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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  **November 2019**  Lawmakers in both chambers continue to work on priority water quality measures, SB 2 and HB 7. The House Energy & Natural Resources Committee held its first hearing on SB 2, which would create a Statewide Watershed Planning and Management Program to coordinate water quality efforts under the Department of Agriculture. The bill would also create a watershed pilot program and expand the abilities of regional water and sewer districts. Sponsored by Sens. Bob Peterson (R-Sabina) and Matt Dolan (R-Chagrin Falls), SB 2 passed the Senate unanimously in June. The proposal is one of several bills seeking to build off budget language creating the H2Ohio Fund. HB 7, which seeks to establish a mechanism to provide long-term funding for H2Ohio, is currently undergoing review by the Senate Finance Committee. In its first hearing before the panel, Chairman Matt Dolan (R-Chagrin Falls) questioned how the plan gels with the budget and the SB 2. Sponsor Rep. Patterson (D-Patterson) said HB 7 expands work accomplished in the budget and it's up to lawmakers to work through how to combine the best facets of both House and Senate bills.  Also this month, CORD testified on HB 264, legislation allowing the Ohio Water Development Authority (OWDA) to make loans and grants available to entities for the financing and refinancing of loans made for projects. “Water and wastewater systems can often get locked into high interest loans. Allowing systems to refinance those loans to more favorable interest rates is a common-sense approach that will be a benefit to the citizens they serve,” John Albers said in his proponent testimony. HB 264 is currently pending before the House State and Local Government Committee  The House Public Utilities Committee amended SB 33, a bill strengthening criminal offenses for damaging critical infrastructure facilities. The amendments were developed to address concerns raised by opponents of the bill. The first enables an organization to be held civilly liable only if it either directed, authorized, facilitated or encouraged the criminal behavior or provided compensation for the damaging of the facility. Compensation does not include paying bail or court costs after the fact. The committee also accepted an amendment providing a clear definition of what constitutes “improper tampering.” The amendment defines “improperly tamper” as to “change the physical location or the physical condition of the property.” Opponents of the measure say that the bill has generated concern among community members that they'll be arrested for participating in peaceful protests, concern about broad application of bill provisions allowing fines against groups found complicit in a protest that results in property destruction, and questions about the influence of the American Legislative Exchange Council (ALEC) and big energy companies in pushing the bill. Supporters claim SB 33 will contribute to the growth of Ohio's economy and will ensure that current and future capital investments in the state are safe from physical damage.  Reps. Don Manning (R-New Middletown) and Jamie Callender (R-Concord) have introduced HJR 2, which would amend the Ohio Constitution to prohibit foreign businesses and individuals from having a majority ownership interest in critical infrastructure located in Ohio, including power plants, intrastate electric transmission lines and pipelines, and water treatment plants. Additional ownership restrictions in the plan include barring foreign companies and individuals from holding or acquiring any share of stock or other interests in a corporation or entity which would grant them access to any of the following:   * Non-public technical information about critical infrastructure. * Membership or observer rights on the corporation’s or entity’s board of directors. * Any other involvement in substantive decision making regarding critical infrastructure or critical infrastructure technology.   Owners of critical infrastructure would be required to disclose information regarding their ownership, governance and other details to the Ohio Secretary of State. If it is determined there is foreign ownership, the owner of the critical infrastructure would have one year to divest. The resolution comes on the heels of the contentious battle over the HB 6 referendum.  Speaker Larry Householder (R-Glenford) announced new committee chairs – slots that needed to be filled due, directly, or indirectly, to previous resignations. The new chair of the House Ways & Means Committee will be Rep. Derek Merrin (R-Monclova), who will leave his chairmanship of the House Health Committee to take the Ways & Means post. He will be replaced as House Health Committee chair by Rep. Scott Lipps. Rep. Tim Ginter was chosen to lead the House Aging & Long Term Care Committee. Rep. Don Jones has been selected to serve as the Chair of the House Primary & Secondary Education Committee, which was left open after the appointment of Louis Blessing to the Senate.  Senate Republicans announced Sen. Nathan Manning (R-North Ridgeville) is the new chairman of the Senate Local Government, Public Safety and Veterans Affairs Committee. He succeeds former Sen. Joe Uecker (R-Loveland). |

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:*** | 10/22/2019 - Senate Finance, (First Hearing) |
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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:*** | 10/29/2019 - Senate General Government and Agency Review , (Second 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:*** | 10/30/2019 - Bills for Third Consideration |
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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:*** | 10/23/2019 - House Commerce and Labor, (Second 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:*** | 10/9/2019 - House State and Local Government, (Second 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:*** | 10/22/2019 - House Insurance, (Second Hearing) |
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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) To make an appropriation related to emergency water and sewer system funding. | |
|  | ***Current Status:*** | 10/2/2019 - Referred to Committee House State and Local Government |
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| **HB368** | **COMPUTER CRIMES** (BALDRIDGE B) To enact the Ohio Computer Crimes Act. | |
|  | ***Current Status:*** | 10/22/2019 - Referred to Committee House Criminal Justice |
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| **HB370** | **HISTORICAL SYMBOLS, MONUMENTS** (HILLYER B, BALDRIDGE B) To allow the Attorney General to defend political subdivisions in certain actions brought under the First Amendment to the United States Constitution or analogous provisions of the Ohio Constitution. | |
|  | ***Current Status:*** | 10/29/2019 - House Civil Justice, (First Hearing) |
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| **HB380** | **CONTRACTOR PAYMENT DEADLINE** (CROSS J, SWEENEY B) To require owners of construction projects to pay a contractor within thirty-five days of receiving a request for payment. | |
|  | ***Current Status:*** | 10/23/2019 - Introduced |
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| **HJR2** | **CRITICAL INFRASTRUCTURE PROTECTION AMENDMENT** (MANNING D, CALLENDER J) Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to provide Ohio critical infrastructure protection. | |
|  | ***Current Status:*** | 10/30/2019 - House Energy and Natural Resources, (First Hearing) |
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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:*** | 10/16/2019 - House Energy and Natural Resources, (First Hearing) |
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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:*** | 10/23/2019 - **BILL AMENDED**, House Public Utilities, (Fifth 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:*** | 10/8/2019 - Senate Energy and Public Utilities, (First Hearing) |
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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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| **SB219** | **APPRENTICE PROGRAM** (WILLIAMS S) To establish a career pathways apprentice program. | |
|  | ***Current Status:*** | 10/23/2019 - Referred to Committee Senate Education |
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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) |