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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  **CORD**  Legislative Activities Report  **August 2021** |

Rep. John Cross (R-Kenton) recently held a press conference announcing legislation aimed at banning cities from dumping sewage in the western basin. The proposed legislation would take a “zero tolerance” approach to dumping waste in Ohio’s waterways. Municipal systems would be fined $250,000 for their first known violation, with a $1,000 per day fine for ongoing violations. The legislation was developed after a $29,936 fine was levied by the Ohio EPA against the City of Maumee for illegally dumping as much as 150 million gallons each year of untreated water into the Maumee River, which flows into Lake Erie. Rep. Cross and others believes the roughly $30,000 fine was not nearly enough to deter systems from illegal dumping. The legislation also calls for pulling all permits that allow cities to legally discharge sewage. The Ohio EPA has an agreement with the City of Maumee allowing up to 25 million gallons of sanitary sewer discharge each year. “What has been troubling to hear as a legislator, knowing about this issue of Lake Erie with algae blooms and pollution, is communities and city leaders pointing fingers and placing blame purely on our farmers,” Cross said. Cross also called on the Ohio EPA to step up enforcement and said he hopes this bill will give the agency stronger tools to go after bad actors.

The Department of Development, county engineers, and other stakeholders are working to establish the guidelines for the $250 million water and sewer quality program that was created in HB 168, which was passed in June. The legislation uses federal funding, provided through the American Rescue Plan Act (ARPA), to establish an infrastructure grant program. Each county engineer is charged with prioritizing projects in each county and submitting that to the Department of Development. County engineers must develop their priority list of projects by the end of August. Before the county engineers can develop their lists, the Department of Development must first establish criteria for applicants to submit qualified projects.

Lawmakers recently introduced legislation (HB 377) aimed at ensuring local governments don’t have to wait on the legislature when the second half of federal relief money from ARPA is released to the state next year. The first $422 million was included in HB 168. Reps. D.J. Swearingen (R-Huron) and Thomas Hall (R-Middletown) introduced the bill distributing the remaining $422 million, which the state will receive next year, to local governments classified as “non-entitlement units,” which did not receive direct funding allocated by the federal government. The state and other larger local governments will also be receiving funding. The distribution of the local government funding became complicated due to confusion as to whether smaller villages and townships were eligible for the funding. The final version of ARPA was not clear in making this determination, and the U.S. Treasury Department determined that individual states have the authority to make the determination. HB 377 would help ensure that these local entities are included in the second round of funding. “We want to make sure that’s sorted out in advance of 2022,’ Rep. Swearingen said in an interview. “This time around in 2021, there was some uncertainty on that. It was a little last minute.”

The U.S. Attorney of the Southern District of Ohio recently announced that Akron-based FirstEnergy will pay a $230 million fine for bribing key Ohio officials in an effort to pass the $1 billion ratepayer-funded bailout for two nuclear plants. The charges come nearly one year to the day that former House Speaker Larry Householder was arrested for his role in the $60 million scandal. The fine is one of the largest criminal penalties ever collected, surpassing the $200 million penalty imposed on Illinois’ ComEd in 2020. The agreement with FirstEnergy details how the company bought key Ohio public officials – notably former Speaker Householder and former Public Utilities Commission of Ohio Chairman Sam Randazzo. The fine will be split 50-50 between federal and state governments. Ohio’s $115 million will go toward a program that helps Ohioans pay their utility bills.

Ohio’s August 3rd special election is quickly approaching and will likely determine who will fill the vacancies left in Ohio’s 11th and 15th Congressional Districts. 13 Democrats are facing off in the 11th Congressional District, which is centered around Cleveland. Two frontrunners have emerged - former Ohio Senator Nina Turner and Cuyahoga County Democratic Party Chair Shontel Brown. The seat became open when former Congresswoman Marsha Fudge left to join President Biden’s Cabinet as Secretary of Housing and Urban Development. There is also a crowded race for Ohio’s 15th Congressional District, as 11 Republicans and two Democrats will appear on the ballot to replace former Congressman Steve Stivers, who left the position to take a job as president and CEO of the Ohio Chamber of Commerce. The race has attracted much attention, both within Ohio and nationally, including from former President Donald Trump, who has endorsed Mike Carey, a former lobbyist for the coal industry. The 15th District covers much of central and southeast Ohio. The winners of the special election will appear before voters in the General Election on November 2nd.

Rep. Phil Plummer (R-Dayton) became the first official candidate to announce he is pursuing the speakership for the 135th General Assembly. Current Speaker Bob Cupp is term limited. A self-described “law and order guy,” he is in his second term in the House and spent three decades in the field of law enforcement, including serving as Montgomery County Sheriff from 2008 until his election to the chamber in 2018. He encouraged his members to avoid another long speaker fight saying, “we don’t need another long, drawn out speaker fight for political reasons.”

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:*** | 7/1/2021 - **SIGNED BY GOVERNOR**; effective 7/1/21 |
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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:*** | 6/23/2021 - House Commerce and Labor, (Second 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:*** | 6/15/2021 - Senate Veterans and Public Safety, (First Hearing) |
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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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| **HB168** | **UNEMPLOYMENT DEBT** (FRAIZER M) To remit funds from the State Fiscal Recovery Fund to repay unemployment advances, to provide funds to support improvements at pediatric behavioral health care facilities, to require the Development Services Agency to establish the Water and Sewer Quality Program, and to make appropriations. | |
|  | ***Current Status:*** | 6/29/2021 - **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:*** | 6/23/2021 - House Agriculture and Conservation, (Fifth 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 - **BILL AMENDED**, 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:*** | 6/22/2021 - House Commerce and Labor, (First Hearing) |
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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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| **HB350** | **PROHIBIT MANDATORY COVID-19 VACCINE** (CUTRONA A) To prohibit mandatory COVID-19 vaccinations, requiring proof of COVID-19 vaccination, and certain other actions relating to an individual's COVID-19 vaccination or health status and to declare an emergency. | |
|  | ***Current Status:*** | 6/22/2021 - House Civil Justice, (First Hearing) |
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| **HB364** | **WATERWORKS INFRASTRUCTURE APPLICATION** (PATTON T) To make changes to the application process for the waterworks infrastructure improvement surcharge. | |
|  | ***Current Status:*** | 7/1/2021 - Introduced |
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| **HB365** | **DRINKING WATER SAFETY RULES** (LIGHTBODY M, RUSSO A) To require the Director of Environmental Protection to adopt rules establishing maximum allowable contaminant levels in drinking water and water quality standards for certain contaminants. | |
|  | ***Current Status:*** | 7/1/2021 - Introduced |
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| **HB376** | **OHIO PERSONAL PRIVACY ACT** (CARFAGNA R, HALL T) To enact the Ohio Personal Privacy Act. | |
|  | ***Current Status:*** | 7/12/2021 - Introduced |
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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** | **REGARDING PROPERTY TAXATION** (SCHAFFER T) To modify the law regarding property taxation and sales and use tax. | |
|  | ***Current Status:*** | 6/28/2021 - **PASSED BY HOUSE**; Amended on Floor, Bill Vote 61-36 |
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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. 9/7/21 |
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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:*** | 6/22/2021 - House Civil Justice, (First Hearing) |
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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:*** | 6/23/2021 - House Agriculture and Conservation, (Second Hearing) |
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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:*** | 6/10/2021 - Referred to Committee House Economic and Workforce Development |
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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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| **SB111** | **VACCINATIONS, CORONAVIRUS RECOVERY INCLUDING TOWNSHIPS** (BLESSING III L, BRENNER A) To prohibit certain mandatory vaccinations and other activities related to an individual's vaccination status and to make an appropriation related to coronavirus local fiscal recovery. | |
|  | ***Current Status:*** | 6/24/2021 - **PASSED BY HOUSE**; Amended on Floor, Bill Vote 62-34 |
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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:*** | 6/15/2021 - Senate Agriculture and Natural Resources, (Third 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 |