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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  **June 2021** |

The Ohio Senate passed its version of the $75 billion, two-year state operating budget bill (HB 110) on a party-line vote (25-8), with a 5% income tax cut and a different school funding overhaul plan than what passed in the House. The 5% tax cut would cost the state $874 million—higher than the 2% reduction proposed in the House-passed version of the bill passed in April. Each tax bracket above $22,151 - people with lower wages pay no taxes in Ohio - will see a 3.5% reduction in the amount of taxes owed for the fiscal year beginning July 1. Ohioans will receive an additional 1.5% reduction the following fiscal year. The Senate also returned $10 million per year that the House of Representatives cut to the Ohio Department of Agriculture for the H2Ohio program. The Senate did not return funding to the Ohio Environmental Protection Agency’s (Ohio EPA’s) H2Ohio fund, which the governor set at $46 million per year, but the House cut back to $10 million per year. The Senate also removed the ability for public entities to meet virtually until December 31, 2021, instead reverting back to the previous date set during the COVID-19 pandemic of July 1, 2021. The measure now heads to conference committee where members of the House and Senate have until the end of the month to hash out their differences. HB 110 must be signed by the governor by the June 30th deadline.

The federal government offered guidance on $11 billion in federal aid the state is scheduled to receive through the American Rescue Plan Act (ARPA). The funding is divided between the state, which will receive approximately $5.4 billion, and local governments, which will receive the rest. Despite the guidance, the state has not indicated how it intends to distribute the funding, outside of a plan shared by Governor DeWine that he would like to use a portion of the federal dollars to repay the state’s unemployment compensation debt. Local governments are entitled to an additional $5.6 billion under ARPA. The federal funding does not come without controversy, however, as Attorney General Dave Yost has sued over ARPA’s provision prohibiting states from using the funding to offset a tax cut. In addition to the proposal to repay the state’s unemployment compensation debt with the federal funding, groups are lining up with ideas on how the state should invest the funds. One idea that has been floated is to use the funding for broadband expansion. Lawmakers passed HB 2 earlier this year, which creates a program to expand broadband access in Ohio. That bill provided initial funding to start the program and the House included $190 million in HB 110 to provide grants for broadband expansion. The Senate removed this funding from the budget and suggested it could be addressed using ARPA funding. CORD has also been working with legislators to identify funding opportunities for water and sewer infrastructure. Since 6119 districts were not eligible for direct funding from the federal government, like counties and cities, CORD has argued that one use of the state’s portion of funding should be on infrastructure projects for 6119 districts.

Governor DeWine recently signed HB 167, which provides a total of $465 in federal funding for rent and utility assistance. The funding was made available through the Consolidated Appropriations Act, 2021. Eligible rental households that have been disconnected, are in threat of disconnection, or are behind on their water, sewer, trash removal, and home heating and electric can receive payment assistance in arrears and future payments until the program expires. The funding provided in HB 167 is in addition to $100 million approved by the Controlling Board earlier this year for rent and utility assistance. The governor said the Development Services Agency (DSA) will continue working with community action agencies throughout Ohio to provide rental and utility assistance to low-income households that have been impacted by the pandemic.

Ohio’s mask mandate, along with most of the remaining coronavirus health orders, expired June 2nd. State-set restrictions have waned in recent months: first in February with the elimination of the curfew and most recently with exemptions for fully vaccinated people. The mask order was in place since July 23, 2020. Governor DeWine announced on May 12th that the orders would come off in three weeks, despite not yet meeting his goal of 50 new COVID-19 cases per 100,000 residents in the previous two weeks. A few days later, DeWine halted enforcement of the mask mandate at retail businesses. Most local mask ordinances have ended or are set to expire with the state order. Businesses, organizations, and schools can set their own requirements for masking and social distancing. The federal Transportation Security Administration’s mask requirement for airports, planes, trains, buses and rail systems is in place through September. The state will keep health orders for nursing homes and assisted living facilities, as well as orders pertaining to data collection. The governor’s state of emergency declaration, which is tied to various forms of assistance, will continue. Ohio Department of Health Director Stephanie McCloud said a decision as to when the state of emergency might end has yet to be made.

Members of the House Agriculture and Conservation Committee continue to review legislation (HB 175) revising the state’s regulation of ephemeral streams. Rep. Brett Hillyer (R-Uhrichsville), the sponsor of the bill, suggests that the legislation, which would remove ephemeral features from the definition of “Waters of the State,” is necessary to ensure Ohio’s regulations align with those of the federal government, which developed the Navigable Waters Protection Rule in 2020. This rule replaced the 2015 Clean Water Rule and excluded “ephemeral features” from the definition of “Waters of the United States.” In response to the Navigable Waters Protection Rule, the Ohio EPA developed a new General Permit for Isolated Wetlands and Ephemeral Streams, which proponents of the bill claim is overly burdensome and costly. Opponents of HB 175, contest that deregulating ephemeral streams could make it hard to protect Ohio’s waterways. The Ohio EPA testified that the legislation could impact its ability to issue discharge permits. The measure has received four hearings before the committee.

Senator Sandra Williams (D-Cleveland) has introduced a pair of bills impacting the function of utilities in Ohio. SB 96 would impose a moratorium on all utility shutoffs in Ohio during the COVID-19 pandemic. Separately, she recently introduced SB 193, Which would prohibit political subdivisions from placing a lien on property for unpaid water charges. SB 193, which has yet to receive a committee hearing, is similar to legislation that Senator Williams attempted last session. That bill, SB 273, failed to gain any momentum and stalled in the Senate committee process.

Senator Theresa Gavarone (R-Bowling Green) and Senator Kenny Yuko (D-Richmond Heights) have introduced SJR 2, which is aimed at providing a long-term funding solution for the H2Ohio program. The resolution would create a $1 billion bond to be disbursed over 10 years for water quality improvement projects throughout Ohio. Eligible projects would include: water and wastewater treatment systems, water quality research, agricultural best management practices, watershed restoration, and capital improvements. If passed, the resolution would place a constitutional amendment authorizing the state to issue up to $1 billion in general obligation bonds for clean water improvements. The measure has been assigned to the Senate Finance Committee but has yet to receive a hearing.

Members of both parties in the House of Representatives recently introduced resolutions to oust former House Speaker Larry Householder, who continues to represent the 72nd House District. The Republican resolution (HR 69) comes from lawmakers in neighboring central Ohio districts, Rep. Mark Fraizer (R-Newark) and Rep. Brian Stewart (R-Ashville). The Democratic resolution (HR 70) was offered by Rep. Jeffrey Crossman (D-Parma) and Rep. Michele Lepore-Hagan (D-Youngstown). Householder dismissed the efforts as legislators “playing politics.” The resolutions are scheduled for hearings before the House Rules & Reference Committee, which will feature testimony from Rep. Householder, who was invited to come before the panel. Speaker Cupp has declined to speculate on whether he believed the resolutions had support from enough members to pass.

Below is a list of legislation we are tracking during the 134th Ohio General Assembly:

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| **HB13** | **MODIFY THE CAMPAIGN FINANCE LAW** (GRENDELL D, FRAIZER M) To modify the campaign finance law and to declare an emergency. | |
|  | ***Current Status:*** | 4/15/2021 - House Government Oversight, (Second Hearing) |
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| **HB20** | **PROHIBIT FORECLOSURES, EVICTION DURING COVID-19** (LELAND D, CROSSMAN J) To prohibit foreclosure activity and the eviction of residential and commercial tenants during the state of emergency declared regarding COVID-19, to refer such proceedings caused by the state of emergency to mediation, and to declare an emergency. | |
|  | ***Current Status:*** | 3/23/2021 - House Civil Justice, (Second Hearing) |
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| **HB43** | **PUBLIC BODIES - ELECTRONIC MEETINGS** (SOBECKI L, HOOPS J) To authorize public bodies to meet via teleconference and video conference. | |
|  | ***Current Status:*** | 2/11/2021 - House Government Oversight, (First Hearing) |
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| **HB63** | **AMEND EMINENT DOMAIN LAWS** (CUTRONA A, STOLTZFUS R) To amend the law regarding eminent domain and to declare an emergency. | |
|  | ***Current Status:*** | 3/2/2021 - House Civil Justice, (Second Hearing) |
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| **HB90** | **OVERSIGHT OF GOVERNOR'S AND HEALTH ORDERS** (WIGGAM S, EDWARDS J) To establish legislative oversight of the Governor's executive orders, certain public health orders, and emergency rules, including by establishing the Ohio Health Oversight and Advisory Committee. | |
|  | ***Current Status:*** | 2/24/2021 - **SUBSTITUTE BILL ACCEPTED**, House State and Local Government, (Third Hearing) |
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| **HB91** | **AUTHORIZE CERTAIN PUBLIC-PRIVATE INITIATIVES** (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:*** | 4/28/2021 - **BILL AMENDED**, House Infrastructure and Rural Development, (Second Hearing) |
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| **HB103** | **REGARDS ADOPTION/DURATION EMERGENCY RULES** (MERRIN D) Regarding the adoption and duration of emergency administrative rules. | |
|  | ***Current Status:*** | 3/24/2021 - House State and Local Government, (Second Hearing) |
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| **HB110** | **OPERATING BUDGET** (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2021, and ending June 30, 2023, to levy taxes, and to provide authorization and conditions for the operation of state programs. | |
|  | ***Current Status:*** | 6/9/2021 - **PASSED BY SENATE**; Vote 25-8 |
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| **HB146** | **REGARDS APPLYING PREVAILING WAGE LAW TO PUBLIC PROJECTS** (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:*** | 3/3/2021 - House Commerce and Labor, (First Hearing) |
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| **HB158** | **PROHIBIT USE OF CERTAIN FIREFIGHTING FOAM FOR TESTING/TRAINING** (BALDRIDGE B) To prohibit the use of class B firefighting foam containing intentionally added PFAS chemicals for testing and training purposes. | |
|  | ***Current Status:*** | 5/26/2021 - Referred to Committee Senate Veterans and Public Safety |
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| **HB167** | **PROVIDE RENT, UTILITY ASSISTANCE** (OELSLAGER S) To provide rent and utility assistance and to make an appropriation. | |
|  | ***Current Status:*** | 5/11/2021 - **SIGNED BY GOVERNOR**; eff. immediately |
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| **HB175** | **DEREGULATE CERTAIN EPHEMERAL WATER FEATURES** (HILLYER B) To deregulate certain ephemeral water features under various water pollution control laws. | |
|  | ***Current Status:*** | 5/25/2021 - **BILL AMENDED**, House Agriculture and Conservation, (Fourth Hearing) |
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| **HB177** | **ALLOW GOVERNMENTS TO USE BLOCKCHAIN** (CARFAGNA R, FRAIZER M) To allow a governmental entity to utilize distributed ledger technology, including blockchain technology. | |
|  | ***Current Status:*** | 5/6/2021 - **PASSED BY HOUSE**; Vote 95-2 |
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| **HB202** | **VOID ORDERS REQUIRING FACIAL COVERINGS** (POWELL J) To void the order of the Interim Director of Health requiring the use of facial coverings throughout the state and prohibit the Governor or other administrative department heads from requiring the use of facial coverings without approval by the General Assembly. | |
|  | ***Current Status:*** | 4/22/2021 - House Government Oversight, (First Hearing) |
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| **HB203** | **REQUIRE OCCUPATIONAL LICENSE IF EXPERIENCED IN OTHER STATE** (POWELL J) To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances and to amend the version of section 3319.22 of the Revised Code that is scheduled to take effect on April 12, 2023, to continue the changes on and after that date. | |
|  | ***Current Status:*** | 6/9/2021 - House State and Local Government, (Third Hearing) |
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| **HB232** | **OHIO EQUAL PAY ACT** (HOWSE S, MIRANDA J) To enact the Ohio Equal Pay Act to address wage disparities in public and private employment. | |
|  | ***Current Status:*** | 4/14/2021 - Referred to Committee House Commerce and Labor |
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| **HB245** | **EXPAND ELIGIBILITY - COUNTY SEWER DISCOUNTED RATES** (INGRAM C) To expand eligibility for county sewer discounted rates or charges. | |
|  | ***Current Status:*** | 4/14/2021 - Referred to Committee House State and Local Government |
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| **HB247** | **REVISE PLUMBING INSPECTION LAW** (WEST T, KELLY B) To amend the law related to plumbing inspections. | |
|  | ***Current Status:*** | 5/26/2021 - Referred to Committee Senate Health |
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| **HB267** | **LIMIT PUBLIC HEALTH ORDERS** (JORDAN K) To limit the duration of public health orders and to allow the General Assembly to act via concurrent resolution in response to a public health emergency if the Governor or Department of Health does not. | |
|  | ***Current Status:*** | 5/4/2021 - Referred to Committee House State and Local Government |
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| **HB269** | **REPEAL SB22** (GALONSKI T) To repeal the version of Section 3 of S.B. 22 of the 134th General Assembly scheduled to take effect on June 23, 2021, to repeal the changes made by S.B. 22 of the 134th General Assembly to the laws governing legislative oversight of certain orders and rules issued by the executive branch, including the establishment of the Ohio Health Oversight and Advisory Committee, and to declare an emergency. | |
|  | ***Current Status:*** | 5/4/2021 - Referred to Committee House State and Local Government |
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| **HB275** | **EXPAND POLITICAL SUBDIVISION JOINT PURCHASING AUTHORITY** (LAMPTON B) To expand political subdivision joint purchasing authority to expressly include purchases for construction services. | |
|  | ***Current Status:*** | 5/12/2021 - House Commerce and Labor, (First Hearing) |
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| **HB299** | **CONSUMER UTILITY BILLING TRANSPARENCY ACT** (SKINDELL M) To enact "The Consumer Utility Billing Transparency Act" requiring the itemization of all riders, charges, taxes, and other costs on certain utility bills. | |
|  | ***Current Status:*** | 5/19/2021 - House Public Utilities, (First Hearing) |
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| **HB309** | **FAIR, OPEN COMPETITION ACT** (BRINKMAN T) To enact the Fair and Open Competition Act regarding project labor agreements in public improvement contracts. | |
|  | ***Current Status:*** | 5/18/2021 - Referred to Committee House Commerce and Labor |
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| **HR19** | **URGE CONGRESS TO CREATE NATIONAL INFRASTRUCTURE BANK** (SOBECKI L, STEPHENS J) To urge the United States Congress to create a National Infrastructure Bank to finance urgently needed infrastructure projects. | |
|  | ***Current Status:*** | 2/24/2021 - House Infrastructure and Rural Development, (First Hearing) |
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| **SB9** | **REDUCE REGULATIONS** (MCCOLLEY R, ROEGNER K) To require certain agencies to reduce the number of regulatory restrictions in their administrative rules. | |
|  | ***Current Status:*** | 5/20/2021 - House Government Oversight, (First Hearing) |
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| **SB15** | **FISCAL OFFICERS-LIABILITY** (WILSON S) To change the circumstances in which certain fiscal officers may be held liable for a loss of public funds. | |
|  | ***Current Status:*** | 3/24/2021 - Referred to Committee House State and Local Government |
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| **SB19** | **WETLAND MITIGATION-PROPERTY TAX** (SCHAFFER T) To establish a property tax exemption for certain property used for wetland mitigation projects. | |
|  | ***Current Status:*** | 6/8/2021 - **SUBSTITUTE BILL ACCEPTED**, House Ways and Means, (Third Hearing) |
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| **SB22** | **LEGISLATIVE OVERSIGHT-PUBLIC HEALTH ORDERS** (JOHNSON T, MCCOLLEY R) To establish legislative oversight of orders issued by the executive branch, including by establishing the Ohio Health Oversight and Advisory Committee. | |
|  | ***Current Status:*** | 3/24/2021 - Consideration of Governor's Veto; House Overrides Veto, Vote 62-35 |
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| **SB27** | **AUTOMATIC ENROLLMENT-DEFERRED COMPENSATION** (HOTTINGER J) To authorize automatic enrollment of new state government employees in the Ohio Public Employees Deferred Compensation Program. | |
|  | ***Current Status:*** | 6/8/2021 - **SIGNED BY GOVERNOR**; eff. 90 days |
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| **SB39** | **COOPER'S LAW - CRIMES & RECORD RETENTION** (SCHAFFER T) To eliminate the 20-year statute of limitation for felonious assault and aggravated assault if the victim is a peace officer, to modify the law regarding records retention schedules developed by counties, municipal corporations, and townships, to modify the penalties for aggravated assault, tampering with evidence, falsification, and falsification in a theft offense, and to name this act Cooper's Law. | |
|  | ***Current Status:*** | 2/9/2021 - Senate Judiciary, (First Hearing) |
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| **SB56** | **INDEMNITY-DESIGN CONTRACTS** (BLESSING III L) To regulate the use of indemnity provisions in professional design contracts related to public improvements. | |
|  | ***Current Status:*** | 5/19/2021 - **PASSED BY SENATE**; Vote 31-0 |
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| **SB78** | **JUNETEENTH-LEGAL HOLIDAY** (CRAIG H, BRENNER A) To establish the nineteenth of June as Juneteenth, a legal holiday for which government employees receive paid leave. | |
|  | ***Current Status:*** | 2/24/2021 - Referred to Committee Senate Government Oversight and Reform |
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| **SB83** | **BROWNFIELDS** (WILLIAMS S, RULLI M) To require the Ohio Environmental Protection Agency to conduct a study to determine where brownfield sites are located in this state and to make an appropriation. | |
|  | ***Current Status:*** | 5/19/2021 - **PASSED BY SENATE**; Vote 32-0 |
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| **SB84** | **CLEAN OHIO REVITALIZATION FUND** (WILLIAMS S, RULLI M) To make changes to the law relating to the Clean Ohio Revitalization Fund. | |
|  | ***Current Status:*** | 3/23/2021 - Senate Agriculture and Natural Resources, (Second Hearing) |
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| **SB95** | **REGULATE UTILITY RESELLERS** (MAHARATH T) To require refunds to utility customers who have been improperly charged and to regulate certain resellers of utility service. | |
|  | ***Current Status:*** | 3/31/2021 - Senate Energy and Public Utilities, (First Hearing) |
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| **SB96** | **PREVENT UTILITY DISTRUPTION-COVID** (WILLIAMS S) To prevent the disruption of utility service during the state of emergency declared regarding COVID-19 and to declare an emergency. | |
|  | ***Current Status:*** | 3/31/2021 - Senate Energy and Public Utilities, (First Hearing) |
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| **SB105** | **MINORITY BUSINESS ENTERPRISES** (SYKES V, SCHURING K) To require political subdivisions to recognize state certifications of minority business enterprises. | |
|  | ***Current Status:*** | 6/2/2021 - **PASSED BY SENATE**; Vote 33-0 |
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| **SB110** | **RENT, UTILITY ASSISTANCE** (O'BRIEN S, WILSON S) To provide rent and utility assistance and to make an appropriation. | |
|  | ***Current Status:*** | 3/24/2021 - Referred to Committee House Finance |
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| **SB131** | **LICENSURE RECIPROCITY** (ROEGNER K, MCCOLLEY R) To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances and to amend the version of section 3319.22 of the Revised Code that is scheduled to take effect on April 12, 2023, to continue the changes on and after that date. | |
|  | ***Current Status:*** | 5/26/2021 - Senate Workforce and Higher Education, (Second Hearing) |
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| **SB143** | **ADOPT MAXIMUM CONTAMINANT LEVEL-ALUMINUM** (O'BRIEN S) To require the Director of Environmental Protection to adopt a maximum contaminant level for aluminum in drinking water. | |
|  | ***Current Status:*** | 5/25/2021 - Senate Agriculture and Natural Resources, (Second Hearing) |
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| **SB152** | **FRAUD, WASTE, ABUSE TASK FORCE** (HOAGLAND F) To establish the Fraud, Waste, and Abuse Task Force in the office of the Attorney General and to make an appropriation. | |
|  | ***Current Status:*** | 4/21/2021 - Referred to Committee Senate Finance |
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| **SB175** | **LABOR AGREEMENTS-PUBLIC IMPROVEMENT CONTRACTS** (LANG G) To enact the Fair and Open Competition Act regarding project labor agreements in public improvement contracts. | |
|  | ***Current Status:*** | 5/5/2021 - Introduced |
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| **SB180** | **EXPANDED DISCOUNTED SEWER RATES** (THOMAS C) To expand eligibility for county sewer discounted rates or charges. | |
|  | ***Current Status:*** | 6/8/2021 - Senate Energy and Public Utilities, (First Hearing) |
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| **SB193** | **UNPAID WATER CHARGES** (WILLIAMS S) To prohibit political subdivisions from placing a lien on property for unpaid water charges. | |
|  | ***Current Status:*** | 6/2/2021 - Referred to Committee Senate Energy and Public Utilities |
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| **SJR2** | **PERMIT BONDS-CLEAN WATER IMPROVEMENTS** (GAVARONE T, YUKO K) 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:*** | 4/21/2021 - Referred to Committee Senate Finance |