KEY LEGISLATIVE DOCUMENTS

New Legislative Staff Training
Ohio Legislative Service Commission



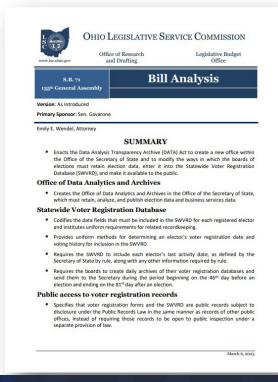
ABOUT THIS COURSE

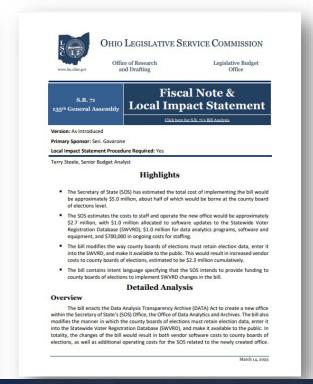
■ In this course, you will learn how to find and use legislative documents and publications that can help you to follow legislation and understand it more thoroughly.

If your employer is tracking your course completion, be sure to click on the course completion link at the end of the course.

BILL SUPPORT DOCUMENTS

As bills move through the legislative process, LSC prepares and updates bill analyses, fiscal notes, comparative synopses, and synopses of committee amendments.





FINDING SUPPORT DOCUMENTS

To find the LSC support documents for a particular bill, pull up the bill's page on the General Assembly's website and click the Documents tab.



BILL ANALYSIS

BILL ANALYSIS

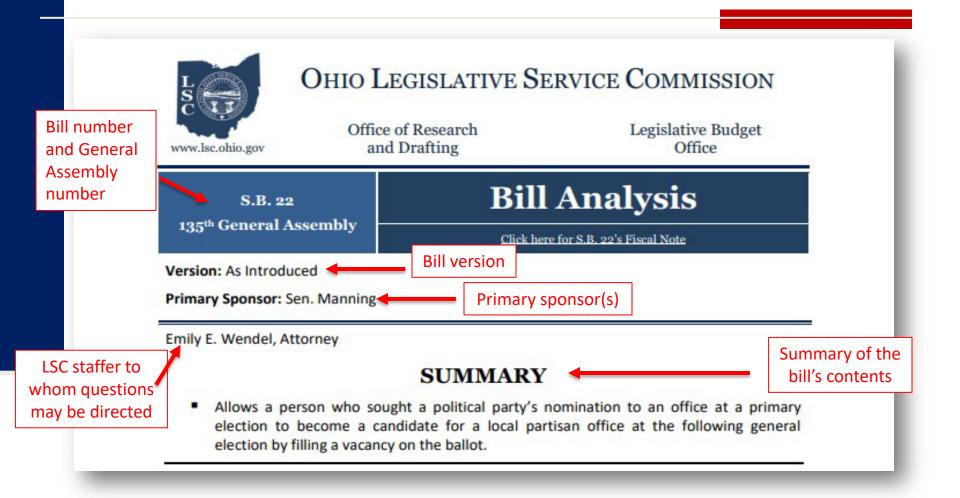
- A bill analysis describes what a bill proposes to do how it would change the law, or what new law it proposes to enact.
- An analysis does not discuss whether the bill contains good or bad policy or if it will be effective. That is outside the scope of LSC's nonpartisan mission.
- When a bill is scheduled for its first committee hearing, LSC's Office of Research and Drafting prepares an analysis. The analysis is updated as the bill continues through the legislative process.
- An analysis may be prepared earlier upon a legislator's request.

BILL ANALYSIS

- While there is no substitute for reading the bill itself, it is often easier to read and understand the LSC bill analysis.
- An analysis includes a summary and topic headings, and is usually organized by topic rather than by Revised Code section number.
- A longer analysis also includes a table of contents.



KEY FEATURES OF A BILL ANALYSIS



KEY FEATURES OF A BILL ANALYSIS

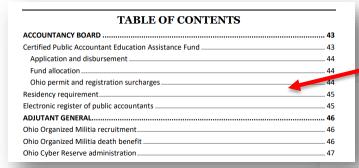


Table of Contents, if the analysis is longer than 10 pages

Detailed analysis of what the bill proposes to do

DETAILED ANALYSIS

Exception to Sore Loser Law

The bill allows a person who was a candidate at a primary election to become a candidate for a local partisan office at the following general election by filling a vacancy on the ballot. Continuing law prohibits such a person from becoming a candidate for a state or federal partisan office in that manner.

Under Ohio's existing Sore Loser Law, a person who was a candidate at a primary election is ineligible to become a candidate for any partisan office at the following general election by any means other than winning the primary. For instance, if a person was a primary candidate for county commissioner, the person could not then run for county commissioner or for any other partisan office at the general election by submitting a nominating petition as an independent candidate, being a write-in candidate, or filling a ballot vacancy. The bill removes that limitation with respect to filling ballot vacancies for local partisan offices, meaning an office that is not a state or federal office.¹

HISTORY

Action	Date
Introduced	10-19-21
Reported, H. Ways & Means	12-08-21
Passed House (68-22)	12-09-21
Reported, S. Local Government & Elections	12-13-2022
Passed Senate (24-7)	12-13-2022
House concurred in Senate amendments (55-34)	12-14-2022

History of the bill's progress through the legislative process and floor vote counts

FINAL ANALYSIS

- When the General Assembly enacts a bill, LSC prepares a final version of the analysis.
- The final analysis discusses the content of the act as it was agreed on by the two houses.
- It also contains an updated history of the act's complete progress through the legislature, including any concurrence votes.
- If the Governor vetoes the act or a part of the act, the final analysis will include information about the vetoed provisions.

FISCAL NOTE/LOCAL IMPACT STATEMENT

FISCAL NOTE/LOCAL IMPACT STATEMENT



- improving the water quality in the state introductions, sand purchases, or grams to studie cooperative research. The H2Dhio Trust Fund is to be funded through appropriations, proceeds from real property transactions, and the issuance of obligations by the Treasurer of State (TOS). The fund is created as a custodial fund, not in the state treasury and is limited to disbursting up to \$100 million per fiscal year.

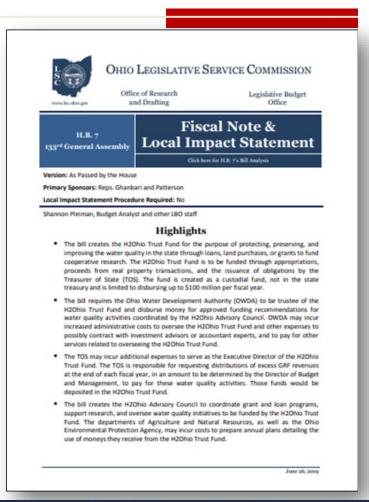
 The bill requires the Ohio Water Development Authority (OWDA) to be trustee of the
- The bill requires the Ohio Water Development Authority (OWDA) to be trustee of the H2Ohio Trust Fund and disburse money for approved funding recommendations for water quality activities coordinated by the H2Ohio Advisory Council. OWDA may incur increased administrative costs to oversee the H2Ohio Trust Fund and other expenses to possibly contract with investment advisors or accountant experts, and to pay for other services related to overseeing the H2Ohio Trust Fund.
- The TOS may incur additional expenses to serve as the Executive Director of the N2Ohio Trust Fund. The TOS is responsible for requesting distributions of excess GRF revenues at the end of each fiscal year, in an amount to be determined by the Director of Budget and Management, to pay for these water quality activities. Those funds would be deposited in the H2Ohio Trust Fund.
- The bill creates the H20hlo Advisory Council to coordinate grant and loan programs, support research, and oversee water quality initiatives to be funded by the H20hlo Trust Fund. The departments of Agriculture and Natural Resources, as well as the Ohlo Environmental Protection Agency, may incur costs to prepare annual plans detailing the use of money; they receive from the H20hlo Trust Fund.

June 26, 2009

- When considering a bill, legislators often ask:
 - What costs are associated with the bill?
 - Will there be a monetary impact at local levels of government?
 - Will there be any cost savings?
- Legislative Budget Office staff research these questions, determine whether Local Impact Statement procedures apply, and produce the Fiscal Note to discuss the bill's fiscal implications.

FISCAL NOTE

- The first fiscal note for a bill discusses the As Introduced version and is generally prepared for the bill's second hearing in a standing committee of the General Assembly.
- The fiscal note is updated throughout the bill's progress.
- It may be prepared earlier than the bill's second hearing, upon a legislator's request.



KEY FEATURES OF A FISCAL NOTE



KEY FEATURES OF A FISCAL NOTE

Highlights

- The bill creates the H2Ohio Trust Fund for the purpose of protecting, preserving, and improving the water quality in the state through loans, land purchases, or grants to fund cooperative research. The H2Ohio Trust Fund is to be funded through appropriations, proceeds from real property transactions, and the issuance of obligations by the Treasurer of State (TOS). The fund is created as a custodial fund, not in the state treasury and is limited to disbursing up to \$100 million per fiscal year.
- The bill requires the Ohio Water Development Authority (OWDA) to be trustee of the H2Ohio Trust Fund and disburse money for approved funding recommendations for water quality activities coordinated by the H2Ohio Advisory Council. OWDA may incur increased administrative costs to oversee the H2Ohio Trust Fund and other expenses to possibly contract with investment advisors or accountant experts, and to pay for other services related to overseeing the H2Ohio Trust Fund.

Brief description of the bill's state and local fiscal highlights

Detailed Analysis

H2Ohio Trust Fund

The bill creates the H2Ohio Trust Fund (hereafter Trust Fund), to be funded by moneys appropriated to it, proceeds from the issuance of obligations, some proceeds from real property transactions, loan repayments, and bequests. The Trust Fund is established as a custodial fund, not in the state treasury, meaning that appropriations of the General Assembly would not be required to disburse moneys from the Trust Fund. Funds are administered by the H2Ohio Advisory Council and the Ohio Water Development Authority (OWDA) for the purpose of protecting, preserving, and improving the water quality in the state. These purposes are to be achieved fiscally through development loans, land purchases, and grants to fund water quality research. The bill limits disbursements from the Trust Fund to \$100 million per fiscal year.

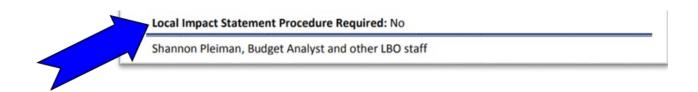
The bill allows the Trust Fund to be used for the following purposes: (1) the disbursement of funds by OWDA, (2) acquisition of real property or interests in real property by OWDA, (3) administrative expenses incurred by the H2Ohio Advisory Council and OWDA, (4) costs and expenses related to the issuance of obligations and functions of OWDA, and (5) costs and expenses related to the investment of the Trust Fund.





LOCAL IMPACT STATEMENT PROCEDURE

The Local Impact Statement procedure is required if a bill's impact on any given county, municipality, township, or school district could result in net additional costs beyond a specified minimal amount that is based on population.



LOCAL IMPACT STATEMENT PROCEDURE

- By law, if the local impact statement procedure applies to a bill, the committee must have a local impact statement before reporting the bill. If the bill is amended in committee, the committee must have a revised statement.
- This requirement may be overridden by a 2/3 vote of the committee's members (not a 2/3 vote of those present).
 - See <u>R.C. 103.143</u>

COMPARATIVE SYNOPSIS AND SYNOPSIS OF COMMITTEE AMENDMENTS

COMPARATIVE SYNOPSIS

- House rules require LSC to prepare a substitute bill comparative synopsis when a House committee has accepted a substitute bill.
- The synopsis is a table that compares provisions of the substitute bill with the previous version of the bill.
- The table discusses only the differences between the bills.
- LSC prepares a comparative synopsis for use in the Senate upon request.



Synopsis of Committee Amendments

- When a bill is reported out of committee in the second house, both House Rules and Senate Rules require LSC to prepare a synopsis of committee amendments that summarizes any amendments adopted by the committee.
- It does not describe any floor amendments. Those appear in the appropriate Journal.
- The members of the first house may review the synopsis when deciding whether to concur with changes made to the bill by the second house.



The Emergency Medical Services (EMS) Assistant Instructor Certification; and

elimination of both of the following:

The Assistant Fire Instructor Certification. 1

BILL TRACKING RESOURCES

CALENDAR

- The Calendar is the legislative agenda for a voting session of the House or Senate, prepared by the Clerk.
- The chamber's Rules and Reference Committee decides which bills will be considered.
- Bills scheduled for a vote are listed under "Bills for Third Consideration" and appear above the thick black line.
- Concurrence votes also appear on the Calendar.
- Bills below the thick black line are not yet scheduled for a vote. They have been reported by committees and are waiting to be scheduled for a floor vote.

135TH GENERAL ASSEMBLY OF THE STATE OF OHIO

HOUSE CALENDAR

WEDNESDAY - JANUARY 10, 2024 - 2:00 PM

Bills for Third Consideration

Am. H. B. No. 229 - Representatives Sweeney, Patton

Cosponsors: Representatives Brewer, Dell'Aquila, Grim, Lightbody, McNally, Russo To enact section 3701.1311 of the Revised Code to require health care practitioners to provide information on Sudden Unexpected Death in Epilepsy to at risk patients and to name the act the Brenna Brossard SUDEP Awareness Act.

(Committee on Health Provider Services recommends amended bill for passage, see House Journal, December 13, 2023, p. 1330.)

H. B. No. 258 - Representative Carruthers

Cosponsors: Representatives Richardson, Abrams, Williams, Schmidt

To amend sections 2927.02, 3767.01, and 4301.74 of the Revised Code to increase fines for repeatedly selling tobacco products to minors and to apply the public nuisance law to places where such sales occur.

(Committee on Criminal Justice recommends passage, see House Journal, December 13, 2023, p. 1329.)

H. B. No. 184 - Representatives Bird, Brennan

Cosponsor: Representative Johnson

To amend sections 1716.01, 1716.07, 1716.08, 1716.14, and 1716.15 and to enact section 1716.06 of the Revised Code regarding charitable solicitations.

(Committee on State and Local Government recommends passage, see House Journal, November 15, 2023, p. 1241.)

Am. H. B. No. 179 - Representatives Mathews, Stewart

Cosponsors: Representatives Hillyer, Seitz, Click

To amend section 2305.15 and to enact section 2307.241 of the Revised Code relative to vicarious liability in tort actions and to provide that the tolling of the limitations period during the defendant's absence or concealment does not apply to statutes of repose.

(Committee on Civil Justice recommends amended bill for passage, see House Journal, June 20, 2023, p. 463.)

(Bissolutions below the black line have been recommended for passage or adoption esignated committees)

H. B. No. 6 - Representative Powell

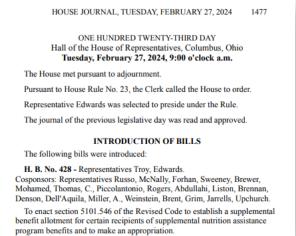
Cosponsors: Representatives Hall, Jordan, Johnson, Click, Creech, Stewart, Merrin, LaRe, Kick, Stoltzfus, Lear, Wiggam, Schmidt, Barhorst, Stein, Miller, K., Klopfenstein, Gross,

1

JOURNAL



- The House and Senate Journals are the official records of each chamber's legislative actions, prepared by the Clerk.
- The Journal includes:
 - Committee reports;
 - All votes on motions, amendments, and bills;
 - Messages from the other chamber and the Governor;
 - Special speeches or resolutions; and
 - Text of floor and committee amendments.
- The Journal does not include:
 - The text of any substitute bill. Check the committee's website or ask the appropriate Clerk's office for a copy of a substitute bill.
 - Transcripts of floor speeches or debates. Video is available from <u>The Ohio Channel</u>.
 - Detailed legislative histories of bills.



BILL STATUS PAGE

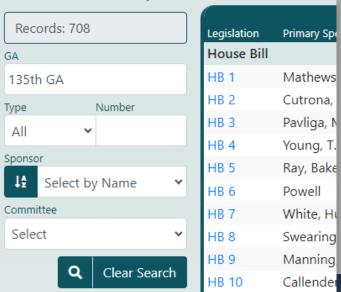
- Information about the status of each bill, as recorded in the Journal, is available on the Status tab of the bill's page on the General Assembly's website.
- The Status tab provides such information as:
 - To what committee a bill was assigned;
 - When a bill was reported out of committee; and
 - The date on which a bill was voted on in the House or Senate.



STATUS REPORT OF LEGISLATION

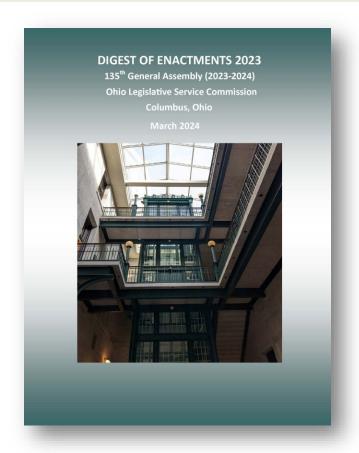
- The Status Report of Legislation database shows the status of all bills and resolutions introduced in a particular General Assembly. Use the search, sort, and filter functions to create custom reports.
- Databases for earlier General Assemblies are available in PDF and Excel formats. For information from before 1983, consult the LSC Library.





135th GA Status Report - As Of 03/08/2024

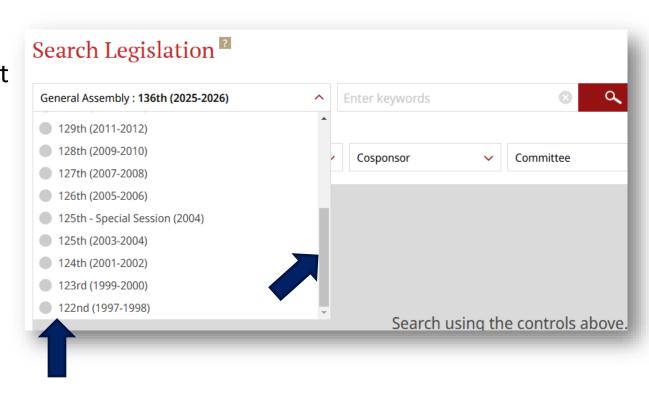
DIGEST OF ENACTMENTS



- LSC publishes an annual <u>Digest of</u> <u>Enactments</u> that provides summaries of all enacted bills, including any vetoes.
- The Digest includes legislative histories and effective dates.
- It is indexed by topic and can be especially helpful for finding all acts on a particular topic in a given time period.
- You can find the Digest on LSC's website under the Publications tab.

HISTORICAL LEGISLATION

- Bills introduced in 1997 and later, along with support documents, are available on the General Assembly's website.
- To access documents from before 1997, consult the LSC Library.



OTHER HELPFUL RESOURCES

MEMBERS BRIEFS



An informational brief prepared by the LSC staff for members and staff of the Ohio General Assembly

Author: Alyssa Bethel, Attorney Reviewer: Amber Hardesty, Division Chie Volume 135 March 8, 2024

Municipal Home Rule

Municipal corporations have home rule authority, which includes the power of local self-government and the exercise of certain police powers. Because these powers originate in the Constitution, laws passed by the General Assembly that interfere with them may be invalid as applied to municipal corporations unless those laws are sanctioned by other provisions of the Constitution. Courts apply an analytical framework to determine if a municipal ordinance or state law is valid under the Home Rule Amendment.

Contents

Adoption of charter to exercise local self-government powers 3 Police power 4 Canton test 4 Conflict 4 Analytical framework 5 Preemption efforts 5 Limitations on municipal home rule power 6	Local sen-government	
Canton test 4 Conflict 4 Analytical framework 5 Preemption efforts 5	Adoption of charter to exercise local self-government powers	3
Conflict 4 Analytical framework 5 Preemption efforts 5	Police power	4
Analytical framework	Canton test	4
Preemption efforts	Conflict	4
• • • • • • • • • • • • • • • • • • • •	Analytical framework	5
• • • • • • • • • • • • • • • • • • • •	Preemption efforts	5
	Limitations on municipal home rule power	

In Ohio, municipal corporations (cities and villages) have certain powers granted to them in Article XVIII of the Ohio Constitution known as "home rule" powers. These include: (1) the power of local self-government and (2) the power to adopt and enforce local police, sanitary, and other similar regulations that are not in conflict with general laws. In the area of home rule, one must rely on the courts to determine the validity of a state law or municipal ordinance. A state law that interferes with municipal corporations' home rule authority (e.g., by attempting to preempt an area of law), or a municipal ordinance that violates the Home Rule Amendment (e.g., by conflicting with a general law), may be found invalid by a court.

Vern Riffe Center • 77 South High Street, Ninth Floor • Columbus, Ohio 43215-6136 • Telephone (614) 466-3615

LSC <u>Members Briefs</u> provide background information on topics of interest to legislators and staff.

You can find the full catalog of Members Briefs under the Publications tab on LSC's website.

¹ Ohio Constitution, Article XVIII, Section 3. Municipal corporations also have "utility home rule," related to the ownership and operation of public utilities, which this brief does not discuss. See Ohio Const., art. XVIII, secs. 4, 5, and 6.

BUDGET FOOTNOTES

- Budget Footnotes is a monthly newsletter about the current status of Ohio's General Revenue Fund.
- It also provides updates on the economy and a variety of budget and fiscal issues, and includes helpful infographics.
- You can find <u>Budget</u>
 <u>Footnotes</u> under the Budget
 Central tab on LSC's website.

Budget

A monthly newsletter of the Legislative Budget Office of LSC

Volume: Fiscal Year 202

Issue: March 2022

Highlights

- Ross Miller, Chief Economis

February GRF tax receipts were \$124 million above the estimate published by the Office of Budget and Management (OBM). The sales and use tax was \$67 million over estimate, while the personal income tax (PIT) was \$36 million over. The commercial activity tax (CAT) generated \$429 million for the month, \$7 million below estimate. A large (\$17 million) positive variance for the financial institution tax (FIT) more than offset a \$3 million negative variance for January, so the first payment this fiscal year (due January 31, some of which shows up in February) was well above estimate. Year-to-date (YTD) GRF tax revenue through February was \$774 million above estimate.

On the other side of the ledger, February GRF Medicaid expenditures were \$373 million below estimate, accounting for nearly 93% of the \$401 million negative variance for the month across all GRF uses.

Shortly before publication of this issue of *Budget Footnotes*, Ohio announced that nonagricultural wage and salary employment increased 14,800 in January and statewide unemployment as a percent of the labor force declined to 4.0%.

Through February 2023, GRF sources totaled \$27.98 billion:

- Revenue from the sales and use tax was \$213.0 million above estimate;
- PIT receipts were \$433.5 million above estimate.

Through February 2023, GRF uses totaled \$28.30 billion:

- Program expenditures were \$967.8 million below estimate, including GRF Medicaid spending, which was \$582.1 million below estimate;
- Expenditures from all other program categories were below estimate except for Debt Service, which was above estimate by \$2.2 million;
- Among program categories for which expenditures were below estimate, the largest variances (aside from Medicaid) were for General Government (\$160.3 million) and Justice and Public Protection (\$134.9 million).

In this issue...

More details on GRF Revenues (p. 2), Expenditures (p. 11),

the National Economy (p. 27), and the Ohio Economy (p. 28).

Also Issue Updates on:

Brent Spence Bridge Corridor Project (p. 21)

Kindergarten Readiness Grant (p. 22)

K-4 Literacy Report (p. 22)

College Credit Plus (p. 23)

Safer Ohio School Tip Line (p. 25)

National Endowment for the Arts Awards (p. 25)

Ohio Grape and Wine Industries (p. 26

Available online at: lsc.ohio.gov/Budget Centre

Time for a pop quiz!

QUESTION 1

True or False?

LSC prepares an analysis for every bill that is drafted during a legislative session.

QUESTION 1 - ANSWER

False.

LSC prepares an analysis for a bill when it is scheduled for a first hearing and then updates the analysis as the bill progresses through the legislative process.

A member may request that an analysis be done earlier.

QUESTION 2

True or False?

Although an analysis does not determine if a bill is a good, bad, or effective idea, it does provide a detailed explanation of how a bill proposes to change current law.

QUESTION 2 - ANSWER

True.

An analysis provides a detailed explanation of what a bill proposes to do and how it proposes to change current law.

Because of LSC's nonpartisan status, an analysis cannot discuss whether a bill is a good, bad, or effective idea.

QUESTION 3

True or False?

Fiscal notes and local impact statements are prepared by the Office of Budget and Management (OBM).

QUESTION 3 - ANSWER

False.

Fiscal notes and local impact statement are prepared by LSC's Legislative Budget Office (LBO).

True or False?

A Local Impact Statement determination is included in the fiscal note for every bill.

QUESTION 4 - ANSWER

True.

The Local Impact Statement procedure determination appears in the fiscal note for every bill.

True or False?

A synopsis of committee amendments summarizes the changes to a bill made by the committee in the second house that considers the bill, which is useful to legislators in the first house who are trying to decide whether to concur in those amendments.

QUESTION 5 - ANSWER

True.

A synopsis of committee amendments summarizes the changes to a bill made by the committee in the second house that considers the bill.

The members of the first house may review the synopsis when voting on whether to concur with changes made to the bill by the second house.

True or False?

The Status tab of a bill's page on the General Assembly's website reflects legislative action recorded in the Journal.

QUESTION 6 - ANSWER

True.

The Status tab is updated daily after the most recent legislative activity is posted in the House and Senate Journals.

True or False?

Information about the status of a bill that was introduced in 1950 is available on the General Assembly's website.

QUESTION 7 - ANSWER

False.

The online archive of Status Reports for previous General Assemblies goes back to 1983.

For information about bills introduced before 1983, consult the LSC Library.

True or False?

If a bill is listed anywhere on the Calendar for a particular House or Senate sessions, that means the bill is scheduled for a vote that day.

QUESTION 8 - ANSWER

False.

Only the bills above the thick black line on the Calendar are scheduled for a vote on the session day for that Calendar.

Which publication is the official record of legislation action by the House and Senate?

- Calendar
- 2. Journal
- 3. Bill analysis

QUESTION 9 - ANSWER

Journal.

The House and Senate Journals are the official record of legislative action by the House and Senate.

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■ Email <u>Training@lsc.ohio.gov</u> if you have any questions or comments about this course