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| **GOVERNMENTAL POLICY GROUP, INC.**  17 SOUTH HIGH STREET – SUITE 245  COLUMBUS, OHIO 43215-3413  PHONE: 614-461-9335  FAX: 614-461-9336  **Coalition of Ohio Regional Districts**  Legislative Activities Report  **October 2019** |

The summer recess for lawmakers came to an end as lawmakers are back on capitol square and committee hearings have resumed. Both the House and the Senate are expected to remain in session until the middle of December, at which point they will break for the winter holidays. Hearings on several weapons-related bills kicked off in the Senate as policymakers await further details of Gov. Mike DeWine's proposals to curb gun violence. One of the measures heard during sponsor-only testimony would create a "red flag" law allowing for the temporary seizure of firearms from those deemed to be a danger to themselves or others (SB 184) – a subject that has already prompted considerable discussion in the wake of the most recent mass shootings. The other measures introduced range from expanding background checks to closing gun show loopholes which would hold unlicensed gun sellers to the same standards as federally-licensed firearms dealers.

The H2Ohio Fund will be brought back into focus as the Senate Finance Committee gets to work on HB 7, which creates an H2Ohio Trust Fund to provide for long-range protection and restoration efforts and an advisory council to establish fund priorities. Although the timeline for the legislation is yet to be determined, Chairman Matt Dolan said he wants to dive deeper into the issue and hold talks with the administration to determine how to best approach the important and long-term plan. HB 7 allows for the issuance of revenue bonds to fund water quality projects through the trust. It also provides for end-of-year tax revenue transfers if the Budget Stabilization Fund is at its statutory target of 8.5% of state general revenue. The latter option requires Controlling Board approval under the bill. Part of the Senate process will be to determine how well the plan complements the Senate's own water quality proposal, SB 2, which would create a Statewide Watershed Planning and Management Program. That measure is awaiting hearings before the House Energy & Natural Resources Committee.

Senator Hoagland’s critical infrastructure bill (SB 33) is back in focus as opponents were given the opportunity to voice their concerns before the House Public Utilities committee. The back and forth between lawmakers and opponents from activist groups proved to be contentious at times with the opponents arguing the measure is too vague and will hamper their First Amendment rights, having a chilling effect on free expression. Several GOP lawmakers bristled at characterizations. Rep. Bill Seitz who, as an American Legislative Exchange Council board member, also took offense at opponents' criticism of the group, which has circulated a template bill similar to SB33. Rep. Nino Vitale pushed back against several witnesses claiming that peaceful protesters would be arrested, pointing to the language contained in the legislation that states that one must be "willfully causing damage" in order to earn those stiffer penalties. The measure will continue through the committee process as Chairman Callender said that he doesn’t know where his members each stand on the bill at this time.

Attorney General Dave Yost approved a petition to move forward with referendum which would overturn HB 6, the controversial nuclear subsidy bill which was the subject of intense debate over the summer months. The move by Yost brings Ohioans Against Corporate Bailouts, the group behind the referendum, one step closer to putting the measure on the ballot. The move comes after the group had previously, unsuccessfully, tried to receive approval from the AG. "Without passing on the advisability of the approval or rejection of the measure … I hereby certify that the summary is a fair and truthful statement of the measure to be referred," Yost wrote in his certification letter. Ohioans Against Corporate Bailouts must now turn their attention to Secretary of State Frank LaRose, who still must verify that at least 1,000 of the group’s initial signatures are valid for the referendum to move forward. If LaRose certifies the group’s signatures, the referendum backers could then move forward with gathering the 265,774 signatures required to qualify for the November 2020 ballot—which would need to be completed by October 21st, one day before HB 6 would take effect.

Lawmakers swore in Sen. Terry Johnson (R-McDermott) to the 14th Senate District to replace Joe Uecker, who is taking a position at the Department of Transpiration’s Office of Jobs and Commerce. The Senate also bade farewell to Sen. Louis Terhar (R-Cincinnati), who resigned from his 8th Senate District for health reasons. Terhar was lauded by members of both parties for his work ethic and application of his private and military experience during his tenure in the legislature. The seat is up for re-election in 2020. There are currently three candidates vying to succeed Terhar, including Representative Louis Blessing (R-Cincinnati), Former State Rep. Jonathan Dever, and Judith Boyce who is the former municipal clerk for the city of Cleves. The race for the seat is expected to be one of several contested Republican primaries to fill vacant seats in the Senate in 2020. Other races include the contest to replace Sen. Bill Coley (R-Liberty Twp.), which has drawn campaigns from two sitting representatives, Rep. Candice Keller (R-Middletown) and Rep. George Lang (R-West Chester), as well as West Chester Township Trustee Lee Wong. The race to replace Senate President Larry Obhof (R-Medina) will also feature a sitting Representative, Mark Romanchuk and Brunswick Mayor Ron Falconi in the 2020 primary.

Representative Ryan Smith announced that he will resign October 3rd to accept a position as president of the University of Rio Grande and Rio Grande Community College. Word of his pending departure has circulated for weeks, with the Bidwell Republican saying earlier this month that contract talks were ongoing. Rep. Smith was elected speaker of the House in June 2018 following the abrupt resignation of former Speaker Cliff Rosenberger. In the following six months, he waged a contentious battle to retain the post for the 133rd General Assembly with House Speaker Larry Householder, ultimately losing the post to his rival.

The Department of Job and Family Services reported the state's unemployment rate increased slightly from 4% to 4.1% last month as the jobless total rose by 3,000 to 238,000. Total employment in August bumped up 3,700 from revised numbers to 5,591,700, according to state data. The U.S. unemployment rate for last month was 3.7%, unchanged from July, and down from 3.8% in August 2018. Since August 2018, when the unemployment rate in Ohio was 4.6%, the number of jobless workers in the state has decreased by 24,000, ODJFS reported. The biggest gains last month occurred in educational and health services (+2,900), and professional and business services (+2,400), the data show. Loss leaders were in leisure and hospitality (-3,200), and information services (-600). From August 2018 to August 2019, the state saw the most job growth in private service-providing industries, which added 19,700 positions. The largest job losses were seen in trade, transportation, and utilities services (-4,100), and construction (-3,600).

Below is a list of legislation we are currently tracking during the 133rd Ohio General Assembly:

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| **HB7** | **H2OHIO PROGRAM** (GHANBARI H, PATTERSON J) To create the H2Ohio Trust Fund for the protection and preservation of Ohio's water quality, to create the H2Ohio Advisory Council to establish priorities for use of the Fund for water quality programs, and to authorize the Ohio Water Development Authority to invest the money in the Fund and to make recommendations to the Treasurer of State regarding the issuance of securities to pay for costs related to the purposes of the Fund. | |
|  | ***Current Status:*** | 7/17/2019 - Referred to Committee Senate Finance |
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| **HB27** | **PUBLIC MOTOR VEHICLE LIABILITY** (INGRAM C) To modify political subdivision liability for an employee's negligent operation of a motor vehicle. | |
|  | ***Current Status:*** | 3/19/2019 - House Civil Justice, (Third Hearing) |
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| **HB46** | **STATE GOVT EXPENDITURE DATABASE** (GREENSPAN D) To require the Treasurer of State to establish the Ohio State Government Expenditure Database. | |
|  | ***Current Status:*** | 5/15/2019 - **REPORTED OUT**, House State and Local Government, (Fifth Hearing) |
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| **HB62** | **TRANSPORTATION BUDGET** (OELSLAGER S) To increase the rate of and modify the distribution of revenue from motor fuel excise taxes, to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of those programs. | |
|  | ***Current Status:*** | 4/3/2019 - **SIGNED BY GOVERNOR**; eff. 90 days, Taxes eff. 7/1/19 |
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| **HB78** | **PREVAILING WAGE-PUBLIC IMPROVEMENTS** (RIEDEL C, MANCHESTER S) To allow political subdivisions, special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects. | |
|  | ***Current Status:*** | 2/20/2019 - Referred to Committee House Commerce and Labor |
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| **HB79** | **INDUSTRIAL COMMISSION BUDGET** (OELSLAGER S) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of Commission programs. | |
|  | ***Current Status:*** | 6/27/2019 - **SIGNED BY GOVERNOR**; eff. 6/27/19 |
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| **HB80** | **BWC BUDGET** (OELSLAGER S) To make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of the bureau's programs. | |
|  | ***Current Status:*** | 7/22/2019 - **SIGNED BY GOVERNOR**; Eff. Immediately |
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| **HB84** | **CAPITAL IMPROVEMENTS-SEWER LATERALS** (HOLMES G) To expressly include, as eligible projects under the State Capital Improvements Program, water and sewer laterals located on private property. | |
|  | ***Current Status:*** | 3/27/2019 - House State and Local Government, (First Hearing) |
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| **HB95** | **BRINE-CONVERSION OF WELLS** (SKINDELL M) To alter the Oil and Gas Law with respect to brine and the conversion of wells. | |
|  | ***Current Status:*** | 9/17/2019 - House Energy and Natural Resources, (First Hearing) |
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| **HB115** | **REGULATOR RESTRICTION REDUCTION** (RIEDEL C, ROEMER B) To require certain agencies to reduce the number of regulator restrictions and to amend the versions of sections 106.021 and 106.03 of the Revised Code that are scheduled to take effect August 18, 2019, to continue the provision of this act on and after that effective date. | |
|  | ***Current Status:*** | 4/10/2019 - House State and Local Government, (Second Hearing) |
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| **HB163** | **WATER AND SEWER PRACTICES** (BRINKMAN T) To create a process for withholding local government funds and state water and sewer assistance from municipal corporations that engage in certain water and sewer practices with respect to extraterritorial service. | |
|  | ***Current Status:*** | 9/26/2019 - **BILL AMENDED**, House Public Utilities, (Fourth Hearing) |
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| **HB166** | **OPERATING BUDGET** (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs. | |
|  | ***Current Status:*** | 7/18/2019 - **SIGNED BY GOVERNOR**; Eff. Immediately |
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| **HB168** | **AFFIRMATIVE DEFENSE-HAZARDOUS SUBSTANCES** (ARNDT S) To establish an affirmative defense to a release or threatened release of hazardous substances from a facility for certain bona fide prospective purchasers. | |
|  | ***Current Status:*** | 9/25/2019 - Senate Agriculture and Natural Resources, (Second Hearing) |
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| **HB197** | **TAX CODE CORRECTIONS** (POWELL J, MERRIN D) To enact the "Tax Code Streamlining and Correction Act" to make technical and corrective changes to the laws governing taxation. | |
|  | ***Current Status:*** | 5/7/2019 - House Ways and Means, (First Hearing) |
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| **HB218** | **PUBLIC-PRIVATE PARTNERSHIPS** (PATTON T) To authorize certain public entities to enter into public-private initiatives with a private party through a public-private agreement regarding public facilities. | |
|  | ***Current Status:*** | 6/19/2019 - **SUBSTITUTE BILL ACCEPTED**, House State and Local Government, (Second Hearing) |
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| **HB220** | **GOVERNMENT BLOCKCHAIN USE** (CARFAGNA R) To allow a governmental entity to utilize distributed ledger technology, including blockchain technology. | |
|  | ***Current Status:*** | 6/12/2019 - **REPORTED OUT AS AMENDED**, House Commerce and Labor, (Third Hearing) |
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| **HB238** | **WHISTLEBLOWER PROTECTIONS** (CERA J, SCHERER G) To revise Ohio's whistleblower protection laws. | |
|  | ***Current Status:*** | 6/25/2019 - House Civil Justice, (Third Hearing) |
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| **HB263** | **OCCUPATIONAL LICENSING-CRIMINAL CONVICTIONS** (KOEHLER K) To revise the initial occupational licensing restrictions applicable to individuals convicted of criminal offenses. | |
|  | ***Current Status:*** | 6/12/2019 - House Commerce and Labor, (First Hearing) |
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| **HB264** | **WATER DEVELOPMENT-LOAN REFINANCING** (WILKIN S, O'BRIEN M) To allow the Ohio Water Development Authority to provide for the refinancing of loans for certain public water and waste water infrastructure projects. | |
|  | ***Current Status:*** | 6/19/2019 - House State and Local Government, (First Hearing) |
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| **HB308** | **PTSD COVERAGE - FIRST RESPONDERS** (PATTON T) Concerning workers' compensation and disability retirement for peace officers, firefighters, and emergency medical workers diagnosed with posttraumatic stress disorder arising from employment without an accompanying physical injury. | |
|  | ***Current Status:*** | 9/24/2019 - Referred to Committee House Insurance |
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| **HB326** | **PUBLIC EMPLOYEE RETIREMENT-DISABILITY BENEFIT** (MILLER A) To allow a Public Employees Retirement System or School Employees Retirement System disability benefit recipient elected to certain offices to continue receiving a disability benefit during the term of office. | |
|  | ***Current Status:*** | 9/24/2019 - Referred to Committee House Insurance |
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| **HB340** | **DRAINAGE LAW** (CUPP B) To revise the state's drainage laws. | |
|  | ***Current Status:*** | 9/24/2019 - Referred to Committee House State and Local Government |
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| **HB343** | **EMERGENCY WATER AND SEWER** (PATTERSON J, MANNING G) To make an appropriation related to emergency water and sewer system funding. | |
|  | ***Current Status:*** | 9/23/2019 - Introduced |
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| **SB1** | **REDUCE REGULATORY RESTRICTIONS** (MCCOLLEY R, ROEGNER K) To require certain agencies to reduce the number of regulatory restrictions and to continue the provision of this act on and after August 18, 2019. | |
|  | ***Current Status:*** | 6/12/2019 - House State and Local Government, (First Hearing) |
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| **SB2** | **STATEWIDE WATERSHED PLANNING** (PETERSON B, DOLAN M) To create a statewide watershed planning structure for watershed programs to be implemented by local soil and water conservation districts. | |
|  | ***Current Status:*** | 6/19/2019 - Referred to Committee House Energy and Natural Resources |
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| **SB8** | **TAX CREDITS-OHIO OPPORTUNITY ZONE** (SCHURING K) To authorize tax credits for investments in an Ohio Opportunity Zone. | |
|  | ***Current Status:*** | 5/8/2019 - House Economic and Workforce Development, (Second Hearing) |
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| **SB10** | **THEFT IN OFFICE PENALTIES** (WILSON S) To expand the penalties for theft in office based on the amount stolen and to include as restitution audit costs of the entity that suffered the loss. | |
|  | ***Current Status:*** | 5/9/2019 - **REPORTED OUT**, House Criminal Justice, (Third Hearing) |
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| **SB33** | **CRITICAL INFRASTRUCTURE FACILITIES OFFENSES** (HOAGLAND F) To modify certain criminal offenses with respect to critical infrastructure facilities and to impose fines and civil liability for damage to a critical infrastructure facility. | |
|  | ***Current Status:*** | 9/26/2019 - House Public Utilities, (Third Hearing) |
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| **SB38** | **WATER AND SEWER FUNDS-MUNICIPAL CORPORATIONS** (SCHURING K) To revise the law governing municipal corporation use of water and sewer funds. | |
|  | ***Current Status:*** | 3/26/2019 - Senate Local Government, Public Safety and Veterans Affairs, (First Hearing) |
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| **SB50** | **INCREASE SOLID WASTE DISPOSAL FEE** (EKLUND J) To increase state solid waste disposal fee that is deposited into the Soil and Water Conservation District Assistance Fund, and to make an appropriation. | |
|  | ***Current Status:*** | 4/2/2019 - Senate Finance, (Second Hearing) |
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| **SB86** | **UTILITY SERVICE RESELLERS** (MAHARATH T) To regulate certain resellers of utility service. | |
|  | ***Current Status:*** | 3/12/2019 - Referred to Committee Senate Energy and Public Utilities |
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| **SB135** | **DEFERRED COMPENSATION-AUTOMATIC ENROLLMENT** (HOTTINGER J) To authorize automatic enrollment of new employees in the Ohio Public Employees Deferred Compensation Program. | |
|  | ***Current Status:*** | 5/15/2019 - Referred to Committee Senate General Government and Agency Review |
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| **SB171** | **17-DAY INTERIM BUDGET** (DOLAN M, O'BRIEN S) To enact a 17-day interim budget. | |
|  | ***Current Status:*** | 6/30/2019 - **SIGNED BY GOVERNOR**; Effective Immediately |
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| **SB172** | **30 DAY BWC BUDGET** (DOLAN M, O'BRIEN S) To make operating appropriations for the Bureau of Workers' Compensation for the period beginning July 1, 2019, and ending July 31, 2019. | |
|  | ***Current Status:*** | 6/30/2019 - **SIGNED BY GOVERNOR**; Effective Immediately |
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| **SJR1** | **CLEAN WATER IMPROVEMENTS** (GAVARONE T, O'BRIEN S) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund clean water improvements. | |
|  | ***Current Status:*** | 10/1/2019 - Senate Finance, (First Hearing) |