36th) and 3-year-olds (26th), state-level spending (36th) and total spending (43rd). Ohio met quality standards set by NIEER for the following benchmarks:

- Early learning and development standards
- Curriculum supports - Teacher specialized training
- Screening and referrals for vision, hearing and more
- Continuous quality improvement system

Gov. Mike DeWine and Stephen D. Dackin, director of the Ohio Department of Education and Workforce (DEW), Thursday announced the recipients of \$3 million in grants to create programs for teachers who need to complete additional qualifications to teach college courses under the College Credit Plus program. Identified in consultation with the Ohio Department of Higher Education, the five awardees will use the funds to cover the costs of tuition, textbooks, and other materials to support teachers across various districts as they work to become credentialed to teach College Credit Plus courses at their high schools. Grantees for FY24 include the Educational Service Center of Northeast Ohio; Kent State University; East Central Ohio Educational Service Center; Montgomery County Educational Service Center; and the Educational Service Center of Eastern Ohio.

ELECTIONS



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The Ohio Elections Commission Thursday dismissed a complaint against Rep. Casey Weinstein's (D-Hudson) campaign that accused it of making an improper contribution to a nonprofit political group.

ELECTIONS 2024

House Speaker Jason Stephens (R-Kitts Hill) and House Minority Leader Allison Russo (D-Columbus) discussed the legal technicality hampering President Joe Biden's ability to get on the Ohio ballot this November and more while speaking with reporters Tuesday. Asked about the legal issue keeping Biden off the ballot in Ohio, Stephens said it's "important we have ballot access for everybody" and that it's "important to fix this going forward because ... the Republicans may fall into this situation in the future." He said he wants to think through the issue to fix it permanently. Russo said "Joe Biden will be on the ballot in November ... without a doubt."

In addition, Senate President Matt Huffman (R-Lima) and Minority Leader Nickie Antonio (D-Lakewood) both said Wednesday the legal issue regarding President Joe Biden's being on the ballot in November needs to be addressed, and that there are discussions underway about a long-term solution as well. Huffman told reporters he had talked to Antonio Tuesday morning about "preferred vehicles" for a change and said that will have to be coordinated with the House leadership. He added he did not know if Speaker Jason Stephens (R-Kitts Hill) had identified a preferred vehicle either. Speaking after the Senate Rules and Reference Committee meeting, he said the issue could be added to an existing bill or offered through standalone legislation.

Campaign finance reports filed this week show incumbent members of Ohio's congressional delegation holding large money advantages over their challengers coming out of the primary. Monday was the deadline for federal candidates to file their April quarterly finance reports covering activity from through March 31.

Secretary of State Frank LaRose Friday formally certified the results of the March 19, 2024 Primary Election. Final vote tabulations from Ohio's 88 counties can be accessed online at the Secretary of State's website at <https://tinyurl.com/3m32zv85>.

Alexandra Wilcox has joined U.S. Rep. Marcy Kaptur's (D-Toledo) re-election campaign as her campaign manager. Kaptur, who is the longest serving woman in Congress, is facing a tough re-election fight against Republican Derek Merrin in a district that President Donald Trump won in 2020.

According to the Champaign County Democratic Party, Democrat Zulma Schrupp has withdrawn from the 12th District Senate race due to a conflict with her position as a federal employee. The party said in an email that because Schrupp withdrew before the



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primary but after ballots were printed, there will not be a ballot replacement. Her withdrawal leaves Rep. Susan Manchester (R-Lakeview) as the lone candidate for the seat currently held by Senate President Matt Huffman (R-Lima), who is term-limited and running unopposed for Manchester's seat in the House.

The Ohio Republican Party Wednesday said it was denying a request by Cleveland-based "Judge4Yourself" to interview its candidates for Ohio Supreme Court, blasting the group's co-chair C. Ellen Connally and arguing that she had engaged in "hyper-partisan and inappropriate behavior towards Republican elected officials." According to Cleveland.com, Connally Wednesday stepped down from her role with the group, which examines judicial candidates who appear on Cuyahoga County's ballot, after the party issued the statement.

The following endorsements were made over the week:

- U.S. Sen. Sherrod Brown's (D-OH) re-election campaign announced the endorsements of the International Union of Painters and Allied Trades (IUPAT); the Ohio State Association of Plumbers, Pipefitters, Sprinkler Fitters, and Mechanical Equipment Service Technicians; and the American Federation of State, County and Municipal Employees (AFSCME).

ENERGY/UTILITIES

The Ohio Air Quality Development Authority (OAQDA) and Ohio Environmental Protection Agency (Ohio EPA) announced Monday that they will partner to administer a \$156 million program to expand the use of renewable solar energy in traditionally underserved Ohio communities. In addition, the Industrial Heartland Solar Coalition (IHSC), representing eight states, 31 counties, and 18 cities, was also awarded \$156 million that will be used for solar expansion in the region, creating good-paying jobs, saving families on energy costs, reducing emissions, and addressing climate change.

GENERAL ASSEMBLY/STATEHOUSE

House Republicans unanimously voted Wednesday to seat Jack Daniels as the new 32nd District representative, succeeding ex-Rep. Bob Young, who resigned following domestic violence allegations. The chamber also formalized Democrats' selection of Rep. Dani Isaacsohn (D-Cincinnati) as their new minority whip, following the departure of Rep. Jessica Miranda to become Hamilton County auditor in the wake of former Rep. Brigid Kelly's death.

The only substantial debate on legislation Wednesday in the House focused on HB230 (Abrams-Swearingen), a proposal to boost penalties for trafficking in humans and drugs



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that ultimately won bipartisan approval on a 79-13 vote. Rep. Cindy Abrams (R-Harrison), a joint sponsor, said the scourge of fentanyl has claimed numerous lives just since the bill's introduction, noting the numerous families who'd come to committee hearings to tell their stories of loss. She highlighted elements of the legislation including a mandatory minimum sentence for causing a fentanyl-related death and enhanced penalties for trafficking in cocaine, fentanyl, heroin and meth. "We are not targeting those that are addicted. We are targeting those that knowingly traffic humans to sell illegal drugs in our state," she said.

The House voted 90-1 in favor of HB322, meant to prevent child sexual abuse with a longer statute of limitations for failure to report by mandatory reporters and anti-grooming language aimed at people who show a pattern of inappropriate behavior toward minors. Rep. Bill Seitz (R-Cincinnati) said the language properly differentiates between a pat on the back to console a child or send them onto the field versus touches and behavior meant to entice or coerce a minor into sex.

The chamber voted 88-2 to approve new requirements for operation of unmanned aerial vehicles in HB77 (Willis). Rep. Bernard Willis (R-Springfield), the sponsor, said federal aviation regulations are now in place to address drone use, but without state standards, only federal prosecutors can address violations, making enforcement rare.

Also voted on Wednesday were the following measures:

- **SB90** (Roegner), the latest in a series of interstate compacts on occupational licensure, this one addressing social workers, which passed 90-2.
- **HB70** (Fowler Arthur-Gross), requiring schools to adopt policies on administering over-the-counter drugs, which passed 88-2.
- **HB301** (Swearingen), an update to nonprofit laws, which passed 89-0.
- **HB269**, a road naming bill on which the House voted 92-0 to agree to Senate amendments.
- **HB195**, legislation regarding adaptive mobility vehicle dealers on which the House voted 91-2 to concur with Senate amendments.

The Senate dispatched five bills and two resolutions Wednesday in a string of unanimous votes that belied past and present partisan differences on several policies. The chamber sent HB161 (Miranda-Hillyer) to the governor after years of majority doubts about marital rape penalties and advanced continuing natural gas investment in SR121 (Rulli) 32-0 despite the Biden administration push for an all-renewable grid. A second



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resolution, SR241 (Johnson), moved to "condemn" the People's Republic of China for global hostilities and domestic oppression.

Sen. Stephanie Kunze (R-Hilliard), joint sponsor of the Senate companion to HB161 with Sen. Nathan Manning (R-N. Ridgeville), marked the long-fought battle for marital rape protections in Ohio. It passed unanimously.

Kunze then urged successful passage of adaptive mobility dealership legislation in HB195 (Demetriou-Brennan), while Sen. Andrew Brenner (R-Delaware) spoke to HB250 (Miranda-Richardson), a bill that began with changes to Ohio's military enlistment diploma seal but received a variety of changes in the last two days. It passed 32-0.

The Senate concluded with unanimous passage of SB109 (Hackett), which seeks to enact recommendations from Gov. Mike DeWine's workgroup on the State Medical Board of Ohio's handling of former Ohio State University (OSU) Dr. Richard Strauss' sex abuse scandal; and SB214 (Kunze), which allows courts to expunge felony records of collateral crimes if it can be shown by clear and convincing evidence that the offender was a victim of human trafficking.

Legislation seeking to modernize county recorders' offices across the state was reported out of the Senate Financial Institutions and Technology Committee on Tuesday. The legislation, SB94 (Brenner-Landis), would require counties to provide an electronic means of recording instruments and of accessing recorded instruments in the near future, and would allow county recorders to charge a document preservation surcharge. The bill would also provide funding to counties that need financial assistance with some of the modernization provisions.

Two current and former state lawmakers and retired U.S. Air Force officers told the General Assembly Tuesday that the Communist Chinese Party (CCP) is actively working to undermine the U.S. and Ohio's national security through commercial investment, land purchases and mass immigration to exploit the country's federalist system. Joined by fellow witnesses for the Ohio Farm Bureau (OFB) and other organizations, Rep. Bernard Willis (R-Springfield), a retired fighter pilot and colonel, and former Rep. Rick Perales, a member of the Ohio Veterans Hall of Fame who commanded the 788th Civil Engineer Squadron, addressed the House Civil Justice Committee, with Perales reprising his testimony later in the Senate Veterans and Public Safety Committee. They said HB212 (King-Klopfenstein) and SB226 (Johnson) are critical to protecting Ohio's military and civil infrastructure from growing CCP control.

It's time for Ohio to protect individuals exercising their First Amendment rights against frivolous lawsuits designed to silence them, Sen. Theresa Gavarone (R-Bowling Green) said Tuesday. "SB237 (Gavarone-Manning) directly combats the civil action known as a



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'strategic lawsuit against public participation,' or more simply known as SLAPP," Gavarone told the Senate Judiciary Committee during sponsor testimony. "Such lawsuits may be filed as a defamation, invasion of privacy, nuisance or other types of claims. However, these lawsuits are purposed to silence or intimidate an individual for exercising their rights to free speech, which is protected under both the Ohio and U.S. constitutions," Gavarone continued. This legislation, which uses the framework of the Public Expression Protection Act created by the Uniform Law Commission, seeks to end these lawsuits, she said.

A dramatic drop in hemp growers left Ohio's industry marketing program unable to support itself, and its operating committee should be eliminated as part of this cycle's Sunset Review Committee work, Ohio Department of Agriculture (ODA) staff told the committee Tuesday. Ohio legalized hemp cultivation five years ago via 133-SB57 (Hill-S. Huffman), but initial interest in the sector quickly tapered off. That prompted the agency recommendation for elimination of the Hemp Marketing Program Operating Committee. ODA requested continued authorization for the remaining 13 entities under its jurisdiction that were before the committee for review Tuesday, including other industry marketing programs. The Sunset Review Committee is composed of three senators, three representatives, and three appointees of the governor. For this year, the committee is chaired by Sen. Shane Wilkin (R-Hillsboro). Other legislators on the committee are Sens. Bill DeMora (D-Columbus) and Al Landis (R-Dover) and Reps. Brett Hillyer (R-Dennison), Sean Brennan (D-Parma) and Scott Wiggam (R-Wooster). The appointments to the committee by Gov. Mike DeWine include Haylee E. Dunahay, former Rep. Rick Carfagna and H. Douglas Talbott.

As part of its hearing Wednesday, the Senate Government Oversight Committee conducted an occupational licensure review related to HB238, with testimony from the Ohio Department of Public Safety (DPS), Ohio Department of Agriculture (ODA) and Ohio Peace Officer Training Commission (OPOTC).

In sponsor testimony Wednesday on his HB416, Rep. Tom Patton (R-Strongsville) proposed licensing traffic camera dealers "who wish to operate and issue speeding tickets in Ohio." He said that currently, the state of Ohio does not have any oversight of the traffic cameras that enforce Ohio laws. None of these companies are Ohio companies, and two of them are foreign companies, based in Sweden and Germany, he said. Patton went on to say that the Ohio Department of Taxation reports that traffic camera companies have collected \$67.6 million in fines from Ohio motorists in FY20-23, with \$33.3 million of it from speed cameras in Cuyahoga County alone. Traffic camera dealers receive between 30 percent and 40 percent of the gross receipts from these fines. "This means the out-of-state traffic camera dealers have taken between \$20.3 million and \$27 million from Ohio motorists," Patton said.



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Legislation explicitly protecting assistive reproductive technology like in-vitro fertilization (IVF) is necessary to clear up any uncertainty about the legality of fertility treatment, Reps. Anita Somani (D-Dublin) and Beryl Brown Piccolantonio (D-Gahanna) said Wednesday. "First and foremost, this bill is about respecting and upholding the will of the voters in Ohio who resoundingly supported the constitutional right to make and carry out their own reproductive decisions, including fertility treatment. IVF is not a partisan issue, as Ohioans from across the political spectrum supported this amendment," Brown Piccolantonio said during a Statehouse press conference announcing the bill. The legislation includes civil and criminal immunity for providers, facilities and health care personnel who provide assistive reproductive care, as well as for the patients seeking care. Also included are data protections for patients, ensuring that third party organizations, such as law enforcement agencies, do not have access to private medical information.

In other legislative action, the House Criminal Justice Committee reported out HB234 (Williams-Rogers) which addresses a judge's consideration of an Alford plea; the House State and Local Government Committee reported out HB30 (Humphrey) which provides inmates with feminine hygiene products; and HB271 (Mathews-Peterson) which deals with the numbering order of ballot issues; the House Transportation Committee reported out highway naming bills HB335 (Swearingen) and HB320 (Jarrells-Pizzulli) and HB372 (Grim-Hoops) which addresses railroad crossing requirements; the Senate Finance Institutions and Technology Committee reported out SB94 (Brenner-Landis) which deals with mortgage, judicial and towing laws; the House Energy and Natural Resources Committee reported out HB308 (Stein-Brennan) which designates energy generated by nuclear reaction as green energy; the House Homeland Security Committee reported out HB230 (Abrams-Swearingen) which deals with drug trafficking; and HB194 (K. Miller) which authorizes contracting with a private vendor for issuing specialty license plates; the Senate Government Oversight Committee reported out cosmetology licensure compact bill SB89 (Roegner); the Senate Insurance Committee reported out SB175 (Lang) which deals with insurance regulation; and the Senate Transportation Committee reported out highway naming bill SB145 (Schaffer).

GOVERNOR

Gov. Mike DeWine wrote a letter to President Joe Biden this week opposing an Air Force legislative proposal to federalize Ohio National Guard units and put them under authority of the U.S. Space Force. The proposal would give the Air Force secretary power to move or eliminate units, circumventing the governor's authority, DeWine wrote. "As commander in chief of the Ohio National Guard, I retain the responsibility for these military organizations and their missions under [federal law]. Usurping this power would be unprecedented, and I respectfully ask that you not do so. Every Ohio National Guard member takes an oath not only to the United States of America, but to Ohio as well. I



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honor their dual commitment by ensuring that all Ohio National Guard members can serve in the communities where they live, work and raise their families. When called, they stand ready to deploy - anytime, anywhere," the letter states.

Judicial appointment made during the week includes the following:

Gov. DeWine appointed Natasha K. Natale to the Warren Municipal Court to succeed Judge Thomas Gysegem, who resigned. Natale will take office Friday, May 10 and will need to run for election in November 2025 to retain the seat. Natale most recently served as senior assistant attorney general in the Ohio Attorney General's Office, and previously was general counsel to the Ohio Public Employees Deferred Compensation Program, magistrate in the Portage County Common Pleas Court, assistant prosecutor in Mahoning County, practitioner at Natasha Frenchko LLC and associate attorney at Mead Pezillo LLP. Natale has a bachelor's degree from Youngstown State University and law degree from the University of Akron.

HEALTH AND HUMAN SERVICES

Calling it a growing crisis that is threatening not only small pharmacies but the national chains as well, Reps. Tim Barhorst (R-Fort Loramie) and Brian Stewart (R-Ashville) Tuesday announced legislation aimed at the practices of prescription benefit managers (PBM). Barhorst said community pharmacies in Ohio and nationally are going bankrupt due to a model that requires them to dispense pharmaceuticals at a loss. He said the disruption to the supply chain will soon move on to the next level and hurt mid-sized and national chains as well. He blamed the issue on PBMs, saying the model is dictated by the companies.

Ohio Department of Health (ODH) Director Dr. Bruce Vanderhoff held a press conference Wednesday on how the state is seeing declines in COVID-19, flu and RSV numbers and also a "concerning" increase in colorectal cancer rates and associated deaths among young people, which for cancer is defined as under 55. While the CDC had characterized Ohio's flu activity as "very high" in early March, Vanderhoff said that has declined "rapidly" in recent weeks and the data for the week ending April 13 was at a minimal level.

HIGHER EDUCATION

The Senate Workforce and Higher Education Committee this week continued its series of capital budget presentations from the leaders of Ohio's public universities that began earlier this month. Bowling Green State University (BGSU) President Rodney Rogers spoke of his university's new and growing programs in forensics and various health care fields. In addition, Rogers touted BGSU's efforts to rebuild its aviation program, being



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one of the few colleges in the U.S. with an airport on its campus. Additionally, BGSU has partnered with Cedar Point and King's Island parent company Cedar Fair on a new resort management program. Miami University President Gregory Crawford touted his university's new purchase of a manufacturing center in Hamilton, for which the university was able to partner with Butler County and the city of Hamilton in funding the purchase price. Crawford also said the university saved over \$9 million from the demolition of North Hall on its main campus. Ohio University (OU) President Lori Gonzalez said OU had been ranked number one in Ohio as a "Best Value Public University" by *U.S. News & World Report*. She also said the university's College of Osteopathic Medicine has delivered health care to over 24,000 residents of Southeast Ohio in just the past year with its Mobile Clinic. She also said the university most recently got an A+ rating from S&P, pairing the institution's good fiscal health with its importance to its home region. Shawnee State University President Eric Braun described his university as a key driver of economic recovery in the Appalachian region of Ohio, with over 90 percent of Shawnee State students being Ohio residents. Braun also thanked Gov. Mike DeWine for releasing \$85 million in funds through the Appalachian Community Innovation Centers grant program. Central State University (CSU) interim President Alex Johnson said that CSU is Ohio's only publicly supported historically black university, although he also made reference to CSU's status as an 1890 Land Grant Institution. Johnson pointed to CSU's budget shortfall, saying maintenance needs take up most of the requests. He also said the university's One-time Strategic Community Investment Fund request would be used to provide additional opportunities for students to earn degrees for in-demand jobs, especially in health care, a point reiterated by CSU incoming President Morakinyo A.O. Kutu. Kutu also said that generally as an individual's educational attainment rises, so does that individual's personal health care outcomes.

JUDICIAL

Senate President Matt Huffman (R-Lima) this week went to the Ohio Supreme Court in defense of his legislative privilege, challenging trial and appellate decisions allowing voucher foes to question him in writing. As part of their lawsuit challenging the constitutionality of the EdChoice scholarship program, a coalition of school districts and resident families sought to depose Huffman, a major backer of vouchers. Franklin County Common Pleas Judge Jaiza Page answered his motion to quash with a ruling blocking an in-person deposition on the basis of legislative privilege but allowing the plaintiffs to pose up to 20 questions to Huffman in writing. Huffman appealed that ruling to the 10th District Court of Appeals, again on the grounds of legislative privilege, but a three-judge panel found his action premature. The judges ruled Page's decision was not a final appealable order and that he couldn't object to written questioning before seeing what specifically was asked or facing an order compelling him to provide answers.

LIQUOR/ALCOHOL



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Ohio Department of Commerce (DOC) Director Sherry Maxfield has appointed Jacqueline DeGenova to serve as superintendent of the Division of Liquor Control (DOLC). DeGenova will assume the role on Monday, May 6. She replaces former DOLC Superintendent Jim Canepa, who is now superintendent of the DOC Division of Cannabis Control. With more than three decades of public service experience, DeGenova goes to DOC from the Ohio Department of Aging (ODA), where she most recently served as the state long-term care ombudsman. Prior to that role, she served as chief of the ODA Division for Community Living. She has also served as a member of the Ohio Governor's Nursing Home Quality and Accountability Task Force, during which time she helped to identify and implement various solutions to improve the quality of care and quality of life provided at Ohio's nursing homes.

LOBBYISTS

Victor Hipsley, president and chief executive officer of Governmental Policy Group, Inc., announced the promotion of Sydney Sanders to director of policy and communication. In addition, the firm has hired Alexys Nukes as manager of communications and outreach.

MARIJUANA/HEMP

The Ohio Medical Marijuana Control Program (MMCP) has awarded a dispensary certificate of operation to Off the Charts, located at 3145 Salem Ave. in Dayton, the Ohio Department of Commerce Division of Cannabis Control announced Tuesday. The state has now issued 123 medical marijuana dispensary certificates of operation.

MEDICAID/MEDICAID REFORM

A sampling of Medicaid eligibility redeterminations found Ohio "generally" adhered to federal and state requirements during the pandemic unwinding period, but also turned up errors, a report from the U.S. Department of Health and Human Services (HHS) Office of Inspector General says. The HHS inspector general reviewed 140 Ohio cases and found nine errors in which people were either wrongly renewed in the program or wrongly terminated. HHS extrapolated that sample to estimate about 78,000 people out of about 1.2 million reviewed during the unwinding period had their eligibility determined incorrectly. Starting from spring 2020 to spring 2023, the federal government largely prohibited states from disenrolling people from Medicaid as a condition of receiving extra matching funds meant to defray pandemic-related costs. When eligibility redeterminations resumed about a year ago, the federal government set special rules and regulations to govern how states would conduct the large volume of redeterminations and eventually get back to a normal schedule of reviewing enrollees' eligibility for the health care program.



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NATURAL RESOURCES

Habitat harboring rare plants and protecting both sides of the Little Beaver Creek State and National Wild and Scenic River has been designated as Ohio's newest state nature preserve, according to the Ohio Department of Natural Resources (ODNR). Located in Columbiana County, the new preserve protects nearly a mile of the river including a superior tributary featuring a series of waterfalls and groundwater springs along with habitat protecting several salamander species. "It's exciting to announce that with the dedication of Little Beaver Creek State Nature Preserve in Northeast Ohio, we now have 147 state nature preserves," said ODNR Director Mary Mertz. "This is the second site added to the state preserve system this year, which is a wonderful accomplishment for ODNR's 75th anniversary year." Additionally, ODNR Division of Natural Areas and Preserves botanists recently discovered a population of the potentially threatened running buffalo clover (*Trifolium stoloniferum*). This sighting is the northernmost population ever recorded in Ohio.

Rising high school juniors and seniors can explore career opportunities in wildlife, parks, and conservation through the ODNR job shadow program. Job shadow day will be held Thursday, June 27. Students can apply from now through Friday, May 17 on the ODNR Job Shadow webpage at <https://tinyurl.com/47r5za23>.

ODNR is calling for nominations for the 2024 Ohio Natural Resources Hall of Fame which honors Ohioans who have made significant contributions to preserving and protecting the state's water, soil, woodlands, wildlife, and mineral resources. To submit a nomination, fill out the Ohio Natural Resources Hall of Fame nomination form online at <https://tinyurl.com/ycywyk9u>. For more information about the selection criteria and to request a mailed nomination form, email Tina Fronk at tina.fronk@dnr.ohio.gov.

Drilling for oil and natural gas under state parks and wildlife areas will help pay for improvements on those public properties, Ohio Oil and Gas Association (OOGA) President Rob Brundrett said Wednesday. "Local governments and other government entities such as the Muskingum Watershed Conservancy District (MWCD) currently allow for drilling under public property. MWCD has transformed its recreational areas because of the payments it has received from oil and gas leases and is a great example on what is possible when government works with the industry for improvements in parks and wildlife areas," Brundrett said during a presentation to the House Energy and Natural Resources Committee. Brundrett said MWCD has earned \$1 billion in revenue from its share of oil and gas produced on its properties over the last decade, which is a significant contribution to the 18-county region's economy.

PEOPLE



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Gov. Mike DeWine Tuesday ordered the flags of the U.S. and the state of Ohio to be flown at half-staff at all Ohio Department of Transportation (ODOT) facilities after the death of former ODOT Director Jerry Wray, the first person to serve as director of the agency for two full terms under two governors. Wray, who also served as Licking County engineer, was first appointed by Gov. George Voinovich to lead the agency from 1991 to 1999, and again led the agency under Gov. John Kasich from 2011 to 2019.

The Ohio AgriBusiness Association (OABA) announced Monday that Melinda Witten has been named its new president and chief executive officer, effective June 3, 2024. "We are thrilled to welcome Melinda to the team," said Grant Gates, chair of the OABA board." Witten has been at the Ohio Farm Bureau Federation for over a decade, most recently as senior director of leadership development. In that role, Witten developed the Young Ag Professionals program and directed the AgriPOWER Leadership Institute. Witten also helped develop the ExploreAg and Ohio Farm Bureau Ag Literacy programs.

TAXATION

As the Joint Committee on Property Tax Review and Reform looks at potential solutions to rising property taxes around the state, one witness told the committee Wednesday that decoupling property taxes from the Fair School Funding Plan "may have very bad consequences," a notion backed by Ohio school officials. Mike Sobul, a retired research administrator at the Ohio Department of Taxation, and the chief financial officer and treasurer at Granville Exempted Village Schools, gave the committee an overview of property taxes and what the Ohio Constitution and case law allows the state and local to entities to do and not do when it comes to implementing them. Summing it up, he told the committee that the Ohio Constitution has been very restrictive of what can and can't be done with property taxes, and case law has supported that. He also said there are some issues that have never been litigated, and would need to be if they ever came about.

TECHNOLOGY/AEROSPACE

Proponents of HB149 (Willis) - which sets requirements for surveillance use of an uncrewed aerial vehicle (UAV), or drone -- testified before the House Aviation and Aerospace Committee Tuesday, with privacy advocates suggesting additional changes. Emily Cole, executive director of Ohio Families Unite for Political Action and Change, said the bill is an effort to establish guidelines for UAV usage but could have additional elements to improve its privacy protections. Those include expanding the prohibition on attaching lethal weapons to drones to also cover non-lethal weapons including tear gas and pepper spray, which she said could have a chilling effect on freedom of assembly. Cole also said potential loopholes could be addressed by expanding the bill to apply to crewed aircraft use and that there should be prohibitions on third-party use of law



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enforcement-collected surveillance data. She further requested limits on internal access and the shortest possible data retention period.

TOBACCO/SMOKING/VAPING

Franklin County Court of Common Pleas Judge Mark Serrott has issued a temporary restraining order against enforcement of a state law prohibiting local regulations of tobacco and alternative nicotine products, Columbus City Attorney Zach Klein announced Friday. The temporary restraining order blocks the law from going into effect until a preliminary injunction hearing on Friday, May 17, Klein's office said.

TRANSPORTATION/INFRASTRUCTURE

The Ohio Turnpike and Infrastructure Commission warned its customers against a "smishing" scam, where a fraudulent text is sent claiming the recipient owes an unpaid toll and requesting payment. "Smishing" is a type of scam that is text-based, similar to email "phishing" scams where fraudsters try to get personal information out of recipients. According to the turnpike commission, the scammers are claiming to represent tolling agencies from across the country. The targeted phone numbers seem to be chosen at random and are not uniquely associated with an account or the use of toll roads, the commission said. It added that Ohio Turnpike E-ZPass does not request payments by text, and collections of unpaid tolls and/or toll violations does not occur by text.

The Ohio Department of Transportation (ODOT) announced this week that efforts to keep Ohio's highways clean of litter have led to over 89,000 bags of trash picked up statewide this year alone.