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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  **January 2020** |

The Senate’s priority water quality legislation, SB 2, recently received its fourth hearing in the House Energy & Natural Resources Committee. The measure, which passed the Senate in June, would establish a statewide watershed planning and management program and has been painted by senators as complementary to the H2Ohio Fund created in the budget. The delay on its passage comes as House committee members are still mulling the bill over to determine how it gels with H2Ohio and the House's own priority water measure (HB 7), which has received just one hearing in the Senate. Lawmakers in both chambers previously said more talks are needed to determine how the two proposals fit together. "Right now, we're in the discussion phase," Chairman Nino Vitale (R-Urbana) said in an interview.

In other legislative news, the House Public Utilities Committee favorably reported a high-profile bill (SB 33) aimed at protecting critical infrastructure facilities from damage caused by protestors. The committee’s actions prompted opponents to demonstrate outside the hearing room. The bill has received numerous hearings and has sparked opponents to provide hundreds of verbal or written testimony against the measure. Prior to the bill’s introduction, CORD worked with the bill’s sponsor and other advocates to ensure water and wastewater infrastructure was adequately protected. SB 33 now awaits action by the full House. The Senate will also need to concur with the changes made to the bill.

On January 23rd, The U.S. The EPA announced the Navigable Waters Protection Rule. The new rule defines the “waters of the United States” (WOTUS) and streamlines the definition so that it includes four categories of jurisdictional waters. The rule also provides clear exclusions for many water features that traditionally have not been regulated and defines terms in the regulatory text that have never been defined before. The Trump Administration rule rolls back the Obama Administration’s 2015 rule, which applied to about 60% of US waterways and that business interests painted as a massive federal overreach. The revised rule states that ephemeral bodies of water — those that form only after rainfall or that flow only part of the year and dry up at other times — are among those that are not subject to federal control. This exception also applies to waste treatment systems, groundwater, prior converted cropland and farm watering ponds.

Senator Theresa Gavarone will chair the Joint Committee on Agency Rule Review (JCARR) after being appointed by Senate President Obhof this month. The JCARR chairman position rotates each year between the two chambers. Representative Jamie Callender, who chaired the committee in 2019, will now serve as vice-chair. The committee consists of five State Representatives and five State Senators. JCARR's primary function is to review proposed new, amended, and rescinded rules from over 100 agencies to ensure they do not exceed their rule- making authority granted to them by the General Assembly.

January marked the initiation of the Senate's expansion of live broadcasts of all its committees. The chamber, which previously announced the move, will join the House in providing live streams for all committees moving forward. The broadcasts will be available through the Ohio Channel on Public Broadcasting Stations around the state as well as on the OhioChannel website. "We believe in increasing access to your elected officials and providing transparency to state government proceedings, and live coverage of our committees is another way for us to bring the Statehouse to the people," Senate President Larry Obhof (R-Medina) said in a release. The House began full committee streaming last year.

The Department of Job and Family Services reported that Ohio added 9,800 jobs in December as the unemployment rate remained steady at 4.2%. The total brings 2019's job gain to 27,000, the department reported. The number of unemployed Ohioans fell by 24,000 in the past year to 243,000, including a drop of 4,000 in December. The unemployment rate is down from 4.6% a year earlier.

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:*** | 1/22/2020 - **SUBSTITUTE BILL ACCEPTED**, Senate General Government and Agency Review , (Seventh 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:*** | 12/11/2019 - House Commerce and Labor, (First Hearing) |
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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:*** | 1/29/2020 - **BILL AMENDED**, House Public Utilities, (Sixth 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:*** | 12/4/2019 - **REPORTED OUT**, Senate Agriculture and Natural Resources, (Fourth 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:*** | 1/21/2020 - Senate Ways and Means, (Second 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:*** | 12/10/2019 - **SUBSTITUTE BILL ACCEPTED**, House Civil Justice, (Fifth 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:*** | 12/11/2019 - **BILL AMENDED**, House Commerce and Labor, (Fourth 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:*** | 12/12/2019 - **PASSED BY HOUSE**; Vote 86-0 |
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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:*** | 1/28/2020 - **BILL AMENDED**, House Insurance, (Third 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:*** | 11/12/2019 - House Insurance, (First Hearing) |
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| **HB340** | **DRAINAGE LAW** (CUPP B) To revise the state's drainage laws. | |
|  | ***Current Status:*** | 1/22/2020 - House State and Local Government, (Second Hearing) |
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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:*** | 1/23/2020 - **SUBSTITUTE BILL ACCEPTED**, House Criminal Justice, (Third Hearing) |
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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:*** | 12/10/2019 - House Civil Justice, (Third 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:*** | 12/11/2019 - House Commerce and Labor, (Second Hearing) |
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| **HB398** | **GENERAL ELECTIONS - LEGAL HOLIDAY** (CRAWLEY E, SWEENEY B) To establish the day of each general election as a legal holiday for which government employees receive paid leave. | |
|  | ***Current Status:*** | 11/12/2019 - Referred to Committee House State and Local Government |
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| **HB427** | **SAFE DRINKING WATER LAW - CONTAMINANTS** (WIGGAM S) To alter the requirements governing secondary contaminants under the Safe Drinking Water Law. | |
|  | ***Current Status:*** | 1/29/2020 - House Public Utilities, (First Hearing) |
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| **HB468** | **HANDHELD ELECTRONIC DEVICE WHILE DRIVING** (LIGHTBODY M) To alter the law governing the use of a handheld electronic wireless communications device while driving. | |
|  | ***Current Status:*** | 1/28/2020 - Referred to Committee House Transportation and Public Safety |
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| **HB476** | **EMINENT DOMAIN** (MANNING D, HAMBLEY S) To amend the law regarding eminent domain and to declare an emergency. | |
|  | ***Current Status:*** | 1/28/2020 - Referred to Committee House State and Local Government |
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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:*** | 1/28/2020 - House Energy and Natural Resources, (Fourth 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:*** | 10/29/2019 - Re-Referred to Committee |
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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:*** | 1/29/2020 - **REPORTED OUT**, House Public Utilities, (Seventh 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:*** | 12/17/2019 - 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:*** | 12/10/2019 - Senate Energy and Public Utilities, (Third 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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| **SB244** | **CERTIFICATES OF TRANSITION** (RULLI M) To require fiscal officers of certain political subdivisions to provide certificates of transition to their successors when leaving office. | |
|  | ***Current Status:*** | 12/10/2019 - Senate Local Government, Public Safety and Veterans Affairs, (First Hearing) |
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| **SB249** | **REQUIRE RESTROOM WITH ADULT CHANGING STATION** (LEHNER P) To enact Matthew's Law, requiring public buildings to have at least one rest room facility with an adult changing station and authorizing an income tax credit for installation. | |
|  | ***Current Status:*** | 12/17/2019 - Referred to Committee Senate Transportation, Commerce and Workforce |
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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) |