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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  **September 2019** |

In the wake of a deadly mass shooting in Dayton on August 4th, Governor Mike DeWine introduced a series of proposals designed to reduce gun violence and address mental health issues. A total of seventeen proposals, which the governor said were already in the works before the shooting in Dayton, range from a so called “red flag” law—to allow a judge to order the temporary removal of guns from people found to be a danger to themselves or others—to requiring background checks for all gun sales. The "red flag" proposal, which the administration termed a "safety protection order," could be initiated by family or authorities. It would require an initial hearing within three days followed by a second hearing within 14 days that could result in an extended order issued by a judge. Governor DeWine also called on the legislature to pass laws requiring mandatory sentences of one-to-three years for possessing a firearm while committing a felon and three-to-five years for using or brandishing a firearm in the commission of a felony.

Attorney General Dave Yost rejected a summary of petition language for a proposed ballot referendum to repeal Ohio’s recently passed nuclear subsidy law as flawed. The AG ruling means that opponents of HB 6, Ohioans Against Corporate Bailouts, must recraft the language and again gather at least 1,000 valid signatures of voters to revive their bid in order to make the November 2020 ballot. In a letter to the petitioners, Yost said the summary of the language was not “fair and truthful” as required by law. He pointed to 21 inaccuracies and omissions of needed language. A summary of the petition wording needs Yost’s approval before it advances to the office of Secretary of State Frank LaRose. A spokesman for the group pursing the referendum said the campaign hasn’t given up. "Our campaign will immediately revise our summary to address the attorney general's concerns and submit a new draft for reconsideration within the next several days. We plan to give Ohioans the opportunity to reject this ill-conceived legislation on the November 2020 ballot."

State tax receipts were up nearly $30 million in July compared with July 2018, while total spending of nearly $3.5 billion was down more than $400 million compared to a year before. On the revenue side, total receipts in the General Revenue Fund were $2.96 billion, up $249.9 million, or 9.2%, from the previous July, according to the Office of Budget and Management's Monthly Financial Report. Most of that was due to federal grants, which were up $300.4 million, or 31.5%, above the previous July, driven by the use of non-GRF funds in Medicaid. On the spending side, expenditures were $329.8 million, or 10.4%, above their total for the previous July, but the lack of transfers meant total disbursements – spending and transfers – were below the first month of Fiscal Year 2019 by $409.5 million, or 10.5%, according to OBM. Medicaid spending totaled $1.93 billion from the GRF and $2.25 billion across all funds. The GRF spending was significantly higher (up $429.3 million) than it was the previous July in part due to the differing availability and use of non-GRF sources. Medicaid enrollment in July was $2.83 million, up slightly compared to the estimate and down 3.2% from enrollment for the same month a year ago.

Sen. Joe Uecker announced he will resign at the end of the month to take a position with the Ohio Department of Transportation. Former Rep. Terry Johnson said he will seek the appointment to fill the remainder of Uecker's term and will run for a full term in 2020. Six people applied for the vacancy, among them were two sitting state lawmakers – Rep. Doug Green (R-Mt. Orab) and Rep. John Becker (R-Union Twp.) – and former Rep. Terry Johnson. Other applicants include Paul Hall, an insurance agent from Williamsburg; Greg Simpson, a transportation warehousing company owner from Milford and David Uible, owner of Uible Management Group in New Richmond. 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 three Republicans, including two sitting representatives. The race to replace Senate President Larry Obhof (R-Medina) will also feature a sitting representative and at least one other Republican hopeful.

Representative Douglas Swearingen was sworn in to replace Steven Arndt, who retired from the legislature at the end of July. Rep. Swearingen is an attorney with Wickens, Herzer, Panza, which has offices in Sandusky and Avon. He is a graduate of Bowling Green State University and the University of Dayton School of Law. Rep. Swearingen was one of six applicants for the seat, which covers Erie and Ottawa counties.

Lawmakers are planning to return this month to resume legislative activity after a brief summer recess. Upon their return they are expected to take up legislation that was put on hold during the contentious budget process. Legislation that could move during the coming months are bills aimed at improving water quality in Ohio, including HB 7, which would develop a long-term funding mechanism for the H2Ohio program, and SB 2, creating a statewide watershed planning structure.

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:*** | 3/5/2019 - Referred to Committee House Energy and Natural Resources |
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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:*** | 6/19/2019 - 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:*** | 6/26/2019 - Senate Agriculture and Natural Resources, (First 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:*** | 6/28/2019 - Introduced |
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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:*** | 8/28/2019 - 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:*** | 6/19/2019 - House Public Utilities, (Second 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:*** | 5/14/2019 - Referred to Committee Senate Finance |