



**AM2164**

Amendment No.	Subject
G-0340-1	Department of Administrative Services - state agency capital projects
G-0341-1	Medicaid payments to COVID-19 community providers
G-0351-2	Open meetings - electronic participation
G-0360	Budget Stabilization Fund transfer
G-0361	Extra 45 days for a county central committee to fill a vacancy
G-0362-2	Waiver of education requirements due to COVID-19 emergency
G-0364	Payments to publicly funded child care providers
G-0365-1	Changes to unemployment compensation during a COVID-19 outbreak
G-0366-1	Delivery of services to special needs students during COVID-19 emergency
G-0371-2	Tax compliance mitigation
G-0389-2	Public retirement system boards - delay board member elections until December 1, 2020
G-0392-2	Auditor of State - waive certain requirements regarding procedure

**AM2164**

Amendment No.	Subject
G-0393-3	Tolling of statutes of limitations and time limitations and deadlines
G-0421-1	County recorders - transfers/processing titles online
G-0441	Delay Step Up to Quality requirement
G-0442-2	Ohio Public Works Commission, Ohio Water Development Authority, and Ohio Environmental Protection Agency waive penalties and fees
G-0445	Recent nursing graduates obtain a temporary license
G-0472	Certified registered nurse anesthetists authority
G-0474-1	Extension of absent voting for March 17, 2020, primary election
G-0475	Bill title and emergency clause
G-0478-2	Educational Choice Scholarship suspension
G-0479	Severability clause

6 The motion was \_\_\_\_\_ agreed to.

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to authorize the Director of Environmental Protection to issue certain orders to public water systems during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of emergency continues beyond that date, and to declare an emergency"

After line \_\_\_\_\_, insert:

**"Section 1.** (A) For purposes of ensuring the supply of safe drinking water to the citizens of this state and pursuant to section 6109.04 of the Revised Code, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Environmental Protection may issue an order that does any of the following:

(1) Requires a public water system to restore service to any customer whose service was disconnected as a result of nonpayment of fees and charges;

(2) Requires a public water system to waive all fees for connection or reconnection to the public water system;

(3) Prohibits a public water system from disconnecting customers because of nonpayment of fees and charges.

(B) An order issued under division (A) of this section is 23  
deemed an order issued under Chapter 6109. of the Revised Code. 24  
As such, the order may be enforced in the same manner as any 25  
other order issued under that chapter. Such enforcement may 26  
include the imposition of administrative, civil, and criminal 27  
penalties authorized under Chapter 6109. of the Revised Code. 28

(C) An order issued under division (A) of this section is 29  
valid during the period of the emergency declared by Executive 30  
Order 2020-01D issued on March 9, 2020, but not beyond December 31  
1, 2020, if the period of the emergency continues beyond that 32  
date." 33

After line \_\_\_\_\_, insert: 34

**"Section 2.** This act is an emergency measure necessary for 35  
the immediate preservation of the public peace, health, and 36  
safety. The reason for such necessity is that immediate action 37  
is crucial to protecting the public health during an outbreak of 38  
COVID-19. Therefore, this act goes into immediate effect." 39

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 40

**Drinking water access** 41

**Sections 1 and 2** 42

Authorizes the Director of Environmental Protection 43  
(during a state of emergency declared by the Governor under 44  
Executive Order 2020-01D, issued on March 9, 2020, but not 45  
beyond December 1, 2020, if the period of emergency continues 46  
beyond that date) to issue an order that does any of the 47

following:	48
1. Requires a public water system to restore service to any customer whose service was disconnected as a result of nonpayment of fees and charges;	49 50 51
2. Requires a public water system to waive all fees for connection or reconnection; and	52 53
3. Prohibits a public water system from disconnecting customers because of nonpayment of fees and charges.	54 55
Specifies that an order issued under the amendment may be enforced in the same manner as any other order issued under the Safe Drinking Water Law, including the imposition of administrative, civil, and criminal penalties.	56 57 58 59
Specifies that the order is valid during the emergency period declared by the Governor, but not beyond December 1, 2020, if the period of emergency continues beyond that date.	60 61 62
Declares an emergency.	63

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to suspend the law governing child day-care center staff member ratios and maximum group sizes, and to declare an emergency" 1 2 3

After line \_\_\_\_\_, insert: 4

"Section 1. Notwithstanding section 5104.016 of the Revised Code, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the requirements of section 5104.033 of the Revised Code regarding the maximum number of children per child-care staff member and maximum group sizes are suspended." 5 6 7 8 9 10 11

After line \_\_\_\_\_, insert: 12

"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect." 13 14 15 16 17 18

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	19
<b>Staff member ratios and maximum group sizes for child day-care centers</b>	20
	21
<b>Sections 1 and 2</b>	22
Suspends child day-care center staff member ratios and	23
maximum group sizes until the earlier of the following: December	24
1, 2020, or the date on which Executive Order 2020-01D is	25
rescinded.	26
Declares an emergency.	27

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to authorize the Director of Agriculture to exempt schools and other entities from food processing establishment regulations only during the Governor's Executive Order 2020-01D (related to COVID-19), but not beyond December 1, 2020, and to declare an emergency"

After line \_\_\_\_\_, insert:

**"Section 1.** (A) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Agriculture may exempt a school from regulation as a food processing establishment under section 3715.021 of the Revised Code if the school:

(1) Has been issued a food service operation license under Chapter 3717. of the Revised Code; and

(2) Is transporting food only for purposes of the Seamless Summer Option Program or the Summer Food Service Program administered by the United States Department of Agriculture.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Agriculture may

exempt an entity from regulation as a food processing 23  
establishment under section 3715.021 of the Revised Code if the 24  
entity: 25

(1) Has been issued a food service operation license under 26  
Chapter 3717. of the Revised Code; and 27

(2) Is transporting food only for purposes of the Summer 28  
Food Service Program administered by the United States 29  
Department of Agriculture." 30

After line \_\_\_\_\_, insert: 31

"**Section 2.** This act is an emergency measure necessary for 32  
the immediate preservation of the public peace, health, and 33  
safety. The reason for such necessity is that immediate action 34  
is crucial to protecting the public health during an outbreak of 35  
COVID-19. Therefore, this act goes into immediate effect." 36

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 37

**Food processing for Seamless Summer Food Program** 38

**Sections 1 and 2** 39

During the period of the emergency declared by Executive 40  
Order 2020-01D (related to COVID-19), but not beyond December 1, 41  
2020, if the period of the emergency continues beyond that date, 42  
authorizes the Director of Agriculture to exempt from regulation 43  
as a food processing establishment a school or entity that: 44

1. Has been issued a food service operation license (an 45  
establishment that receives a majority of its revenue from sales 46

of food that is prepared and served in individual portions, e.g. 47  
restaurants and schools); 48

(2) With respect to a school, is transporting food only 49  
for purposes of the Seamless Summer Option Program or the Summer 50  
Food Service Program administered by the U.S.D.A.; 51

(3) With respect to any other entity, is transporting food 52  
only for purposes of the Summer Food Service Program 53  
administered by the U.S.D.A. 54

Declares an emergency. 55

(Under current law, a food processing establishment is a 56  
premises or part of a premises where food is processed, 57  
packaged, manufactured, or otherwise held or handled for 58  
distribution to another location or for sale at wholesale. 59  
Confectioneries, canneries, and bottlers are examples of food 60  
processing facilities.) 61

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to remove the  
limitation on the number of distance learning make-up days permitted for  
the 2019-2020 school year to account for school closings in compliance  
with any order by the Director of Health, or local board of health, or an  
extension of any order, due to the implications of COVID-19 and to declare  
an emergency"

After line \_\_\_\_\_, insert:

**"Section 1.** Notwithstanding anything to the contrary in  
section 3313.482 of the Revised Code, the board of education of  
a school district, the governing authority of a community school  
established under Chapter 3314. of the Revised Code that is not  
an internet- or computer-based community school, the governing  
body of a STEM school established under Chapter 3326. of the  
Revised Code, or the governing authority of a chartered  
nonpublic school shall be permitted to do either of the  
following to make up days or hours schools were closed in the  
2019-2020 school year due to the Director of Health's order  
under section 3701.13 of the Revised Code "In Re: Order the  
Closure of All K-12 Schools in the State of Ohio" issued on  
March 14, 2020, or any local board of health order, and any  
extension of any order:

(A) If the board, governing body, or governing authority

has adopted a plan under section 3313.482 of the Revised Code to 23  
require students to access and complete classroom lessons posted 24  
on the district's or school's web site in order to make up hours 25  
in the 2019-2020 school year for which it is necessary to close 26  
schools due to conditions described in that section, the board, 27  
governing body, or governing authority may amend that plan, 28  
anytime on or after the effective date of this section, to 29  
provide for making up any number of hours schools were closed in 30  
the 2019-2020 school year in compliance with the Director's 31  
order, local board of health order, or an extension of an order. 32

(B) If the board, governing body, or governing authority 33  
has not adopted a plan under section 3313.482 of the Revised 34  
Code to require students to access and complete classroom 35  
lessons posted on the district's or school's web site in order 36  
to make up hours for the 2019-2020 school year, the board, 37  
governing body, or governing authority may adopt such a plan, 38  
anytime on or after the effective date of this section, to 39  
provide for making up any number of hours schools were closed in 40  
the 2019-2020 school year in compliance with the Director's 41  
order, local board of health order, or an extension of an 42  
order." 43

After line \_\_\_\_\_, insert: 44

**"Section 2.** This act is an emergency measure necessary for 45  
the immediate preservation of the public peace, health, and 46  
safety. The reason for such necessity is that immediate action 47  
is crucial to protecting the public health during an outbreak of 48  
COVID-19. Therefore, this act goes into immediate effect." 49

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	50
<b>School distance learning make up of hours</b>	51
<b>Sections _____ and _____</b>	52
For the 2019-2020 school year, permits school districts,	53
STEM schools, community schools that are not Internet- or	54
computer-based schools (e-schools), and chartered nonpublic	55
schools to make up through distance learning any number of days	56
or hours necessary due to school closures as a result of the	57
Director of Health's order "In Re: Order the Closure of All K-12	58
Schools in the State of Ohio" issued on March 14, 2020, any	59
local board of health order, or any extension of an order	60
regarding COVID-19. A district or school may amend its existing	61
plan or adopt one, if it does not have an existing plan, to make	62
up those days or hours. (Current law limits make up through	63
distance learning to not more than three days.)	64
Declares an emergency.	65

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "regarding  
extending certain deadlines until after the COVID-19 emergency ends and to  
declare an emergency" 1 2 3

After line \_\_\_\_\_, insert: 4

**"Section 1.** (A) As used in this section: 5

(1) "License" means any license, permit, certificate,  
commission, charter, registration, card, or other similar  
authority that is issued or conferred by a state agency, a  
political subdivision of this state, or an official of a  
political subdivision of this state. 6 7 8 9 10

(2) "Person" has the same meaning as in section 1.59 of  
the Revised Code. 11 12

(3) "State agency" means every organized body, office, or  
agency established by the laws of the state for the exercise of  
any function of state government. "State agency" includes all of  
the following: 13 14 15 16

(a) The nonprofit corporation formed under section 187.01  
of the Revised Code; 17 18

(b) The Public Employees Retirement Board, Board of  
Trustees of the Ohio Police and Fire Pension Fund, State  
Teachers Retirement Board, School Employees Retirement Board, 19 20 21

and State Highway Patrol Retirement Board; 22

(c) A state institution of higher education as defined in 23  
section 3345.011 of the Revised Code. 24

(B) If a state agency is required by law to take action 25  
during the period of the emergency declared by Executive Order 26  
2020-01D, issued March 9, 2020, but not beyond December 1, 2020, 27  
if the period of the emergency continues beyond that date, 28  
notwithstanding the date by which action is required to be taken 29  
in accordance with that law, the state agency shall take that 30  
action not later than the earlier of either ninety days after 31  
the date the emergency ends or December 1, 2020. 32

(C) (1) Except as provided in division (E) of this section, 33  
if a person is required by law to take action to maintain the 34  
validity of a license during the period of the emergency 35  
declared by Executive Order 2020-01D, issued March 9, 2020, but 36  
not beyond December 1, 2020, if the period of the emergency 37  
continues beyond that date, notwithstanding the date by which 38  
action with respect to that license is required to be taken in 39  
accordance with that law, the person shall take that action not 40  
later than the sooner of either ninety days after the date the 41  
emergency ends or December 1, 2020. 42

(2) Except as provided in division (E) of this section, a 43  
license otherwise expiring pursuant to law during the period of 44  
the emergency declared by Executive Order 2020-01D, issued March 45  
9, 2020, but not beyond December 1, 2020, if the period of the 46  
emergency continues beyond that date, notwithstanding the date 47  
on which the license expires in accordance with that law, 48  
remains valid until the earlier of either ninety days after the 49  
date the emergency ends or December 1, 2020, unless revoked, 50  
suspended, or otherwise subject to discipline or limitation 51

under the applicable law for reasons other than delaying taking 52  
action to maintain the validity of the license in accordance 53  
with division (C)(1) of this section. 54

(D) Nothing in division (C) of this section limits the 55  
authority of a state agency, political subdivision, or official 56  
that issues a license to take disciplinary action under the 57  
applicable law against a person with respect to a license, 58  
provided that a state agency, political subdivision, or official 59  
shall not take disciplinary action against a person who delays 60  
in taking action to maintain the validity of the license in 61  
accordance with division (C)(1) of this section. 62

(E)(1) If a concealed handgun license has been issued to a 63  
person under section 2923.125 of the Revised Code and if the 64  
date on which that license was, or is, scheduled to expire falls 65  
during the period of emergency declared by Executive Order 2020- 66  
01D, issued on March 9, 2020, but not beyond December 1, 2020, 67  
if the period of the emergency continues beyond that date, 68  
notwithstanding that date of scheduled expiration or any other 69  
provision of law to the contrary, the date on which that license 70  
was, or is, scheduled to expire is hereby extended to the sooner 71  
of either ninety days or December 1, 2020, with the ninety-day 72  
extension period commencing on that date of scheduled 73  
expiration. 74

(2) Division (E)(1) of this section applies with respect 75  
to a concealed handgun license that is described in that 76  
division even if the date of scheduled expiration of that 77  
license occurred prior to the effective date of this section. In 78  
such a case, the ninety-day extension period, if applicable, 79  
shall be considered to have commenced on that date of scheduled 80  
expiration, notwithstanding the fact that the date already has 81

passed, and divisions (F) and (G) of this section apply 82  
regarding the license and the person to whom it was issued with 83  
respect to the entire applicable extension period, 84  
notwithstanding the fact that the date already has passed. 85

(F) If division (E) (1) of this section applies with 86  
respect to a concealed handgun license, during the extension 87  
period described in that division that is applicable to that 88  
license, both of the following apply: 89

(1) The license shall be valid for all purposes under the 90  
law of this state. 91

(2) The person to whom the license was issued shall be 92  
considered for all purposes under the law of this state to be a 93  
holder of a valid license to carry a concealed handgun. 94

(G) If division (E) of this section applies with respect 95  
to a concealed handgun license: 96

(1) The application of that division does not affect the 97  
operation of section 2923.128 of the Revised Code, during the 98  
applicable extension period described in that division or at any 99  
other time. 100

(2) The provisions of section 2923.128 of the Revised Code 101  
requiring the suspension or revocation of a concealed handgun 102  
license for specified conduct, or for a specified activity or 103  
factor, apply to the license with respect to which division (E) 104  
of this section applies and to the person to whom the license 105  
was issued, during the applicable extension period described in 106  
that division or at any other time. 107

(H) This section does not apply to any of the following: 108

(1) An offender who has violent offender database duties 109

as defined in section 2903.41 of the Revised Code;	110
(2) An offender who has a duty to register under section 2909.15 of the Revised Code;	111 112
(3) An offender who has a duty to register under section 2950.04 or 2950.041 of the Revised Code.	113 114
(I) No cause of action accrues due to the delay of an action taken under division (B), (C), or (E) of this section.	115 116
(J) The General Assembly encourages any person to whom the extension of time described in division (C)(1) or (E) of this section applies to make all reasonable efforts, taking into consideration the detrimental risks of COVID-19 to the health and safety of the person and other individuals, to take action with respect to a license within the extension granted under that division before the extension elapses."	117 118 119 120 121 122 123
After line _____, insert:	124
"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."	125 126 127 128 129

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	130
<b>Deadline extensions due to COVID-19 emergency</b>	131
<b>Sections ____ and ____</b>	132

Extends current law deadlines with which a state agency 133  
must comply that occurs during the emergency declared by 134  
Executive Order 2020-01D until the sooner of 90 days after the 135  
emergency ends or December 1, 2020. 136

Extends current law deadlines with which a licensee must 137  
comply to maintain a license's validity that occurs during the 138  
emergency declared by Executive Order 2020-01D until the sooner 139  
of 90 days after the emergency ends or December 1, 2020. 140

Extends a license's validity until the sooner of 90 days 141  
after the emergency declared by Executive Order 2020-01D ends or 142  
December 1, 2020, if the license would otherwise expire during 143  
the emergency, unless it is revoked, suspended, or otherwise 144  
subject to discipline or limitation under the applicable law for 145  
reasons other than complying with the deadline extensions by 146  
delaying in taking action to maintain the license. 147

Specifies that a licensing entity may take disciplinary 148  
action against a licensee except because of a licensee's 149  
compliance with the deadline extensions in delaying in taking 150  
action to maintain the license. 151

With respect to standard concealed handgun licenses that 152  
are scheduled to expire during the period of emergency declared 153  
by Executive Order 2020-01D: (1) provides an extension of 90 154  
days or until December 1, 2020, whichever occurs sooner, for the 155  
validity of those licenses, with the 90-day period commencing on 156  
the scheduled expiration date; (2) specifies that during that 157  
extension, for all purposes under Ohio law, the license is valid 158  
and the person to whom the license was issued is considered to 159  
be a holder of a valid license to carry a concealed handgun; and 160  
(3) specifies that the extension does not affect the operation 161  
of the Revised Code section (R.C. 2923.128) regarding the 162

suspension or revocation of a license to carry a concealed	163
handgun or the provisions of that section requiring a suspension	164
or revocation for specified conduct, activities, or factors,	165
during the extension or at any other time.	166
Excludes from the deadline extensions an individual's duty	167
to register or enroll as a violent offender, arson offender, or	168
sex offender.	169
Exempts from suit a state agency or licensee for complying	170
with the the deadline extensions.	171
Specifies that the General Assembly encourages a licensee	172
to make all reasonable efforts to take action with respect to a	173
license within the bill's deadline extension before the	174
extension elapses.	175
Declares an emergency.	176

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to waive the  
reemployment penalty for a retired state retirement system member who  
becomes reemployed by certain public employers during a COVID-19 state of  
emergency and to declare an emergency"

After line \_\_\_\_\_, insert:

**"Section 1.** (A) As used in this section:

(1) "PERS retirant" and "other system retirant" have the  
same meanings as in section 145.38 of the Revised Code.

(2) "Public employer" has the same meaning as in section  
145.01 of the Revised Code.

(B) During the period of the emergency declared by  
Executive Order 2020-01D, issued on March 9, 2020, but not  
beyond December 1, 2020, if the period of emergency goes beyond  
that date, a PERS retirant or other system retirant who is  
employed by any of the following public employers shall not be  
required to forfeit the retirant's retirement allowance as  
described in division (B)(4) of section 145.38 of the Revised  
Code:

(1) The Department of Rehabilitation and Correction;

(2) The Department of Youth Services;

(3) The Department of Mental Health and Addiction Services;	21
(4) The Department of Veterans Services;	22
(5) The Department of Developmental Disabilities."	23
After line _____, insert:	24
"Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action is crucial to protecting the public health during an outbreak of COVID-19. Therefore, this act shall go into immediate effect."	25

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	32
<b>Waiver of reemployment penalties during a COVID-19 outbreak</b>	33
<b>Sections 1 and 2</b>	34
Removes the requirement that, until the earlier of December 1, 2020, or the period of the state of emergency due to COVID-19 declared by the Governor on March 9, 2020, ends, a retired state retirement system member who has received a retirement allowance for less than two months and is reemployed by any of the following public employers forfeit the retirement allowance during that two-month period:	35
--The Department of Rehabilitation and Correction;	36

--The Department of Youth Services;	44
--The Department of Mental Health and Addiction Services;	45
--The Department of Veterans Services;	46
--The Department of Developmental Disabilities.	47
Declares an emergency.	48

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to make a temporary cash transfer, and to make an appropriation." 1  
2

After line \_\_\_\_\_, insert: 3

"Section 1. All items in this section are hereby 4  
appropriated as designated out of any moneys in the state 5  
treasury to the credit of the designated fund. All 6  
appropriations made in this section are for the capital biennium 7  
ending June 30, 2020, and are in addition to any other 8  
appropriations made for the capital biennium ending June 30, 9  
2020. 10

11

1 2 3

A	DAS DEPARTMENT OF ADMINISTRATIVE SERVICES		
B	Administrative Building Fund (Fund 7026)		
C	C10050	State Agency Capital Projects	\$ 20,000,000
D	TOTAL Administrative Building Fund		\$ 20,000,000
E	TOTAL ALL FUNDS		\$ 20,000,000

Within the limits set forth in this section, the Director  
of Budget and Management shall establish accounts indicating the  
source and amount of funds for each appropriation made in this  
section, and shall determine the form and manner in which  
appropriation accounts shall be maintained. Expenditures from  
appropriations contained in this section shall be accounted for  
as though made in H.B. 529 of the 132nd General Assembly.

The appropriations made in this section are subject to all  
provisions of H.B. 529 of the 132nd General Assembly that are  
generally applicable to such appropriations."

After line \_\_\_\_\_, insert:

**"Section 2.** Upon request of the Director of Administrative  
Services, the Director of Budget and Management may transfer up  
to \$20,000,000 cash from the Building Improvement Fund (Fund  
5KZ0) to the Administrative Building Fund (Fund 7026) to pay  
costs associated with state agency capital projects. When the  
cash balance in Fund 7026 can support such an action, the  
Director of Administrative Services shall request that the  
Director of Budget and Management transfer cash from Fund 7026  
to Fund 5KZ0 in an amount equal to the initial cash transfer  
made under this section."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 33

**Department of Administrative Services** 34

**Sections 1 and 2** 35

Appropriates \$20 million to capital appropriation item 36

C10050, State Agency Capital Projects. Authorizes the Director 37  
of Budget and Management, at the request of the Director of 38  
Administrative Services, to transfer up to \$20.0 million cash 39  
from the Building Improvement Fund (Fund 5KZ0) to the 40  
Administrative Building Fund (Fund 7026) to pay costs associated 41  
with state agency capital projects. 42

Requires the Director of Administrative Services to 43  
request the Director of Budget and Management to transfer cash 44  
from Fund 7026 to repay Fund 5KZ0 in an amount equal to the 45  
initial cash transfer between the two funds when there is a 46  
sufficient cash balance in Fund 7026 to support such a transfer. 47

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "regarding  
Medicaid payments to COVID-19 community providers, and to make an  
appropriation" 1  
2  
3

After line \_\_\_\_\_, insert: 4

**"Section 1.** (A) As used in this section, "Medicaid  
provider" has the same meaning as in section 5164.01 of the  
Revised Code. 5  
6  
7

(B) During the state of emergency due to COVID-19,  
declared by Executive Order 2020-01D, issued on March 9, 2020,  
or until December 1, 2020, whichever is earlier, the Medicaid  
Director may do any of the following: 8  
9  
10  
11

(1) Classify certain Medicaid providers as COVID-19  
community providers; 12  
13

(2) Direct Medicaid payments to COVID-19 community  
providers from previously appropriated Medicaid funds; 14  
15

(3) Request the Director of Budget and Management to  
designate additional funds related to the COVID-19 outbreak for  
Medicaid payments to COVID-19 community providers; 16  
17  
18

(4) Make Medicaid payments to COVID-19 community providers  
from funds designated under division (B) (3) of this section; 19  
20

(5) Facilitate payments to COVID-19 community providers by 21  
transferring funds designated under division (B) (2) or (3) of 22  
this section to the Departments of Developmental Disabilities 23  
and Mental Health and Addiction Services via intrastate transfer 24  
vouchers. 25

(C) The Medicaid Director shall specify all of the 26  
following regarding the Medicaid payments authorized by this 27  
section: 28

(1) Any requirements that a COVID-19 community provider 29  
must meet; 30

(2) Enhanced rates or additional services reimbursement; 31

(3) Methods of payment. 32

(D) Section 5162.07 of the Revised Code as it pertains to 33  
seeking federal approval for components of the Medicaid program 34  
applies to this section. 35

(E) All amounts in this section are hereby appropriated." 36  
After line \_\_\_\_\_, insert: 37

"**Section 2.** This act is hereby declared to be an emergency 38  
measure necessary for the immediate preservation of the public 39  
peace, health, and safety. The reason for such necessity is that 40  
immediate action is crucial to protecting the public health 41  
during an outbreak of COVID-19. Therefore, this act shall go 42  
into immediate effect." 43

The motion was \_\_\_\_\_ agreed to.

<b>Medicaid payments to COVID-19 community providers</b>	45
<b>Sections 1 and 2</b>	46
Authorizes the Medicaid Director, during the state of	47
emergency due to COVID-19, or until December 1, 2020, whichever	48
is earlier, to (1) classify certain Medicaid providers as COVID-	49
19 community providers, (2) request the Director of Budget and	50
Management to designate additional funds related to the COVID-19	51
outbreak for Medicaid payments to COVID-19 community providers,	52
(3) make payments to COVID-19 community providers, and (4)	53
facilitate payments to COVID-19 community providers by	54
transferring funds to the Departments of Developmental	55
Disabilities and Mental Health and Addiction Services via	56
intrastate transfer vouchers. Appropriates funds in this	57
section.	58
Declares an emergency.	59

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert ", to establish a public body open meetings policy and policy regarding hearings for use during only the period of emergency declared by Executive Order 2020-01D, but not beyond December 1, 2020, and to declare an emergency"

After line \_\_\_\_\_, insert:

**"Section 1.** (A) As used in this section:

"Hearing" means an administrative hearing, hearing as defined in section 119.01 of the Revised Code, or other hearing at which a person may present written or oral testimony on a matter before the public body.

"Public body" and "meeting" have the meanings defined in section 121.22 of the Revised Code.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, members of a public body may hold and attend meetings and may conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology and all of the following apply:

(1) Any resolution, rule, or formal action of any kind shall have the same effect as if it had occurred during an open

meeting or hearing of the public body. 22

(2) Notwithstanding division (C) of section 121.22 of the Revised Code, members of a public body who attend meetings or hearings by means of teleconference, video conference, or any other similar electronic technology, shall be considered present as if in person at the meeting or hearing, shall be permitted to vote, and shall be counted for purposes of determining whether a quorum is present at the meeting or hearing. 23  
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(3) Public bodies shall provide notification of meetings and hearings held under this section to the public, to the media that have requested notification of a meeting, and to the parties required to be notified of a hearing, at least twenty-four hours in advance of the meeting or hearing by reasonable methods by which any person may determine the time, location, and the manner by which the meeting or hearing will be conducted, except in the event of an emergency requiring immediate official action. In the event of an emergency, the public body shall immediately notify the news media that have requested notification or the parties required to be notified of a hearing of the time, place, and purpose of the meeting or hearing. 30  
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(4) The public body shall provide the public access to a meeting held under this section, and to any hearing held under this section that the public would otherwise be entitled to attend, commensurate with the method in which the meeting or hearing is being conducted, including, but not limited to, examples such as live-streaming by means of the internet, local radio, television, cable, or public access channels, call in information for a teleconference, or by means of any other similar electronic technology. The public body shall ensure that 43  
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the public can observe and hear the discussions and 52  
deliberations of all the members of the public body, whether the 53  
member is participating in person or electronically. 54

(C) When members of a public body conduct a hearing by 55  
means of teleconference, video conference, or any other similar 56  
electronic technology, the public body must establish a means, 57  
through the use of electronic equipment that is widely available 58  
to the general public, to converse with witnesses, and to 59  
receive documentary testimony and physical evidence. 60

(D) The authority granted in this section applies 61  
notwithstanding any conflicting provision of the Revised Code. 62  
Nothing in this section shall be construed to negate any 63  
provision of section 121.22 of the Revised Code, Chapter 119. of 64  
the Revised Code, or other section of the Revised Code that is 65  
not in conflict with this section. 66

(E) This section is effective during the period of the 67  
emergency declared by Executive Order 2020-01D, issued on March 68  
9, 2020, or until December 1, 2020, if the period of the 69  
emergency continues beyond that date." 70

After line \_\_\_\_\_, insert: 71

**"Section 2.** This act is hereby declared to be an emergency 72  
measure necessary for the immediate preservation of the public 73  
peace, health, and safety. The reason for such necessity is to 74  
minimize the impact to Ohio citizens from the COVID-19 outbreak, 75  
and to establish a public body open meetings policy for use only 76  
during this public health emergency. Therefore, this act shall 77  
go into immediate effect." 78

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

	79
<b>Public body open meetings and hearing policy during emergency</b>	80 81
<b>Sections 1 and 2</b>	82
Establishes a public body open meetings policy and a policy regarding hearings, which utilize the use of electronic communication in lieu of in person meetings and hearings, for use only during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date.	83 84 85 86 87 88 89
Declares an emergency.	90

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "To authorize a transfer from the Budget Stabilization Fund to the General Revenue Fund and to declare an emergency" 1  
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After line \_\_\_\_\_, insert: 4

**"Section 1.** BUDGET STABILIZATION FUND TRANSFER 5

Notwithstanding division (D) of section 127.14 of the Revised Code, the Director of Budget and Management may request, prior to the end of fiscal year 2020, approval from the Controlling Board for a transfer of cash from the Budget Stabilization Fund to the General Revenue Fund to help ensure that the available revenue receipts and balances in the General Revenue Fund are not less than the expenditures for fiscal year 2020. Upon the approval of at least two members of the Controlling Board who are members of the Senate and at least two members of the Controlling Board who are members of the House of Representatives, the Director may transfer cash in the amount approved from the Budget Stabilization Fund to the General Revenue Fund." 6  
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After line \_\_\_\_\_, insert: 19

**"Section 2.** This act is an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that immediate action 20  
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is crucial to protecting the public health during an outbreak of 23  
COVID-19. Therefore, this act goes into immediate effect." 24

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 25

**Budget Stabilization Fund transfer** 26

**Section 1** 27

Authorizes the Director of Budget and Management to 28  
transfer cash in FY 2020 from the Budget Stabilization Fund to 29  
the GRF to ensure the fiscal year 2020 GRF budget is balanced, 30  
on the approval of at least two Controlling Board members from 31  
each chamber of the General Assembly. 32

Declares an emergency. 33

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to provide a  
 county central committee of a political party an additional forty-five  
 days to fill a vacancy during the period of the emergency declared by  
 Executive Order 2020-01D, issued on March 9, 2020"

After line \_\_\_\_\_, insert:

**"Section 1.** Notwithstanding sections 3.16, 305.02, 731.43,  
 733.08, 733.31, 1901.31, and 3513.31 of the Revised Code, the  
 county central committee of the political party that is  
 responsible for filling any vacancy shall have an additional  
 forty-five days to fill the vacancy from the date the vacancy  
 was required to be filled during the period of the emergency  
 declared by Executive Order 2020-01D, issued on March 9, 2020."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Vacancies to be filled by county central committees**

**Section 1**

Provides a county central committee of a political party  
 an additional forty-five days to fill a vacancy from the date

the vacancy was required to be filled during the period of the	18
emergency declared by Executive Order 2020-01D, issued on March	19
9, 2020.	20

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to account for 1  
school closings in compliance with the Director of Health's order, or 2  
local board of health order or extension of any order, due to the 3  
implications of COVID-19 and to declare an emergency" 4

After line \_\_\_\_\_, insert: 5

**"Section 1.** Notwithstanding anything in the Revised Code 6  
or Administrative Code to the contrary, for the 2019-2020 school 7  
year only, except as otherwise provided in this section, due to 8  
the Director of Health's order under section 3701.13 of the 9  
Revised Code "In re: Order the Closure of All K-12 Schools in 10  
the State of Ohio" issued on March 14, 2020, or any local board 11  
of health order, and any extension of any order, based on the 12  
implications of COVID-19, all of the following apply: 13

(A) (1) Any city, exempted village, local, joint 14  
vocational, or municipal school district, any community school 15  
established under Chapter 3314. of the Revised Code, any STEM 16  
school established under Chapter 3326. of the Revised Code, any 17  
chartered nonpublic school, and the State School for the Deaf 18  
and the State School for the Blind shall not be required to 19  
administer the assessments prescribed in sections 3301.0710, 20  
3301.0711, 3301.0712, 3313.903, and 3314.017 of the Revised 21  
Code, including the Ohio English Language Proficiency Assessment 22

administered to English learners pursuant to division (C) (3) (b) 23  
of section 3301.0711 of the Revised Code and the Alternate 24  
Assessment for Students with Significant Cognitive Disabilities 25  
prescribed in division (C) (1) of section 3301.0711 of the 26  
Revised Code. 27

(2) Any chartered nonpublic school that has chosen to 28  
administer assessments under section 3313.619 of the Revised 29  
Code that has not administered such assessments by March 17, 30  
2020, shall not be required to administer those assessments. 31

(3) The Department of Education shall not exclude any 32  
student to whom an assessment was not administered in the 2019- 33  
2020 school year under division (A) of this section from 34  
counting in a district's or school's enrollment for the 2020- 35  
2021 school year pursuant to division (L) (3) of section 3314.08, 36  
division (E) (3) of section 3317.03, or division (C) of section 37  
3326.37 of the Revised Code. 38

(4) If a student was not administered an assessment in the 39  
2019-2020 school year under division (A) of this section, that 40  
school year shall not count in determining if the student is 41  
subject to withdrawal from a school pursuant to section 42  
3313.6410 or 3314.26 of the Revised Code. 43

(5) No student who received a scholarship under the 44  
Educational Choice Scholarship Program under section 3310.03 or 45  
3310.032 of the Revised Code, the Jon Peterson Special Needs 46  
Scholarship Program under section 3310.52 of the Revised Code, 47  
or the Pilot Project Scholarship Program under section 3313.975 48  
of the Revised Code for the 2019-2020 school year shall be 49  
considered ineligible to renew that scholarship for the 2020- 50  
2021 school year solely because the student was not administered 51  
an assessment in the 2019-2020 school year under division (A) of 52

this section. 53

(B) (1) The Department of Education shall not publish state 54  
report card ratings under section 3302.03, 3302.033, 3314.012, 55  
or 3314.017 of the Revised Code nor shall the Department be 56  
required to submit preliminary data for the report cards by July 57  
31, 2020, as required by those sections. Furthermore, the 58  
Department shall not assign an overall letter grade under 59  
division (C) (3) of section 3302.03 of the Revised Code for any 60  
school district or building, shall not assign an individual 61  
grade to any component prescribed under division (C) (3) of 62  
section 3302.03 of the Revised Code, shall not assign a grade to 63  
any measures under division (C) (1) of section 3302.03 of the 64  
Revised Code, and shall not rank school districts, community 65  
schools, or STEM schools under section 3302.21 of the Revised 66  
Code for the 2019-2020 school year. 67

However, the Department shall report any data that it has 68  
regarding the performance of districts and buildings for the 69  
2019-2020 school year by September 15, 2020. 70

(2) The absence of report card ratings for the 2019-2020 71  
school year shall have no effect in determining sanctions or 72  
penalties, and shall not create a new starting point for 73  
determinations that are based on ratings over multiple years. 74  
The report card ratings of any previous or subsequent years 75  
shall be considered in determining whether a school district or 76  
building is subject to sanctions or penalties. If a school 77  
district or building was subject to any of the following 78  
penalties or sanctions in the 2019-2020 school year based on its 79  
report card rating for previous school years, those penalties or 80  
sanctions shall remain for the 2020-2021 school year. Those 81  
penalties and sanctions include the following: 82

(a) Any restructuring provisions established under Chapter 3302. of the Revised Code, except as required under federal law;	83 84
(b) Provisions for the Columbus City School Pilot Project under section 3302.042 of the Revised Code;	85 86
(c) Provisions for academic distress commissions under section 3302.10 of the Revised Code. While a district subject to an academic distress commission prior to the effective date of this section shall be considered to be subject to an academic distress commission for the 2020-2021 school year, that year shall not be included for purposes of determining progressive consequences under divisions (H), (I), (J), (K), and (L) of section 3302.10 of the Revised Code that are in addition to those that were being exercised by the chief executive officer during the 2019-2020 school year or for purposes of the appointment of a new board of education under division (K) of that section. Nothing in division (B) (2) (c) of this section shall be construed to limit the powers that the chief executive officer exercised under section 3302.10 of the Revised Code prior to the 2020-2021 school year.	87 88 89 90 91 92 93 94 95 96 97 98 99 100 101
(d) Provisions prescribing new buildings where students are eligible for the Educational Choice Scholarships under section 3310.03 of the Revised Code;	102 103 104
(e) Provisions defining "challenged school districts" in which new start-up community schools may be located, as prescribed in section 3314.02 of the Revised Code;	105 106 107
(f) Provisions prescribing community school closure requirements under section 3314.35 or 3314.351 of the Revised Code;	108 109 110
(g) Provisions of state or federal law that identify	111

school districts or buildings for comprehensive or targeted 112  
support and improvement or additional targeted support and 113  
improvement. Districts and buildings so identified shall 114  
continue to receive supports and interventions consistent with 115  
their support and improvement plans in the 2020-2021 school 116  
year. 117

(h) Provisions that determine the conditions under which 118  
community schools may change sponsors under section 3314.034 of 119  
the Revised Code. 120

(C) No school district, community school, or STEM school 121  
and no chartered nonpublic school that is subject to section 122  
3301.163 of the Revised Code shall retain a student in the third 123  
grade under that section or section 3313.608 of the Revised Code 124  
based solely on a student's academic performance in reading in 125  
the 2019-2020 school year unless the principal of the school 126  
building in which a student is enrolled and the student's 127  
reading teacher agree that the student is reading below grade 128  
level and is not prepared to be promoted to the fourth grade. 129

(D) (1) Division (D) of this section applies to any student 130  
who meets both of the following criteria: 131

(a) The student was enrolled in the twelfth grade in the 132  
2019-2020 school year or was on track to graduate in the 2019- 133  
2020 school year, as determined by the school district or other 134  
public or chartered nonpublic school in which the student was 135  
enrolled, regardless of the graduation cohort in which the 136  
student is included. 137

(b) The student had not completed the requirements for a 138  
high school diploma under section 3313.61, 3313.612, or 3325.08 139  
of the Revised Code or under Section 3 of H.B. 491 of the 132nd 140

General Assembly, as of March 17, 2020. 141

(2) A city, exempted village, local, or municipal school 142  
district, a community school, a STEM school, a chartered 143  
nonpublic school, the State School for the Blind, and the State 144  
School for the Deaf shall grant a high school diploma to any 145  
student to whom this section applies, if the student's 146  
principal, in consultation with teachers and counselors, reviews 147  
the student's progress toward meeting the requirements for a 148  
diploma and determines that the student has successfully 149  
completed the curriculum in the student's high school or the 150  
individualized education program developed for the student by 151  
the student's high school pursuant to section 3323.08 of the 152  
Revised Code, or qualified under division (D) or (F) of section 153  
3313.603 of the Revised Code, at the time the student's school 154  
closed pursuant to the Director of Health's order under section 155  
3701.13 of the Revised Code "In Re: Order the Closure of All K- 156  
12 Schools in the State of Ohio" issued on March 14, 2020. No 157  
district or school shall grant a high school diploma under 158  
division (D) (2) of this section after September 30, 2020. 159

(3) If the board of education of a school district or the 160  
governing authority of a community school, STEM school, 161  
chartered nonpublic school, the State School for the Blind, or 162  
the State School for the Deaf has adopted a resolution under 163  
division (E) of section 3313.603 of the Revised Code requiring a 164  
more challenging curriculum than otherwise required under 165  
division (C) of that section, the district superintendent or the 166  
chief administrator of the school may elect to require only the 167  
minimum curriculum specified in division (C) of that section for 168  
the purpose of determining if a student to whom division (D) of 169  
this section applies has successfully completed the curriculum 170  
under division (D) (2) of this section. If such an election is 171

made, the superintendent or chief administrator shall evaluate 172  
each student to whom division (D) of this section applies using 173  
the minimum curriculum specified in division (C) of this 174  
section. 175

(4) It is the intent of the General Assembly that school 176  
districts and other public and private schools do both of the 177  
following: 178

(a) Continue to provide ways to keep students actively 179  
engaged in learning opportunities between March 17, 2020, and 180  
the remainder of the school year; 181

(b) Grant students who need in-person instructional 182  
experiences to complete requirements for a diploma or a career- 183  
technical education program access to school facilities as soon 184  
as it is reasonably possible after the Director of Health 185  
permits such access to resume, even if the last instructional 186  
day of the school year has already passed. 187

(E) For the purpose of teacher evaluations conducted under 188  
sections 3319.111 and 3319.112 of the Revised Code, no school 189  
district board of education shall use value-added progress 190  
dimension data, established under section 3302.021 of the 191  
Revised Code, from the 2019-2020 school year to measure student 192  
learning attributable to the teacher being evaluated. 193

(F) For community school sponsor evaluations required 194  
under section 3314.016 of the Revised Code, the Department shall 195  
not issue a rating for the academic performance component under 196  
division (B)(1)(a) of that section to any sponsor and shall not 197  
include academic performance in the calculation of an overall 198  
rating for the sponsor. The Department's rating of a sponsor for 199  
the 2019-2020 school year shall be based only on the components 200

listed in divisions (B) (1) (b) and (c) of that section. 201

In evaluating a sponsor based on the components in 202  
divisions (B) (1) (b) and (c) of section 3314.016 of the Revised 203  
Code for the 2019-2020 school year, the Department shall not 204  
find a sponsor or a school out of compliance with an applicable 205  
law or administrative rule for any requirement for an action 206  
that should have occurred while schools were closed pursuant to 207  
the Director of Health's order under section 3701.13 of the 208  
Revised Code "In Re: Order the Closure of All K-12 Schools in 209  
the State of Ohio" issued on March 14, 2020, any local board of 210  
health order, or any extension of an order. 211

(G) The Superintendent of Public Instruction may waive the 212  
requirement to complete any report prescribed by law that is 213  
based on data from assessments that would have been but were not 214  
administered during the 2019-2020 school year pursuant to 215  
division (A) of this section. 216

(H) The Department, on behalf of the State Board of 217  
Education, may issue a one-year, nonrenewable provisional 218  
license to any individual to practice in any category, type, and 219  
level for which the State Board issues a license pursuant to 220  
Title XXXVIII of the Revised Code, if the individual has met all 221  
requirements for the requested license except for the 222  
requirement to pass an examination prescribed by the State Board 223  
in the subject area for which application is being made. Any 224  
individual to whom a provisional license is issued under this 225  
division shall take and pass the appropriate subject area 226  
examination prior to expiration of the license as a condition of 227  
advancing the license in the appropriate category, type, and 228  
level. The Department shall not issue a provisional license 229  
under this division that is valid on or after July 1, 2021. 230

(I) The Superintendent of Public Instruction may extend or	231
waive any deadline for an action required of the State Board of	232
Education, the Department of Education, or any person or entity	233
licensed or regulated by the State Board or Department during	234
the duration of the Director of Health's order under section	235
3701.13 of the Revised Code "In re: Order the Closure of All K-	236
12 Schools in the State of Ohio" issued on March 14, 2020, or	237
any local board of health order, and any extension of any order,	238
based on the implications of COVID-19, as necessary to ensure	239
that the safety of students, families, and communities are	240
prioritized while continuing to ensure the efficient operation	241
of the Department and public and private schools in this state.	242
Deadlines that may be extended or waived by the State	243
Superintendent include, but are not limited to, deadlines	244
related to the following:	245
(1) The conduct of evaluations for school personnel under	246
Chapter 3319. of the Revised Code;	247
(2) Notice of intent not to reemploy school personnel	248
under Chapter 3319. Of the Revised Code;	249
(3) The conduct of school safety drills under section	250
3737.73 of the Revised Code;	251
(4) The emergency management test required by division (E)	252
of section 3313.536 of the Revised Code;	253
(5) The filling of a vacancy in a board of education;	254
(6) Updating of teacher evaluation policies to conform	255
with the framework for evaluation of teachers adopted under	256
section 3319.112 of the Revised Code;	257
(7) Identification and screening of gifted students under	258
Chapter 3324. of the Revised Code.	259

(J) Notwithstanding anything in the Revised Code or 260  
Administrative Code to the contrary, the Chancellor of Higher 261  
Education, in consultation with the Superintendent of Public 262  
Instruction, may waive, extend, suspend, or modify requirements 263  
of the College Credit Plus program if the Chancellor, in 264  
consultation with the Superintendent, determines the waiver, 265  
extension, suspension, or modification is necessary in response 266  
to COVID-19. 267

(K) The Superintendent of Public Instruction shall 268  
collaborate with providers in the 22+ Adult High School Diploma 269  
Program authorized under sections 3314.38, 3317.23, 3317.231, 270  
3317.24, and 3345.86 of the Revised Code and the Adult Diploma 271  
Program authorized under section 3313.902 of the Revised Code, 272  
and rules adopted thereunder, to ensure that the providers have 273  
maximum flexibility to assist students whose progress in the 274  
program has been affected by the Director of Health's order to 275  
complete the requirements to earn a high school diploma. For 276  
this purpose, the State Superintendent may waive or extend 277  
deadlines, or otherwise grant providers and students 278  
flexibility, for completion of program requirements. 279

(L) No school district shall require the parent of any 280  
student who was instructed at home in accordance with section 281  
3321.04 of the Revised Code for the 2019-2020 school year to 282  
submit to the district superintendent the results of a 283  
standardized achievement assessment administered to the student 284  
as a condition of the district allowing the student to continue 285  
to receive home instruction for the 2020-2021 school year. 286

(M) Notwithstanding anything in the Revised Code to the 287  
contrary, the board of education of any school district that, 288  
prior to the Director of Health's order under section 3701.13 of 289

the Revised Code "In re: Order the Closure of All K-12 Schools 290  
in the State of Ohio" issued on March 14, 2020, had not 291  
completed an evaluation that was required under Chapter 3319. of 292  
the Revised Code for the 2019-2020 school year for an employee 293  
of the district, including a teacher, administrator, or 294  
superintendent, may elect not to conduct an evaluation of the 295  
employee for that school year, if the district board determines 296  
that it would be impossible or impracticable to do so. If a 297  
district board elects not to evaluate an employee for the 2019- 298  
2020 school year, the employee shall be considered not to have 299  
had evaluation procedures complied with pursuant to section 300  
3319.111 of the Revised Code for purposes of section 3319.11 of 301  
the Revised Code. The district board may collaborate with any 302  
bargaining organization representing employees of the district 303  
in determining whether to complete evaluations for the 2019-2020 304  
school year. Nothing in this section shall preclude a district 305  
board from using an evaluation completed prior to the Director 306  
of Health's order in employment decisions." 307

After line \_\_\_\_\_, insert: 308

"**Section 2.** This act is hereby declared to be an emergency 309  
measure necessary for the immediate preservation of the public 310  
peace, health, and safety. The reason for such necessity is to 311  
address urgent needs of the state during the period of emergency 312  
arising from a COVID-19 outbreak. Therefore, this act shall go 313  
into immediate effect." 314

The motion was \_\_\_\_\_ agreed to.

<b>Waiver of education requirements due to COVID-19 emergency</b>	316
<b>Section 1</b>	317
For the 2019-2020 school year, due to the Director of	318
Health's order "In Re: Order the Closure of All K-12 Schools in	319
the State of Ohio" issued on March 14, 2020, any local board of	320
health order, or any extension of an order to close all	321
kindergarten through 12th grade schools, does all of the	322
following:	323
Exempts all public and chartered nonpublic schools from	324
administering state achievement and alternative assessments,	325
including the Ohio English Language Proficiency Assessment	326
administered to English learners, WebXams, and the Alternate	327
Assessment for Students with Significant Cognitive Disabilities.	328
Prohibits the Department of Education from subtracting	329
from a district or school's state aid account for students who	330
were unable to complete assessments.	331
Prohibits an e-school from withdrawing students who were	332
unable to complete assessments.	333
Specifies that students participating in the Educational	334
Choice Scholarship Program, the Jon Peterson Special Needs	335
Scholarship Program, or the Pilot Project (Cleveland)	336
Scholarship Program must be considered eligible to renew that	337
scholarship for the 2020-2021 school year in spite of the	338
student not being administered an assessment in the 2019-2020	339
school year.	340
Prohibits the Department from publishing and issuing	341
ratings for overall grades, components, and individual measures	342
on the state report cards, report cards for dropout recovery	343
schools, report cards for joint vocational school districts and	344

other career-technical planning districts, and submitting	345
preliminary data for report cards for school districts and	346
buildings.	347
Establishes a safe harbor from penalties and sanctions for	348
districts and schools based on the absence of state report card	349
grades for the 2019-2020 school year. Includes safe harbor from:	350
- Restructuring under state law based on poor performance;	351
- The Columbus City School Pilot Project;	352
- Provisions for academic distress commissions and	353
progressive consequences for existing commissions (but	354
specifically retains the chief executive officer's powers prior	355
to the 2020-2021 school year);	356
- Buildings becoming subject to the Educational Choice	357
Scholarship;	358
- Determination of "challenged school districts" where new	359
start-up community schools may be located;	360
- Community school closure requirements;	361
- Identification of school districts and buildings for	362
federal and state targeted support and improvement;	363
- Conditions under which community schools may change	364
sponsors.	365
Exempts schools from retaining students in the third grade	366
under the Third-Grade Reading Guarantee, unless the school	367
principal and student's reading teacher determine the student is	368
not reading at grade level.	369
Permits public and private schools to grant a diploma to	370
any student on track to graduate and for whom the principal, in	371

consultation with teachers and counselors, determines that the 372  
student has successfully completed the student's high school 373  
curriculum or individualized education program at the time of 374  
the Director's order. 375

Permits a district or school that has previously adopted a 376  
resolution to exceed the minimum curriculum requirements 377  
prescribed under current law to elect to require only the 378  
minimum curriculum for the purpose of determining high school 379  
graduation for the 2019-2020 school year. 380

Declares the intent of the General Assembly that school 381  
districts and other public and private schools continue to find 382  
ways to keep students actively engaged in learning opportunities 383  
for the remainder of the school year and to grant students who 384  
need in-person instructional experiences to complete diploma 385  
requirements or career-technical education programs to access 386  
school facilities as soon as reasonably possible after the 387  
Director of Health permits such access, even if the last 388  
instructional day of the school year has passed. 389

Prohibits the use of the value-added progress dimension 390  
from the 2019-2020 school year to measure student learning 391  
attributable to teachers for their performance evaluations. 392

For community school sponsor ratings: (1) prohibits the 393  
Department from issuing a rating for the academic performance 394  
component; (2) prohibits the use of that rating for the overall 395  
rating; and (3) prohibits the Department from finding a sponsor 396  
out of compliance with applicable laws and rules for any 397  
requirement for an action that should have occurred while 398  
schools were closed. 399

Permits the Superintendent of Public Instruction to waive 400

the requirement to complete any report based on data from 401  
assessments that were to be administered in the 2019-2020 school 402  
year. 403

Permits the Department to issue one-year, nonrenewable, 404  
provisional licenses to educators that have met all other 405  
requirements for the requested license except for the 406  
requirement to pass a subject area exam prescribed by the State 407  
Board. However, an educator that is issued a provisional license 408  
is required to take and pass the appropriate subject area exam 409  
prior to expiration of the license as a condition of advancing 410  
the license. 411

Gives authority to the State Superintendent to adjust 412  
deadlines set in current law and required of the State Board of 413  
Education, educators, and schools, including: 414

-Teacher evaluations; 415

-Intent to reemploy notifications; 416

-School safety drills; 417

-Emergency management tests; 418

-Requirements to fill a vacancy on a board of education; 419

-Updating teacher evaluation policies; and 420

-Gifted screening requirements. 421

Permits the Chancellor of Higher Education, in 422  
consultation with the Superintendent of Public Instruction to 423  
extend, waive, or otherwise modify requirements of the College 424  
Credit Plus Program. 425

Permits the Superintendent of Public Instruction to waive 426  
or extend deadlines, or otherwise grant providers and students 427

flexibility, for completion of adult education program	428
requirements interrupted due to the COVID-19 outbreak.	429
Waives the requirement that the parents of a homeschooled student must submit assessment data to the resident school district as a condition of the district allowing the student to continue to receive home instruction for the 2020-2021 school year.	430 431 432 433 434
Permits a board of education to elect not to conduct evaluations of district employees, including teachers, administrators, or a superintendent for the 2019-2020 school year, if the district board determines that it would be impossible or impracticable to do so. If a district board elects not to evaluate an employee for the 2019-2020 school year, the employee shall be considered not to have had evaluation procedures complied with and shall not be penalized for the purpose of reemployment. Specifies that the district board may collaborate with any bargaining organization representing employees of the district in determining whether to complete evaluations for the 2019-2020 school year. Nothing in the amendment precludes a district board from using an evaluation completed prior to the Director of Health's order in employment decisions.	435 436 437 438 439 440 441 442 443 444 445 446 447 448 449
<b>Emergency clause</b>	450
<b>Section 2</b>	451
Declares an emergency.	452

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to authorize  
payments to publicly funded child care providers during the period of the  
emergency declared by Executive Order 2020-01D and to declare an  
emergency" 1 2 3 4

After line \_\_\_\_\_, insert: 5

**"Section 1.** During the period of the emergency declared by  
Executive Order 2020-01D, issued on March 9, 2020, the  
Department of Job and Family Services may continue to pay a  
provider of publicly funded child care if both of the following  
apply: 6 7 8 9 10

(A) The provider is under contract with the Department as  
described in section 5104.32 of the Revised Code; 11 12

(B) The provider is unable to provide publicly funded  
child care to children of eligible caretaker parents as a result  
of the emergency." 13 14 15

After line \_\_\_\_\_, insert: 16

**"Section 2.** This act is hereby declared to be an emergency  
measure necessary for the immediate preservation of the public  
peace, health, and safety. The reason for such necessity is that  
immediate action is crucial to protecting the public health  
during an outbreak of COVID-19. Therefore, this act shall go  
into immediate effect." 17 18 19 20 21 22

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	23
<b>Payments to publicly funded child care providers</b>	24
<b>Sections 1 and 2</b>	25
Authorizes the Ohio Department of Job and Family Services	26
to continue to pay providers of publicly funded child care	27
during the period of the COVID-19 emergency declared on March 9,	28
2020, and declares an emergency.	29

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to make temporary 1  
changes to the Unemployment Compensation Law during a COVID-19 state of 2  
emergency, and to declare an emergency" 3

After line \_\_\_\_\_, insert: 4

"Section 1. (A) As used in this section: 5

(1) "Benefits," "benefit year," "claim for benefits," 6  
"employer," and "unemployed" have the same meanings as in 7  
section 4141.01 of the Revised Code. 8

(2) "Reimbursing employer" means an employer that makes 9  
payments in lieu of contributions as defined in section 4141.01 10  
of the Revised Code. 11

(B) During the period of the emergency declared by 12  
Executive Order 2020-01D, issued on March 9, 2020, but not 13  
beyond December 1, 2020, if the period of emergency continues 14  
beyond that date, all of the following apply: 15

(1) The requirement that an individual serve a waiting 16  
period under division (B) of section 4141.29 of the Revised Code 17  
before receiving benefits does not apply to a benefit year that 18  
begins after the effective date of this section. 19

(2) The Director of Job and Family Services may waive the 20  
requirement that an individual be actively seeking suitable work 21

under division (A) (4) (a) of section 4141.29 of the Revised Code 22  
for any claim for benefits filed during the duration of this 23  
section. 24

(3) Notwithstanding division (D) (2) of section 4141.29 of 25  
the Revised Code, an individual shall not be disqualified from 26  
being paid benefits if the individual is unemployed or is unable 27  
to return to work because of an order, including an isolation or 28  
quarantine order, issued by any of the following: 29

(a) The individual's employer; 30

(b) The Governor; 31

(c) The board of health of a city health district pursuant 32  
to section 3709.20 of the Revised Code; 33

(d) The board of health of a general health district 34  
pursuant to section 3709.21 of the Revised Code; 35

(e) A health commissioner pursuant to section 3707.34 of 36  
the Revised Code; 37

(f) The Director of Health pursuant to section 3701.13 of 38  
the Revised Code. 39

(4) Benefits that may become payable to an individual 40  
described in division (B) (3) of this section shall be charged to 41  
the mutualized account created by division (B) of section 42  
4141.25 of the Revised Code, provided that no charge shall be 43  
made to the mutualized account for benefits chargeable to a 44  
reimbursing employer, except as provided in division (D) (2) of 45  
section 4141.24 of the Revised Code." 46

After line \_\_\_\_\_, insert: 47

**"Section 2.** This act is hereby declared to be an emergency 48  
measure necessary for the immediate preservation of the public 49

peace, health, and safety. The reason for such necessity is that 50  
immediate action is crucial to protecting the public health 51  
during an outbreak of COVID-19. Therefore, this act shall go 52  
into immediate effect." 53

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 54

**Changes to unemployment compensation during a COVID-19 55  
outbreak 56**

**Sections 1 and 2 57**

Suspends, until the earlier of December 1, 2020, or the 58  
date on which the state of emergency declared by Executive Order 59  
2020-01D, dated March 9, 2020, ends, a requirement that an 60  
individual serve a waiting period before receiving unemployment 61  
benefits. 62

Permits the Director of Job and Family Services, during 63  
the period described above, to waive the requirement that a 64  
person actively search for suitable work as a condition of 65  
receiving unemployment benefits. 66

Provides, during the period described above, that an 67  
individual is not disqualified from receiving unemployment 68  
benefits if the individual is unemployed or is unable to return 69  
to work because of an order, including an order to be isolated 70  
or quarantined, issued by any of the following: 71

--The individual's employer; 72

--The Governor; 73

--The board of health of a city health district;	74
--The board of health of a general health district;	75
--A health commissioner;	76
--The Department of Health.	77
Charges benefits paid to an individual who is unemployed	78
or unable to return to work due to an isolation or quarantine	79
order during the period described above to the mutualized	80
account, unless the benefits are chargeable to a reimbursing	81
employer.	82
Declares an emergency.	83

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to permit certain 1  
license holders to deliver services electronically or via telehealth 2  
communications to special needs students during a COVID-19 outbreak and to 3  
declare an emergency" 4

After line \_\_\_\_\_, insert: 5

**"Section 1.** (A) As used in this section, "license" 6  
includes any license, certificate, permit, or other 7  
authorization issued by a state licensing board that allows the 8  
holder to practice a job or profession. 9

(B) This section applies to all of the following during 10  
the period of the Director of Health's order under section 11  
3701.13 of the Revised Code "In Re: Order the Closure of All K- 12  
12 Schools in the State of Ohio" issued on March 14, 2020, any 13  
local board of health order to close schools, or any extension 14  
of an order due to the implications of COVID-19, or until 15  
December 1, 2020, if the order or extension of the order has not 16  
been rescinded by that date: 17

(1) The Ohio Speech and Hearing Professionals Board 18  
described in section 4753.05 of the Revised Code; 19

(2) The Ohio Occupational Therapy, Physical Therapy, and 20  
Athletic Trainers Board created under section 4755.01 of the 21  
Revised Code; 22

(3) The State Board of Psychology appointed under section 23  
4732.02 of the Revised Code; 24

(4) The Counselor, Social Worker, and Marriage and Family 25  
Therapist Board created under section 4757.03 of the Revised 26  
Code; 27

(5) The State Board of Education with respect to 28  
intervention specialists. 29

(C) Notwithstanding anything to the contrary in the 30  
Revised Code or in an administrative rule adopted by a licensing 31  
board to which this section applies, a person who holds a valid 32  
license issued by such a board may provide services within the 33  
scope of practice authorized under the license by electronic 34  
delivery method or telehealth communication to any student 35  
participating in the Autism Scholarship Program established 36  
under section 3310.41 of the Revised Code or the Jon Peterson 37  
Special Needs Scholarship Program established under section 38  
3310.52 of the Revised Code, or to any student who was enrolled 39  
in a public or private school and was receiving those services, 40  
regardless of the method of delivery, prior to the issuance of 41  
the Director of Health's order. No licensing board to which this 42  
section applies shall take any disciplinary action against a 43  
license holder who provides services to a student in accordance 44  
with this section, including limiting, suspending, or revoking 45  
the person's license or refusing to issue a license to the 46  
person, solely because the license holder provided such 47  
services." 48

After line \_\_\_\_\_, insert: 49

**"Section 2.** This act is hereby declared to be an emergency 50  
measure necessary for the immediate preservation of the public 51  
peace, health, and safety. The reason for such necessity is to 52

address urgent needs of the state during the period of emergency 53  
arising from a COVID-19 outbreak. Therefore, this act shall go 54  
into immediate effect." 55

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 56

**Delivery of services to special needs students during 57**  
**COVID-19 emergency 58**

**Section 1 59**

During the duration of the Director of Health's order "In 60  
Re: Order the Closure of All K-12 Schools in the State of Ohio" 61  
issued on March 14, 2020, local board of health order, or 62  
extension of any order, or until December 1, 2020, if the order 63  
or extension of the order has not been rescinded by that date, 64  
permits the holders of licenses issued by the following boards 65  
to provide services electronically or via telehealth 66  
communication to children who receive services through their 67  
resident school districts or under the Autism Scholarship or the 68  
Jon Peterson Special Needs Scholarship with no penalty: 69

- The Ohio Speech and Hearing Professionals Board; 70
- The Ohio Occupational Therapy, Physical Therapy, and 71  
Athletic Trainers Board; 72
- The State Board of Psychology; 73
- The Counselor, Social Worker, and Marriage and Family 74  
Therapist Board; 75

- The State Board of Education, with respect to intervention specialists.	76 77
<b>Emergency Clause</b>	78
<b>Section 2</b>	79
Declares an emergency.	80

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to extend tax filing and payment deadlines and specify the municipal income tax status of employees' alternative workplaces, and to declare an emergency" 1  
2  
3

After line \_\_\_\_\_, insert: 4

**"Section 1.** (A) Notwithstanding section 5703.35 of the Revised Code, the Tax Commissioner may do any of the following during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020: 5  
6  
7  
8

(1) Extend to any company, firm, corporation, person, association, partnership, or public utility affected by the emergency a further specified time within which to file any report required by law to be filed with the Commissioner, in which event the attaching of any penalty for failure to file such report or pay any tax or fee shall be extended accordingly, without regard to the forty-five-day limitation of section 5703.35 of the Revised Code; 9  
10  
11  
12  
13  
14  
15  
16

(2) Extend to any company, firm, corporation, person, association, partnership, or public utility affected by the emergency a further specified time within which to make any estimated or accelerated payment that would otherwise be due pursuant to Chapter 718., 3734., 3769., 4303., or 4305., or Title LVIII of the Revised Code, in which event the attaching of 17  
18  
19  
20  
21  
22

any penalty for failure to file such report or pay any tax or 23  
fee shall be extended accordingly; 24

(3) Waive the payment of interest that is calculated at 25  
the rate per annum prescribed by section 5703.47 of the Revised 26  
Code and that would otherwise be due pursuant to Chapter 718., 27  
3734., 3769., 4303., or 4305., or Title LVII of the Revised Code 28  
for any payment extended under division (A) (1) or (2) of this 29  
section. 30

(B) If the Tax Commissioner extends for all taxpayers the 31  
date for filing state income tax returns under division (A) of 32  
this section or division (G) of section 5747.08 of the Revised 33  
Code during the period of the emergency declared by Executive 34  
Order 2020-01D, issued on March 9, 2020, a taxpayer shall 35  
automatically receive an extension for the filing of a municipal 36  
net profit tax return under section 718.85 of the Revised Code 37  
during that period. The extended due date of the municipal net 38  
profit tax return shall be the same as the extended due date of 39  
the state income tax return." 40

After line \_\_\_\_\_, insert: 41

**"Section 2.** Notwithstanding section 718.011 of the Revised 42  
Code, and for the purposes of Chapter 718. of the Revised Code, 43  
during the period of the emergency declared by Executive Order 44  
2020-01D, issued on March 9, 2020, and for thirty days after the 45  
conclusion of that period, any day on which an employee performs 46  
personal services at a location, including the employee's home, 47  
to which the employee is required to report for employment 48  
duties because of the declaration shall be deemed to be a day 49  
performing personal services at the employee's principal place 50  
of work." 51

After line \_\_\_\_\_, insert: 52

"Section 3. This act is hereby declared to be an emergency 53  
measure necessary for the immediate preservation of the public 54  
peace, health, and safety. The reason for such necessity is to 55  
minimize the disruption to tax compliance efforts during the 56  
COVID-19 disease outbreak. Therefore, this act shall go into 57  
immediate effect." 58

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 59

**Tax compliance mitigation** 60

**Sections 1, 2, and 3** 61

Expressly authorizes the Tax Commissioner to extend state 62  
tax filing and payment deadlines for the duration of the 63  
Governor's COVID-19 emergency declaration and to waive 64  
associated interest and penalties for taxpayers affected by the 65  
emergency. Also applies to school district income taxes, 66  
municipal income taxes administered by the state, and certain 67  
fees administered by the Department of Taxation. 68

Specifies that, for municipal income tax purposes, 69  
employees who must report to a temporary worksite (including 70  
their home) during the emergency period, or within 30 days 71  
thereafter, are considered to be working at their otherwise 72  
principal place of work (which, by law, is where the employee 73  
reports for work on "a regular and ordinary basis"). This 74  
affects which municipal corporation the employer must withhold 75  
income taxes for, which municipal corporation may tax the 76  
employee's pay, and whether and how much of the employer's own 77

income is subject to a municipality's income tax. (Under current 78  
law, an employee may work in a municipality for up to 20 days 79  
per year without the employee becoming subject to that 80  
municipality's income tax and the employer becoming subject to 81  
that municipality's tax withholding requirements. And, if an 82  
employee does not exceed the 20-day threshold, that employee's 83  
pay is not counted toward the business's payroll factor, one of 84  
three factors--along with property and sales--that determines 85  
whether, and the extent to which, an employer's own income is 86  
subject to the municipality's tax on net profits. See R.C. 87  
718.011, 718.02, and 718.82.) 88  
  
Declares an emergency. 89

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to allow a public 1  
retirement system board to delay a board member election scheduled to take 2  
place during the emergency declared by Executive Order 2020-01D, issued on 3  
March 9, 2020, and to declare an emergency" 4

After line \_\_\_\_\_, insert: 5

**"Section 1.** The Public Employees Retirement Board, State 6  
Teachers Retirement Board, School Employees Retirement Board, or 7  
State Highway Patrol Retirement Board may delay an election of 8  
members to the applicable board that is scheduled to take place 9  
during the period of the emergency declared by Executive Order 10  
2020-01D, issued on March 9, 2020, but before December 1, 2020, 11  
until December 1, 2020. The delayed election shall be conducted 12  
as provided for in section 145.058, 3307.075, 3309.075, or 13  
5505.047 of the Revised Code. 14

The Ohio Police and Fire Pension Fund Board of Trustees 15  
may delay an election of members to the Board that is scheduled 16  
to take place during the period of the emergency declared by 17  
Executive Order 2020-01D, issued on March 9, 2020, but before 18  
December 1, 2020, until December 1, 2020. The delayed election 19  
shall be conducted as provided in section 742.04 of the Revised 20  
Code, except that the Board shall adjust the dates in that 21  
section for nominating petitions to be filed and ballots to be 22

returned to the Board to reflect the new election date. 23

If a board delays an election in accordance with this 24  
section, the elected members of the board whose terms were set 25  
to expire following the original election date shall continue in 26  
office subsequent to the expiration date of the member's term 27  
until the member's successor is elected and takes office." 28

After line \_\_\_\_\_, insert: 29

"**Section 2.** This act is hereby declared to be an emergency 30  
measure necessary for the immediate preservation of the public 31  
peace, health, and safety. The reason for such necessity is that 32  
immediate action is crucial to protecting the public health 33  
during an outbreak of COVID-19. Therefore, this act shall go 34  
into immediate effect." 35

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 36

**Delay of public retirement system board elections** 37

**Sections 1 and 2** 38

Allows the Public Employees Retirement Board, Ohio Police 39  
and Fire Pension Fund Board of Trustees, State Teachers 40  
Retirement Board, School Employees Retirement Board, or State 41  
Highway Patrol Retirement Board to delay an election for board 42  
members scheduled to take place during the period of the 43  
emergency declared by the Governor on March 9, 2020, but before 44  
December 1, 2020, until December 1, 2020. 45

Requires the current elected board members whose terms 46

expire after the original election date to continue in office	47
until the member's successor is elected and takes office.	48
Declares an emergency.	49

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to allow the Auditor of State to waive certain current law requirements for agreed-upon procedure audits during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020,"

After line \_\_\_\_\_, insert:

**"Section 1.** The Auditor of State, on a case-by-case basis, may determine that the requirement under division (D) of section 117.114 of the Revised Code to have one audit performed under division (A) of section 117.11 or division (A) of section 117.12 of the Revised Code may be waived, if the waiver applies to an audit period during which the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, is or was in effect."

After line \_\_\_\_\_, insert:

**"Section 2.** The Auditor of State, on a case-by-case basis, may determine that a qualifying subdivision that fails to meet any of the criteria established by rule under division (B) of section 117.114 of the Revised Code is otherwise eligible for an agreed-upon procedure audit and may, in writing, grant a waiver of particular criteria, if the waiver applies to an audit period during which the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, is or was in effect."

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	22
<b>Frequency of agreed-upon procedure audits</b>	23
<b>Sections _____</b>	24
Specifies that the Auditor of State, for an audit period	25
during which the emergency declared by Executive Order 2020-01D,	26
issued on March 9, 2020, is or was in effect, may waive:	27
- The current law requirement that the Auditor of State	28
conduct a standard financial audit after conducting an agreed-	29
upon procedure audit in two consecutive audit periods; and	30
- All criteria a public office is required to satisfy in	31
order for the Auditor of State to conduct an agreed-upon	32
procedure audit instead of a standard financial audit	33
(currently, the Auditor of State may waive one criterion).	34

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to toll the  
criminal statutes of limitation, the civil statutes of limitation, the  
administrative statutes of limitation, and court time limitations and  
deadlines" 1  
2  
3  
4

After line \_\_\_\_\_, insert: 5

**"Section 1.** (A) The following that are set to expire 6  
between March 9, 2020, and July 30, 2020, shall be tolled: 7

(1) A statute of limitation, as follows: 8

(a) For any criminal offense, notwithstanding any other 9  
provision of law to the contrary, the applicable period of 10  
limitation set forth in section 2901.13 of the Revised Code for 11  
the criminal offense; 12

(b) When a civil cause of action accrues against a person, 13  
notwithstanding any other provision of law to the contrary, the 14  
period of limitation for commencement of the action as provided 15  
under any section in Chapter 2305. of the Revised Code, or under 16  
any other provision of the Revised Code that applies to the 17  
cause of action; 18

(c) For any administrative action or proceeding, the 19  
period of limitation for the action or proceeding as provided 20  
under the Revised Code or the Administrative Code, if 21

applicable.	22
(2) The time within which a bill of indictment or an accusation must be returned or the time within which a matter must be brought before a grand jury;	23 24 25
(3) The time within which an accused person must be brought to trial or, in the case of a felony, to a preliminary hearing and trial;	26 27 28
(4) Time deadlines and other schedule requirements regarding a juvenile, including detaining a juvenile;	29 30
(5) The time within which a commitment hearing must be held;	31 32
(6) The time by which a warrant must be issued;	33
(7) The time within which discovery or any aspect of discovery must be completed;	34 35
(8) The time within which a party must be served;	36
(9) The time within which an appearance regarding a dissolution of marriage must occur pursuant to section 3105.64 of the Revised Code;	37 38 39
(10) Any other criminal, civil, or administrative time limitation or deadline under the Revised Code.	40 41
(B) This section applies retroactively to the date of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020.	42 43 44
(C) Division (A) of this section expires on the date the period of emergency ends or July 30, 2020, whichever is sooner."	45 46

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	47
<b>Tolling of statutes of limitations and time limitations and deadlines</b>	48 49
<b>Section 1</b>	50
Requires the criminal statutes of limitations, the civil statutes of limitations, and the administrative statutes of limitations and other court time limitations and deadlines that are set to expire between March 9, 2020, and July 30, 2020, be tolled; specifies that it is retroactive to March 9, 2020; and specifies that it expires on the date the period of emergency ends or July 30, 2020, whichever is sooner.	51 52 53 54 55 56 57

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert ", to suspend 1  
section 317.33 of the Revised Code until August 30, 2020; to require 2  
county recorders, county auditors, county map offices, and county title 3  
offices to remain open and operational in order to perform all services 4  
essential to effectuating a property transfer and in order to allow 5  
physical access as necessary to search records and process titles that are 6  
not otherwise available online, subject to certain restrictions and 7  
requirements, and to declare an emergency" 8

After line \_\_\_\_\_, insert: 9

**"Section 1.** Section 317.33 of the Revised Code is 10  
suspended until August 30, 2020." 11

After line \_\_\_\_\_, insert: 12

**"Section 2.** (A) During the period of the emergency 13  
declared by Executive Order 2020-01D, issued on March 9, 2020, 14  
and notwithstanding an order or directive from the court of 15  
common pleas or the board of county commissioners, the office of 16  
a county recorder, the office of a county auditor, the title 17  
office of a clerk of court of common pleas, and the county map 18  
office shall remain open and operational in order to allow land 19  
professionals physical access to the office as necessary to 20  
search records that are not otherwise available online, digital, 21  
or by some other means, so long as all necessary public land 22

records are available. The office may provide such access during 23  
limited hours and for a limited duration, and may subject 24  
searchers to requirements and restrictions in the interest of 25  
public health. The office may allow persons other than land 26  
professionals physical access to the office at the discretion of 27  
the office during such limited hours, for such limited duration, 28  
and subject to such requirements and restrictions in the 29  
interest of public health as the office determines. All 30  
essential services to effectuate a property transfer shall 31  
remain open and available with all offices. 32

(B) During the period of the emergency declared by 33  
Executive Order 2020-01D, issued on March 9, 2020, and 34  
notwithstanding an order or directive from the court of common 35  
pleas or the board of county commissioners, the title office of 36  
a clerk of court of common pleas shall remain open and 37  
operational in order to allow land professionals, automobile, 38  
watercraft, outboard motor, all terrain vehicles, and mobile 39  
home dealers access to the office as necessary to process titles 40  
that are not otherwise available online. The office may provide 41  
such access during limited hours and for a limited duration, and 42  
may subject nonclerk personnel to requirements and restrictions 43  
in the interest of public health. The office may allow persons 44  
other than the aforementioned land professionals and dealers 45  
physical access to the office at the discretion of the office 46  
during such limited hours, for such limited duration, and 47  
subject to such requirements and restrictions in the interest of 48  
public health as the office determines." 49

After line \_\_\_\_\_, insert: 50

**"Section 3.** This act is hereby declared to be an emergency 51  
measure necessary for the immediate preservation of the public 52  
peace, health, and safety. The reason for such necessity is to 53

address urgent needs of the state arising from a COVID-19 54  
outbreak. Therefore, this act shall go into immediate effect." 55

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 56

**Local offices to remain open** 57

**Sections 1 and 2** 58

Suspends, until August 30, 2020, a provision of law 59  
regarding liability of a county recorder for failure to perform 60  
certain duties of the office, including the duty to record a 61  
document not later than the morning of the day after the 62  
document was filed for recording. 63

During the period of the emergency declared by Executive 64  
Order 2020-01D, issued on March 9, 2020, does the following: 65

Requires the office of a county recorder, the office of a 66  
county auditor, the title office of a clerk of court of common 67  
pleas, and a county map office to remain open and operational in 68  
order to allow land professionals physical access to the office 69  
as necessary to search records that are not otherwise available 70  
online, digital, or by some other means, so long as all 71  
necessary public land records are available. Specifies that all 72  
essential services to effectuate a property transfer must remain 73  
open and available with all offices. 74

Requires the title office of a clerk of court of common 75  
pleas shall remain open and operational in order to allow land 76  
professionals, automobile, watercraft, outboard motor, all 77

terrain vehicles, and mobile home dealers access to the office	78
as necessary to process titles that are not otherwise available	79
online.	80
Specifies that the office may provide such access during	81
limited hours and for a limited duration, and may subject	82
searchers to requirements and restrictions in the interest of	83
public health.	84
Specifies that the office may allow persons other than	85
land professionals physical access to the office at the	86
discretion of the office during such limited hours, for such	87
limited duration, and subject to such requirements and	88
restrictions in the interest of public health as the office	89
determines.	90
These provisions apply notwithstanding an order or	91
directive from the court of common pleas or the board of county	92
commissioners.	93
Declares an emergency.	94

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "5104.31" 1  
In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to extend the 2  
date by which publicly funded child care providers must be rated through 3  
the Step Up to Quality Program and to declare an emergency" 4  
After line \_\_\_\_\_, insert: 5  
**"Section 1.** That section 5104.31 of the Revised Code be 6  
amended to read as follows: 7  
**Sec. 5104.31.** (A) Publicly funded child care may be 8  
provided only by the following: 9  
(1) Any of the following licensed by the department of job 10  
and family services pursuant to section 5104.03 of the Revised 11  
Code or pursuant to rules adopted under section 5104.018 of the 12  
Revised Code: 13  
(a) A child day-care center, including a parent 14  
cooperative child day-care center; 15  
(b) A type A family day-care home, including a parent 16  
cooperative type A family day-care home; 17  
(c) A licensed type B family day-care home. 18  
(2) An in-home aide who has been certified by the county 19  
department of job and family services pursuant to section 20

5104.12 of the Revised Code;	21
(3) A child day camp approved pursuant to section 5104.22 of the Revised Code;	22 23
(4) A licensed preschool program;	24
(5) A licensed school child program;	25
(6) A border state child care provider, except that a border state child care provider may provide publicly funded child care only to an individual who resides in an Ohio county that borders the state in which the provider is located.	26 27 28 29
(B) Publicly funded child day-care may be provided in a child's own home only by an in-home aide.	30 31
(C) (1) Beginning <del>July</del> <u>September 1</u> , 2020, and except as provided in division (C) (2) of this section, a licensed child care program may provide publicly funded child care only if the program is rated through the step up to quality program established pursuant to section 5104.29 of the Revised Code.	32 33 34 35 36
(2) A licensed child care program that is any of the following may provide publicly funded child care without being rated through the step up to quality program:	37 38 39
(a) A program that operates only during the summer and for not more than fifteen consecutive weeks;	40 41
(b) A program that operates only during school breaks;	42
(c) A program that operates only on weekday evenings, weekends, or both;	43 44
(d) A program that holds a provisional license issued under section 5104.03 of the Revised Code;	45 46
(e) A program that had its step up to quality program	47

rating removed by the department of job and family services 48  
within the previous twelve months; 49

(f) A program that is the subject of a revocation action 50  
initiated by the department, but the license has not yet been 51  
revoked. 52

**Section 2.** That existing section 5104.31 of the Revised 53  
Code is hereby repealed." 54

After line \_\_\_\_\_, insert: 55

**"Section 3.** This act is hereby declared to be an emergency 56  
measure necessary for the immediate preservation of the public 57  
peace, health, and safety. The reason for such necessity is to 58  
address urgent needs of the state arising from a COVID-19 59  
outbreak. Therefore, this act shall go into immediate effect." 60

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 61

**Step Up To Quality ratings deadline for publicly funded 62  
child care providers 63**

**R.C. 5104.31 64**

Extends to September 1, 2020 (from July 1, 2020) the date 65  
by which publicly funded child care providers must be rated 66  
through the Step Up to Quality Program. 67

Declares an emergency. 68

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to allow the Ohio 1  
Public Works Commission, the Ohio Water Development Authority, and the 2  
Ohio Environmental Protection Agency, during the state of emergency due to 3  
COVID-19, but not beyond December 1, 2020, to waive certain penalties and 4  
late fees and suspend certain reporting requirements, and to declare an 5  
emergency" 6

After line \_\_\_\_\_, insert: 7

**"Section 1.** During the period of the emergency declared by 8  
Executive Order 2020-01D, issued on March 9, 2020, but not 9  
beyond December 1, 2020, all of the following apply: 10

(A) Notwithstanding Chapter 164. of the Revised Code or 11  
any other provision of law to the contrary, the Ohio Public 12  
Works Commission may automatically extend project schedules. The 13  
extension shall be for a duration determined by the Commission. 14  
The Commission shall not provide for an extension if federal law 15  
does not provide for or allow an extension regarding any 16  
particular project. The Commission also may waive penalties and 17  
late fees owed to the Commission from the issuance of 18  
outstanding loans. 19

(B) Notwithstanding Chapter 6121. or 6123. of the Revised 20  
Code or any other provision of law to the contrary, the Ohio 21  
Water Development Authority may waive penalties and late fees 22

owed to the Authority from the issuance of outstanding loans. 23

(C) Notwithstanding Chapter 3734., 3745., or 6119. of the 24  
Revised Code or any other provision of law to the contrary, the 25  
Ohio Environmental Protection Agency may waive penalties or late 26  
fees owed to the Agency from the issuance of outstanding loans 27  
or permits. The Agency also may suspend reporting requirements 28  
for water research recovery facilities or solid waste 29  
facilities." 30

After line \_\_\_\_\_, insert: 31

**"Section 2.** This act is hereby declared to be an emergency 32  
measure necessary for the immediate preservation of the public 33  
peace, health, and safety. The reason for such necessity is to 34  
address urgent needs of the state arising from a COVID-19 35  
outbreak. Therefore, this act goes into immediate effect." 36

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 37

**Waive various government fees and requirements** 38

**Sections \_\_\_ and \_\_\_** 39

Allows the following governmental entities, during the 40  
period of the emergency declared by Executive Order 2020-01D, 41  
issued on March 9, 2020, but not beyond December 1, 2020, to do 42  
the following: 43

-- For the Ohio Public Works Commission, to automatically 44  
extend project schedules and waive penalties and late fees owed 45  
to the Commission from the issuance of outstanding loans; 46

-- For the Ohio Water Development Authority, to waive	47
penalties and late fees owed to the Authority from the issuance	48
of outstanding loans; and	49
-- For the Ohio Environmental Protection Agency, to waive	50
penalties or late fees owed to the Agency from the issuance of	51
outstanding loans or permits and to suspend reporting	52
requirements for water research recovery facilities or solid	53
waste facilities.	54
Declares an emergency.	55

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to provide in relation to COVID-19 for the issuance of temporary licenses to practice nursing without the otherwise required licensure examination, and to declare an emergency"

After line \_\_\_\_\_, insert:

**"Section 1.** (A) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, the requirement of division (A) (2) (a) of section 4723.09 of the Revised Code is suspended. Accordingly, during such period, the Board of Nursing shall grant to an applicant described in division (A) of section 4723.09 of the Revised Code a temporary license to practice nursing as a registered nurse or as a licensed practical nurse if the conditions of divisions (A) (1) and (A) (2) (b) to (d) of section 4723.09 of the Revised Code have been met.

(B) A temporary license issued under this section shall be valid until whichever of the following dates occurs first:

(1) The date that is ninety days after December 1, 2020;

(2) The date that is ninety days after the duration of the period of the emergency described in division (A) of this section."

After line \_\_\_\_\_, insert:

"Section 2. This act is hereby declared to be an emergency 23  
measure necessary for the immediate preservation of the public 24  
peace, health, and safety. The reason for such necessity is to 25  
address urgent needs of the state arising from a COVID-19 26  
outbreak. Therefore, this act shall go into immediate effect." 27

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 28

**Temporary nursing licenses without examination** 29

**Sections 1 and 2** 30

Suspends, for the period of the COVID-19 emergency, the 31  
law requiring an applicant for a nursing license to have passed 32  
the licensure examination approved by the Board of Nursing. 33

Requires the Board to issue a temporary license to 34  
practice as a registered nurse or licensed practical nurse to an 35  
applicant if the applicant meets the remaining statutory 36  
requirements, including completing a nursing education program 37  
and criminal records check. 38

Specifies that a temporary nursing license is valid until 39  
whichever of the following occurs first: (1) 90 days after 40  
December 1, 2020, or (2) 90 days after the duration of the 41  
period of the COVID-19 emergency. 42

Declares an emergency. 43

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "4723.43, 4729.01, 1  
and 4761.17" 2

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "4723.433, 3  
4723.434, and 4723.435" 4

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to make changes 5  
regarding the practice of certified registered nurse anesthetists, and to 6  
declare an emergency" 7

After line \_\_\_\_\_, insert: 8

"**Section 1.** That sections 4723.43, 4729.01, and 4761.17 be 9  
amended and sections 4723.433, 4723.434, and 4723.435 of the 10  
Revised Code be enacted to read as follows: 11

**Sec. 4723.43.** A certified registered nurse anesthetist, 12  
clinical nurse specialist, certified nurse-midwife, or certified 13  
nurse practitioner may provide to individuals and groups nursing 14  
care that requires knowledge and skill obtained from advanced 15  
formal education and clinical experience. In this capacity as an 16  
advanced practice registered nurse, a certified nurse-midwife is 17  
subject to division (A) of this section, a certified registered 18  
nurse anesthetist is subject to division (B) of this section, a 19  
certified nurse practitioner is subject to division (C) of this 20  
section, and a clinical nurse specialist is subject to division 21  
(D) of this section. 22

(A) A nurse authorized to practice as a certified nurse- 23  
midwife, in collaboration with one or more physicians, may 24  
provide the management of preventive services and those primary 25  
care services necessary to provide health care to women 26  
antepartally, intrapartally, postpartally, and gynecologically, 27  
consistent with the nurse's education and certification, and in 28  
accordance with rules adopted by the board of nursing. 29

No certified nurse-midwife may perform version, deliver 30  
breech or face presentation, use forceps, do any obstetric 31  
operation, or treat any other abnormal condition, except in 32  
emergencies. Division (A) of this section does not prohibit a 33  
certified nurse-midwife from performing episiotomies or normal 34  
vaginal deliveries, or repairing vaginal tears. A certified 35  
nurse-midwife may, in collaboration with one or more physicians, 36  
prescribe drugs and therapeutic devices in accordance with 37  
section 4723.481 of the Revised Code. 38

(B) A nurse authorized to practice as a certified 39  
registered nurse anesthetist, ~~with the supervision and in the~~ 40  
~~immediate presence of a physician, podiatrist, or dentist, may~~ 41  
~~administer anesthesia and perform anesthesia induction,~~ 42  
~~maintenance, and emergence, and may perform with supervision~~ 43  
~~preanesthetic preparation and evaluation, postanesthesia care,~~ 44  
~~and clinical support functions,~~ consistent with the nurse's 45  
education and certification, and in accordance with rules 46  
adopted by the board, may do the following: 47

(1) With supervision and in the immediate presence of a 48  
physician, podiatrist, or dentist, administer anesthesia and 49  
perform anesthesia induction, maintenance, and emergence; 50

(2) With supervision, obtain informed consent for 51  
anesthesia care and perform preanesthetic preparation and 52

evaluation, postanesthetic preparation and evaluation, 53  
postanesthesia care, and, subject to section 4723.433 of the 54  
Revised Code, clinical support functions; 55

(3) With supervision and in accordance with section 56  
4723.434 of the Revised Code, engage in the activities described 57  
in division (A) of that section. 58

The physician, podiatrist, or dentist supervising a 59  
certified registered nurse anesthetist must be actively engaged 60  
in practice in this state. When a certified registered nurse 61  
anesthetist is supervised by a podiatrist, the nurse's scope of 62  
practice is limited to the anesthesia procedures that the 63  
podiatrist has the authority under section 4731.51 of the 64  
Revised Code to perform. A certified registered nurse 65  
anesthetist may not administer general anesthesia under the 66  
supervision of a podiatrist in a podiatrist's office. When a 67  
certified registered nurse anesthetist is supervised by a 68  
dentist, the nurse's scope of practice is limited to the 69  
anesthesia procedures that the dentist has the authority under 70  
Chapter 4715. of the Revised Code to perform. 71

(C) A nurse authorized to practice as a certified nurse 72  
practitioner, in collaboration with one or more physicians or 73  
podiatrists, may provide preventive and primary care services, 74  
provide services for acute illnesses, and evaluate and promote 75  
patient wellness within the nurse's nursing specialty, 76  
consistent with the nurse's education and certification, and in 77  
accordance with rules adopted by the board. A certified nurse 78  
practitioner may, in collaboration with one or more physicians 79  
or podiatrists, prescribe drugs and therapeutic devices in 80  
accordance with section 4723.481 of the Revised Code. 81

When a certified nurse practitioner is collaborating with 82

a podiatrist, the nurse's scope of practice is limited to the 83  
procedures that the podiatrist has the authority under section 84  
4731.51 of the Revised Code to perform. 85

(D) A nurse authorized to practice as a clinical nurse 86  
specialist, in collaboration with one or more physicians or 87  
podiatrists, may provide and manage the care of individuals and 88  
groups with complex health problems and provide health care 89  
services that promote, improve, and manage health care within 90  
the nurse's nursing specialty, consistent with the nurse's 91  
education and in accordance with rules adopted by the board. A 92  
clinical nurse specialist may, in collaboration with one or more 93  
physicians or podiatrists, prescribe drugs and therapeutic 94  
devices in accordance with section 4723.481 of the Revised Code. 95

When a clinical nurse specialist is collaborating with a 96  
podiatrist, the nurse's scope of practice is limited to the 97  
procedures that the podiatrist has the authority under section 98  
4731.51 of the Revised Code to perform. 99

Sec. 4723.433. When performing clinical support functions 100  
as authorized by section 4723.43 of the Revised Code, a 101  
certified registered nurse anesthetist may direct a registered 102  
nurse, licensed practical nurse, or respiratory therapist to 103  
provide supportive care, including monitoring vital signs, 104  
conducting electrocardiograms, and administering intravenous 105  
fluids, if the nurse or therapist is authorized by law to 106  
provide such care. 107

In addition, the certified registered nurse anesthetist 108  
may direct the nurse or therapist to administer treatments, 109  
drugs, and intravenous fluids to treat conditions related to the 110  
administration of anesthesia if the nurse or therapist is 111  
authorized by law to administer treatments, drugs, and 112

intravenous fluids and a physician, podiatrist, or dentist 113

ordered the treatments, drugs, and intravenous fluids. 114

**Sec. 4723.434.** (A) During the time period that begins on a 115

patient's admission for a surgery or procedure to a health care 116

facility where the certified registered nurse anesthetist 117

practices and ends with the patient's discharge from recovery, 118

the nurse may engage in one or more of the following activities: 119

(1) Performing and documenting evaluations and 120

assessments, which may include ordering and evaluating one or 121

more diagnostic tests for conditions related to the 122

administration of anesthesia; 123

(2) As necessary for patient management and care, 124

selecting, ordering, and administering treatments, drugs, and 125

intravenous fluids for conditions related to the administration 126

of anesthesia; 127

(3) As necessary for patient management and care, 128

directing registered nurses, licensed practical nurses, and 129

respiratory therapists to perform either or both of the 130

following activities if authorized by law to perform such 131

activities: 132

(a) Providing supportive care, including monitoring vital 133

signs, conducting electrocardiograms, and administering 134

intravenous fluids; 135

(b) Administering treatments, drugs, and intravenous 136

fluids to treat conditions related to the administration of 137

anesthesia. 138

(B) (1) A certified registered nurse anesthetist may not 139

engage in one or more of the activities described in division 140

(A) of this section unless all of the following apply: 141

(a) The nurse is physically present at the health care facility when performing the activities. 142  
143

(b) The nurse's supervising physician, podiatrist, or dentist is physically present at the health care facility where the nurse is performing the activities. 144  
145  
146

(c) The health care facility where the nurse practices has adopted a written policy developed by the facility's medical, nursing, and pharmacy directors that meets the requirements of section 4723.435 of the Revised Code. 147  
148  
149  
150

(2) A certified registered nurse anesthetist shall not engage in one or more of the activities described in division (A) of this section if the supervising physician, podiatrist, or dentist or the health care facility where the nurse practices determines that it is not in a patient's best interest for the nurse to perform such an activity or activities. If a supervising physician, podiatrist, or dentist or facility makes such a determination, the patient's medical or electronic health record shall indicate that the nurse is prohibited from performing the activity or activities. 151  
152  
153  
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160

(3) If a certified registered nurse anesthetist performs one or more of the activities described in division (A) of this section, the nurse shall so indicate in the patient's medical or electronic health record. 161  
162  
163  
164

(C)(1) This section does not authorize a certified registered nurse anesthetist to prescribe a drug for use outside of the health care facility where the nurse practices. 165  
166  
167

(2) This section does not prohibit a certified registered nurse from implementing a verbal order of a supervising physician, podiatrist, or dentist. 168  
169  
170

Sec. 4723.435. (A) A written policy adopted by a health care facility as described in section 4723.434 of the Revised Code shall establish standards and procedures to be followed by certified registered nurse anesthetists when performing one or more of the following activities in the health care facility: 171-175

(1) Selecting, ordering, and administering treatments, drugs, and intravenous fluids; 176-177

(2) Ordering diagnostic tests and evaluating those tests; 178

(3) Directing registered nurses, licensed practical nurses, and respiratory therapists to perform activities as described in division (A) (3) of section 4723.434 of the Revised Code. 179-182

(B) In adopting a policy, both of the following apply: 183

(1) The health care facility shall not authorize a certified registered nurse anesthetist to select, order, or administer any drug that a supervising physician, podiatrist, or dentist is not authorized to prescribe. 184-187

(2) The health care facility shall allow a supervising physician, podiatrist, or dentist to issue every order related to a patient's anesthesia care. 188-190

**Sec. 4729.01.** As used in this chapter: 191

(A) "Pharmacy," except when used in a context that refers to the practice of pharmacy, means any area, room, rooms, place of business, department, or portion of any of the foregoing where the practice of pharmacy is conducted. 192-195

(B) "Practice of pharmacy" means providing pharmacist care requiring specialized knowledge, judgment, and skill derived from the principles of biological, chemical, behavioral, social, 196-198

pharmaceutical, and clinical sciences. As used in this division,	199
"pharmacist care" includes the following:	200
(1) Interpreting prescriptions;	201
(2) Dispensing drugs and drug therapy related devices;	202
(3) Compounding drugs;	203
(4) Counseling individuals with regard to their drug	204
therapy, recommending drug therapy related devices, and	205
assisting in the selection of drugs and appliances for treatment	206
of common diseases and injuries and providing instruction in the	207
proper use of the drugs and appliances;	208
(5) Performing drug regimen reviews with individuals by	209
discussing all of the drugs that the individual is taking and	210
explaining the interactions of the drugs;	211
(6) Performing drug utilization reviews with licensed	212
health professionals authorized to prescribe drugs when the	213
pharmacist determines that an individual with a prescription has	214
a drug regimen that warrants additional discussion with the	215
prescriber;	216
(7) Advising an individual and the health care	217
professionals treating an individual with regard to the	218
individual's drug therapy;	219
(8) Acting pursuant to a consult agreement with one or	220
more physicians authorized under Chapter 4731. of the Revised	221
Code to practice medicine and surgery or osteopathic medicine	222
and surgery, if an agreement has been established;	223
(9) Engaging in the administration of immunizations to the	224
extent authorized by section 4729.41 of the Revised Code;	225

(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.	226 227
(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:	228 229 230
(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;	231 232
(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;	233 234
(3) As an incident to research, teaching activities, or chemical analysis;	235 236
(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;	237 238 239
(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:	240 241 242 243 244
(a) At the time the request is made, the drug is not commercially available regardless of the reason that the drug is not available, including the absence of a manufacturer for the drug or the lack of a readily available supply of the drug from a manufacturer.	245 246 247 248 249
(b) A limited quantity of the drug is compounded and provided to the professional.	250 251
(c) The drug is compounded and provided to the professional as an occasional exception to the normal practice	252 253

of dispensing drugs pursuant to patient-specific prescriptions.	254
(D) "Consult agreement" means an agreement that has been entered into under section 4729.39 of the Revised Code.	255 256
(E) "Drug" means:	257
(1) Any article recognized in the United States pharmacopoeia and national formulary, or any supplement to them, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;	258 259 260 261
(2) Any other article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;	262 263 264
(3) Any article, other than food, intended to affect the structure or any function of the body of humans or animals;	265 266
(4) Any article intended for use as a component of any article specified in division (E) (1), (2), or (3) of this section; but does not include devices or their components, parts, or accessories.	267 268 269 270
"Drug" does not include "hemp" or a "hemp product" as those terms are defined in section 928.01 of the Revised Code.	271 272
(F) "Dangerous drug" means any of the following:	273
(1) Any drug to which either of the following applies:	274
(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or	275 276 277 278 279 280

the drug may be dispensed only upon a prescription;	281
(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.	282 283
(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;	284 285 286
(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;	287 288 289
(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.	290 291
(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.	292 293
(H) "Prescription" means all of the following:	294
(1) A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;	295 296 297 298
(2) For purposes of sections 2925.61, 4723.488, 4730.431, and 4731.94 of the Revised Code, a written, electronic, or oral order for naloxone issued to and in the name of a family member, friend, or other individual in a position to assist an individual who there is reason to believe is at risk of experiencing an opioid-related overdose.	299 300 301 302 303 304
(3) For purposes of section 4729.44 of the Revised Code, a written, electronic, or oral order for naloxone issued to and in the name of either of the following:	305 306 307

(a) An individual who there is reason to believe is at risk of experiencing an opioid-related overdose;	308 309
(b) A family member, friend, or other individual in a position to assist an individual who there is reason to believe is at risk of experiencing an opioid-related overdose.	310 311 312
(4) For purposes of sections 4723.4810, 4729.282, 4730.432, and 4731.93 of the Revised Code, a written, electronic, or oral order for a drug to treat chlamydia, gonorrhea, or trichomoniasis issued to and in the name of a patient who is not the intended user of the drug but is the sexual partner of the intended user;	313 314 315 316 317 318
(5) For purposes of sections 3313.7110, 3313.7111, 3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 4731.96, and 5101.76 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a school, school district, or camp;	319 320 321 322 323
(6) For purposes of Chapter 3728. and sections 4723.483, 4729.88, 4730.433, and 4731.96 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a qualified entity, as defined in section 3728.01 of the Revised Code.	324 325 326 327 328
(I) "Licensed health professional authorized to prescribe drugs" or "prescriber" means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual's professional practice, including only the following:	329 330 331 332 333
(1) A dentist licensed under Chapter 4715. of the Revised Code;	334 335
(2) A clinical nurse specialist, certified nurse-midwife,	336

or certified nurse practitioner who holds a current, valid 337  
license issued under Chapter 4723. of the Revised Code to 338  
practice nursing as an advanced practice registered nurse—~~issued~~ 339  
~~under Chapter 4723. of the Revised Code;~~ 340

(3) A certified registered nurse anesthetist who holds a 341  
current, valid license issued under Chapter 4723. of the Revised 342  
Code to practice nursing as an advanced practice registered 343  
nurse, but only to the extent of the nurse's authority under 344  
sections 4723.43 and 4723.434 the Revised Code; 345

(4) An optometrist licensed under Chapter 4725. of the 346  
Revised Code to practice optometry under a therapeutic 347  
pharmaceutical agents certificate; 348

~~(4)~~ (5) A physician authorized under Chapter 4731. of the 349  
Revised Code to practice medicine and surgery, osteopathic 350  
medicine and surgery, or podiatric medicine and surgery; 351

~~(5)~~ (6) A physician assistant who holds a license to 352  
practice as a physician assistant issued under Chapter 4730. of 353  
the Revised Code, holds a valid prescriber number issued by the 354  
state medical board, and has been granted physician-delegated 355  
prescriptive authority; 356

~~(6)~~ (7) A veterinarian licensed under Chapter 4741. of the 357  
Revised Code. 358

(J) "Sale" or "sell" includes any transaction made by any 359  
person, whether as principal proprietor, agent, or employee, to 360  
do or offer to do any of the following: deliver, distribute, 361  
broker, exchange, gift or otherwise give away, or transfer, 362  
whether the transfer is by passage of title, physical movement, 363  
or both. 364

(K) "Wholesale sale" and "sale at wholesale" mean any sale 365

in which the purpose of the purchaser is to resell the article 366  
purchased or received by the purchaser. 367

(L) "Retail sale" and "sale at retail" mean any sale other 368  
than a wholesale sale or sale at wholesale. 369

(M) "Retail seller" means any person that sells any 370  
dangerous drug to consumers without assuming control over and 371  
responsibility for its administration. Mere advice or 372  
instructions regarding administration do not constitute control 373  
or establish responsibility. 374

(N) "Price information" means the price charged for a 375  
prescription for a particular drug product and, in an easily 376  
understandable manner, all of the following: 377

(1) The proprietary name of the drug product; 378

(2) The established (generic) name of the drug product; 379

(3) The strength of the drug product if the product 380  
contains a single active ingredient or if the drug product 381  
contains more than one active ingredient and a relevant strength 382  
can be associated with the product without indicating each 383  
active ingredient. The established name and quantity of each 384  
active ingredient are required if such a relevant strength 385  
cannot be so associated with a drug product containing more than 386  
one ingredient. 387

(4) The dosage form; 388

(5) The price charged for a specific quantity of the drug 389  
product. The stated price shall include all charges to the 390  
consumer, including, but not limited to, the cost of the drug 391  
product, professional fees, handling fees, if any, and a 392  
statement identifying professional services routinely furnished 393

by the pharmacy. Any mailing fees and delivery fees may be 394  
stated separately without repetition. The information shall not 395  
be false or misleading. 396

(O) "Wholesale distributor of dangerous drugs" or 397  
"wholesale distributor" means a person engaged in the sale of 398  
dangerous drugs at wholesale and includes any agent or employee 399  
of such a person authorized by the person to engage in the sale 400  
of dangerous drugs at wholesale. 401

(P) "Manufacturer of dangerous drugs" or "manufacturer" 402  
means a person, other than a pharmacist or prescriber, who 403  
manufactures dangerous drugs and who is engaged in the sale of 404  
those dangerous drugs. 405

(Q) "Terminal distributor of dangerous drugs" or "terminal 406  
distributor" means a person who is engaged in the sale of 407  
dangerous drugs at retail, or any person, other than a 408  
manufacturer, repackager, outsourcing facility, third-party 409  
logistics provider, wholesale distributor, or pharmacist, who 410  
has possession, custody, or control of dangerous drugs for any 411  
purpose other than for that person's own use and consumption. 412  
"Terminal distributor" includes pharmacies, hospitals, nursing 413  
homes, and laboratories and all other persons who procure 414  
dangerous drugs for sale or other distribution by or under the 415  
supervision of a pharmacist, licensed health professional 416  
authorized to prescribe drugs, or other person authorized by the 417  
state board of pharmacy. 418

(R) "Promote to the public" means disseminating a 419  
representation to the public in any manner or by any means, 420  
other than by labeling, for the purpose of inducing, or that is 421  
likely to induce, directly or indirectly, the purchase of a 422  
dangerous drug at retail. 423

(S) "Person" includes any individual, partnership, 424  
association, limited liability company, or corporation, the 425  
state, any political subdivision of the state, and any district, 426  
department, or agency of the state or its political 427  
subdivisions. 428

(T) "Animal shelter" means a facility operated by a humane 429  
society or any society organized under Chapter 1717. of the 430  
Revised Code or a dog pound operated pursuant to Chapter 955. of 431  
the Revised Code. 432

(U) "Food" has the same meaning as in section 3715.01 of 433  
the Revised Code. 434

(V) "Pain management clinic" has the same meaning as in 435  
section 4731.054 of the Revised Code. 436

(W) "Investigational drug or product" means a drug or 437  
product that has successfully completed phase one of the United 438  
States food and drug administration clinical trials and remains 439  
under clinical trial, but has not been approved for general use 440  
by the United States food and drug administration. 441  
"Investigational drug or product" does not include controlled 442  
substances in schedule I, as defined in section 3719.01 of the 443  
Revised Code. 444

(X) "Product," when used in reference to an 445  
investigational drug or product, means a biological product, 446  
other than a drug, that is made from a natural human, animal, or 447  
microorganism source and is intended to treat a disease or 448  
medical condition. 449

(Y) "Third-party logistics provider" means a person that 450  
provides or coordinates warehousing or other logistics services 451  
pertaining to dangerous drugs including distribution, on behalf 452

of a manufacturer, wholesale distributor, or terminal distributor of dangerous drugs, but does not take ownership of the drugs or have responsibility to direct the sale or disposition of the drugs.

(Z) "Repackager of dangerous drugs" or "repackager" means a person that repacks and relabels dangerous drugs for sale or distribution.

(AA) "Outsourcing facility" means a facility that is engaged in the compounding and sale of sterile drugs and is registered as an outsourcing facility with the United States food and drug administration.

(BB) "Laboratory" means a laboratory licensed under this chapter as a terminal distributor of dangerous drugs and entrusted to have custody of any of the following drugs and to use the drugs for scientific and clinical purposes and for purposes of instruction: dangerous drugs that are not controlled substances, as defined in section 3719.01 of the Revised Code; dangerous drugs that are controlled substances, as defined in that section; and controlled substances in schedule I, as defined in that section.

**Sec. 4761.17.** All of the following apply to the practice of respiratory care by a person who holds a license or limited permit issued under this chapter:

(A) The person shall practice only pursuant to a prescription or other order for respiratory care issued by any of the following:

(1) A physician;

(2) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid

license issued under Chapter 4723. of the Revised Code to 482  
practice nursing as an advanced practice registered nurse and 483  
has entered into a standard care arrangement with a physician; 484

(3) A certified registered nurse anesthetist who holds a 485  
current, valid license issued under Chapter 4723. of the Revised 486  
Code to practice nursing as an advanced practice registered 487  
nurse and acts in compliance with sections 4723.43, 4723.433, 488  
and 4723.434 of the Revised Code; 489

(4) A physician assistant who holds a valid prescriber 490  
number issued by the state medical board, has been granted 491  
physician-delegated prescriptive authority, and has entered into 492  
a supervision agreement that allows the physician assistant to 493  
prescribe or order respiratory care services. 494

(B) The person shall practice only under the supervision 495  
of any of the following: 496

(1) A physician; 497

(2) A certified nurse practitioner, certified nurse- 498  
midwife, or clinical nurse specialist; 499

(3) A physician assistant who is authorized to prescribe 500  
or order respiratory care services as provided in division ~~(A)~~ 501  
~~(3)~~ (4) of this section. 502

(C) (1) When practicing under the prescription or order of 503  
a certified nurse practitioner, certified nurse midwife, or 504  
clinical nurse specialist or under the supervision of such a 505  
nurse, the person's administration of medication that requires a 506  
prescription is limited to the drugs that the nurse is 507  
authorized to prescribe pursuant to section 4723.481 of the 508  
Revised Code. 509

(2) When practicing under the order of a certified registered nurse anesthetist, the person's administration of medication is limited to the drugs that the nurse is authorized to order or direct the person to administer, as provided in sections 4723.43, 4723.433, and 4723.434 of the Revised Code.

(3) When practicing under the prescription or order of a physician assistant or under the supervision of a physician assistant, the person's administration of medication that requires a prescription is limited to the drugs that the physician assistant is authorized to prescribe pursuant to the physician assistant's physician-delegated prescriptive authority.

**Section 2.** That existing sections 4723.43, 4729.01, and 4761.17 of the Revised Code are hereby repealed."

After line \_\_\_\_\_, insert:

**"Section 3.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 530

**Certified registered nurse anesthetists** 531

**R.C. 4723.43, 4723.433, 4723.434, 4723.435, 4729.01, 4761.17; Section 3** 532  
533

Grants a certified registered nurse anesthetist (CRNA)	534
authority to select, order, and administer drugs, treatments,	535
and intravenous fluids for conditions related to the	536
administration of anesthesia, but only during specified time	537
periods and in accordance with a health care facility's required	538
policy.	539
Permits a CRNA - under certain circumstances - to direct	540
nurses and respiratory therapists to perform specified tasks,	541
including administering drugs.	542
Authorizes a CRNA to perform additional activities or	543
services, including ordering and evaluating diagnostic tests.	544
Allows a supervising practitioner or health care facility	545
to prohibit a CRNA from performing an activity or service	546
authorized by the amendment if the supervising practitioner or	547
facility determines that it is not in a patient's best interest	548
for the CRNA to do so.	549
Declares an emergency.	550

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to extend absent 1  
voting by mail for the March 17, 2020, primary election to April 28, 2020, 2  
to make an appropriation," 3

After line \_\_\_\_\_, insert: 4

"**Section 1.** Notwithstanding any contrary provision of the 5  
Revised Code: 6

(A) Secretary of State Directive 2020-06, issued on March 7  
16, 2020, is void. 8

(B) During the period beginning on the effective date of 9  
this section and ending at 7:30 p.m. on April 28, 2020, no board 10  
of elections, and no election official, shall do any of the 11  
following: 12

(1) Count any ballots cast in the March 17, 2020, primary 13  
election, or in any special election held on the day of the 14  
primary election; 15

(2) Release the count or any portion of the count of any 16  
ballots cast in the March 17, 2020, primary election, or in any 17  
special election held on the day of the primary election; 18

(3) Process any voter registration application submitted 19  
after February 18, 2020. 20

(C) (1) (a) An elector who has not already cast a ballot in 21  
the March 17, 2020, primary election, or in any special election 22  
held on the day of the primary election, and who was registered 23  
to vote in this state as of February 18, 2020, may vote in that 24  
election in accordance with this section. 25

(b) An elector who was registered to vote in this state as 26  
of February 18, 2020, and who cast a ballot at any time before 27  
the effective date of this section in the March 17, 2020, 28  
primary election, or in any special election held on the day of 29  
the primary election, shall have the elector's ballot counted if 30  
it is received at the office of the board not later than the 31  
applicable deadline specified in division (E) of this section 32  
and is otherwise eligible to be counted. 33

(2) As soon as possible after the effective date of this 34  
section, the Secretary of State shall send a postcard to each 35  
registered elector in this state, notifying the elector of the 36  
methods by which the elector may obtain an application for 37  
absent voter's ballots, the procedures and deadlines to apply 38  
for absent voter's ballots under this section, and the 39  
procedures and deadline to return voted ballots to the office of 40  
the board of elections under this section. 41

(3) An elector described in division (C) (1) (a) of this 42  
section may apply by mail to the appropriate board of elections 43  
for absent voter's ballots. If the elector is eligible to cast 44  
absent voter's ballots with the assistance of election officials 45  
under section 3509.08 of the Revised Code, the elector may 46  
include with the elector's application a request that the board 47  
of elections assist the elector in casting the elector's ballots 48  
in accordance with section 3509.08 of the Revised Code. All 49  
applications submitted under this division shall be received at 50

the office of the board not later than noon on April 25, 2020, 51  
except that an application submitted by an elector described in 52  
division (C) (1) (a) of this section who would be eligible to 53  
apply for absent voter's ballots not later than 3:00 p.m. on the 54  
day of an election under section 3509.08 of the Revised Code 55  
shall be received at the office of the board not later than 3:00 56  
p.m. on April 28, 2020. Any application received after the 57  
applicable deadline shall be invalid. 58

(4) At the end of each day, the board of elections shall 59  
compile and transmit to the Secretary of State a list of all 60  
applications the board received that day, provided that the list 61  
shall exclude all information that is not considered a public 62  
record under the laws of this state. The Secretary of State 63  
shall make the list available to the public upon request. 64

(5) (a) If a board of elections receives an application 65  
under this section that does not contain all of the required 66  
information, the board promptly shall notify the applicant of 67  
the additional information required to be provided by the 68  
applicant to complete that application. In order for the 69  
application to be valid, the applicant shall provide that 70  
additional information to the board not later than the 71  
applicable deadline under division (C) (3) of this section. 72

(b) An application submitted under this section shall not 73  
be considered invalid solely on the basis that the applicant 74  
indicated a date other than March 17, 2020, as the date of the 75  
2020 primary election or of any special election held on the day 76  
of the election. 77

(6) If the board of elections determines that an 78  
application submitted under this section is valid, the board 79  
promptly shall deliver absent voter's ballots to the elector. 80

The board shall deliver those ballots by mail, except as 81  
otherwise provided in division (D) of this section and except in 82  
the case of an elector whom the board assists in casting the 83  
elector's ballots in accordance with section 3509.08 of the 84  
Revised Code. When the board delivers those ballots by mail, it 85  
shall prepay the return postage for the ballots. 86

(7) If the board of elections determines that an 87  
application submitted under this section is not valid because 88  
the applicant is an elector who has moved or had a change of 89  
name without updating the elector's registration, as described 90  
in section 3503.16 of the Revised Code, or for any other reason, 91  
the board promptly shall deliver a provisional ballot to the 92  
applicant. The board shall deliver the ballot by mail, except as 93  
otherwise provided in division (D) of this section and except in 94  
the case of an elector whom the board assists in casting the 95  
elector's ballot in accordance with section 3509.08 of the 96  
Revised Code. When the board delivers the ballot by mail, it 97  
shall prepay the return postage for the ballot. The board shall 98  
include all of the following with the provisional ballot: 99

(a) The reason the applicant has received a provisional 100  
ballot instead of absent voter's ballots; 101

(b) Instructions for the applicant to complete the 102  
provisional ballot affirmation, including an option to submit a 103  
copy of a form of identification described in section 3505.182 104  
of the Revised Code; 105

(c) Instructions for the applicant to return the 106  
provisional ballot in the same manner as absent voter's ballots 107  
and a return envelope in which the applicant may return the 108  
provisional ballot; 109

(d) Instructions for the applicant to ascertain the status 110  
of the applicant's provisional ballot, as described in section 111  
3505.181 of the Revised Code. 112

(D) (1) Only the following electors may apply for and cast 113  
absent voter's ballots in person at the office of the board of 114  
elections on April 28, 2020, not later than 7:30 p.m., instead 115  
of applying to receive those ballots by mail: 116

(a) An elector to whom division (C) (1) (a) of this section 117  
applies, who has a disability, and who wishes to cast absent 118  
voter's ballots using a direct recording electronic voting 119  
machine or marking device that is accessible for voters with 120  
disabilities, including nonvisual accessibility for the blind 121  
and visually impaired, in a manner that provides the same 122  
opportunity for access and participation, including privacy and 123  
independence, as for other voters. Each board shall have at 124  
least one such machine or device available for use at the office 125  
of the board. 126

(b) An elector to whom division (C) (1) (a) of this section 127  
applies and who is unable to receive mail at the place where the 128  
elector resides or at another location. 129

(2) All eligible electors waiting in line to cast ballots 130  
in person under division (D) of this section as of 7:30 p.m. on 131  
April 28, 2020, shall be permitted to cast absent voter's 132  
ballots. 133

(E) (1) Absent voter's ballots and provisional ballots cast 134  
at any time before or after the effective date of this section 135  
by electors who were registered to vote in this state as of 136  
February 18, 2020, for the March 17, 2020, primary election, or 137  
for any special election held on the day of the primary 138

election, shall be eligible to be counted if they are received 139  
at the office of the appropriate board of elections not later 140  
than 7:30 p.m. on April 28, 2020. The board shall place a secure 141  
receptacle outside the office of the board for the return of 142  
ballots under this section. Except as otherwise provided in 143  
divisions (F) (2) and (3) of this section, ballots received after 144  
7:30 p.m. on April 28, 2020, shall not be counted. 145

(2) Ballots received by mail at the office of the board 146  
after 7:30 p.m. on April 28, 2020, and not later than May 8, 147  
2020, are eligible to be counted if they are postmarked on or 148  
before April 27, 2020, and are not postmarked using a postage 149  
evidencing system, including a postage meter, as defined in 39 150  
C.F.R. 501.1. 151

(3) Ballots cast by uniformed services and overseas absent 152  
voters that are received by mail at the office of the board 153  
after 7:30 p.m. on April 28, 2020, and not later than May 8, 154  
2020, are eligible to be counted if they were submitted for 155  
mailing not later than 12:01 a.m. at the place where the voter 156  
completed the ballots on April 28, 2020, regardless of whether 157  
the ballots are postmarked. 158

(F) (1) If the election officials find that the 159  
identification envelope statement of voter containing absent 160  
voter's ballots for the March 17, 2020, primary election, or for 161  
any special election held on the day of the primary election, is 162  
incomplete or that the information contained in that statement 163  
does not conform to the information contained in the Statewide 164  
Voter Registration Database concerning the voter, as described 165  
in section 3509.06 of the Revised Code, the voter shall provide 166  
the necessary information to the board of elections in 167  
accordance with that section not later than May 5, 2020. 168

(2) An individual who casts a provisional ballot under 169  
this section and who is required under sections 3505.181 to 170  
3505.183 of the Revised Code to provide identification or 171  
additional information to the board of elections shall provide 172  
the necessary identification or information to the board in 173  
accordance with those sections not later than May 5, 2020. 174

(G) The boards of elections and the Secretary of State 175  
shall complete the unofficial count, the canvass of the election 176  
returns, and all other post-election procedures with respect to 177  
the March 17, 2020, primary election, and any special election 178  
held on the day of the primary election, on the dates provided 179  
in the Revised Code, except that each deadline shall be 180  
calculated by adding 42 days. 181

(H) For the purpose of the contribution limits described 182  
in section 3517.102 of the Revised Code, the date of the 2020 183  
primary election is March 17, 2020. However, the statements of 184  
contributions and expenditures required to be filed under 185  
division (A)(2) of section 3517.10 of the Revised Code after the 186  
primary election shall be filed not later than 4:00 p.m. on June 187  
5, 2020. 188

(I) In implementing this act, the Secretary of State shall 189  
proceed as though the Department of Administrative Services has 190  
suspended, under section 125.061 of the Revised Code, the 191  
purchasing and contracting requirements contained in Chapter 192  
125. of the Revised Code that otherwise would apply to the 193  
Secretary of State. The Secretary of State shall comply with 194  
division (E) of that section." 195

After line \_\_\_\_\_, insert: 196

**"Section 2.** All items in this section are hereby 197  
appropriated as designated out of any moneys in the state 198

treasury to the credit of the designated fund. For all 199  
appropriations made in this act, those in the first column are 200  
for fiscal year 2020 and those in the second column are for 201  
fiscal year 2021. The appropriations made in this act are in 202  
addition to any other appropriations made for the FY 2020-FY 203  
2021 biennium. 204

205

	1	2	3	4	5
A	SOS SECRETARY OF STATE				
B	Dedicated Purpose Fund Group				
C	5RG0	050627	Absent Voter's Ballot Application Mailings	\$ 7,000,000	\$ 0
D	TOTAL Dedicated Purpose Fund Group			\$ 7,000,000	\$ 0
E	TOTAL ALL BUDGET FUND GROUPS			\$ 7,000,000	\$ 0

ABSENT VOTER'S BALLOT APPLICATION MAILINGS 206

The foregoing appropriation item 050627, Absent Voter's 207  
Ballot Application Mailings, shall be used by the Secretary of 208  
State to pay for expenses related to implementing this act. 209

An amount equal to the unexpended, unencumbered portion 210  
of the foregoing appropriation item 050627, Absent Voter's 211  
Ballot Application Mailings, at the end of fiscal year 2020 is 212  
hereby reappropriated to the Secretary of State for the same 213

purpose in fiscal year 2021.	214
On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$7,000,000 cash from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Absent Voter's Ballot Application Mailing Fund (Fund 5RG0).	215 216 217 218 219
Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in the main operating appropriations act of the 133rd General Assembly.	220 221 222 223 224 225 226 227
The appropriations made in this act are subject to all provisions of H.B. 166 of the 133rd General Assembly that are generally applicable to such appropriations."	228 229 230

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	231
<b>Extension of absent voting for March 17, 2020, primary election</b>	232 233
<b>Section 1</b>	234
Voids Secretary of State directive 2020-06, issued on March 16, 2020.	235 236
Extends absent voting in the March 17, 2020, primary	237

election through April 28, 2020.	238
Allows an elector who has not already cast a ballot in the election, and who was registered to vote in Ohio as of the February 18, 2020, deadline, to cast absent voter's ballots in the election through 7:30 p.m. on April 28.	239 240 241 242
Requires ballots already cast in the election before or after the bill's effective date also to be counted after 7:30 p.m. on April 28.	243 244 245
Requires the Secretary of State to mail a postcard to each elector in Ohio with information about voting under the bill.	246 247
Requires generally that an elector apply for absent voter's ballots by mail to the board of elections by noon on April 25.	248 249 250
Requires the board daily to compile a list of the applications received and to transmit the list to the Secretary, who must make it available to the public upon request.	251 252 253
Allows a person who applies for absent voter's ballots under the bill by the applicable deadline, and whose application is denied, to cast a provisional ballot by mail.	254 255 256
Requires the board to prepay the return postage on ballots sent to electors under the bill.	257 258
Requires the board to provide assistance in casting ballots and, as applicable, an extended application deadline for electors who are ill, have disabilities, or are confined, in the same manner as under current law.	259 260 261 262
Permits an elector instead to cast absent voter's ballots in person at the office of the board on April 28 by 7:30 p.m. if (1) the elector has a disability and wishes to use an accessible	263 264 265

voting machine, or (2) the elector is unable to receive mail.	266
Requires the board to place a secure receptacle outside	267
the office of the board for the return of ballots under the	268
bill.	269
Requires all ballots to be received at the office of the	270
board not later than 7:30 p.m. on April 28 in order to be	271
counted, but includes a ten-day grace period for ballots to	272
arrive by mail after that time, the same as under the statute.	273
Allows an absent voter or provisional voter to cure an	274
incomplete ballot statement or provide additional information,	275
if required, not later than May 5.	276
Requires the Secretary of State and the boards of	277
elections to conduct all post-election procedures by adding 42	278
days to the statutory deadlines (the number of days between	279
March 17 and April 28).	280
Requires candidates and political entities to file their	281
post-primary campaign finance statements using March 17 as the	282
date of the primary, but extends the filing deadline to 4:00	283
p.m. on June 5, 2020.	284
Specifies that for the purpose of contribution limits that	285
apply during a primary election period, the primary election	286
period ended on March 17.	287
Suspends the state purchasing and contracting	288
requirements, such as competitive bidding, that otherwise would	289
apply to the Secretary of State for the purpose of implementing	290
the bill.	291
Requires the Secretary to file a report with the President	292
of the Controlling Board describing all purchases the Secretary	293

made for which the Secretary did not follow the state purchasing	294
and contracting requirements.	295
<b>Appropriation</b>	296
<b>Section 2</b>	297
Appropriates \$7 million to the Secretary of State, which	298
the Secretary must use to pay for expenses related to	299
implementing the bill.	300

\_\_\_\_\_ moved to amend as follows:

After line \_\_\_\_\_, insert:

**"Section 1.** Notwithstanding any other amendment to the title of H.B. 197 adopted during Third Consideration in the Senate, the title shall express the bill's content as follows: "to continue essential operations of state government and maintain the continuity of the state tax code in response to the declared pandemic and global health emergency related to COVID-19, to make appropriations, and to declare an emergency"

In line 19950 of H.B. 197, delete "This" and insert "Sections 1 to 6 of this"

Notwithstanding any other amendment revising the emergency clause of H.B. 197, or adding an emergency clause to H.B. 197, adopted during Third Consideration in the Senate, only one section of the bill shall declare an emergency, which shall be the last section of the bill, to read as follows: "This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to continue essential operation of various facets of state government, maintain the continuity of the state tax code, and respond to the declared pandemic and global health emergency related to COVID-19. Therefore, this act

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shall go into immediate effect."

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The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

24

**Bill title and emergency clause**

25

**Section \_\_\_\_\_**

26

Harmonizes the various amendments to the bill's title and  
emergency clause.

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\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to suspend 1  
certain first-time performance-based Educational Choice scholarships for 2  
the 2020-2021 school year," 3

After line \_\_\_\_\_, insert: 4

**"Section 1.** (A) Notwithstanding section 3310.03 of the 5  
Revised Code, Section 265.210 of H.B. 166 of the 133rd General 6  
Assembly, as amended by S.B. 120 of the 133rd General Assembly, 7  
and any other provision of law to the contrary, the Department 8  
of Education shall not accept, process, or award first-time 9  
performance-based Educational Choice scholarships under section 10  
3310.03 of the Revised Code for the 2020-2021 school year to 11  
students who are eligible for the scholarship for the first time 12  
for the 2020-2021 school year and whose scholarships would have 13  
been paid for under Section 265.210 of H.B. 166 of the 133rd 14  
General Assembly, as amended by S.B. 120 of the 133rd General 15  
Assembly. 16

However, the Department shall accept, process, and award 17  
scholarships for any of the following: 18

(1) Students who received a scholarship in the 2019-2020 19  
school year; 20

(2) A student who satisfies all of the following criteria: 21

(a) The student's sibling received a scholarship under 22  
section 3310.03 of the Revised Code during the 2019-2020 school 23  
year. 24

(b) The student is enrolled in or would be enrolled in a 25  
building that, in the 2019-2020 school year, met any of the 26  
conditions prescribed in section 3310.03 of the Revised Code. 27

(c) The student was enrolled in a public or nonpublic 28  
school in any of grades kindergarten through twelve or was 29  
homeschooled for the equivalent of those grades for the 2019- 30  
2020 school year, or will be enrolled in kindergarten or will 31  
start homeschooling for the equivalent of kindergarten in the 32  
2020-2021 school year. 33

As used in this section, "sibling" means a brother, half- 34  
brother, sister, or half-sister, by birth, adoption, or 35  
marriage, without regard to residence or custodial status, or a 36  
child residing in the same household as a foster child or under 37  
a guardianship or custodial order. As used in this section, 38  
"foster child" means a child placed in a family foster home, as 39  
defined in section 5103.02 of the Revised Code. 40

(3) Students who were eligible for scholarships for the 41  
2019-2020 school year, regardless of whether the students 42  
received scholarships for that school year, and remain eligible 43  
for the 2020-2021 school year; 44

(4) Students who did not receive a scholarship for the 45  
2019-2020 school year but, for the 2020-2021 school year are or 46  
would be newly enrolled in a building operated by the students' 47  
resident district that met the conditions prescribed in section 48  
3310.03 of the Revised Code for the 2019-2020 school year, as 49  
that section existed for that school year, and also continued to 50

meet the conditions for the 2020-2021 school year, including 51  
students entering kindergarten, entering high school students, 52  
or students who have recently relocated to the district or 53  
building's attendance territory. 54

Scholarships for students described in divisions (A) (1), 55  
(2), (3), and (4) of this section shall be funded through 56  
deductions from the students' resident school districts in the 57  
manner described in section 3310.08 of the Revised Code. 58

The Department shall accept, process, or award 59  
performance-based Educational Choice scholarships for the 2020- 60  
2021 school year for students described in divisions (A) (1) to 61  
(4) of this section under the sixty-day-application period that 62  
begins on April 1, 2020, pursuant to Section 265.210 of H.B. 166 63  
of the 133rd General Assembly, as amended by S.B. 120 of the 64  
133rd General Assembly. 65

(B) The Department shall accept, process, and award 66  
performance-based Educational Choice scholarships under section 67  
3310.03 of the Revised Code on February 1, 2021, for the 2021- 68  
2022 school year. 69

(C) This section does not affect the awarding of income- 70  
based scholarships." 71

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 72

**Educational Choice Scholarship suspension** 73

**Section \_\_\_\_** 74

Prohibits the Department of Education from accepting, 75  
processing, and awarding first-time performance-based 76  
Educational Choice scholarships for the 2020-2021 school year to 77  
students first eligible to receive those scholarships in that 78  
school year, which were to be funded under the appropriation 79  
made in Section 265.210 of H.B. 166 of the 133rd General 80  
Assembly, as amended by S.B. 120 of the 133rd General Assembly. 81

Requires the Department to accept, process, and award 82  
first-time performance-based scholarships for the 2020-2021 83  
school year, to be paid through the usual deduct and transfer 84  
method, to a student (a) whose sibling received a performance- 85  
based scholarship in the 2019-2020 school year, (b) who is 86  
enrolled in, or would be enrolled in, a school building that 87  
satisfied the conditions for eligibility for performance-based 88  
scholarships in the 2019-2020 school year, and (c) who was 89  
enrolled in a public or nonpublic school in any of grades K-12 90  
or was homeschooled for the equivalent of those grades for the 91  
2019-2020 school year, or will be enrolled in kindergarten in a 92  
public or nonpublic school or will begin homeschooling for the 93  
equivalent of kindergarten in the 2020-2021 school year. 94

Defines "sibling" as a brother, half-brother, sister, or 95  
half-sister, by birth, adoption, or marriage, without regard to 96  
residence or custodial status, or a child residing in the same 97  
household as a foster child or under a guardianship or custodial 98  
order. 99

Requires the Department to accept, process, and award 100  
Educational Choice scholarships, to be paid through the usual 101  
deduct and transfer method, to students who received one in the 102  
prior school year and to students who were eligible in the 2019- 103  
2020 and 2020-2021 school years, but did not receive one in the 104

2019-2020 school year.	105
Requires the Department to accept, process, and award Educational Choice scholarships, to be paid through the usual deduct and transfer method, to students who are or would be newly enrolled in a building or district that would qualify a student for a scholarship in both the 2019-2020 and 2020-2021 school years, including entering kindergarten students, rising high school students, and students who move into a qualified building's district or territory.	106 107 108 109 110 111 112 113
Requires the Department to resume accepting, processing, and awarding performance-based Educational Choice scholarships on February 1, 2021, for scholarships for the 2021-2022 school year. (Maintains 60-day window beginning April 1, 2020, for performance-based scholarships for students eligible to receive one for the 2020-2021 school year.)	114 115 116 117 118 119

\_\_\_\_\_ moved to amend as follows:

After line \_\_\_\_\_, insert:

"**Section 1.** The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item of law or application."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Severability clause**

**Section \_\_\_\_**

Stipulates that the items of law contained in bill, and their applications, are severable. If any item is held invalid, the invalidity does not affect the bill's other items.

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