

## 135th OHIO GENERAL ASSEMBLY



The House and Senate have scheduled **voting sessions on Wednesday, April 24, 2024**, and will also hold committee hearings this week.

**Last week Senate President Matt Huffman talked to reporters about the capital budget and President Joe Biden's efforts to get his name on the Ohio November Ballot.**

**Representative Jessica Miranda from Cincinnati resigned from the Ohio House of Representative to become Hamilton County Auditor.**

**The Franklin County Court of Common Pleas temporarily blocked enforcement of the Saving Ohio Adolescents from Experimentation (SAFE) Act and the Save Women's Sports Act, enacted as part of House Bill 68 (Gary Click).**

### Update on the Capital Budget

Last week Senate President Matt Huffman told reporters that Senator Matt Dolan, chair of the Senate Finance Committee, is meeting with Senators **to set the priorities for funding state and local infrastructure projects through the capital budget**. He is also meeting with House Finance Committee Chair, Representative Jay Edwards.

Also available **to support capital projects this year is \$700 million in the *One Time Strategic Investment Fund*, which was created in HB33, the FY24-25 Operating Budget. This fund was created using cash reserves raised as a result of** Ohio's strong economy and strategic budgetary decisions made during the COVID-19 pandemic.

**The House and Senate have already approved bills for spending the \$700 million. The House approved House Bill 2 (Al Cutrona and Terrence Upchurch) on February 7, 2024, which includes \$2 billion in one-time strategic investments and capital appropriations, while the Ohio Senate approved on February 28, 2024 HB27 Colleges – Financial Cost Disclosure Forms/Capital Appropriations (Adam Mathews and Jim Thomas), which includes \$1.4 billion in one-time capital expenditures.**

House Bill 2 **also includes funding for 318 projects** supported by members of the Ohio House, **including the following arts related projects:**

- Riversedge Amphitheater Expansion - \$1 million
- Rock and Roll Hall of Fame Museum Expansion and Renovation Project - \$5 million
- The Music Settlement - Gries House Redevelopment - \$500,000
- Columbus Symphony Orchestra Music for All - \$10 million
- Heartland Music Incubator - \$500,000
- Fulton County Fairground Arts and Craft Building - \$80,000
- Toledo School for the Performing Arts Replacement Windows - \$250,000
- Toledo Glass City Mural Wall Lighting - \$100,000
- Youngstown Playhouse Rood - \$238,000
- Akron Art Museum Center for Digital Discovery - \$2 million

**Leaders in the Ohio House and Senate have not been able to agree on either House Bill 2 or House Bill 27, so debate** about the one-time investment fund and the capital budget continues. The capital budget must be signed into law by July 1, 2024, the beginning of fiscal year 2025.

Source: Hannah News Service, "**Huffman 'Reasonably Hopeful'** Lawmakers Can Address Marijuana Policy by June, April 17, 2024 [HERE](#)."

### **Senate President expects that President Joe Biden will be on the November Ballot in Ohio**

Senate President Matt Huffman told reporters last week that he **expects that President Joe Biden will be on the Ohio Ballot in November "one way or the other."** [HERE](#).

Ohio's deadline for political parties to finalize presidential candidates for the November election is 90 days before the November election, which is August 7, 2024. However, the Democratic National Party has scheduled its nominating convention to select its candidate, who is currently President Joe Biden, to begin on August 19, 2024.

**Democrats can solve the problem by altering their nominating rules or the Ohio General Assembly can pass a temporary law that changes the deadline.** According to several reports, that has been done in the past in 2012 and 2020 for Republican and Democratic presidential candidates. In 2012 the law conflicted with both Republican and Democratic nominating conventions, which were held in the fall. Ohio lawmakers approved a law that moved the deadline temporarily to 60 days before the November election.

According to Cleveland.com, **Senate President Huffman told reporters that the issue could also be solved by the courts. In March the U.S. Supreme Court allowed former President Donald Trump to be**

**placed in the November Ballot in Colorado and Maine after those state courts had held that the former president was not eligible to hold a federal office because he participated in an insurrection against the United States government, citing a Civil War era amendment to the U.S. Constitution.**

Source: Tobias, Andrew “**Top Ohio Republican legislator says Biden ballot problem ‘is going to be resolved,’** Cleveland.com April 17, 2024 [HERE](#).

### **Representative Miranda resigns from the Ohio House**

Also last week, Representative Jessica Miranda resigned from the Ohio House of Representatives (House District 28) on April 13, 2024, **after being appointed Hamilton County Auditor**, following the death of former Hamilton County Auditor Brigid Kelly.

Democrats have formed a screening panel to interview candidates to complete her term, which ends on December 31, 2024.

Source: Hannah News Service, “**Miranda Officially Appointed Hamilton Auditor, Resigns from House,**” April 16, 2024 [HERE](#).

### **Court delays law barring trans gender care and participation in women’s sports**

The American Civil Liberties Union (ACLU) and the global law firm Goodwin filed on March 26, 2024, the lawsuit, *Madeline Moe, et al. v. David Yost et al.* **challenging the constitutionality of House Bill 68 Gender Services for Minors and Single-Sex Sports Teams**, sponsored by Representative Gary Click. The lawsuit was filed on behalf of two families whose children are at risk of losing critical medically necessary healthcare.

**House Bill 68 has an interesting and unusual history. It actually includes two separate bills that were consolidated:**

- **House Bill 6, the *Save Women’s Sports Act*** (Jena Powell) prohibits transgender girls and women from participating on girls’ and women’s sports teams at both the K-12 and collegiate levels. HB6 was reported by the House Higher Education Committee on May 10, 2023. On June 14, 2023 the House Public Health Policy Committee amended HB6 into HB68.
- **House Bill 68 *Saving Ohio Adolescents from Experimentation (SAFE) Act***, bans medical care for minors for “gender related conditions” including gender-affirming surgeries, hormone therapies, and restricts mental health care for trans gender minors. HB68 was amended with HB6 on June 14, 2023; approved by the Ohio House on June 21, 2023; passed the House and Senate and was sent to Governor DeWine on December 13, 2023.

**Governor Mike DeWine vetoed House Bill 68 on December 29, 2023 saying** that, “This bill would impact a very small number of Ohio’s children, but for those children who face gender dysphoria, and for their families, the consequences of this bill could not be more profound.”

**The Ohio House and Senate voted to override the governor’s veto and on January 24, 2024 the bill became law. It goes into effective on April 24, 2024.**

**On April 16, 2024, the Franklin County Court of Common Pleas issued a temporary restraining order that delays enactment of House Bill 68 for 14 days or until** there is a hearing on the plaintiffs' motion for a preliminary injunction.

The plaintiffs in the case **assert that House Bill 68 is unconstitutional because** the bill violates the Ohio Constitution regarding the single-subject-rule; the right of individuals to preserve their freedom to choose health care; the Equal Protection Clause; and Due Course of Law provisions of the Ohio Constitution.

*Source:* Donaldson, Sarah. **“Judge puts short-term pause on HB68 in Ohio prior to effective date,”** Statehouse News Bureau, April 16, 2024 [HERE](#).

*Source:* ACLU Press Release, **“Ohio Court Temporarily Blocks Gender-Affirming Care Ban from Taking Effect,”** April 16, 2024 [HERE](#).

### Hearings held last week

**The Senate Education Committee**, chaired by Senator Andy Brenner, met on April 17, 2024 to receive testimony on several bills. Chair Brenner also told the committee that **Senators are working on an amendment** that will be added to HB250 (Jessica Miranda and Tracy Richardson) **about students utilizing cell phones in classrooms, which was** an issue that Governor DeWine raised in the *State of the State Address*.

The committee **then took the following actions on the following bills:**

- **SB219 Restore Grade Bands (Catherine Ingram):** Ranking Member Senator Ingram provided sponsor testimony saying that the bill restores the licenses for teachers to teach certain grade levels, which were changed in HB33 FY24-25 Operating Budget.

Specifically **the bill restores the licenses for teachers to teach in grades** preK - grade 5; grades 4-9; and the grades 7-12. **These grade bands were replaced in HB33 with licenses to teach grades** preK through grade 8 and grades 6-12.

According to Ranking Member Ingram, creation of the preK through grade 5 license came about through the passage of SB216 in 2018 after considerable compromise. At that time the grade band licenses were preK through grade 3; grades 4 through 9; and grades 7-12. **Educators were concerned about losing the “focus on early childhood education and the neglect of middle-level learner needs”** if the preK-3 license and the grades 4-9 license were eliminated. **The compromise created** the preK- grade 5 license; and kept the grades 4-9 license and the grades 7-12 license.

The preK through grade 5 license **started to be issued last year because it has taken five years to adopt new pedagogy** to ensure that educators are qualified to teach the content areas for grades 4 and 5; change teacher preparation programs to align with the added grades; and validate new licensure exams.

According to Ranking Member Ingram, **“While the consolidation of grade bands may appear to streamline licensure processes, it raises substantial concerns regarding the quality of teacher preparation and subsequent student learning outcomes.”** She described the following **concerns that have been raised by educators; officials in higher education; members of the State Board of Education; and students in teacher preparation programs about the new preK-grade 8 license:**

- Dilutes the specialized preparation that educators receive for distinct age groups, including courses in child development and instructional strategies, which are critical for effective teaching. Educators will be less prepared, less effective, which will compromise student learning experiences.
- Eliminates the dedicated preparation for teaching middle-grade students, which could exacerbate the teaching shortage. The recruitment and retention of teachers specially trained to work with adolescent populations should be a priority because of their unique learning needs.
- Poses significant challenges to implement, including extensive time and resources to develop and adopt new pedagogical standards, modify existing teacher preparation programs, and validate new licensure tests.
- Ignores the multifaceted barriers to becoming and remaining a teacher in Ohio, which the Senate education committee has heard in previous meetings, which could exacerbate the teacher shortage.

According to Ranking Member Ingram's testimony, "Our teachers, students, and families have demonstrated remarkable resilience, innovation, and adaptability in the face of change. However, **it is crucial to acknowledge the potential detrimental effects of constant change on educators. We owe it to our teachers to provide stable support as we continue to recover from the challenges posed by the COVID-19 pandemic.**"

Chairman Brenner asked Ranking Member Ingram what she meant by "comprehensive supports" in her testimony. She replied that comprehensive supports **means wraparound services to meet the needs of students and professional development for teachers when the legislature mandates** new initiatives, so that teachers are prepared.

Chair Brenner also asked Ranking Member Ingram to explain why expanding the grade bands for a license will not make it easier for school administrators to find teachers for the middle school? He said that he was approached by school administrators and others to provide them with more flexibility when assigning teachers to classrooms, because they are having trouble finding teachers to teach middle school. They are not even getting applicants for middle school. **The grade bands were changed to provide a broader license to fill open teaching positions.**

Ranking Member Ingram said that teachers are being trained, but are not applying for these positions **because "...we have a bad heavy hand here at the state level" and are making teachers do more and more without the supports that they need. She added that** teachers are particular about the grade levels that they want to teach, and won't apply for positions if they are not interested in the grade level. She believes that the focus should be on the children and making sure that teachers are adequately prepared to teach the grade level that they are assigned to, but that teacher preparation programs will not have the time, and preparation will be shallow.

Chair Brenner then asked if she agreed that if teachers are assigned to a grade level, they will take appropriate continuing education for that grade level so that they will be better prepared?

Ranking Member Ingram said that they could, but what would be their incentive? They might take additional course work to teach a certain grade level, but then a principal assigns the teacher to another. "That flexibility can go both ways."

**Chair Brenner said that he expects to hold more hearings on SB219.**

- **SB112 Ohio Childhood Safety Act (Michael Rulli):** To require school buildings to comply with national life safety standards and to name this act the Ohio Childhood Safety Act.

**The bill was amended to address concerns raised by interested parties about** construction codes that often change. The amendment states that the inspection process will be consistent with the codes that apply at the time of installation and a timeline for making repairs; requires serious safety hazards to be addressed within 180 days, before penalties are imposed; and requires, instead of permits, the Board of Building Standards and Fire Marshal to adopt rules to implement the bills' requirements.

Charles Huber, City of Lakewood, Ohio, provided "interested party testimony." He told the committee that SB 112 intends to further reduce risks in schools from fire and violent attack, but "... it proposes a process and technical standard incongruent with existing statute, rule, and the concept of vested rights. **That technical standard is already out-of-date, is different than the ones adopted in OBC and OFC, and isn't suited to reducing risk from violent attack.**"

He offered to work with Senator Rulli and other interested parties to address the problems with the bill.

Senator Sykes asked Mr. Huber if he would support the bill if the changes that he identified were made? Mr. Huber said yes, but said that is not the only issue that should be considered. He noted that **schools have limited resources and while students will be safer with the changes proposed in the bill, the benefit verses the cost should be weighed.** While the bill would reduce the risk to students, the question is at what cost and could the limited resources be better spent.

Timothy J. Cassell presented proponent testimony, saying that with the amendment added to the bill he believes that the bill is better, but after hearing the testimony of Mr. Huber, there should be another interested parties meeting to determine the next steps. He added that he wished that Mr. Huber was present at the last interested parties meeting.

- **HB250 Military Enlistment Diploma Seal (Jessica Miranda and Tracy Richardson):** To revise the Military Enlistment diploma seal.

The bill became a vehicle for several amendments related to education policy and Chair Brenner said more amendments are expected.

**The committee accepted the following amendments:**

- Clarifies that when a teacher is assigned to teach up to two grade level beyond their license for up to two years, the teacher will be considered properly certified, and the school and district will no longer receive a lower rating on the report card. Senator O'Brien explained that school districts that take advantage of this provision should not be penalized for doing so.
- Allows a teacher to renew their license based on the grade band levels for their original license, even if they are teaching different grade bands.
- Requires Ohio Deaf and Blind Education Services to consult with the Department of Children and Youth in carrying out its educational program to train and assist the parents of preschool children who are blind or visually impaired.

**There were no witnesses.**

- **SB205 School Instruction-Harm of Substances (Terry Johnson):** With regard to instruction in the harmful effects of legal restrictions against drug abuse, alcoholic beverages, marijuana, and tobacco in schools.

The committee **accepted the following amendments to the bill** generally proposed because Ohio doesn't have a state curriculum in health, so most decisions about curriculum are made at the local level.

- Specifies marijuana as a drug of abuse that each school district board of education must offer instruction about in its prescribed health curriculum.
- Requires each district board to provide students with annual developmentally appropriate instruction about the harmful effects of illicit exogenous substances to alter one's mood.
- Requires each district board to determine the manner in which the instruction in illicit exogenous substances is provided.
- Requires the Department of Education and Workforce, in collaboration with the Department of Mental Health and Addiction Services, to develop a list of evidence-based resources that schools may utilize for the required health curriculum and illicit exogenous substance instruction.

**There were no witnesses.**

- **SB208 Open Enrollment-Military Children Exception (Kristina Roegner):** To require a city, exempted village, or local school district to include in its open enrollment policy an exception for military children. There were no witnesses.
- **HB147 Teacher Licensure Revocation (Sarah Fowler Arthur and Adam Miller):** Regarding teacher licensure revocation, teacher hiring practices, and conduct unbecoming to the teaching profession. There were no witnesses.

Source: **Senate Education Committee meeting** on April 17, 2024 [HERE](#).

Source: **The Ohio Channel, Senate Education Committee meeting** on April 17, 2024 [HERE](#).

## **This week at the Statehouse**

**TUESDAY, APRIL 23, 2024**

**The House Primary and Secondary Education Committee**, chaired by Representative Adam Bird, will meet on Tuesday, April 23, 2024 at 3:00 PM in Hearing Room 116. The committee **will receive testimony on the following bills:**

- **HB407 Disciplinary School Record Requirements (Gayle Manning and Bill Seitz):** Regarding chartered nonpublic schools that participate in certain scholarship programs and disciplinary record requirements for schools; and to amend the version of section 3314.03 of the Revised Code that is scheduled to take effect on January 1, 2025, to continue the change on and after that date. First hearing, sponsor testimony.
- **HB445 Released Time – Religious Instruction (Al Cutrona and Gary Click):** Regarding school district policies for released time courses in religious instruction. First hearing, sponsor testimony.

- **HB432 Teaching of Career-Tech Education (Don Jones):** Regarding the teaching of career-technical education. Second hearing, proponent testimony.
- **SB168 Education Regulation Law Changes (Michele Reynolds):** With regard to education regulation reform and notice requirements for certain reemployed retirants; and to amend the versions of Sections 3301.0714 and 3314.03 of the Revised Code that are scheduled to take effect January 1, 2025, to continue the changes on and after that effective date. Third hearing, opponent testimony.

Source: **House Primary and Secondary Education meeting**, April 23, 2024 [HERE](#).

Source: **The Ohio Channel, House Primary and Secondary Education meeting**, April 23, 2024 [HERE](#).

**The Senate Education Committee**, chaired by Senator Andy Brenner, will meet on Tuesday, April 23, 2024 at 3:00 PM in the South Hearing Room. The committee will receive presentations from Canton Local Schools, Strongsville Local Schools, Logan-Hocking Local Schools, and ACCEL Schools Columbus and Cleveland regarding academic recovery.

**The committee will also take action on the following bills:**

- **HB250 Military Enlistment Diploma Seal (Jessica Miranda and Tracy Richardson):** To revise the Military Enlistment diploma seal. Fourth hearing, all testimony, possible vote.
- **HB8 Parental Notification Requirements (D.J. Swearingen and Sarah Carruthers):** To enact the Parents' Bill of Rights to require public schools to adopt a policy on parental notification on student health and well-being and instructional materials with sexuality content; and to amend the version of Section 3314.03 of the Revised Code that is scheduled to take effect January 1, 2025, and to continue the changes on and after that effective date. Third hearing, all testimony, possible vote.

Source: **Senate Education Committee meeting** on April 23, 2024 [HERE](#).

Source: **The Ohio Channel, Senate Education Committee meeting** on April 23, 2024 [HERE](#).

**The Senate Workforce and Higher Education Committee**, chaired by Senator Jerry Cirino, will meet on Tuesday, April 23, 2024 at 4:00 PM in the Senate Finance Hearing Room. The committee will hear presentations from Bowling Green State University President Rodney Rogers and Miami University President Gregory Crawford **regarding the capital budget**.

Source: **Senate Workforce and Higher Education Committee** meeting on April 23, 2024 [HERE](#).

Source: **The Ohio Channel, Senate Workforce and Higher Education Committee meeting** on April 23, 2024 [HERE](#).

**WEDNESDAY APRIL 24, 2024**

**The House Higher Education Committee**, chaired by Representative Tom Young, will meet on Wednesday April 24, 2024 at 10:00 AM in Hearing Room 017, to receive testimony on the following bills:

- **HB394 Prohibit Commitment to Certain Beliefs – Colleges** (Adam Holmes): To prohibit state institutions of higher education from requiring individuals to commit to specific beliefs, affiliations, ideals, or principles. Second hearing, proponent testimony.
- **HB462 Student Choice Grant Program (Dan Troy and Sean Brennan)**: To enact the Student Choice Grant Program and to make an appropriation. First hearing, sponsor testimony.
- **HB219 College Credit Plus (Adam Bird and Sean Brennan)**: Regarding the College Credit Plus Program. First hearing, sponsor testimony.

Source: **House Higher Education Committee meeting** on April 24, 2024 [HERE](#).

Source: **The Ohio Channel, House Higher Education Committee meeting** on April 24, 2024 [HERE](#).

**The Senate Workforce and Higher Education Committee**, chaired by Senator Jerry Cirino, will meet on Wednesday, April 24, 2024 at 11:00 AM in the North Hearing Room. The committee will hear presentations from Shawnee State University President Eric Braun and incoming Central State University President Morakinyo A.O. Kuti **regarding the capital budget**.

Source: **Senate Workforce and Higher Education Committee meeting** on April 24, 2024 [HERE](#).

Source: **The Ohio Channel, Senate Workforce and Higher Education Committee meeting** on April 24, 2024 [HERE](#).

**The Ohio Senate will meet on Wednesday April 24, 2024 at 1:30 PM in the Senate Chambers.**

Source: The Ohio Channel, Ohio Senate on April 24, 2024 [HERE](#).

**The Ohio House of Representatives will meet on Wednesday, April 24, 2024 at 2:00 PM in the House Chambers**

Source: **The Ohio Channel, Ohio House** on April 24, 2024 [HERE](#).