

128TH GENERAL ASSEMBLY
OF THE
STATE OF OHIO

SENATE RULES CALENDAR

—September 14, 2010—

Bills for Third Consideration

Sub. S. B. No. 117 — Senators Miller, D., Coughlin

Cosponsors: Senators Turner, Strahorn, Miller, R., Smith, Schuler, Schiavoni, Morano

To enact section 5.2239 of the Revised Code to designate the month of May as "Multiple Chemical Sensitivity Awareness Month."

(Committee on Health, Human Services and Aging recommends passage of substitute bill October 27, 2009)

(Informally passed June 2, 2010)

(Informally passed June 3, 2010)

(Informally passed June 8, 2010)

(Informally passed until September 14, 2010)

(Bills or resolutions below the black line have been recommended for passage or adoption by designated committee)

Sub. S. B. No. 13 — Senator Miller, D.

Cosponsors: Senators Morano, Turner, Smith

To amend section 2329.26 and to enact sections 121.086, 2703.10, 5321.20, 5321.21, 5321.22, 5321.23, and 5321.24 of the Revised Code to require a landlord to notify tenants when a foreclosure action is filed, to require the Director of Commerce to prepare a publication to assist owners and tenants of foreclosed residential rental property, to require the officer taking lands and tenements to notify the owner of the property of the date, time, and place of the sale of the foreclosed property, to require landlords to notify tenants when a property is foreclosed and when a sale is scheduled, to provide for continuance of a rental agreement after a foreclosure sale, to impose a civil penalty upon the landlord if the landlord fails to notify the tenants when a property is foreclosed, and to provide civil remedies for a tenant whose landlord violates the bill's provisions.

(Committee on Judiciary--Civil Justice recommends passage of substitute bill June 25, 2009)

S. B. No. 17 — Senator Coughlin

Cosponsors: Senators Buehrer, Cates, Gibbs, Schaffer, Schuler, Seitz, Wagoner

To amend sections 4111.03, 4111.05, 4111.10, 4111.13, and 4111.99 and to enact section 4111.031 of the Revised Code to afford to private sector employers the option to offer and to employees the option to accrue and use compensatory time off.

(Committee on Insurance, Commerce and Labor recommends passage May 6, 2009)

S. B. No. 20 — Senator Carey

Cosponsors: Senators Patton, Stewart, Hughes, Fedor, Turner, Grendell, Miller, R., Wagoner, Coughlin, Goodman

To amend sections 9.44 and 124.181 of the Revised Code to permit state employees to receive longevity and vacation credit for prior military service.

(Committee on State and Local Government and Veterans Affairs recommends passage October 15, 2009)

Sub. S. B. No. 22 — Senator Seitz

To amend sections 109.42, 307.93, 309.18, 926.99, 1333.99, 1707.99, 1716.99, 2743.191, 2909.03, 2909.05, 2909.11, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.32, 2913.34, 2913.40, 2913.401, 2913.42, 2913.421, 2913.43, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2913.51, 2913.61, 2915.05, 2917.21, 2917.31, 2917.32, 2919.21, 2921.13, 2921.34, 2921.41, 2923.31, 2925.01, 2925.03, 2925.05, 2925.11, 2929.01, 2929.13, 2929.14, 2929.20, 2929.26, 2929.34, 2930.16, 2930.17, 2950.99, 2951.041, 2967.05, 2967.14, 2967.193, 2967.28, 2981.07, 4507.51, 5120.07, 5120.10, 5120.111, 5120.59, 5120.60, 5120.66, 5149.01, 5149.10, 5149.33, and 5149.34 and to enact sections 307.932, 2967.19, 5120.035, and 5120.113 of the Revised Code to increase from \$500 to \$1,000 the threshold amount for determining increased penalties for theft-related offenses and for certain elements of "vandalism" and "engaging in a pattern of corrupt activity"; to increase by 50% the other threshold amounts for determining increased penalties for those offenses; to provide that if "nonsupport of dependents" is based on an abandonment of or failure to support a child or a person to whom a court order requires support and is a felony the sentencing court generally must first consider placing the offender on one or more community control sanctions; to eliminate the difference in criminal penalties for crack cocaine and powder cocaine; to revise some of the penalties for trafficking in marihuana or hashish and for possession of marihuana, cocaine, or hashish; to revise procedures for notification of victims when violent offenders escape from the Department of Rehabilitation and Correction; to remove the authority of the victim-related member of the Parole Board to approve the hiring of employees of the Office of Victims' Services; to modify the number of Parole Board members required to conduct a full Board hearing; to limit a member of the Parole Board who is not the Chairperson or a victim representative to two six-year terms; to revise the eligibility criteria for, and procedures governing, intervention in lieu of conviction; to revise the eligibility criteria for judicial release; to remove from the offense of "escape" certain conduct by a person under supervised release by the Department and specify the method of sanctioning a person under Department supervision who engages in that type of conduct; to revise the procedure for prisoners in state correctional institutions to earn days of credit for productive participation in specified prison programs; to require GPS monitoring of a prisoner placed on post-release control who was released early from prison due to earning 60 or more days of credit; to enact a new mechanism for the possible release with sentencing court approval of Department inmates who have served at least 85% of their prison term; to expand the membership of a county's local corrections planning board; to make changes regarding halfway houses and community residential centers and authorize reentry centers; to provide for the placement in a skilled nursing facility of an inmate who is in imminent danger of death, medically incapacitated, or terminally ill for care; to provide for the establishment and operation of community alternative sentencing centers for misdemeanants sentenced directly to the centers under a community residential sanction or an OVI term of confinement not exceeding 30 days; to change the membership of the Ex-offender Reentry Coalition by reducing the number and functions of members from the Governor's office and adding the Director of Veterans Services; to remove judges from the membership of a corrections commission and instead have them form an advisory board; to require the Department to develop a reentry plan for each inmate committed to the Department who was not sentenced to a term of life without parole or a sentence of death and who is expected to be imprisoned for more than 30 days; to revise the procedures governing the Department's issuance of an inmate identification card upon an

inmate's release and the use of such a card to obtain a state identification card; to authorize, instead of require, the Department to discontinue subsidy payment to a political subdivision that reduces local funding for corrections by the amount of a community-based corrections subsidy or that uses a subsidy for capital improvements; and to require the Department, together with the Department of Alcohol and Drug Addiction Services, to develop an implementation plan related to funding through the federal Second Chance Act related to community reentry of offenders.

(Committee on Judiciary--Criminal Justice recommends passage of substitute bill June 18, 2009)

Sub. S. B. No. 36 — Senator Kearney

To request the Supreme Court to amend Rule 68 of the Ohio Rules of Civil Procedure regarding offers of judgment.

(Committee on Judiciary--Civil Justice recommends passage of substitute bill June 25, 2009)

Sub. S. B. No. 80 — Senator Seitz

Cosponsors: Senators Wagoner, Gibbs, Coughlin, Miller, D., Stewart, Hughes, Schuring, Patton, Widener, Schaffer, Turner, Kearney

To amend section 2317.02 of the Revised Code to create an accountant-client testimonial privilege.

(Committee on Judiciary--Civil Justice recommends passage of substitute bill May 7, 2009)

S. B. No. 81 — Senators Grendell, Hughes

Cosponsor: Senator Gillmor

To enact sections 5.033 and 5.034 of the Revised Code to adopt the spotted salamander as the state amphibian and the bullfrog as the state frog.

(Committee on State and Local Government and Veterans Affairs recommends passage May 28, 2009)

Sub. S. B. No. 90 — Senators Kearney, Seitz

Cosponsors: Senators Wagoner, Morano, Goodman, Smith, Turner, Schiavoni, Miller, D., Gibbs, Schaffer

To enact section 5709.89 of the Revised Code to authorize local governments to exempt homes that have been vacant for at least twelve months from property taxation for up to three years when purchased by an owner-occupant.

(Committee on Ways and Means and Economic Development recommends passage of substitute bill January 28, 2010)

Sub. S. B. No. 95 — Senators Hughes, Cates

Cosponsors: Senators Goodman, Miller, D., Miller, R., Schuring, Turner

To amend sections 955.02, 955.10, 955.12, 955.20, 955.26, and 1901.183 and to enact sections 956.01, 956.011, 956.02 to 956.08, 956.09 to 956.20, 956.98, and 956.99 of the Revised Code to establish licensing requirements and standards of care for certain dog breeding kennels, dog intermediaries, and animal rescues for dogs.

(Committee on State and Local Government and Veterans Affairs recommends passage of substitute bill June 2, 2010)

S. B. No. 102 — Senator Turner

Cosponsors: Senators Cates, Schuring, Morano, Sawyer

To require the State Board of Education to recommend performance standards for dropout programs

operated by school districts.

(Committee on Education recommends passage February 18, 2010)

S. B. No. 108 — Senator Miller, R.

Cosponsors: Senators Cafaro, Morano, Miller, D., Strahorn, Sawyer, Kearney, Wilson, Turner, Smith, Fedor, Schiavoni

To enact section 3701.0211 of the Revised Code to create the Hemophilia Advisory Council.

(Committee on Health, Human Services and Aging recommends passage June 17, 2009)

S. B. No. 125 — Senator Coughlin

Cosponsors: Senators Gillmor, Goodman, Harris, Kearney, Morano, Patton, Sawyer, Schuler, Seitz, Strahorn, Turner, Fedor, Hughes

To enact section 5.2265 of the Revised Code designating January 26 as Paul Newman Day.

(Committee on State and Local Government and Veterans Affairs recommends passage June 24, 2009)

S. B. No. 127 — Senator Goodman

Cosponsors: Senators Miller, D., Morano, Hughes, Fedor

To enact section 5.061 of the Revised Code to adopt the Ohio Tartan as the official tartan of the state.

(Committee on State and Local Government and Veterans Affairs recommends passage June 24, 2009)

Sub. S. B. No. 144 — Senator Miller, R.

Cosponsor: Senator Morano

To enact section 5101.345 of the Revised Code to create the Ohio Family Stability Commission in the Department of Job and Family Services and to repeal section 5101.345 of the Revised Code four years after the effective date of that section.

(Committee on Health, Human Services and Aging recommends passage of substitute bill January 28, 2010)

Am. S. B. No. 173 — Senator Cates

Cosponsors: Senators Seitz, Grendell, Schaffer, Schuring, Gibbs, Carey

To amend sections 3306.25 and 3321.05 of the Revised Code to delay by one year the effective date of rules regarding school districts' expenditure of funds for core teachers and the requirement for districts to provide all-day kindergarten for all kindergartners.

(Committee on Education recommends passage)

(For amendments see Senate Journal November 18, 2009)

S. B. No. 201 — Senator Smith

Cosponsors: Senators Patton, Turner, Schaffer, Miller, D., Hughes, Morano, Goodman, Strahorn, Grendell, Kearney, Wagoner, Cafaro, Gillmor

To enact section 5.2266 of the Revised Code to designate October 13 as Metastatic Breast Cancer Awareness Day.

(Committee on Health, Human Services and Aging recommends passage January 13, 2010)

Sub. S. B. No. 214 — Senators Carey, Miller, D.

Cosponsors: Senators Grendell, Schaffer, Seitz, Miller, R., Turner, Strahorn, Morano, Cafaro, Gillmor, Sawyer, Kearney

To amend sections 173.401, 173.501, 3702.51, 3702.59, 5111.65, 5111.651, 5111.68, 5111.681, 5111.685, 5111.686, 5111.688, 5111.874, 5111.875, and 5111.894; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5111.688 (5111.689); and to enact new section 5111.688 and section 173.404 of the Revised Code; and to amend Section 209.20 of Am. Sub. H.B. 1 of the 128th General Assembly to revise the waiting list provisions of the PASSPORT, PACE, and Assisted Living programs, to revise the law governing the collection of long-term care facilities' Medicaid debts, to authorize a Certificate of Need for the relocation of long-term care beds from an existing hospital to an existing nursing home in a contiguous county if certain conditions are met, and to revise the law governing the reasons for denying a Certificate of Need application.

(Committee on Finance and Financial Institutions recommends passage of substitute bill February 11, 2010)

Am. S. B. No. 216 — Senator Strahorn

Cosponsors: Senators Cafaro, Miller, D., Morano, Miller, R., Smith, Fedor, Seitz

To enact sections 5.2266 and 3701.136 of the Revised Code to designate November as "Complex Regional Pain Syndrome Awareness Month" and to require the Department of Health to include on its web site information regarding the syndrome.

(Committee on Health, Human Services and Aging recommends passage)

(For amendments see Senate Journal March 2, 2010)

S. B. No. 226 — Senator Patton

Cosponsors: Senators Wagoner, Buehrer, Carey, Schaffer, Grendell, Jones, Turner, Strahorn, Morano, Cafaro, Gillmor, Goodman

To enact section 5.2266 of the Revised Code to designate the month of May as "Substance Abuse Awareness and Education Month."

(Committee on Health, Human Services and Aging recommends passage February 11, 2010)

Sub. S. B. No. 251 — Senators Seitz, Schiavoni

Cosponsors: Senators Turner, Kearney

To amend sections 1337.092, 1337.12, 2101.24, 2109.21, 2111.02, 2111.12, 2111.121, 5301.071, 5747.02, 5801.10, 5804.12, 5808.14, 5808.17, and 5810.13; to enact new section 2107.52 and sections 1337.21 to 1337.64, 3793.31 to 3793.39, 5808.18, 5808.19, 5809.031, 5810.14, and 5815.49; and to repeal sections 1337.09, 1337.091, 1337.093, 1337.18, 1337.19, 1337.20, and 2107.52 of the Revised Code to adopt the Uniform Power of Attorney Act; to modify a trustee's duties with respect to life insurance policies, specify a trustee's power to distribute trust principal in further trust, provide for the titling of assets in trust form, and make other changes in the Trust Code; to modify the anti-lapse provisions regarding wills and adopt anti-lapse provisions applicable to trusts; to provide a mechanism for a probate court to order a person who suffers from alcohol and other drug abuse to undergo treatment; to provide a rule of construction interpreting federal estate tax and generation-skipping transfer tax formulas in wills and trusts due to the repeal of those taxes; and to declare an emergency.

(Committee on Judiciary--Civil Justice recommends passage of substitute bill June 2, 2010)

S. C. R. No. 14 — Senator Schiavoni

Cosponsors: Senators Goodman, Seitz, Miller, D., Kearney, Cafaro, Fedor, Hughes

To urge the Government of Turkey to respect the rights and religious freedoms of the Ecumenical

Patriarchate.

(Committee on State and Local Government and Veterans Affairs recommends adoption February 11, 2010)

S. R. No. 132 — Senator Kearney

To urge the Administrator of the United States Environmental Protection Agency to grant an emergency exemption for the use of the insecticide Propoxur to control bedbugs in Ohio.

(Committee on Environment and Natural Resources recommends adoption May 13, 2010)

Sub. H. B. No. 75 — Representatives Chandler, Moran

Cosponsors: Representatives Harwood, Harris, Fende, Williams, B., Dodd, Ujvagi, Evans, Okey, Williams, S., Newcomb, Gardner, Yates, Luckie, Yuko, Phillips, Patten, Stewart, Stebelton, Huffman, Hagan, Domenick, Skindell, Koziura, Brown, Gerberry, Lundy, Mallory, Sayre, Belcher, Daniels, Adams, J., Grossman, Hall, Hite, Adams, R., Bacon, Baker, Balderson, Beck, Blair, Blessing, Boose, Bubp, Carney, Celeste, Combs, DeBose, DeGeeter, Derickson, Dyer, Foley, Garland, Garrison, Hackett, Hottinger, Lehner, Letson, Maag, Mandel, Martin, Mecklenborg, Oelslager, Pillich, Pryor, Sears, Slesnick, Snitchler, Uecker, Winburn, Zehringer Senators Schaffer, Schuring

To amend sections 5747.113, 5751.08, and 5751.09 and to enact sections 149.308 and 5502.23 of the Revised Code to allow taxpayers to contribute a portion of their income tax refunds to the Ohio Historical Society and the American Red Cross Ohio Disaster Readiness and Preparedness Fund, to permanently authorize the Tax Commissioner to refund erroneously made commercial activity tax payments made by persons not required to pay the tax, and to expressly permit consensual extensions of the four-year time limit on assessments and refund requests for the commercial activity tax.

(Committee on Ways and Means and Economic Development recommends passage of substitute bill May 13, 2010)

Sub. H. B. No. 175 — Representative Gerberry

Cosponsors: Representatives Hagan, Newcomb, Luckie, Murray, Fende, Brown, Bolon, Chandler, Combs, DeBose, Domenick, Dyer, Harris, Heard, Letson, Mallory, Patten, Pryor, Ujvagi, Weddington, Williams, B., Yates, Yuko Senator Schuring

To amend sections 109.73, 317.08, 317.321, 959.131, 1711.15, 1717.01, 1717.04, 1717.06, and 1717.09 and to enact section 1717.061 of the Revised Code to require a person to file proof of successful completion of training with the county recorder prior to being appointed as a humane society agent, to require the revocation of an appointment under certain circumstances, to provide that the sovereign immunity provided for humane society agents under current law does not apply under certain circumstances, to increase the maximum portion of recording fees that may be earmarked for county recorders' equipment funds, and to authorize a board of county commissioners that provides financial assistance to a county agricultural society to provide such assistance from the county's permanent improvement fund.

(Committee on Agriculture recommends passage of substitute bill May 19, 2010)

H. B. No. 349 — Representatives Weddington, Maag

Cosponsors: Representatives Letson, Harris, Derickson, Gerberry, Stewart, Belcher, Williams, B., Blessing, Bolon, Brown, Domenick, Dyer, Foley, Goyal, Harwood, Heard, Hite, Koziura, Luckie, Lundy, Mallory, McGregor, Newcomb, Phillips, Pillich, Sayre, Skindell, Sykes, Szollosi, Ujvagi, Williams, S., Winburn, Yuko Senators Morano, Miller, R., Smith

To amend sections 5101.34, 5101.341, and 5101.342 of the Revised Code to revise the membership, staffing, and duties of the Ohio Commission on Fatherhood.

(Committee on Health, Human Services and Aging recommends passage May 17, 2010)

Am. Sub. H. B. No. 379 — Representatives Carney, Mecklenborg

Cosponsors: Representatives Bolon, Combs, Domenick, Letson, McGregor, Okey, Murray, Oelslager, Coley, Dyer, Harwood, Stautberg, Stebelton, Bacon, Batchelder, Blessing, Boose, Bulp, DeBose, Derickson, Evans, Garland, Garrison, Gerberry, Hackett, Luckie, McClain, Patten, Pillich, Pryor, Ruhl, Slesnick, Snitchler, Wachtmann, Weddington, Winburn, Yuko Senator Kearney

To amend sections 1701.13, 1701.59, 1701.66, 1701.74, 1701.76, 1701.84, 1701.85, 1701.86, 1701.87, 1701.88, 1701.89, 1701.90, 1701.91, 1701.911, 1702.12, 1702.30, and 1705.61 and to enact sections 1701.881, 1701.882, and 1701.883 of the Revised Code to make changes to the law governing corporations including dissenting shareholders, the dissolution of a corporation, rights to indemnification or advancement of expenses, directors' fiduciary duties, and recording of corporate mortgages.

(Committee on Ways and Means and Economic Development recommends passage)

(For amendments see Senate Journal May 19, 2010)

Sub. H. B. No. 431 — Representatives Okey, Huffman

Cosponsors: Representatives Garland, Murray, Derickson, Domenick, Stebelton, Skindell, McGregor, DeGeeter, Yuko, Chandler, Fende, Harwood, Coley, Bacon, Batchelder, Beck, Belcher, Blessing, Bolon, Boose, Brown, Bulp, Carney, Combs, Evans, Foley, Garrison, Gerberry, Goyal, Grossman, Harris, Letson, Luckie, McClain, Oelslager, Patten, Pillich, Pryor, Snitchler, Williams, B., Zehringer

To amend sections 1901.026, 1901.07, and 3519.16 and to enact sections 1901.028, 1905.06, 2746.01, 2746.02, 2746.03, 2746.04, 2746.05, 2746.06, 2746.07, 2746.08, 2746.09, and 3501.383 of the Revised Code to provide consolidated references to Revised Code sections that establish costs and fees, other than attorney fees, in the courts of record of this state; to give the Supreme Court of Ohio exclusive, original jurisdiction in all challenges to initiative and referendum petitions; to require the circulator of a petition to file certain specified information with the Secretary of State; to increase the number of signatures to one hundred on a nominating petition for election as a judge of the Hamilton County Municipal Court, require that the petition be filed not later than four p.m. of the day before the day of the primary election, and provide that the petition conform to specified requirements provided for those petitions of candidacy; to require the Secretary of State or a board of elections to determine the number of part-petitions received, the total number of signatures appearing on the part-petitions, and provide a receipt to the individual who filed the petition identifying the number of part-petitions received and the total number of signatures appearing on the part-petitions; to apportion the contribution of municipal corporations and townships within the territorial jurisdiction of the Stow Municipal Court toward the operating costs of that court on a per capita basis subject to annual caps; and to impose an additional court cost of twenty-five dollars on a defendant who is convicted or pleads guilty in a mayor's court within the territorial jurisdiction of the Stow Municipal Court.

(Committee on Judiciary--Civil Justice recommends passage of substitute bill June 2, 2010)