

Relators' Evidence

Pursuant to this Court's Order of March 22, 2007, Relators, the Ohio General Assembly, the President of the Senate, and the Speaker of the House of Representatives, submit the following evidence in this original action.

1. Relators' verified complaint (already filed with this Court)
2. Agreed Statement of Facts (also being separately filed)
3. Affidavit of James Burley with attached exhibits L and M
4. Affidavit of David Battocletti with attached exhibit N
5. Affidavit of Mary Briggs with attached exhibits O and P

Respectfully submitted,



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Counsel for Relators

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served this 2nd day of April, 2007, by hand delivery on the following:

Marc Dann (0039425)
Ohio Attorney General

Brian J. Laliberte (0071125)
**Counsel of Record*
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Suzanne K. Richards

In the
Supreme Court of Ohio

STATE EX REL., THE OHIO GENERAL ASSEMBLY, <i>et al.</i> ,	:	
	:	
Relators,	:	Case No. 2007-0209
	:	
v.	:	
	:	Original Action in Mandamus
JENNIFER BRUNNER, SECRETARY OF STATE,	:	
	:	
Respondent.	:	

**AFFIDAVIT OF JAMES W. BURLEY
DIRECTOR OF OHIO LEGISLATIVE SERVICE COMMISSION**

STATE OF OHIO
COUNTY OF FRANKLIN SS:

I, James W. Burley, having been first duly cautioned and sworn, hereby state the following based upon my personal knowledge:

1. I am Director of the Ohio Legislative Service Commission. As Director, my job duties include overseeing the operation of the Ohio Legislative Service Commission ("LSC"), including compliance with R.C. 103.131.
2. In order for LSC to comply with R.C. 103.131, which requires the Director to ensure proper sectional numbering of enacted statutes, the Secretary of State delivers bills that have become law to LSC so that I can perform this function. LSC then returns the bills to the Secretary of State.
3. On January 31, 2007, an employee of the Secretary of State delivered to the LSC Amended Substitute Senate Bill 117, as passed by the 126th General Assembly, together with a veto message dated January 8, 2007 signed by Governor Strickland. As explained in my letter dated February 9, 2007, Amended Substitute Senate Bill 117 was returned to the Secretary of State's office on February 9, 2007.
4. Exhibit L to this affidavit is a true and accurate copy of my letter dated February 9, 2007, which accompanied Amended Substitute Senate Bill 117 as it was returned to the Secretary of State.
5. Exhibit M is a copy of a page from the log this office routinely maintains to document the receipt and return of bills from and to the Secretary of State, bearing the

signature of Paula Dill, an employee of the Secretary of State, and indicating the return of Amended Substitute Senate Bill 117 to the office of the Secretary of State on February 9, 2007.

6. Exhibits L and M are true and accurate copies of public records maintained by LSC pursuant to duties placed upon LSC by Ohio law.

7. As of my execution of this affidavit, Amended Substitute Senate Bill 117 has not been delivered to this office so that LSC can perform its duties under R.C. 103.131 with respect to Amended Substitute Senate Bill 117.

Further Affiant Sayeth Naught.



NANCY B. HELLER
Notary Public, State of Ohio
My Commission Expires
August 27, 2011

James W. Burley
James W. Burley, Director
Ohio Legislative Service Commission

Sworn to before me and signed in my presence, a Notary Public in and for said State and County, on this 2ND day of April 2007.

[Signature]
Notary Public



Ohio Legislative Service Commission

SENATE MEMBERS

BILL HARRIS, CHAIRMAN

TERESA FEDOR
JEFF JACOBSON
TOM NIEHAUS

TOM ROBERTS
ROBERT SPADA
STEVE STIVERS

**JAMES W. BURLEY
DIRECTOR**

HOUSE MEMBERS

JON A. HUSTED, VICE-CHAIRMAN

JOYCE BEATTY
JIM CARMICHAEL
LARRY L. FLOWERS

CHRIS REDFERN
MICHELLE G. SCHNEIDER
WILLIAM J. SEITZ

February 9, 2007

The Honorable Jennifer Brunner
Secretary of State of Ohio
180 East Broad Street
Columbus, OH 43215

Dear Secretary Brunner:

Pursuant to your request of Speaker Husted, I am returning to you Secretary of State File No. 198 that was received for codification from your office on January 31, 2007. File No. 198 contains Am. Sub. Senate Bill 117 as passed by the General Assembly and a Veto Message signed on January 8, 2007 by Governor Strickland.

This file was provided to me as Director of the Legislative Service Commission pursuant to R.C. 103.131 so that I could fulfill my duties to codify the laws of the State of Ohio. R.C. 103.131 requires that the Director of the LSC examine the sectional numbering of an act and designate its official Revised Code section number, but this duty is to be carried out only ". . . when an act . . . passed by the general assembly becomes a law and is filed with the secretary of state . . ." (emphasis supplied). As a consequence, only acts that have become law are provided to the LSC. Although you have provided this file to the LSC as if Am. Sub. Senate Bill 117 became law, the Veto Message contained in the file would seemingly indicate otherwise. I am therefore returning the file to you so that you can clarify whether the file should come to me pursuant to R.C. 103.131.

Finally, I ask that you kindly provide a return receipt for File No. 198 confirming its return to your office.

Sincerely yours,

James W. Burley
Director

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Enclosure





State of Ohio
Office of the Governor

Veto Message
STATEMENT OF THE REASONS FOR THE VETO OF AMENDED
SUBSTITUTE SENATE BILL 117 from the 126th GENERAL ASSEMBLY
January 8, 2007

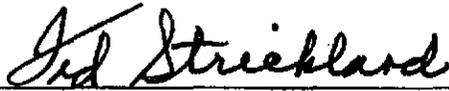
Under Article II, Section 16 of the Ohio Constitution, the Governor may veto any bill. I am vetoing Amended Substitute Senate Bill 117 for the following reasons.

Amended Substitute Senate Bill 117 greatly weakens current protections provided to consumers in the State of Ohio. This effort to amend the Consumer Sales Practices Act and arbitrarily limit awards to victims for noneconomic damages to only \$5,000 does not allow consumers defrauded by companies to seek appropriate justice.

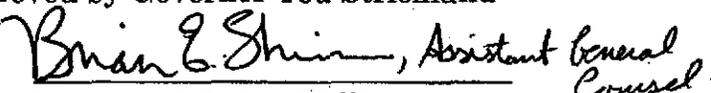
While weakening protections for consumers, at the same time the bill strengthens protections for companies that may have been responsible for products that have harmed and even continue to harm children and others in Ohio. This prevents cities from being able to seek justice on behalf of their citizens.

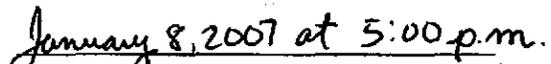
I will not allow this legislation in its current form, which drastically undermines current consumer protections, to go into effect during my administration.

I have signed this veto message on January 8, 2007 in Columbus, Ohio.


Ted Strickland, Governor

This will acknowledge the receipt of a copy of this veto message of Amended Substitute Senate Bill 117 that was disapproved by Governor Ted Strickland on January 8, 2007.


Name and Title of Officer *Assistant General Counsel*


Date and Time of Receipt *January 8, 2007 at 5:00 p.m.*



AN ACT

To amend sections 1345.09, 2307.60, 2307.71, 2307.73, and 2317.02 of the Revised Code to specify the nature of damages that may be recovered in certain actions based on unfair or deceptive sales practices, to provide that a final judgment, entered after a trial or upon a plea of guilty in certain criminal actions generally precludes the offender from denying any fact essential to sustain that judgment when entered in evidence in a civil proceeding that is based on the criminal act, to make an exception to the attorney-client privilege for communications related to an attorney's aiding or furthering an ongoing or future commission of bad faith by a client that is an insurance company, to prohibit the use of enterprise theories of liability against manufacturers in product liability claims, and to include public nuisance claims under the definition of product liability claims.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 1345.09, 2307.60, 2307.71, 2307.73, and 2317.02 of the Revised Code be amended to read as follows:

Sec. 1345.09. For a violation of Chapter 1345. of the Revised Code, a consumer has a cause of action and is entitled to relief as follows:

(A) Where the violation was an act prohibited by section 1345.02, 1345.03, or 1345.031 of the Revised Code, the consumer may, in an individual action, rescind the transaction or recover the consumer's actual economic damages plus an amount not exceeding five thousand dollars in noneconomic damages.

(B) Where the violation was an act or practice declared to be deceptive or unconscionable by rule adopted under division (B)(2) of section 1345.05 of the Revised Code before the consumer transaction on which the action is

based, or an act or practice determined by a court of this state to violate section 1345.02, 1345.03, or 1345.031 of the Revised Code and committed after the decision containing the determination has been made available for public inspection under division (A)(3) of section 1345.05 of the Revised Code, the consumer may rescind the transaction or recover, but not in a class action, three times the amount of the consumer's actual economic damages or two hundred dollars, whichever is greater, plus an amount not exceeding five thousand dollars in noneconomic damages or recover damages or other appropriate relief in a class action under Civil Rule 23, as amended.

(C)(1) Except as otherwise provided in division (C)(2) of this section, in any action for rescission, revocation of the consumer transaction must occur within a reasonable time after the consumer discovers or should have discovered the ground for it and before any substantial change in condition of the subject of the consumer transaction.

(2) If a consumer transaction between a loan officer, mortgage broker, or nonbank mortgage lender and a customer is in connection with a residential mortgage, revocation of the consumer transaction in an action for rescission is only available to a consumer in an individual action, and shall occur for no reason other than one or more of the reasons set forth in the "Truth in Lending Act," 82 Stat. 146 (1968), 15 U.S.C. 1635, not later than the time limit within which the right of rescission under section 125(f) of the "Truth in Lending Act" expires.

(D) Any consumer may seek a declaratory judgment, an injunction, or other appropriate relief against an act or practice that violates this chapter.

(E) When a consumer commences an individual action for a declaratory judgment or an injunction or a class action under this section, the clerk of court shall immediately mail a copy of the complaint to the attorney general. Upon timely application, the attorney general may be permitted to intervene in any private action or appeal pending under this section. When a judgment under this section becomes final, the clerk of court shall mail a copy of the judgment including supporting opinions to the attorney general for inclusion in the public file maintained under division (A)(3) of section 1345.05 of the Revised Code.

(F) The court may award to the prevailing party a reasonable attorney's fee limited to the work reasonably performed, if either of the following apply:

(1) The consumer complaining of the act or practice that violated this chapter has brought or maintained an action that is groundless, and the consumer filed or maintained the action in bad faith;

(2) The supplier has knowingly committed an act or practice that

violates this chapter.

(G) As used in this section, "actual economic damages" means damages for direct, incidental, or consequential pecuniary losses resulting from a violation of Chapter 1345, of the Revised Code and does not include damages for noneconomic loss as defined in section 2315.18 of the Revised Code.

(H) Nothing in this section shall preclude a consumer from also proceeding with a cause of action under any other theory of law.

Sec. 2307.60. (A)(1) Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action unless specifically excepted by law, may recover the costs of maintaining the civil action and attorney's fees if authorized by any provision of the Rules of Civil Procedure or another section of the Revised Code or under the common law of this state, and may recover punitive or exemplary damages if authorized by section 2315.21 or another section of the Revised Code. ~~No record of a conviction, unless obtained by confession in open court, shall be used as evidence in a civil action brought pursuant to division (A) of this section.~~

(2) A final judgment of a trial court that has not been reversed on appeal or otherwise set aside, nullified, or vacated, entered after a trial or upon a plea of guilty, but not upon a plea of no contest or the equivalent plea from another jurisdiction, that adjudges an offender guilty of an offense of violence punishable by death or imprisonment in excess of one year, when entered as evidence in any subsequent civil proceeding based on the criminal act, shall preclude the offender from denying in the subsequent civil proceeding any fact essential to sustaining that judgment, unless the offender can demonstrate that extraordinary circumstances prevented the offender from having a full and fair opportunity to litigate the issue in the criminal proceeding or other extraordinary circumstances justify affording the offender an opportunity to relitigate the issue. The offender may introduce evidence of the offender's pending appeal of the final judgment of the trial court, if applicable, and the court may consider that evidence in determining the liability of the offender.

(B)(1) As used in division (B) of this section, "tort action" means a civil action for damages for injury, death, or loss to person or property other than a civil action for damages for a breach of contract or another agreement between persons. "Tort action" includes, but is not limited to, a product liability claim, as defined in section 2307.71 of the Revised Code, and an asbestos claim, as defined in section 2307.91 of the Revised Code, an action for wrongful death under Chapter 2125. of the Revised Code, and an action based on derivative claims for relief.

(2) Recovery on a claim for relief in a tort action is barred to any person or the person's legal representative if the person has been convicted of or has pleaded guilty to a felony, or to a misdemeanor that is an offense of violence, arising out of criminal conduct that was a proximate cause of the injury or loss for which relief is claimed in the action.

(3) Division (B) of this section does not apply to civil claims based upon alleged intentionally tortious conduct, alleged violations of the United States Constitution, or alleged violations of statutes of the United States pertaining to civil rights.

Sec. 2307.71. (A) As used in sections 2307.71 to 2307.80 of the Revised Code:

(1) "Claimant" means either of the following:

(a) A person who asserts a product liability claim or on whose behalf such a claim is asserted;

(b) If a product liability claim is asserted on behalf of the surviving spouse, children, parents, or other next of kin of a decedent or on behalf of the estate of a decedent, whether as a claim in a wrongful death action under Chapter 2125. of the Revised Code or as a survivorship claim, whichever of the following is appropriate:

(i) The decedent, if the reference is to the person who allegedly sustained harm or economic loss for which, or in connection with which, compensatory damages or punitive or exemplary damages are sought to be recovered;

(ii) The personal representative of the decedent or the estate of the decedent, if the reference is to the person who is asserting or has asserted the product liability claim.

(2) "Economic loss" means direct, incidental, or consequential pecuniary loss, including, but not limited to, damage to the product in question, and nonphysical damage to property other than that product. Harm is not "economic loss."

(3) "Environment" means only navigable waters, surface water, ground water, drinking water supplies, land surface, subsurface strata, and air.

(4) "Ethical drug" means a prescription drug that is prescribed or dispensed by a physician or any other person who is legally authorized to prescribe or dispense a prescription drug.

(5) "Ethical medical device" means a medical device that is prescribed, dispensed, or implanted by a physician or any other person who is legally authorized to prescribe, dispense, or implant a medical device and that is regulated under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040, 21 U.S.C. 301-392, as amended.

(6) "Foreseeable risk" means a risk of harm that satisfies both of the following:

(a) It is associated with an intended or reasonably foreseeable use, modification, or alteration of a product in question.

(b) It is a risk that the manufacturer in question should recognize while exercising both of the following:

(i) The attention, perception, memory, knowledge, and intelligence that a reasonable manufacturer should possess;

(ii) Any superior attention, perception, memory, knowledge, or intelligence that the manufacturer in question possesses.

(7) "Harm" means death, physical injury to person, serious emotional distress, or physical damage to property other than the product in question. Economic loss is not "harm."

(8) "Hazardous or toxic substances" include, but are not limited to, hazardous waste as defined in section 3734.01 of the Revised Code, hazardous waste as specified in the rules of the director of environmental protection pursuant to division (A) of section 3734.12 of the Revised Code, hazardous substances as defined in section 3716.01 of the Revised Code, and hazardous substances, pollutants, and contaminants as defined in or by regulations adopted pursuant to the "Comprehensive Environmental Response, Compensation, and Liability Act of 1980," 94 Stat. 2767, 42 U.S.C. 9601, as amended.

(9) "Manufacturer" means a person engaged in a business to design, formulate, produce, create, make, construct, assemble, or rebuild a product or a component of a product.

(10) "Person" has the same meaning as in division (C) of section 1.59 of the Revised Code and also includes governmental entities.

(11) "Physician" means a person who is licensed to practice medicine and surgery or osteopathic medicine and surgery by the state medical board.

(12)(a) "Product" means, subject to division (A)(12)(b) of this section, any object, substance, mixture, or raw material that constitutes tangible personal property and that satisfies all of the following:

(i) It is capable of delivery itself, or as an assembled whole in a mixed or combined state, or as a component or ingredient.

(ii) It is produced, manufactured, or supplied for introduction into trade or commerce.

(iii) It is intended for sale or lease to persons for commercial or personal use.

(b) "Product" does not include human tissue, blood, or organs.

(13) "Product liability claim" means a claim or cause of action that is

asserted in a civil action pursuant to sections 2307.71 to 2307.80 of the Revised Code and that seeks to recover compensatory damages from a manufacturer or supplier for death, physical injury to person, emotional distress, or physical damage to property other than the product in question, that allegedly arose from any of the following:

- (a) The design, formulation, production, construction, creation, assembly, rebuilding, testing, or marketing of that product;
- (b) Any warning or instruction, or lack of warning or instruction, associated with that product;
- (c) Any failure of that product to conform to any relevant representation or warranty.

"Product liability claim" also includes any public nuisance claim or cause of action at common law in which it is alleged that the design, manufacture, supply, marketing, distribution, promotion, advertising, labeling, or sale of a product unreasonably interferes with a right common to the general public.

(14) "Representation" means an express representation of a material fact concerning the character, quality, or safety of a product.

(15)(a) "Supplier" means, subject to division (A)(15)(b) of this section, either of the following:

- (i) A person that, in the course of a business conducted for the purpose, sells, distributes, leases, prepares, blends, packages, labels, or otherwise participates in the placing of a product in the stream of commerce;
- (ii) A person that, in the course of a business conducted for the purpose, installs, repairs, or maintains any aspect of a product that allegedly causes harm.

(b) "Supplier" does not include any of the following:

- (i) A manufacturer;
- (ii) A seller of real property;
- (iii) A provider of professional services who, incidental to a professional transaction the essence of which is the furnishing of judgment, skill, or services, sells or uses a product;
- (iv) Any person who acts only in a financial capacity with respect to the sale of a product, or who leases a product under a lease arrangement in which the selection, possession, maintenance, and operation of the product are controlled by a person other than the lessor.

(16) "Unavoidably unsafe" means that, in the state of technical, scientific, and medical knowledge at the time a product in question left the control of its manufacturer, an aspect of that product was incapable of being made safe.

(B) Sections 2307.71 to 2307.80 of the Revised Code are intended to abrogate all common law product liability claims or causes of action.

Sec. 2307.73. (A) A manufacturer is subject to liability for compensatory damages based on a product liability claim only if the claimant establishes, by a preponderance of the evidence, both all of the following:

(1) Subject to division (B) of this section, the manufacturer's product in question was defective in manufacture or construction as described in section 2307.74 of the Revised Code, was defective in design or formulation as described in section 2307.75 of the Revised Code, was defective due to inadequate warning or instruction as described in section 2307.76 of the Revised Code, or was defective because it did not conform to a representation made by its manufacturer as described in section 2307.77 of the Revised Code;

(2) A defective aspect of the manufacturer's product in question as described in division (A)(1) of this section was a proximate cause of harm for which the claimant seeks to recover compensatory damages;

(3) The manufacturer designed, formulated, produced, constructed, created, assembled, or rebuilt the actual product that was the cause of harm for which the claimant seeks to recover compensatory damages.

(B) If a claimant is unable because a the manufacturer's product in question was destroyed to establish by direct evidence that the manufacturer's product in question was defective or if a claimant otherwise is unable to establish by direct evidence that a the manufacturer's product in question was defective, then, consistent with the Rules of Evidence, it shall be sufficient for the claimant to present circumstantial or other competent evidence that establishes, by a preponderance of the evidence, that the manufacturer's product in question was defective in any one of the four respects specified in division (A)(1) of this section.

(C) Proof that a manufacturer designed, formulated, produced, constructed, created, assembled, or rebuilt the type of product in question is not proof that the manufacturer designed, formulated, produced, constructed, created, assembled, or rebuilt the actual defective product in the product liability claim. A manufacturer may not be held liable in a product liability action based on market share, enterprise, or industrywide liability.

Sec. 2317.02. The following persons shall not testify in certain respects:

(A)(1) An attorney, concerning a communication made to the attorney by a client in that relation or the attorney's advice to a client, except that the attorney may testify by express consent of the client or, if the client is deceased, by the express consent of the surviving spouse or the executor or

administrator of the estate of the deceased client. However, if the client voluntarily testifies or is deemed by section 2151.421 of the Revised Code to have waived any testimonial privilege under this division, the attorney may be compelled to testify on the same subject.

The testimonial privilege established under this division does not apply concerning a communication between a client who has since died and the deceased client's attorney if the communication is relevant to a dispute between parties who claim through that deceased client, regardless of whether the claims are by testate or intestate succession or by inter vivos transaction, and the dispute addresses the competency of the deceased client when the deceased client executed a document that is the basis of the dispute or whether the deceased client was a victim of fraud, undue influence, or duress when the deceased client executed a document that is the basis of the dispute.

(2) An attorney, concerning a communication made to the attorney by a client in that relationship or the attorney's advice to a client, except that if the client is an insurance company, the attorney may be compelled to testify, subject to an in camera inspection by a court, about communications made by the client to the attorney or by the attorney to the client that are related to the attorney's aiding or furthering an ongoing or future commission of bad faith by the client, if the party seeking disclosure of the communications has made a prima facie showing of bad faith, fraud, or criminal misconduct by the client.

(B)(1) A physician or a dentist concerning a communication made to the physician or dentist by a patient in that relation or the physician's or dentist's advice to a patient, except as otherwise provided in this division, division (B)(2), and division (B)(3) of this section, and except that, if the patient is deemed by section 2151.421 of the Revised Code to have waived any testimonial privilege under this division, the physician may be compelled to testify on the same subject.

The testimonial privilege established under this division does not apply, and a physician or dentist may testify or may be compelled to testify, in any of the following circumstances:

(a) In any civil action, in accordance with the discovery provisions of the Rules of Civil Procedure in connection with a civil action, or in connection with a claim under Chapter 4123. of the Revised Code, under any of the following circumstances:

(i) If the patient or the guardian or other legal representative of the patient gives express consent;

(ii) If the patient is deceased, the spouse of the patient or the executor or

administrator of the patient's estate gives express consent;

(iii) If a medical claim, dental claim, chiropractic claim, or optometric claim, as defined in section 2305.113 of the Revised Code, an action for wrongful death, any other type of civil action, or a claim under Chapter 4123. of the Revised Code is filed by the patient, the personal representative of the estate of the patient if deceased, or the patient's guardian or other legal representative.

(b) In any civil action concerning court-ordered treatment or services received by a patient, if the court-ordered treatment or services were ordered as part of a case plan journalized under section 2151.412 of the Revised Code or the court-ordered treatment or services are necessary or relevant to dependency, neglect, or abuse or temporary or permanent custody proceedings under Chapter 2151. of the Revised Code.

(c) In any criminal action concerning any test or the results of any test that determines the presence or concentration of alcohol, a drug of abuse, a combination of them, a controlled substance, or a metabolite of a controlled substance in the patient's whole blood, blood serum or plasma, breath, urine, or other bodily substance at any time relevant to the criminal offense in question.

(d) In any criminal action against a physician or dentist. In such an action, the testimonial privilege established under this division does not prohibit the admission into evidence, in accordance with the Rules of Evidence, of a patient's medical or dental records or other communications between a patient and the physician or dentist that are related to the action and obtained by subpoena, search warrant, or other lawful means. A court that permits or compels a physician or dentist to testify in such an action or permits the introduction into evidence of patient records or other communications in such an action shall require that appropriate measures be taken to ensure that the confidentiality of any patient named or otherwise identified in the records is maintained. Measures to ensure confidentiality that may be taken by the court include sealing its records or deleting specific information from its records.

(e)(i) If the communication was between a patient who has since died and the deceased patient's physician or dentist, the communication is relevant to a dispute between parties who claim through that deceased patient, regardless of whether the claims are by testate or intestate succession or by inter vivos transaction, and the dispute addresses the competency of the deceased patient when the deceased patient executed a document that is the basis of the dispute or whether the deceased patient was a victim of fraud, undue influence, or duress when the deceased patient

executed a document that is the basis of the dispute.

(ii) If neither the spouse of a patient nor the executor or administrator of that patient's estate gives consent under division (B)(1)(a)(ii) of this section, testimony or the disclosure of the patient's medical records by a physician, dentist, or other health care provider under division (B)(1)(e)(i) of this section is a permitted use or disclosure of protected health information, as defined in 45 C.F.R. 160.103, and an authorization or opportunity to be heard shall not be required.

(iii) Division (B)(1)(e)(i) of this section does not require a mental health professional to disclose psychotherapy notes, as defined in 45 C.F.R. 164.501.

(iv) An interested person who objects to testimony or disclosure under division (B)(1)(e)(i) of this section may seek a protective order pursuant to Civil Rule 26.

(v) A person to whom protected health information is disclosed under division (B)(1)(e)(i) of this section shall not use or disclose the protected health information for any purpose other than the litigation or proceeding for which the information was requested and shall return the protected health information to the covered entity or destroy the protected health information, including all copies made, at the conclusion of the litigation or proceeding.

(2)(a) If any law enforcement officer submits a written statement to a health care provider that states that an official criminal investigation has begun regarding a specified person or that a criminal action or proceeding has been commenced against a specified person, that requests the provider to supply to the officer copies of any records the provider possesses that pertain to any test or the results of any test administered to the specified person to determine the presence or concentration of alcohol, a drug of abuse, a combination of them, a controlled substance, or a metabolite of a controlled substance in the person's whole blood, blood serum or plasma, breath, or urine at any time relevant to the criminal offense in question, and that conforms to section 2317.022 of the Revised Code, the provider, except to the extent specifically prohibited by any law of this state or of the United States, shall supply to the officer a copy of any of the requested records the provider possesses. If the health care provider does not possess any of the requested records, the provider shall give the officer a written statement that indicates that the provider does not possess any of the requested records.

(b) If a health care provider possesses any records of the type described in division (B)(2)(a) of this section regarding the person in question at any time relevant to the criminal offense in question, in lieu of personally

testifying as to the results of the test in question, the custodian of the records may submit a certified copy of the records, and, upon its submission, the certified copy is qualified as authentic evidence and may be admitted as evidence in accordance with the Rules of Evidence. Division (A) of section 2317.422 of the Revised Code does not apply to any certified copy of records submitted in accordance with this division. Nothing in this division shall be construed to limit the right of any party to call as a witness the person who administered the test to which the records pertain, the person under whose supervision the test was administered, the custodian of the records, the person who made the records, or the person under whose supervision the records were made.

(3)(a) If the testimonial privilege described in division (B)(1) of this section does not apply as provided in division (B)(1)(a)(iii) of this section, a physician or dentist may be compelled to testify or to submit to discovery under the Rules of Civil Procedure only as to a communication made to the physician or dentist by the patient in question in that relation, or the physician's or dentist's advice to the patient in question, that related causally or historically to physical or mental injuries that are relevant to issues in the medical claim, dental claim, chiropractic claim, or optometric claim, action for wrongful death, other civil action, or claim under Chapter 4123. of the Revised Code.

(b) If the testimonial privilege described in division (B)(1) of this section does not apply to a physician or dentist as provided in division (B)(1)(c) of this section, the physician or dentist, in lieu of personally testifying as to the results of the test in question, may submit a certified copy of those results, and, upon its submission, the certified copy is qualified as authentic evidence and may be admitted as evidence in accordance with the Rules of Evidence. Division (A) of section 2317.422 of the Revised Code does not apply to any certified copy of results submitted in accordance with this division. Nothing in this division shall be construed to limit the right of any party to call as a witness the person who administered the test in question, the person under whose supervision the test was administered, the custodian of the results of the test, the person who compiled the results, or the person under whose supervision the results were compiled.

(4) The testimonial privilege described in division (B)(1) of this section is not waived when a communication is made by a physician to a pharmacist or when there is communication between a patient and a pharmacist in furtherance of the physician-patient relation.

(5)(a) As used in divisions (B)(1) to (4) of this section, "communication" means acquiring, recording, or transmitting any

information, in any manner, concerning any facts, opinions, or statements necessary to enable a physician or dentist to diagnose, treat, prescribe, or act for a patient. A "communication" may include, but is not limited to, any medical or dental, office, or hospital communication such as a record, chart, letter, memorandum, laboratory test and results, x-ray, photograph, financial statement, diagnosis, or prognosis.

(b) As used in division (B)(2) of this section, "health care provider" means a hospital, ambulatory care facility, long-term care facility, pharmacy, emergency facility, or health care practitioner.

(c) As used in division (B)(5)(b) of this section:

(i) "Ambulatory care facility" means a facility that provides medical, diagnostic, or surgical treatment to patients who do not require hospitalization, including a dialysis center, ambulatory surgical facility, cardiac catheterization facility, diagnostic imaging center, extracorporeal shock wave lithotripsy center, home health agency, inpatient hospice, birthing center, radiation therapy center, emergency facility, and an urgent care center. "Ambulatory health care facility" does not include the private office of a physician or dentist, whether the office is for an individual or group practice.

(ii) "Emergency facility" means a hospital emergency department or any other facility that provides emergency medical services.

(iii) "Health care practitioner" has the same meaning as in section 4769.01 of the Revised Code.

(iv) "Hospital" has the same meaning as in section 3727.01 of the Revised Code.

(v) "Long-term care facility" means a nursing home, residential care facility, or home for the aging, as those terms are defined in section 3721.01 of the Revised Code; an adult care facility, as defined in section 3722.01 of the Revised Code; a nursing facility or intermediate care facility for the mentally retarded, as those terms are defined in section 5111.20 of the Revised Code; a facility or portion of a facility certified as a skilled nursing facility under Title XVIII of the "Social Security Act," 49 Stat. 286 (1965), 42 U.S.C.A. 1395, as amended.

(vi) "Pharmacy" has the same meaning as in section 4729.01 of the Revised Code.

(d) As used in divisions (B)(1) and (B)(2) of this section, "drug of abuse" has the same meaning as in section 4506.01 of the Revised Code.

(6) Divisions (B)(1), (2), (3), (4), and (5) of this section apply to doctors of medicine, doctors of osteopathic medicine, doctors of podiatry, and dentists.

(7) Nothing in divisions (B)(1) to (6) of this section affects, or shall be construed as affecting, the immunity from civil liability conferred by section 307.628 of the Revised Code or the immunity from civil liability conferred by section 2305.33 of the Revised Code upon physicians who report an employee's use of a drug of abuse, or a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee in accordance with division (B) of that section. As used in division (B)(7) of this section, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(C)(1) A cleric, when the cleric remains accountable to the authority of that cleric's church, denomination, or sect, concerning a confession made, or any information confidentially communicated, to the cleric for a religious counseling purpose in the cleric's professional character. The cleric may testify by express consent of the person making the communication, except when the disclosure of the information is in violation of a sacred trust and except that, if the person voluntarily testifies or is deemed by division (A)(4)(c) of section 2151.421 of the Revised Code to have waived any testimonial privilege under this division, the cleric may be compelled to testify on the same subject except when disclosure of the information is in violation of a sacred trust.

(2) As used in division (C) of this section:

(a) "Cleric" means a member of the clergy, rabbi, priest, Christian science ~~science~~ Science practitioner, or regularly ordained, accredited, or licensed minister of an established and legally cognizable church, denomination, or sect.

(b) "Sacred trust" means a confession or confidential communication made to a cleric in the cleric's ecclesiastical capacity in the course of discipline enjoined by the church to which the cleric belongs, including, but not limited to, the Catholic Church, if both of the following apply:

(i) The confession or confidential communication was made directly to the cleric.

(ii) The confession or confidential communication was made in the manner and context that places the cleric specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine.

(D) Husband or wife, concerning any communication made by one to the other, or an act done by either in the presence of the other, during coverture, unless the communication was made, or act done, in the known presence or hearing of a third person competent to be a witness; and such rule is the same if the marital relation has ceased to exist;

(E) A person who assigns a claim or interest, concerning any matter in respect to which the person would not, if a party, be permitted to testify;

(F) A person who, if a party, would be restricted under section 2317.03 of the Revised Code, when the property or thing is sold or transferred by an executor, administrator, guardian, trustee, heir, devisee, or legatee, shall be restricted in the same manner in any action or proceeding concerning the property or thing.

(G)(1) A school guidance counselor who holds a valid educator license from the state board of education as provided for in section 3319.22 of the Revised Code, a person licensed under Chapter 4757. of the Revised Code as a professional clinical counselor, professional counselor, social worker, independent social worker, marriage and family therapist or independent marriage and family therapist, or registered under Chapter 4757. of the Revised Code as a social work assistant concerning a confidential communication received from a client in that relation or the person's advice to a client unless any of the following applies:

(a) The communication or advice indicates clear and present danger to the client or other persons. For the purposes of this division, cases in which there are indications of present or past child abuse or neglect of the client constitute a clear and present danger.

(b) The client gives express consent to the testimony.

(c) If the client is deceased, the surviving spouse or the executor or administrator of the estate of the deceased client gives express consent.

(d) The client voluntarily testifies, in which case the school guidance counselor or person licensed or registered under Chapter 4757. of the Revised Code may be compelled to testify on the same subject.

(e) The court in camera determines that the information communicated by the client is not germane to the counselor-client, marriage and family therapist-client, or social worker-client relationship.

(f) A court, in an action brought against a school, its administration, or any of its personnel by the client, rules after an in-camera inspection that the testimony of the school guidance counselor is relevant to that action.

(g) The testimony is sought in a civil action and concerns court-ordered treatment or services received by a patient as part of a case plan journalized under section 2151.412 of the Revised Code or the court-ordered treatment or services are necessary or relevant to dependency, neglect, or abuse or temporary or permanent custody proceedings under Chapter 2151. of the Revised Code.

(2) Nothing in division (G)(1) of this section shall relieve a school guidance counselor or a person licensed or registered under Chapter 4757.

of the Revised Code from the requirement to report information concerning child abuse or neglect under section 2151.421 of the Revised Code.

(H) A mediator acting under a mediation order issued under division (A) of section 3109.052 of the Revised Code or otherwise issued in any proceeding for divorce, dissolution, legal separation, annulment, or the allocation of parental rights and responsibilities for the care of children, in any action or proceeding, other than a criminal, delinquency, child abuse, child neglect, or dependent child action or proceeding, that is brought by or against either parent who takes part in mediation in accordance with the order and that pertains to the mediation process, to any information discussed or presented in the mediation process, to the allocation of parental rights and responsibilities for the care of the parents' children, or to the awarding of parenting time rights in relation to their children;

(I) A communications assistant, acting within the scope of the communication assistant's authority, when providing telecommunications relay service pursuant to section 4931.35 of the Revised Code or Title II of the "Communications Act of 1934," 104 Stat. 366 (1990), 47 U.S.C. 225, concerning a communication made through a telecommunications relay service. Nothing in this section shall limit the obligation of a communications assistant to divulge information or testify when mandated by federal law or regulation or pursuant to subpoena in a criminal proceeding.

Nothing in this section shall limit any immunity or privilege granted under federal law or regulation.

(J)(1) A chiropractor in a civil proceeding concerning a communication made to the chiropractor by a patient in that relation or the chiropractor's advice to a patient, except as otherwise provided in this division. The testimonial privilege established under this division does not apply, and a chiropractor may testify or may be compelled to testify, in any civil action, in accordance with the discovery provisions of the Rules of Civil Procedure in connection with a civil action, or in connection with a claim under Chapter 4123. of the Revised Code, under any of the following circumstances:

(a) If the patient or the guardian or other legal representative of the patient gives express consent.

(b) If the patient is deceased, the spouse of the patient or the executor or administrator of the patient's estate gives express consent.

(c) If a medical claim, dental claim, chiropractic claim, or optometric claim, as defined in section 2305.113 of the Revised Code, an action for wrongful death, any other type of civil action, or a claim under Chapter

4123. of the Revised Code is filed by the patient, the personal representative of the estate of the patient if deceased, or the patient's guardian or other legal representative.

(2) If the testimonial privilege described in division (J)(1) of this section does not apply as provided in division (J)(1)(c) of this section, a chiropractor may be compelled to testify or to submit to discovery under the Rules of Civil Procedure only as to a communication made to the chiropractor by the patient in question in that relation, or the chiropractor's advice to the patient in question, that related causally or historically to physical or mental injuries that are relevant to issues in the medical claim, dental claim, chiropractic claim, or optometric claim, action for wrongful death, other civil action, or claim under Chapter 4123. of the Revised Code.

(3) The testimonial privilege established under this division does not apply, and a chiropractor may testify or be compelled to testify, in any criminal action or administrative proceeding.

(4) As used in this division, "communication" means acquiring, recording, or transmitting any information, in any manner, concerning any facts, opinions, or statements necessary to enable a chiropractor to diagnose, treat, or act for a patient. A communication may include, but is not limited to, any chiropractic, office, or hospital communication such as a record, chart, letter, memorandum, laboratory test and results, x-ray, photograph, financial statement, diagnosis, or prognosis.

(K)(1) Except as provided under division (K)(2) of this section, a critical incident stress management team member concerning a communication received from an individual who receives crisis response services from the team member, or the team member's advice to the individual, during a debriefing session.

(2) The testimonial privilege established under division (K)(1) of this section does not apply if any of the following are true:

(a) The communication or advice indicates clear and present danger to the individual who receives crisis response services or to other persons. For purposes of this division, cases in which there are indications of present or past child abuse or neglect of the individual constitute a clear and present danger.

(b) The individual who received crisis response services gives express consent to the testimony.

(c) If the individual who received crisis response services is deceased, the surviving spouse or the executor or administrator of the estate of the deceased individual gives express consent.

(d) The individual who received crisis response services voluntarily

testifies, in which case the team member may be compelled to testify on the same subject.

(e) The court in camera determines that the information communicated by the individual who received crisis response services is not germane to the relationship between the individual and the team member.

(f) The communication or advice pertains or is related to any criminal act.

(3) As used in division (K) of this section:

(a) "Crisis response services" means consultation, risk assessment, referral, and on-site crisis intervention services provided by a critical incident stress management team to individuals affected by crisis or disaster.

(b) "Critical incident stress management team member" or "team member" means an individual specially trained to provide crisis response services as a member of an organized community or local crisis response team that holds membership in the Ohio critical incident stress management network.

(c) "Debriefing session" means a session at which crisis response services are rendered by a critical incident stress management team member during or after a crisis or disaster.

(L)(1) Subject to division (L)(2) of this section and except as provided in division (L)(3) of this section, an employee assistance professional, concerning a communication made to the employee assistance professional by a client in the employee assistance professional's official capacity as an employee assistance professional.

(2) Division (L)(1) of this section applies to an employee assistance professional who meets either or both of the following requirements:

(a) Is certified by the employee assistance certification commission to engage in the employee assistance profession;

(b) Has education, training, and experience in all of the following:

(i) Providing workplace-based services designed to address employer and employee productivity issues;

(ii) Providing assistance to employees and employees' dependents in identifying and finding the means to resolve personal problems that affect the employees or the employees' performance;

(iii) Identifying and resolving productivity problems associated with an employee's concerns about any of the following matters: health, marriage, family, finances, substance abuse or other addiction, workplace, law, and emotional issues;

(iv) Selecting and evaluating available community resources;

(v) Making appropriate referrals;

(vi) Local and national employee assistance agreements;

(vii) Client confidentiality.

(3) Division (L)(1) of this section does not apply to any of the following:

(a) A criminal action or proceeding involving an offense under sections 2903.01 to 2903.06 of the Revised Code if the employee assistance professional's disclosure or testimony relates directly to the facts or immediate circumstances of the offense;

(b) A communication made by a client to an employee assistance professional that reveals the contemplation or commission of a crime or serious, harmful act;

(c) A communication that is made by a client who is an unemancipated minor or an adult adjudicated to be incompetent and indicates that the client was the victim of a crime or abuse;

(d) A civil proceeding to determine an individual's mental competency or a criminal action in which a plea of not guilty by reason of insanity is entered;

(e) A civil or criminal malpractice action brought against the employee assistance professional;

(f) When the employee assistance professional has the express consent of the client or, if the client is deceased or disabled, the client's legal representative;

(g) When the testimonial privilege otherwise provided by division (L)(1) of this section is abrogated under law.

SECTION 2. That existing sections 1345.09, 2307.60, 2307.71, 2307.73, and 2317.02 of the Revised Code are hereby repealed.

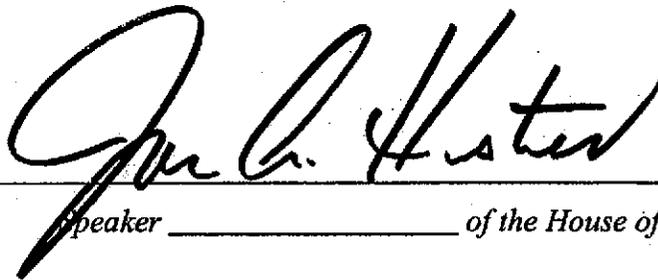
SECTION 3. The General Assembly declares its intent that the amendments made by this act to sections 2307.71 and 2307.73 of the Revised Code are not intended to be substantive but are intended to clarify the General Assembly's original intent in enacting the Ohio Product Liability Act, sections 2307.71 to 2307.80 of the Revised Code, as initially expressed in Section 3 of Am. Sub. S.B. 80 of the 125th General Assembly, to abrogate all common law product liability causes of action including common law public nuisance causes of action, regardless of how the claim is described, styled, captioned, characterized, or designated, including claims against a manufacturer or supplier for a public nuisance allegedly caused by a manufacturer's or supplier's product.

SECTION 4. The General Assembly declares its intent that the amendments made by this act to section 2307.73 of the Revised Code are intended to clarify that section 2307.73 of the Revised Code is intended to follow the Ohio Supreme Court's holdings in *Sutowski v. Eli Lilly & Co.* (1998), 82 Ohio St.3d 347, and in *Horton v. Harwick Chemical Corp.* (1995), 73 Ohio St. 3d 679, that a plaintiff in a product liability claim must identify the particular manufacturer of the product that allegedly caused the plaintiff's harm in order to maintain the claim.

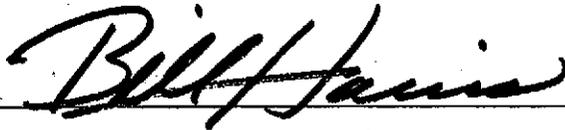
SECTION 5. Section 1345.09 of the Revised Code, as amended by this act, shall take effect on July 1, 2007, and shall apply to actions commenced on or after that date and, to the extent permitted under the constitutions of this state and of the United States, to cases pending on that date.

SECTION 6. The General Assembly declares that the attorney-client privilege is a substantial right and that it is the public policy of Ohio that all communications between an attorney and a client in that relation are worthy of the protection of privilege, and further that where it is alleged that the attorney aided or furthered an ongoing or future commission of insurance bad faith by the client, that the party seeking waiver of the privilege must make a prima facie showing that the privilege should be waived and the court should conduct an in camera inspection of disputed communications. The common law established in *Boone v. Vanliner Ins. Co.* (2001), 91 Ohio St.3d 209, *Moskovitz v. Mt. Sinai Med. Ctr.* (1994), 69 Ohio St.3d 638, and *Peyko v. Frederick* (1986), 25 Ohio St.3d 164, is modified accordingly to provide for judicial review regarding the privilege.

SECTION 7. Section 2317.02 of the Revised Code is presented in this act as a composite of the section as amended by Sub. H.B. 144, Sub. S.B. 8, and Am. Sub. S.B. 17 of the 126th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.



Speaker _____ of the House of Representatives.



President _____ of the Senate.

Passed December 14, 2006

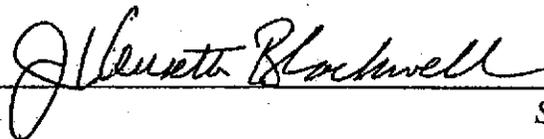
Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 5th day of January, A. D. 2007.



Secretary of State.

File No. 198 Effective Date _____

AN ACT

To amend sections 1345.09, 2307.60, 2307.71, 2307.73, and 2317.02 of the Revised Code to specify the nature of damages that may be recovered in certain actions based on unfair or deceptive sales practices, to provide that a final judgment, entered after a trial or upon a plea of guilty in certain criminal actions generally precludes the offender from denying any fact essential to sustain that judgment when entered in evidence in a civil proceeding that is based on the criminal act, to make an exception to the attorney-client privilege for communications related to an attorney's aiding or furthering an ongoing or future commission of bad faith by a client that is an insurance company, to prohibit the use of enterprise theories of liability against manufacturers in product liability claims, and to include public nuisance claims under the definition of product liability claims.

Introduced by

Senators (Sponsor Removed by Request), Schuler, Amstutz, Clancy, Goodman, Jordan, Mumper, Niehaus, Schuring, Wachtmann, Harris
Representatives Aslanides, Blasdel, Blessing, Bubp, Buehrer, Coley, Collier, Flowers, Gibbs, Hood, Raussen, Schaffer, Schneider, Seitz, Setzer, White, D., Wolpert

Passed by the Senate,

October 26, 2005

Passed by the House of Representatives,

December 14, 2006

Filed in the office of the Secretary of State at Columbus, Ohio, on the

5th day of January, A. D. 2007

J. Lucretia Rockwell
Secretary of State.

(Concurred in House amendments
December 14, 2006).

OHIO LEGISLATIVE SERVICE COMMISSION, 126th GENERAL ASSEMBLY, 2004-2005
 Record of acts received for examination and approval and record of return

File No.	Bill No.	Signed by Governor	Date Received by LSC	Date Returned to Sec. of State	Received by (Secretary or State Employee Signature)
181					
182	Am. Sub. SB 171	1/2/07	1/31/07	2/20/07	Licia A. Thurman
183	Sub. SB 305	1/2/07	1/31/07	2/8/07	Paula Dill
184	Am. Sub. HB 690	1/2/07	1/31/07	2/8/07	Paula Dill
185	Am. Sub. SB 311	1/3/07	1/31/07		
186	Sub. HB 551	1/2/07	1/31/07	2/8/07	Paula Dill
187	Am. HB 282	1/4/07	1/31/07		
188	Sub. HB 401	1/4/07	1/31/07	2/20/07	Licia A. Thurman
189	Sub. SB 281	1/4/07	1/31/07	2/20/07	Licia A. Thurman
190	Sub. HB 251	1/4/07	1/31/07	2/20/07	Licia A. Thurman
191	Am. Sub. HB 468	1/4/07	1/31/07	2/8/07	Paula Dill
192	Sub. HB 343	1/4/07	1/31/07	2/8/07	Paula Dill
193	Am. Sub. HB 272	1/4/07	1/31/07	2/20/07	Licia A. Thurman
194	Sub. HB 454	1/4/07	1/31/07		
195	Am. Sub. HB 403	1/4/07	1/31/07	2/20/07	Licia A. Thurman
196	Sub. HB 443	1/4/07	1/31/07	2/20/07	Licia A. Thurman
197	Sub. HB 56		1/31/07	2/9/07	Paula Dill
198	Am. Sub. SB 117		1/31/07	2/9/07	Paula Dill

4. With respect to Amended Substitute Senate Bill No. 117, and a number of other bills, it was determined with Governor Taft's staff that those bills should be presented to Governor Taft on December 27, 2006.

5. Exhibit N, attached to this Affidavit, is a true and accurate copy of the Senate Journal page for December 20, 2006, which reflects the date Speaker of the House Husted signed the enrolled Amended Substitute Senate Bill No. 117, and the date on which that bill was delivered to the Senate for President Harris to sign.

6. No Senate sessions were scheduled on December 22, 23, 24 and 25, 2006, due to the weekend and an official State of Ohio holiday.

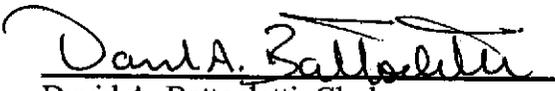
7. On Tuesday, December 26, 2006, President Harris signed Amended Substitute Senate Bill No. 117, and numerous other bills.

8. On December 27, 2006, the date coordinated with the Governor's staff, my staff presented Amended Substitute Senate Bill No. 117, and other bills, to Governor Taft. **Exhibit F** of the Complaint is a copy of the record establishing delivery of S.B. 117 to Governor Taft.

AFFIANT FURTHER SAYETH NAUGHT.



NANCY B. HELLER
Notary Public, State of Ohio
My Commission Expires
August 27, 2011


David A. Battocletti, Clerk
Ohio Senate

Sworn to and subscribed before me and subscribed to in my presence this 2ND day
of APRIL, 2007.

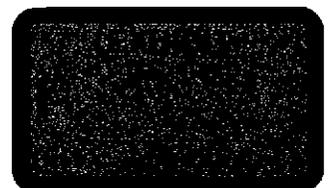

Notary Public

OHIO

SENATE

JOURNAL

WEDNESDAY, DECEMBER 20, 2006



TWO HUNDRED FORTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, December 20, 2006, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

The journal of the last legislative day was read and approved.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Sub. H. B. No. 166 - Representatives Boccieri, McGregor, J., Koziura, Otterman, Taylor, Evans, D., Key, Carano, Cassell, Chandler, Combs, Daniels, Domenick, Fende, Luckie, Patton, S., Patton, T., Seitz, Williams, Yates, Yuko

To amend section 4505.01 and to enact section 4505.063 of the Revised Code to apply the motor vehicle certificate of title law to trailers and semitrailers that weigh 4,000 pounds or less and are not farm trailers.

Attest:

Laura P. Clemens,
Clerk.

Said bill was considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

S. B. No. 277 - Senators Jacobson, Kearney, Cates, Armbruster, Coughlin, Gardner, Grendell, Harris, Jordan, Padgett, Clancy, Mumper, Niehaus, Schuler
Representatives Book, Hartnett, Setzer, Stewart, D., Patton, T., Buehrer, Combs, Evans, C., Evans, D., Smith, G., Trakas

To create the National Statuary Collection Study Committee to recommend an individual to replace Governor William Allen as one of Ohio's representatives in the National Statuary Collection in the United States Capitol.

Attest: Laura P. Clemens,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Sub. S. B. No. 281 - Senators Stivers, Padgett, Mumper, Goodman, Austria, Spada, Zurz Representatives Uecker, Setzer, Blessing, Carano, Cassell, Combs, DeBose, Distel, Domenick, Evans, C., Evans, D., Hagan, Otterman, Patton, T., Yuko

To amend sections 109.761, 109.802, 2921.51, 2929.13, 2929.14, and 2941.1414 to enact new section 109.803, and to repeal section 109.803 of the Revised Code to mandate up to 24 hours a year of continuing professional training for peace officers and state highway patrol troopers, to provide a mechanism for the granting for a calendar year because of emergency circumstances of an extension of the time within which a peace officer or trooper must complete the required minimum number of hours of training, to establish the method by which the Attorney General reimburses the costs of training programs for peace officers and troopers of public appointing authorities, to prohibit impersonating BCII investigators, to apply the increased penalties for aggravated vehicular homicide when the victim is a peace officer to when the victim is a BCII investigator, and to make an appropriation.

Attest: Laura P. Clemens,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

Sub. H. B. No. 9 - Representative Oelslager - et al.

Sub. H. B. No. 141 - Representative Willamowski - et al.

Attest:

Laura P. Clemens,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

Am. Sub. H. B. No. 276 - Representative Stewart, J. - et al.

Sub. H. B. No. 454 - Representative Coley - et al.

Am. Sub. H. B. No. 461 - Representative Wolpert - et al.

Sub. H. B. No. 551 - Representative Latta - et al.

Attest:

Laura P. Clemens,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has agreed to the report of the Committee of Conference on matters of difference between the two houses on:

Sub. H. B. No. 79 - Representative Raga - et al.

Attest:

Laura P. Clemens,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bills:

Am. Sub. S. B. No. 117 - Senator Mallory- et al.

Sub. S. B. No. 305 - Senator Stivers- et al.

Sub. S. B. No. 137 - Senator Goodman- et al.

Am. Sub. S. B. No. 116 - Senator Spada- et al.
Am. Sub. S. B. No. 171 - Senator Coughlin- et al.
Sub. H. B. No. 73 - Representative Trakas - et al.
Am. Sub. H. B. No. 149 - Representative Calvert - et al.
Sub. H. B. No. 251 - Representative Uecker - et al.
Am. Sub. H. B. No. 259 - Representative Wagner - et al.
Sub. H. B. No. 285 - Representative Willamowski - et al.
Sub. H. B. No. 293 - Representative Kilbane - et al.
Sub. H. B. No. 343 - Representative Raga - et al.
Am. Sub. H. B. No. 468 - Representative Hagan - et al.
Sub. H. B. No. 546 - Representative Dolan - et al.
H. B. No. 571 - Representative Hughes - et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said bills.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

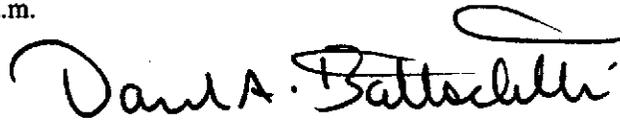
Am. Sub. H. B. No. 699 - Representative Calvert - et al.
Sub. H. B. No. 694 - Representative DeWine - et al.
Sub. H. B. No. 71 - Representative J. Stewart - et al.
Sub. H. B. No. 187 - Representative Buehrer - et al.
Sub. H. B. No. 241 - Representative Latta - et al.
Sub. H. B. No. 443 - Representative Uecker - et al.
Sub. H. B. No. 487 - Representative Widener - et al.
Am. Sub. H. B. No. 690 - Representative Seitz - et al.

Attest:

Laura P. Clemens,
Clerk.

On the motion of Senator Armbruster, the Senate adjourned until Thursday,

December 21, 2006 at 11:00 o'clock a.m.

A handwritten signature in black ink, reading "David A. Battocletti". The signature is written in a cursive style with a prominent flourish at the end of the last name.

DAVID A. BATTOCLETTI,
Clerk.

Attest:

AFFIANT FURTHER SAYETH NAUGHT.

Mary Briggs
Mary Briggs

Sworn to and subscribed before me and subscribed to in my presence this
2nd day of APRIL, 2007.

Richard D. Schuster
Notary Public

RICHARD D. SCHUSTER, Attorney-At-Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.



JOURNAL
126TH GENERAL ASSEMBLY 2005-2006

Filed	File No.	Description	Bill No.	Effective Date
2/4/2005	1	TO MAKE CAPITAL AND OTHER APPROPRIATIONS, TO CHANGE THE NAME OF THE MEDICAL COLLEGE OF OHIO	AM SUB HB 16	05/06/05; CERTAIN PROVISIONS EFFECTIVE ON OTHER DATES
3/7/2005	2	REGARDING AN ELECTION BY A RETIRANT OF ONE OF THE STATE'S PUBLIC RETIREMENT SYSTEMS	AM HB 10	06/06/05; CERTAIN PROVISIONS EFFECTIVE ON OTHER DATES
3/22/2005	3	TO ALLOW THE INDUSTRIAL COMMISSION TO MAKE CONTRACTS CONCERNING TELECOMMUNICATIONS AND COMPUTER SERVICES	HB 65	06/21/05; CERTAIN PROVISIONS EFFECTIVE ON OTHER DATES
3/22/2005	4	TO TRANSFER THE PUBLIC EMPLOYEES RISK REDUCTION PROGRAM	AM HB 67	06/21/05; CERTAIN PROVISIONS EFFECTIVE ON OTHER DATES
3/30/2005	5	TO ENACT AS A SEPARATE ACT THE PROVISION OF LAW EXEMPTING EMPLOYEES OF THE OHIO SCHOOL FACILITIES COMMISSION	SUB SB 56	3/29/05; CERTAIN PROVISIONS EFFECTIVE ON OTHER DATES
3/30/2005	6	TO MAKE APPROPRIATIONS FOR PROGRAMS RELATED TO TRANSPORTATION AND PUBLIC SAFETY	AM SUB HB 68	03/29/05; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
3/30/2005	7	TO PERMIT THE LEVY BY A BOARD OF COUNTY COMMISSIONERS OF A SALES AND USE TAX	AM HB 13	3/30/2005
4/13/2005	8	TO CLARIFY THE APPLICATION OF THE STATE'S CRIMINAL JURISDICTION STATUTE TO OFFENSES COMMITTED IN A JURISDICTION	SUB SB 20	7/13/2005
4/29/2005	9	TO ESTABLISH POLITICAL CONTRIBUTING ENTITIES FOR THE PURPOSE OF CAMPAIGN FINANCE LAW	AM SB SUB 115	04/26/05
5/5/2005	10	TO ALLOW A STATE OFFICER OR EMPLOYEE WHO IN A CIVIL ACTION IS ALLEGED TO LACK IMMUNITY FROM PERSONAL LIABILITY TO PARTICIPATE IN PROCEEDINGS TO DETERMINE WHETHER THE OFFICER OR EMPLOYEE IS ENTITLED TO PERSONAL IMMUNITY	SUB HB 25	08/04/05; SECTION 2743.02 EFFECTIVE ON OTHER DATES
5/5/2005	11	RELATIVE TO THE APPOINTMENT AND COMMISSIONING OF AMUSEMENT PARK POLICE OFFICERS AND TO THE TRAINING OF THOSE OFFICERS	SUB HB 58	05/03/05
5/5/2005	12	TO EXCLUDE PERSONS WHO SELL REAL OR PERSONAL PROPERTY BY MEANS OF INTERNET FROM HAVING TO OBTAIN A LICENSE UNDER AUCTIONEERS LAW	SUB SB 99	05/06/05; CERTAIN PROVISIONS EFFECTIVE ON OTHER DATES
5/13/2005	13	TO ESTABLISH THE PARTNERSHIP FOR CONTINUED LEARNING TO MAKE RECOMMENDATIONS FOR FACILITATING COLLABORATION AMONG PROVIDERS OF PRESCHOOL THROUGH POSTSECONDARY EDUCATION AND FOR MAINTAINING A HIGH-QUALITY WORKFORCE IN OHIO	AM SB 6	08/12/05
5/20/2005	14	REGARDING THE COMPOUNDING OF DRUGS BY PHARMACISTS	SUB SB 18	08/19/05

Filed	File No.	Description	Bill No.	Effective Date
5/20/2005	15	TO PERMIT SCHOOL DISTRICTS AND NONPUBLIC SCHOOLS TO COUNT TIME THAT SCHOOLS ARE IN SESSION BEYOND THE REQUIRED MINIMUM NUMBER OF HOURS	AM SB 71	05/18/05
5/20/2005	16	RELATING TO THE USE OF AUTHORIZED COMMUNICATIONS EQUIPMENT, INCLUDING ELECTRONIC OR TELEPHONIC TRANSMISSIONS	HB 42	08/19/05
5/27/2005	17	TO REQUIRE A PERSON WHO IS CHARGED WITH AN OFFENSE OF VIOLENCE INVOLVING A VICTIM WHO IS A FAMILY OR HOUSEHOLD MEMBER AND TO WHOM ANY OF A LIST OF SPECIFIED CIRCUMSTANCES APPLIES TO APPEAR BEFORE THE COURT BEFORE THE COURT SETS BAIL FOR THAT PERSON	SUB HB 29	08/26/05
6/3/2005	18	TO PHASE IN DESTINATION-BASED SOURCING OF SALES FOR SMALL BUSINESSES	AM SUB SB 26	06/02/05
6/6/2005	19	TO GRANT TO ALL MEMBERS OF THE NATIONAL GUARD AND RESERVE COMPONENTS OF THE UNITED STATES ARMED FORCES WHO HAVE BEEN CALLED TO ACTIVE DUTY AN EXTENSION OF TIME IN WHICH TO FILE INCOME TAX RETURNS	SUB HB 2	06/02/05
6/6/2005	20	TO CONFORM STATE LAW TO FEDERAL REQUIREMENTS IN THE ESTABLISHMENT OF CIVIL AND CRIMINAL PENALTIES FOR MANIPULATING PAYROLL AND BUSINESS TRANSFER INFORMATION TO OBTAIN LOWER CONTRIBUTION RATES	AM SB 81	09/05/05
6/6/2005	21	TO REVISE THE LAW GOVERNING COUNTY BOARDS OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES	AM SUB SB 10	09/05/05
6/17/2005	22	TO INCREASE THE PENALTY FOR IDENTIFY FRAUD IN CERTAIN CIRCUMSTANCES INCLUDING WHEN IT IS COMMITTED AGAINST AN ELDERLY PERSON OR ADULT	SUB HB 48	09/16/05
6/17/2005	23	TO REQUIRE ANY PLACE OF PUBLIC ACCOMMODATION TO ALLOW A MOTHER TO BREAST-FEED WITHIN THE PLACE OF PUBLIC ACCOMMODATION	SB 41	09/16/05
6/17/2005	24	TO CREATE THE OHIO INCIDENT-BASED REPORTING SYSTEM IN THE OFFICE OF CRIMINAL JUSTICE SERVICES	SUB HB 4	09/16/05
6/27/2005	25	TO MODIFY DUTIES AND LIABILITIES OF SKI AREA OPERATORS AND SKIERS	AM SUB SB 61	09/26/05
6/27/2005	26	TO EXEMPT TEN STATE GOVERNMENTAL ENTITIES FROM THE OPERATION OF THE REVIEW LAW	SUB SB 124	06/27/05
6/27/2005	27	TO EXPAND AND MODIFY THE PENALTY FOR THE OFFENSE OF PUBLIC INDECENCY	SUB HB 50	09/26/05
6/30/2005	28	BUDGET BILL	AM SUB HB 66	06/30/05; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
7/1/2005	29	TO DESIGNATE SEPTEMBER AS "LEUKEMIA, LYMPHOMA, AND MYELOMA AWARENESS MONTH"	HB 36	09/30/05
7/22/2005	30	TO SPECIFY THAT A SEARCH WARRANT MUST BE RETURNED PROMPTLY	SUB HB 34	10/21/05

Filed	File No.	Description	Bill No.	Effective Date
7/22/2005	31	TO PERMIT THE ELECTORS OF A STATUTORY VILLAGE TO VOTE ON A QUESTION TO AUTHORIZE THE MAYOR TO APPOINT THE VILLAGE SOLICITOR WITH THE ADVICE AND CONSENT OF THE VILLAGE'S LEGISLATIVE AUTHORITY	AM SUB HB 76	10/21/05
7/22/2005	32	TO REQUIRE A DEPOSITORY INSTITUTION MAINTAINING AN INTEREST-BEARING TRUST ACCOUNT (IOLTA)	HB 185	10/21/05
8/5/2005	33	TO REVISE STATE TELECOMMUNICATIONS POLICY	AM SUB HB 218	11/04/05
8/17/2005	34	TO AUTHORIZE THE GREEN COUNTY PROSECUTING ATTORNEY TO PROSECUTE STATE LAW VIOLATION CASES	AM SUB SB 147	11/15/05; CERTAIN PROVISIONS EFFECTIVE ON OTHER DATES
8/17/2005	35	TO PERMIT THE SALE OF GROUP LIFE INSURANCE TO SPECIFIED GROUPS	SUB HB 193	11/16/05
8/24/2005	36	TO REQUIRE THE DEPARTMENT OF REHABILITATION AND CORRECTION TO ESTABLISH AND OPERATE AN INTERNET DATABASE THAT CONTAINS SPECIFIED OFFENSE, SENTENCE, AND RELEASE INFORMATION FOR EACH INMATE IN THE CUSTODY OF THE DEPARTMENT	AM SUB HB 15	11/23/05
9/20/2005	37	TO REPLACE THE NAME "TOWNSHIP CLERK" WITH THE NAME "TOWNSHIP FISCAL OFFICER" AND TO REQUIRE A TOWNSHIP ZONING REFERENDUM TO BE VOTED UPON AT A SPECIAL ELECTION TO BE HELD ON THE DAY OF THE NEXT PRIMARY OR GENERAL ELECTION	SUB SB 107	12/20/05
9/20/2005	38	TO ADD ONE ADDITIONAL JUDGE FOR THE GENERAL DIVISION OF THE BUTLER COUNTY COURT OF COMMON PLEAS TO BE ELECTED IN 2006	AM SB 128	12/20/05
9/20/2005	39	TO PERMIT THE PROSECUTING ATTORNEY, WITH THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS, TO BE THE LEGAL ADVISER TO A JOINT FIRE DISTRICT	SUB HB 33	12/20/05
10/28/2005	40	TO PERMIT A BOARD OF ELECTIONS, IN CONJUNCTION WITH A BOARD OF EDUCATION, THE GOVERNING AUTHORITY OF A COMMUNITY SCHOOL	SUB HB 234	01/27/06
10/28/2005	41	TO MAKE THE TESTIMONIAL PRIVILEGE AGAINST DISCLOSURE OF CERTAIN COMMUNICATIONS APPLICABLE TO CRITICAL INCIDENT STRESS MANAGEMENT (CISM) TEAM MEMBERS	SUB SB 19	01/27/06
11/18/2005	42	TO AUTHORIZE THE LIQUOR CONTROL COMMISSION TO ISSUE AN ORDER ALLOWING A PERMIT HOLDER TO PAY A FORFEITURE RATHER THAN HAVE THE HOLDER'S PERMIT REVOKED	SUB HB 140	02/17/06
11/8/2005	43	TO REQUIRE A STATE AGENCY, AN AGENCY OF A POLITICAL SUBDIVISION, OR A PERSON, INCLUDING A BUSINESS ENTITY THAT DOES BUSINESS IN OHIO	SUB HB 104	02/17/06
11/18/2005	44	TO ESTABLISH UNTIL DECEMBER 31, 2006, A MORATORIUM ON THE USE OF EMINENT DOMAIN BY ANY ENTITY OF THE STATE GOVERNMENT OR ANY POLITICAL SUBDIVISION OF THE STATE TO TAKE... DECLARE AN EMERGENCY	AM SUB SB 167	11/16/05

Filed	File No.	Description	Bill No.	Effective Date
11/28/2005	45	TO AUTHORIZE THE LEGISLATIVE AUTHORITY OF A MUNICIPAL CORPORATION TO ESTABLISH A SCHEDULE OF FEES TO BE TAXED AS COSTS IN A CIVIL, CRIMINAL, OR TRAFFIC PROCEEDING IN A MUNICIPAL COURT	AM HB 226	02/27/06
11/28/2005	46	TO EXTEND THE JOB TRAINING TAX CREDIT FOR AN ADDITIONAL YEAR... DECLARE AN EMERGENCY	AM SB 190	11/22/05
12/20/2005	47	TO REQUIRE THE DIRECTOR OF HEALTH TO ESTABLISH THE SCHOOL HEALTH AND SAFETY NETWORK TO COORDINATE SCHOOL INSPECTIONS	AM SUB HB 203	03/21/06
12/28/2005	48	TO CREATE "ONE NATION UNDER GOD" LICENSE PLATES	SB 55	03/29/06
12/28/2005	49	TO MODIFY THE OHIO REAL ESTATE APPRAISER LAW WITH RESPECT TO THE TEMPORARY REGISTRATION OF APPRAISERS LICENSED OR CERTIFIED IN ANOTHER STATE	AM SB 144	03/29/06
12/28/2005	50	TO GRANT HIGH SCHOOL DIPLOMAS TO CERTAIN VETERANS OF THE VIETNAM CONFLICT	SUB HB 11	03/29/06
12/28/2005	51	TO AUTHORIZE A SOLID WASTE MANAGEMENT DISTRICT TO EXEMPT AUTOMOTIVE SHREDDER RESIDUE FROM THE DISTRICT'S GENERATIO FEE	AM HB 100	03/29/06
12/28/2005	52	TO ALLOW MANUFACTURERS AND WHOLESALE DISTRIBUTORS OF ALCOHOL TO PROVIDE TO OTHER MANUFACTURERS OR WHOLESALE DISTRIBUTORS TRAVEL, LODGING, FOOD, AND BEVERAGES	SUB HB 209	03/29/06
12/28/2005	53	TO PERMIT A SURVIVING SPOUSE TO TAKE A MOTORCYCLE AS ONE OF THE TWO AUTOMOBILES THE SURVIVING SPOUSE MAY RECEIVE OUTSIDE OF PROBATE	SUB HB 246	03/29/06
12/28/2005	54	TO REVISE THE STATUTES GOVERNING CONSTRUCTION AND DEMOLITION DEBRIS FACILITIES AND... TO DECLARE AN EMERGENCY	AM SUB HB 397	12/22/05
1/9/2006	55	TO IMPLEMENT CERTAIN PROVISIONS OF ARTICLE VIII, SECTION 2p OF THE OHIO CONSTITUTION REGARDING THE ISSUANCE OF OBLIGATIONS TO SUPPORT RESEARCH AND DEVELOPMENT OF CERTAIN SITES AND FACILITIES AND TO MAKE AN APPROPRIATION	AM SUB SB 236	01/04/06
1/9/2006	56	TO EXEMPT THE DIVISION OF WILDLIFE FROM MAKING PAYMENTS INTO THE DEPARTMENT OF NATURAL RESOURCES' CENTRAL SUPPORT INDIRECT FUND	HB 367	04/10/06
1/13/2006	57	TO PROHIBIT THE CLAIMING AND PAYMENT OF A LOTTERY PRIZE AWARD WITH A VALUE IN EXCESS OF \$599 UNTIL THE BENEFICIAL OWNER'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER ARE DISCLOSED TO THE STATE LOTTERY COMMISSION	AM SUB HB 122	04/14/06
1/13/2006	58	TO AUTHORIZE CONVEYANCES DURING A FIVE YEAR PERIOD OF CERTAIN PARCELS OF REAL ESTATE HELD FOR THE USE AND BENEFIT OF YOUNGSTOWN STATE UNIVERSITY... TO DECLARE AN EMERGENCY	SUB HB 139	01/10/06

Filed	File No.	Description	Bill No.	Effective Date
1/13/2006	59	TO MAKE CHANGES IN THE CREDIT UNION LAW RELATING TO GENERAL POWERS AND SERVICES OFFERED	SUB HB 81	04/14/06
1/13/2006	60	REGARDING THE PROVISION OF HOSPICE CARE IN RESIDENTIAL CARE FACILITIES AND THE ADDITION OF FOUR LEGISLATORS AND NON-VOTING MEMBERS OF THE MEDICAIDE ADMINISTRATIVE STUDY COUNCIL	AM SUB SB 87	04/14/06
1/13/2006	61	TO ESTABLISH REQUIREMENTS FOR STATE AND LOCAL COMPLIANCE WITH FEDERAL HOMELAND SECURITY AUTHORITIES AND LAWS PERTAINING TO TERRORISM AND HOMELAND SECURITY	AM SUB SB 9	04/14/06
1/13/2006	62	TO DESIGNATE DECEMBER 1 AS "ROSA PARKS DAY"	HB 421	04/14/06
1/30/2006	63	TO ADOPT STANDARDS THAT REQUIRE THE CURRICULA OF TEACHER PREPARATION PROGRAMS TO ALIGN WITH THE STATE ACADEMIC CONTENT STANDARDS	AM SUB HB 107	05/01/06
1/30/2006	64	GENERALLY PROHIBIT POLITICAL SUBDIVISIONS FROM IMPOSING RESIDENCY REQUIREMENTS ON CERTAIN EMPLOYEES	SUB SB 82	05/01/06
1/31/2006	65	TO REVISE THE ELECTION LAW AND TO TERMINATE CERTAIN PROVISIONS OF THIS ACT ON JANUARY 1, 2009	AM SUB HB 3	5/2/2006; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
2/3/2006	66	TO ALLOW EMPLOYEES OF A CITY DIRECTOR OF LAW TO SERVE ON A BOARD OF EDUCATION FOR WHICH THE CITY DIRECTOR OF LAW IS NOT THE LEGAL ADVISER, AND... TO DECLARE AN EMERGENCY	AM HB 455	02/02/06
2/10/2006	67	TO ALLOW A DENTAL HYGIENIST UNDER THE SUPERVISION OF A DENTIST TO ADMINISTER LOCAL ANESTHESIA TO A PATIENT	AM SUB HB 143	05/12/06
2/15/2006	68	TO GOVERN PSEUDOEPHEDRINE SALES IN OHIO	AM SUB SB 53	05/17/06
2/15/2006	69	TO CREATE THE LOCAL GOVERNMENT PUBLIC NOTICE TASK FORCE TO STUDY LOCAL GOVERNMENT PUBLICNOTICE REQUIREMENTS AND TO ISSUE A REPORT	SUB HB 101	05/17/06
2/15/2006	70	TO REVISE THE PYMATUNING LAKE COMPACT	HB 157	05/17/06
2/15/2006	71	TO ENACT SECTION 3109.043 OF THE REVISED CODE RELATIVE TO PATERNITY SECTIONS AND INTEREST ON CHILD SUPPORT ARREARAGES	SUB HB 136	05/17/06
2/15/2006	72	TO ALLOW CERTAIN VICTOMS OF A VEHICLE, STREETCAR, TRACKLESS TROLLEY, ACUATIC DEVICE, OR AIRCRAFT ACCIDENT TO RECEIVE THE RIGHTS OF A VICTIM UNDER THE VICTIM'S RIGHTS LAW	AM SUB HB 108	05/17/06
2/15/2006	73	TO PROVIDE FOR THE ISSUANCE OF APPRENTICE HUNTING LICENSES AND APPRENTICE FUR TAKER PERMITS	HB 296	05/17/06
2/15/2006	74	TO REVISE THE LAWS REGARDING THE PRACTICE OF PHYSICIAN ASSISTANTS, INCLUDING THE ESTABLISHMENT OF PHYSICIAN-DELEGATED PRESCRIPTIVE AUTHORITY	SUB SB 154	05/17/06
3/7/2006	75	TO DESIGNATE MARCH AS "MULTIPLE SCLEROSIS AWARENESS MONTH"	HB 379	06/06/06

Filed	File No.	Description	Bill No.	Effective Date
3/16/2006	76	TO AMEND SECTION 2907.08 OF THE REVISED CODE TO CLARIFY THAT THE PROHIBITIONS IT SETS FORTH THAT REFER TO CONDUCT INVOLVING THE PHOTOGRAPHING OF ANOTHER ALSO APPLY TO CONDUCT INVOLVING THE VIDEOTAPING, FILMING, OR OTHER RECORDING OF ANOTHER	HB 310	06/15/06
3/16/2006	77	TO REQUIRE NURSING HOMES AND OTHER HOMES FOR THE ELDERLY TO OFFER RESIDENTS VACCINATIONS AGAINST INFLUENZA AND PNEUMONIA AND TO REQUIRE HOSPITALS TO OFFER CERTAIN PATIENTS VACCINATIONS AGAINST INFLUENZA AND PNEUMONIA	SUB HB 257	06/15/06
3/16/2006	78	TO MAKE CHANGES TO THE AGRICULTURAL SEED LAW	SUB SB 189	06/15/06
3/16/2006	79	TO ESTABLISH A 35-MILE PER HOUR SPEED LIMIT FOR HIGHWAYS OUTSIDE MUNICIPAL CORPORATIONS WITHIN ISLAND JURISDICTIONS	SB 184	06/15/06
3/16/2006	80	TO PROHIBIT THE SALE OF A GIFT CARD THAT HAS AN EXPIRATION DATE THAT IS LESS THAN TWO YEARS AFTER THE DATE THE GIFT CARD IS ISSUED	SUB SB 33	06/15/06
3/16/2006	81	TO WAIVE THE PHYSICIAN-PATIENT AND ATTORNEY-CLIENT PRIVILEGES IN PROBATE CASES UNDER CERTAIN CIRCUMSTANCES	SUB HB 144	06/15/06
3/16/2006	82	TO CLARIFY THE PARENTAGE OF CHILDREN BORN AS A RESULT OF EMBRYO DONATION	AM HB 102	06/15/06
3/16/2006	83	TO PROVIDE FOR THE ESTABLISHMENT OF THE STATE HIGHWAY PARTOL RETIREMENT SYSTEM DEFERRED RETIREMENT OPTION PLAN	AM SB 206	06/15/06
3/31/2006	84	TO REVISE THE STATUTE GOVERNING THE VESTING OF ABANDONED MINERAL RIGHTS	SUB HB 288	06/30/06
3/31/2006	85	TO LIMIT THE ROLE OF CLERKS OF COURT IN THE PROCEDURES REGARDING THE FILING BY PRIVATE PERSONS OF AFFIDAVITS ALLEGING THAT A PERSON COMMITTED A CRIMINAL OFFENSE	AM HB 214	06/30/06
3/31/2006	86	TO CHANGE THE PROFESSIONAL TITLE "INDUSTRIAL HYGENIST IN TRAINING" TO "CERTIFIED ASSOCIATE INDUSTRIAL HYGENIST"	AM HB 82	06/30/06
3/31/2006	87	TO MAKE VARIOUS CHANGES TO THE WORKERS' COMPENSATION LAW AND THE STATE MINIMUM WAGE	AM SUB SB 7	06/30/06
3/31/2006	88	BUDGET BILL	AM SUB HB 530	03/30/06; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
3/31/2006	89	TO COMBINE UNIVERSITY OF TOLEDO AND THE MEDICAL UNIVERSITY OF OHIO AT TOLEDO	SUB HB 478	6/30/2006; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
4/4/2006	90	TO LIMIT RETAIL ELECTRIC SERVICE AUTOMATIC GOVERNMENTAL AGGREGATION AND TO CREATE A "DO NOT AGGREGATE" LIST	AM HB 85	07/04/06
4/4/2006	91	TO REDUCE PLEDGING REQUIREMENTS BY PUBLIC DEPOSITORIES SECURING REPAYMENT OF PUBLIC MONEY	SUB HB 313	07/04/06

Filed	File No.	Description	Bill No.	Effective Date
4/4/2006	92	TO REVISE THE DEFINITION OF "AIR QUALITY FACILITY" UNDER THE AIR QUALITY DEVELOPMENT AUTHORITY LAW	SUB HB 440	04/04/06
4/20/2006	93	TO AUTHORIZE JOINT COUNTY JUVENILE DETENTION FACILITY DISTRICTS TO ENTER INTO AGREEMENTS WITH THE SEVERAL BOARDS OF COUNTY COMMISSIONERS PROVIDING FOR THE FINANCING OF JUVENILE DETENTION FACILITY IMPROVEMENTS	SB 125	07/20/06
4/20/2006	94	TO AUTHORIZE A COUNTY RECORDER TO USE ELECTRONIC OR MAGNETIC MEDIUMS FOR RECORDING FEDERAL TAX AND OTHER FEDERAL LIENS AND TO REQUEST THE DISPOSAL OF PAPER VERSIONS OF THOSE RECORDED DOCUMENTS	SUB SB 148	07/20/06
4/20/2006	95	TO PROHIBIT A PERSON FROM KNOWINGLY DISCHARGING A LASER INTO THE COCKPIT OF AN AIRCRAFT AND TO EXPAND DEFINITIONS RELATED TO TERRORISM	SUB HB 231	07/20/06
4/20/2006	96	TO PROVIDE A PROCEDURE FOR A PROBATE COURT TO TREAT A DOCUMENT AS A WILL NOTWITHSTANDING ITS NONCOMPLIANCE WITH THE STATUTORY FORMALITIES FOR EXECUTING WILLS	AM HB 265	07/20/06
5/4/2006	97	TO REQUIRE A MEMBER OF THE CLERGY, RABBI, PRIEST, CHRISTIAN SCIENCE PRACTITIONER, MINISTER, OR ANY PERSON OR LAYPERSON, OTHER THAN A VOLUNTEER, ACTING AS A LEADER, OFFICIAL, DELEGATE, OR OTHER DESIGNATED FUNCTION ON BEHALF OF ANY CHURCH, RELIGIOUS SOCIETY, OR FAITH TO REPORT THE ABUSE OR NEGLECT OF A CHILD THAT IS KNOWN OR REASONABLY BELIEVED TO HAVE COMMITTED BY ANY OTHER MEMBER OF THE CLERGY	AM SUB SB 17	08/03/06
5/4/2006	98	TO MAKE CHANGES IN THE AIR POLLUTION CONTROL LAW REGARDING THE COSTS OF COMPLIANCE WITH RULES, PERMITS TO INSTALL, AIR QUALITY MONITORING, AND BEST AVAILABLE TECHNOLOGY	AM SUB SB 265	08/03/06
5/4/2006	99	RELATIVE TO THE SENTENCES IMPOSED ON REPEAT VIOLENT OFFENDERS, TO THE APPEAL OF REPEAT VIOLENT OFFENDER SENTENCES, TO THE PENALTY FOR SEXUAL BATTER AND GROSS SEXUAL IMPOSITION WHEN THE VICTIM OF THE OFFENSE IS UNDER 13 YEARS OF AGE	AM SUB HB 95	08/03/06
5/4/2006	100	TO CREATE THE OFFENSE OF CRIMINAL TRESPASS ON A PLACE OF PUBLIC AMUSEMENT AND TO CLARIFY THE ELEMENT OF "TRESPASS" IN THE OFFENSES OF AGGRAVATED BURGLARY, BURGLARY, AND BREAKING AND ENTERING	SUB HB 96	08/03/06
5/4/2006	101	TO ALLOW THE BOARD OF TRUSTEES OF A LAW LIBRARY ASSOCIATION TO ELECT TO ASSUME RESPONSIBILITY FOR PAYING THE ENTIRE COMPENSATION OF THE LIBRARIAN AND ALL ASSISTANT LIBRARIANS	SUB HB 363	08/03/06

Filed	File No.	Description	Bill No.	Effective Date
5/18/2006	102	TO GRANT TOWNSHIPS FULL AUTHORITY TO EXERCISE ALL POWERS OF LOCAL SELF-GOVERNMENT REGARDING THE OPERATION OF ADULT ENTERTAINMENT ESTABLISHMENTS	AM SUB HB 23	08/17/06
5/18/2006	103	TO PROHIBIT THE OPERATION OF A VEHICLE OR VESSEL IF A STATUTORILY SPECIFIED CONCENTRATION OF AMPHETAMINE, COCAINE, COCAINE METABOLITE, HEROIN, HEROIN METABOLITE (6-MONOACETYL MORPHINE) L.S.D, MARIHUANA, MARIHUANA METABOLITE, METHAMPETAMINE, OR PHENCYCLIDINE IS PRESENT IN THE OPERTOR'S BLOOD OR URINE	SUB SB 8	08/17/06
5/18/2006	104	TO PERMIT POLITICAL SUBDIVISIONS TO OFFER AND MAKE CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNTS FOR EMPLOYEES	AM SUB HB 46	08/17/06
5/18/2006	105	TO MAKE CHANGES TO THE CORONER'S LAW AND ASSOCIATED PROVISIONS OF THE DEATH AND FETAL DEATH CERTIFICATE LAW	AM SUB HB 235	08/17/06
5/18/2006	106	TO EXEMPT CERTAIN FREESTANDING BIRTHING CENTERS FROM THE REQUIREMENT THAT A CENTER OBTAIN A HEALTH CARE FACILITY LICENSE FROM THE DIRECTOR OF HEALTH	SUB HB 287	08/17/06
5/18/2006	107	REGARDING THE DUTIES OF THE OHIO FAMILY AND CHILDREN FIRST CABINET COUNCIL AND COUNTY FAMILY AND CHILDREN FIRST COUNCILS.	SUB HB 289	08/17/06
5/22/2006	108	TO ADOPT THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT	SB 268	08/21/06
5/23/2006	109	TO ENSURE HANDICAPPED PARKING AT POLLING PLACES, TO REQUIRE THE DIRECTOR OF A BOARD OF ELECTIONS TO SIGN A STATEMENT VERIFYING THE AVAILABILITY OF THAT PARKING BEFORE EACH ELECTION	SUB HB 312	08/22/06
6/5/2006	110	TO PROHIBIT PROTEST ACTIVITIES WITHIN 300 FEET OF THE SITE OF A FUNERAL SERVICE	AM HB 484	09/04/06
6/5/2006	111	TO PROVIDE COLLEGE TUITION WAIVERS TO SPOUSES AND QUALIFYING FORMER SPOUSES OF MEMBERS OF THE UNITED STATES ARMED FORCES KILLED IN THE LINE OF DUTY IN A COMBAT ZONE AFTER MAY 7, 1975	SUB HB 576	09/04/06
6/6/2006	112	AS SUBSEQUENTLY AMENDED, TO PROVIDE FOR THE DISTRIBUTION OF MONEY RECEIVED BY THE STATE PURSUANT TO THE TOBACCO MASTER SETTLEMENT AGREEMENT BY MAKING APPROPRIATIONS FOR THE BIENNIUM	SUB SB 321	06/05/2006; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
6/8/2006	113	TO DESIGNATE THE NEWARK EARTHWORKS AS THE OFFICIAL PREHISTORIC MONUMENT OF THE STATE	SB 271	09/07/06
6/22/2006	114	TO REVISE CERTAIN LAWS AS THEY RELATE TO BICYCLE OPERATION	HB 389	09/21/06
6/22/2006	115	TO MODIFY THE APPLICATION OF THE CONSUMER SALES PRACTICES ACT AND THE CONSUMER CREDIT MORTGAGE LOAN LAW	AM SUB SB 185	09/21/06
6/22/2006	116	TO ALLOW A DENTAL ASSISTANT TO APPLY PIT AND FISSURE SEALANTS	SUB HB 311	09/21/06
6/22/2006	117	TO REMOVE THE PROHIBITION AGAINST A MINOR BEING IN A PUBLIC DANCE HALL UNLESS ACCOMPANIED BY A PARENT OR LEGAL GUARDIAN	HB 368	09/21/06

Filed	File No.	Description	Bill No.	Effective Date
6/22/2006	118	TO MAKE CHANGES IN VARIOUS LAWS PERTAINING TO TOWNSHIPS, TO PERMIT WRITTEN DISTRIBUTION OF RECORDS, IN LIEU OF READING THE PREVIOUS PROCEEDINGS' RECORD, AT A SESSION OF THE BOARD OF COUNTY COMMISSIONERS, AND TO PERMIT TOWNSHIPS AND MUNICIPAL CORPORATIONS TO DIRECTLY FORM FIRE AND AMBULANCE DISTRICTS	AM SUB HB 385	09/21/06
6/22/2006	119	TO REVISE THE LAWS GOVERNING LIQUOR CONTROL	SUB SB 131	09/21/06
6/22/2006	120	TO EXEMPT FROM THE USE TAX ITEMS HELD BY A PERSON, BUT NOT FOR THAT PERSON'S OWN USE	AM SUB SB 269	09/21/06
6/22/2006	121	TO REVISE THE LAW GOVERNING CHILD WELFARE AND OTHER LAWS REGARDING THE DEPARTMENT OF JOB AND FAMILY SERVICES	AM SUB SB 238	09/21/06
6/29/2006	122	TO ESTABLISH THE EDUCATIONAL REGIONAL SERVICE SYSTEM AND THE EMIS ADVISORY BOARD... TO MAKE AN APPROPRIATION	SUB HB 115	09/28/06; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
6/29/2006	123	TO DESIGNATE SEPTEMBER 22 AS "EMANCIPATION DAY"	AM HB 393	09/28/06
6/29/2006	124	TO REDUCE THE TIME PERIOD FOR DESIGNATION DELINQUENT VACANT LANDS SUBJECT TO JUDICIAL FORECLOSURE	SUB HB 294	09/28/06
6/29/2006	125	TO REVISE AND EXPAND THE APPLICATION OF LAWS GOVERNING SCHOOL SAFETY PLANS AND SCHOOL SAFETY DRILLS	SUB HB 422	09/28/06
6/29/2006	126	TO ABOLISH THE CHILDREN'S SAFETY PROGRAM KNOWN AS THE BLOCK PARENT PROGRAM IN THE STATE BOARD OF EDUCATION	SUB HB 374	09/28/06
6/29/2006	127	TO PROHIBIT A PERSON FROM CHANGING, ALTERING, REMOVING, OR OBLITERATING THE NAME OF THE MANUFACTURER, MODEL, MANUFACTURER'S SERIAL NUMBER, OR ANY OTHER MARK OF IDENTIFICATION ON A FIREARM	SUB HB 279	09/28/06
6/29/2006	128	TO ADOPT AN OHIO TRUST CODE TO MODIFY TRUST COMPANY COLLECTIVE INVESTMENT FUND REQUIREMENTS, AND TO REMOVE AN INVESTMENT LIMITATION IN THE TRUST COMPANY FIDUCIARY LAW	SUB HB 416	09/28/06
6/29/2006	129	TO DESIGNATE A PORTION OF STATE ROUTE 423 WITHIN MARION COUNTY THE "DEPUTY BRANDY WINFIELD MEMORIAL HIGHWAY"	SB 227	09/28/06
6/29/2006	130	TO PLACE A TIME LIMIT ON THE COLLECTION OF CERTAIN FINALIZED BUT OUTSTANDING TAX LIABILITIES	SUB HB 390	09/28/06
7/13/2006	131	TO CREATE DIESEL EMISSIONS REDUCTION GRANT AND REVOLVING LOAN PROGRAMS... TO MAKE AN APPROPRIATION	SUB HB 245	07/06/06
7/13/2006	132	TO REVISE THE PROCEDURE BY WHICH A JUVENILE COURT MAY SEAL RECORDS OF ALLEGED AND ADJUDICATED DELINQUENT AND UNRULY CHILDREN AND ADJUDICATED JUVENILE TRAFFIC OFFENDERS.... TO DECLARE AN EMERGENCY	AM SUB HB 137	07/11/06
7/13/2006	133	TO IMPOSE NEW REQUIREMENTS ON LICENSED JUNK YARD OWNERS	AM SUB HB 150	10/12/06

Filed	File No.	Description	Bill No.	Effective Date
7/13/2006	134	TO REVISE THE LAW GOVERNING COMMUNITY-BASED CORRECTIONAL FACILITIES AND DISTRICT COMMUNITY-BASED CORRECTIONAL FACILITIES	AM SUB HB 162	10/12/06
7/13/2006	135	TO AUTHORIZE A COURT SENTENCING A DRUG ABUSE OFFENDER OR IMPOSING DISPOSITION ON A DELINQUENT CHILD FOR SUCH AN OFFENSE TO REQUIRE THE OFFENDER OR CHILD TO REIMBURSE INVOLVED LAW ENFORCEMENT AGENCIES FOR THE COSTS OF TESTS THAT DETERMINE THAT A SUBSTANCE INVOLVED IN THE OFFENSE CONTAINED A CONTROLLED SUBSTANCE	HB 163	10/12/06
7/13/2006	136	TO REQUIRE SCHOOL DISTRICTS AND COMMUNITY SCHOOLS THAT RECEIVE DONATED COPIES OF THE MOTTOES OF THE UNITED STATES OF AMERICA OR THE STATE OF OHIO TO DISPLAY THE MOTTOES IN SCHOOL BUILDINGS	SUB HB 184	10/12/06
7/13/2006	137	TO ESTABLISH AN AUTISM AWARENESS LICENSE PLATE AND TO PROVIDE THAT MONEY FROM THE CONTRIBUTIONS FOR THE LICENSE PLATES TO BE USED TO PAY FOR PROGRAMS AND AWARENESS EFFORTS OF THE AUTISM SOCIETY OF OHIO	SUB HB 298	10/12/06
7/13/2006	138	TO AUTHORIZE AND SPECIFY APPLICABLE PROVISIONS TO CONVERSIONS OF BUSINESS ENTITIES BY CORPORATIONS, LIMITED LIABILITY COMPANIES, AND GENERAL, LIMITED LIABILITY AND LIMITED PARTNERSHIPS	AM SUB HB 301	10/12/06
7/13/2006	139	REGARDING THE ASSIGNMENT OF THE RIGHT TO DIRECT THE DISPOSITION OF AN ADULT'S REMAINS AFTER DEATH AND TO MAKE ARRANGEMENTS AND PURCHASE GOODS AND SERVICES RELATED TO AN ADULT'S FUNERAL, CREMATION, BURIAL, OR OTHER MANNER OF FINAL DISPOSITION	SUB HB 426	10/12/06
7/13/2006	140	TO REQUIRE WARRANTY REIMBURSEMENT INSURANCE POLICIES FOR VEHICLE PROTECTION PRODUCT WARRANTIES AND REIMBURSEMENT INSURANCE POLICIES FOR CERTAIN CONSUMER GOODS SERVICE CONTRACTS	SUB HB 442	10/12/06
7/13/2006	141	TO REVISE THE VETERINARY PRACTICE LAW AND TO CREATE THE VETERINARIAN LOAN REPAYMENT PROGRAM	SUB HB 458	10/12/06
7/13/2006	142	TO ELIMINATE THE FORMER TWO-YEAR WINDOW FOR APPLICATIONS UNDER A PROGRAM FOR POST-CONVICTION DNA TESTING AND INSTEAD ALLOW AN ELIGIBLE INMATE TO REQUEST POST-CONVICTION DNA TESTING AT ANY TIME IF SPECIFIED CRITERIA ARE MET... TO DECLARE AN EMERGENCY	SUB SB 262	07/11/06
8/14/2006	143	CONCERNING THE SUBMISSION OF INFORMATION BY HOSPITALS ABOUT THEIR PERFORMANCE IN MEETING CERTAIN MEASURES AND THEIR CHARGES FOR SERVICE	SUB HB 197	11/13/06
10/19/2006	144	CONCERNING THE AUTHORITY OF THE STATE BOARD OF EMERGENCY MEDICAL SERVICES TO SUSPEND CERTIFICATES TO PRACTICE EMERGENCY MEDICAL SERVICES	AM SUB HB 375	01/18/07

Filed	File No.	Description	Bill No.	Effective Date
10/19/2006	145	TO CHANGE THE STATUS OF THE JUDGE OF THE MARYSVILLE MUNICIPAL COURT FROM PART-TIME TO FULL-TIME	SUB HB 336	01/18/07
12/13/2006	146	REVISE THE LAWS REGARDING LICENSES TO CARRY A CONCEALED HANDGUN	SUB HB 347	03/14/07
12/22/2006	147	WITH RESPECT TO USE OF EPINEPHRINE MEDICATION IN SCHOOL DISTRICTS, COMMUNITY SCHOOLS, AND CHARTERED NONPUBLIC SCHOOLS	SUB SB 164	03/23/07
12/22/2006	148	TO STATUTORILY RECOGNIZE THE DIVISION OF UNCLAIMED FUNDS AND THE OFFICE OF SUPERINTENDENT OF UNCLAIMED FUNDS IN THE DEPARTMENT OF COMMERCE	AM SUB SB 223	3/23/2007; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
12/22/2006	149	TO REGULATE DISCOUNT MEDICAL PLAN ORGANIZATIONS CONCERNING PROVIDER AGREEMENTS AND MARKETING, DISCLOSURE, CANCELLATION, AND REFUND REQUIREMENTS	SUB SB 5	03/23/07
12/22/2006	150	TO REQUIRE THE PROBATE COURT, UPON APPLICATION BY AN AFFECTED BENEFICIARY, TO DETERMINE THE FAIRNESS OF AN AGREEMENT REQUIRING A FIDUCIARY OR BENEFICIARY TO PAY A PERCENTAGE OF AN INHERITANCE OR A DOLLAR AMOUNT TO ANY PERSON OTHER THAN THE BENEFICIARY	SUB HB 83	03/23/07
12/28/2006	151	TO REVISE THE PUBLIC RECORDS LAW, TO CREATE A LIBRARY RECORDS COMMISSION IN EACH PUBLIC LIBRARY AND A SPECIAL TAXING DISTRICT	SUB HB 9	03/29/07; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
12/28/2006	152	TO MAKE CAPITAL AND OTHER APPROPRIATIONS AND TO PROVIDE AUTHORIZATION AND CONDITIONS FOR THE OPERATION OF STATE PROGRAMS	AM SUB HB 699	03/29/2007; CERTAIN SECTIONS EFFECTIVE ON OTHER DATES
12/28/2006	153	TO MAKE CHANGES TO THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM WITH RESPECT TO CONCENTRATED ANIMAL FEEDING FACILITIES	SUB SB 393	03/29/07
12/29/2006	154	TO REVISE THE LAWS OF THE EMPLOYMENT OF SCHOOL DISTRICT AND EDUCATIONAL SERVICE CENTER TREASURERS	AM HB 671	03/30/07
12/29/2006	155	TO CREATE THE NATIONAL STATUARY COLLECTION STUDY COMMITTEE TO RECOMMEND AN INDIVIDUAL TO REPLACE GOVERNOR WILLIAM ALLEN AS ONE OF OHIO'S REPRESENTATIVES IN THE NATIONAL STATUARY COLLECTION IN THE UNITED STATES CAPITOL	SB 277	03/30/07
12/29/2006	156	TO EXEMPT THE OHIO INSURANCE GUARANTY ASSOCIATION FROM BEING OBLIGATED TO PAY MORE THAN A SINGLE THREE HUNDRED THOUSAND DOLLAR CLAIM FOR INJURY OR DEATH TO ANY ONE PERSON AND A CLAIM OF AN INSURED WHOSE NET WORTH EXCEEDS FIFTY MILLION DOLLARS AND TO EXEMPT CERTAIN RECIPROCAL INSURERS FROM PARTICIPATION IN THE OHIO INSURANCE GUARANTY ASSOCIATION	SUB SB 279	03/30/07

Filed	File No.	Description	Bill No.	Effective Date
12/29/2006	157	TO PROHIBIT A STATE AGENCY FROM AWARDING A PUBLIC IMPROVEMENT CONTRACT UNLESS ITS TERMS REQUIRE THE CONTRACTORS AND SUBCONTRACTORS TO PARTICIPATE IN A SPECIFIED DRUG-FREE WORKPLACE PROGRAM	SUB HB 80	03/30/07
12/29/2006	158	TO GIVE PAROLE OFFICERS, PROSECUTING ATTORNEYS IN MOST CASES, ASSISTANT PROSECUTING ATTORNEYS, AND CERTAIN CORRECTIONAL AND YOUTH SERVICES EMPLOYEES THE SAME OPTIONS AS PEACE OFFICERS	SUB HB 141	03/30/07
12/29/2006	159	TO PERMIT A MEMBER OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, STATE TEACHERS RETIREMENT SYSTEM, SCHOOL EMPLOYEES RETIREMENT SYSTEM, OR STATE HIGHWAY PATROL RETIREMENT SYSTEM TO PURCHASE MILITARY SERVICE CREDIT FOR DUTY IN THE OHIO NATIONAL GUARD	SUB HB 71	03/30/07
12/29/2006	160	TO REQUIRE THAT INFORMATION ABOUT SPECIFIED PROFESSIONAL MISCONDUCT OR CHILD ABUSE OR NEGLECT COMMITTED BY A PERSON LICENSED BY THE STATE BOARD OF EDUCATION BE SUBMITTED TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION	AM SUB HB 79	03/30/07
12/29/2006	161	TO CREATE "DONATE LIFE" LICENSE PLATES	HB 236	03/30/07
12/29/2006	162	TO AUTHORIZE BOARDS OF COUNTY COMMISSIONERS TO ESTABLISH PROPERTY TAX PAYMENT LINKED DEPOSIT PROGRAMS TO ASSIST SENIOR CITIZENS	SUB HB 293	03/30/07
12/29/2006	163	TO CREATE THE FUEL PRODUCTION TASK FORCE TO STUDY OPPORTUNITIES FOR AND BARRIERS TO INCREASING FUEL PRODUCTION IN THIS STATE	SUB HB 371	03/30/07
12/29/2006	164	TO INCREASE THE PENALTY FOR A FAILURE TO MAKE A MANDATORY REPORT OF ABUSE OR NEGLECT OF A CHILD FROM A MISDEMEANOR OF THE FOURTH DEGREE TO A MISDEMEANOR OF THE FIRST DEGREE	SUB SB 137	03/30/07
12/29/2006	165	TO PROHIBIT, SUBJECT TO CERTAIN EXCEPTIONS, DISCRIMINATION IN GROUP HEALTH CARE POLICIES	AM SUB SB 116	03/30/07
12/29/2006	166	TO PROHIBIT PAROLE OFFICERS OF THE ADULT PAROLE AUTHORITY FROM BEING REQUIRED TO USE PRIVATE VEHICLES FOR CERTAIN PURPOSES DURING THE COURSE OF THEIR EMPLOYMENT	SUB HB 285	03/30/07
12/29/2006	167	TO IMPLEMENT RECOMMENDATIONS OF THE CIVIL SERVICE REVIEW COMMISSION AND TO MAKE OTHER CHANGES TO THE CIVIL SERVICE LAWS	SUB HB 187	03/30/07
12/29/2006	168	WITH RESPECT TO SCHOOL POLICIES PROHIBITING HARASSMENT, INTIMIDATION, OR BULLYING; TO EXPAND IN-SERVICE TRAINING IN CHILD ABUSE PREVENTION	AM SUB HB 276	03/30/07
12/29/2006	169	TO SPECIFY THAT AN OWNER, PART OWNER, OR LESSEE OF REAL PROPERTY, WITH RESPECT TO A HOME CONSTRUCTION CONTRACT, MUST RECORD A NOTICE OF COMMENCEMENT	SUB HB 487	03/30/07

Filed	File No.	Description	Bill No.	Effective Date
12/29/2006	170	TO ADOPT THE CRIMINAL SENTENCING COMMISSION'S RECOMMENDATIONS REGARDING REVISION OF THE FORFEITURE LAWS	SUB HB 241	07/01/07
12/29/2006	171	TO MODIFY THE LAWS GOVERNING COUNTY HOSPITALS AND LICENSED PRACTICAL NURSE DUTIES	SUB SB 126	03/30/07
1/3/2007	172	TO CHANGE THE PENALTIES AND CONDITIONS WHEN A PERSON IS CONVICTED OF RAPE OR ATTEMPTED RAPE AND THE VICTIM IS LESS THAN 13... TO DECLARE AN EMERGENCY	AM SUB SB 260	01/02/07
1/3/2007	173	TO INCREASE THE PRISON TERM FOR AGGRAVATED VEHICULAR HOMICIDE WHEN THE OFFENDER HAS AT LEAST THREE PRIOR CONVICTIONS OF OVI, OUVAC, OR THE OVI-TYPE OFFENSE	AM SUB HB 461	04/04/07
1/3/2007	174	TO AUTHORIZE THE STATE RACING COMMISSION TO ENTER INTO THE NATIONAL RACING COMPACT	SUB HB 546	04/04/07
1/3/2007	175	TO INCREASE THE AMOUNT OF TIME AN INDIVIDUAL MAY SPEND IN OHIO BEFORE BEING PRESUMED TO BE A RESIDENT FOR INCOME TAX PURPOSES	SUB HB 73	04/04/07
1/3/2007	176	TO PROHIBIT A PERSON, WITH INTENT TO HARAS, ANNOY, THREATEN, OR ALARM A LAW ENFORCEMENT OFFICER	SUB HB 259	04/04/07
1/4/2007	177	TO DECLARE THAT IT IS THE PUBLIC POLICY OF THE STATE TO PREFER CHILDBIRTH OVER ABORTION	SUB HB 239	04/05/07
1/3/2007	178	TO AUTHORIZE REFUNDABLE TAX CREDITS FOR REHABILITATING HISTORIC BUILDINGS	SUB HB 149	04/04/07
1/3/2007	179	TO GENERALLY INCREASE THE PENALTIES FOR PUBLIC INDECENCY WHEN THE VICTIM IS A MINOR AND THE OFFENDER HAS A PREVIOUS PUBLIC	SUB SB 245	04/04/07
1/4/2007	180	RELATIVE TO MISSING PERSONS IN OHIO	HB 571	04/05/07
1/3/2007	181	TO LIMIT SOLICITATIONS OF AND POLITICAL CONTRIBUTIONS BY OWNERS AND CERTAIN FAMILY MEMBERS OF OWNERS OF BUSINESSES	SUB HB 694	TO BE ANNOUNCED
1/3/2007	182	TO CREATE THE CARROLL COUNTY MUNICIPAL COURT AND ABOLISH THE CARROLL COUNTY COUNTY COURT ON JANUARY 1, 2007... TO DECLARE AN EMERGENCY	AM SUB SB 171	01/02/07
1/3/2007	183	TO MODIFY REQUIREMENTS APPLIED TO DIFFERING TYPES OF HOTELS	SUB SB 305	04/04/07
1/3/2007	184	TO APPLY CERTAIN RECORD-KEEPING PROVISIONS ONLY TO EMPLOYEES SUBJECT TO OHIO'S OVERTIME LAW	AM SUB HB 690	04/04/07
1/3/2007	185	TO ESTABLISH THE OHIO CORE CIRRICULUM	AM SUB SB 311	01/03/07
1/4/2007	186	TO PROHIBIT A PERSON FROM MAKING A FALSE REPORT THAT RESULTS IN THE IMPLEMENTATION OF A STATEWIDE EMERGENCY ALERT PROGRAM	SUB HB 551	04/05/07
1/4/2007	187	DESIGNATING SEPTEMBER 11 AS "OHIO PUBLIC SAFETY EMPLOYEE DAY."	AM HB 282	04/05/07
1/4/2007	188	TO PROVIDE FOR THE ADOPTION OF RULES GOVERNING FIREFIGHTER TRAINING	SUB HB 401	04/05/07
1/4/2007	189	TO MANDATE UP TO 24 HOURS A YEAR OF CONTINUING PROFESSIONAL TRAINING FOR PEACE OFFICERS AND STATE HIGHWAY PARTOL	SUB SB 281	01/04/07

Jennifer BRUNNER

for Ohio Secretary of State

Biography My Plan Community Employment Voting Rights Institute Multimedia Endorsements

Read about Jennifer's first weeks in office!

Thursday March, 1, 2007

Jennifer BRUNNER

Ohio Secretary of State

The first seven weeks... (extended version)

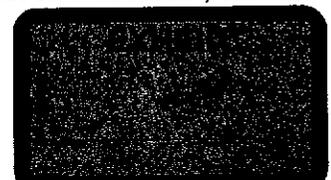
Hitting the ground running is the perfect metaphor for my first weeks in office. The very first day January 8, I was asked to return Senate Bill 117 to Governor Ted Strickland. The bill was filed without signature or veto from the outgoing Governor of Ohio Bob Taft. According to the state constitution the Governor has 10 days to take either sign or veto the bill, and if neither occurs, it becomes law without his or her signature at the end of the 10 th day after it is received by the Governor.

I followed the state Constitution and honored the Governor's right under it to act on a bill within ten days of receipt and returned the bill to Governor Strickland for him to determine its fate. He chose to veto the bill – a sweeping act for his first day in office as well. Thereafter, the Republican-controlled state legislature, after authorizing \$150,000 to hire legal counsel, filed suit in the Ohio Supreme Court against me (not the Governor), asking the high court to require me to mark my records as if the bill had not been vetoed.

Despite Ken Blackwell refusing to provide keys to the office until 12:01 a.m. Monday, January 8, 2007, on our first day many employees who already worked in the office welcomed us and were eager to help.

At the end of our first week we had a wonderful swearing-in and inaugural celebration attended by many from around the state and by our state office holders, including Governor Ted Strickland and U.S. Senator Sherrod Brown. I appreciate the support of my transition team, our volunteers and the sponsors of the celebration. A highlight of my inaugural celebration was hearing my daughter, Laura, a graduate of the Berklee College of Music in Boston, sing at the celebration.

Back at the Secretary of State's office, I have inherited some major challenges from the previous administration. My team is



already handling these issues with creativity, tenacity and diligence.

One of the main issues boils down to an important lesson learned: Good public service is about good stewardship of the public trust and taxpayer money. Being a public servant cannot be taken for granted or abused. That is exactly what I found when we discovered that former Secretary of State Ken Blackwell had paid over \$80,000 in bonuses (some more than \$7000 each) to a number of select employees who either resigned or were not retained by my administration. Despite his after-the-fact public explanation that this was essentially severance pay, at least 3 of these recipients applied for unemployment compensation anyway. The revelation of these irregular payments created a stir, and the typical Blackwell team response was to level attacks against the messenger, which we are quite used to by now.

Other experiences I would like to share with you...

- **The Business Services Mailing**

An employee in the division of Business Services brought to the attention of my new director of Business Services a letter that had been produced before we took office to over 50,000 businesses in Ohio who had not paid their taxes and had their business standing revoked. Some of these tax defaults date back to 1999, but no notice had been sent. The envelopes to send the mailing were destroyed by the previous administration, and the letters were left unsent. We were able to quickly react to this and prepare an explanation to some 50,000 businesses as to the delay and notified them that their corporate charters had been canceled for nonpayment of taxes. We are working with the Ohio Department of Taxation to develop ways to more quickly transmit this information to our office to avoid similar problems in the future.

- **The Ohio Association of Election Officials Winter Conference**

I had the opportunity to greet members and employees of Boards of Elections from across Ohio in my third week on the job. Over 400 members of the Ohio Association of Election Officials convened in Columbus. During my address to the group I introduced my senior team and discussed my four goals for the Office.

I sought the election officials' consideration of two legislative concepts aimed to offer them concrete ways to improve election administration. The first one was quickly coined by a Republican legislator as a "draft" of poll workers—the proposal is to create service plans, appointing poll workers much as jurors are appointed, when there are not enough poll workers who voluntarily sign up for the paid work. The "draft" characterization appeared in a New York Times story, an AP story that boomeranged around the country (and even to Europe), and my interview on National Public Radio's syndicated show, "All Things Considered." The idea has generated healthy discussion and increased awareness of the problems faced by the state's 88 county boards of elections. We will be offering this proposal as part of a comprehensive election reform package in the next few weeks.

A concept for "mail-in voting" for ballot issue only special elections met with sighs of relief by the state's election officials. Our draft of proposed legislation is nearly ready to go and will be a part of our election reform package to be released in the next few weeks. The key to the success of this measure will of course be the savings to boards of elections, counties, local government and school districts while increasing opportunities for people to vote in special elections for such issues, because the vote is by mail.

- **Meeting with Key Legislative Leadership**

Our legislative team and I have met with all four leaders of the legislative caucuses and look forward to working with them on legislation and budget issues. Because former Secretary of State Ken Blackwell spent 69% of the budget in the first half of the fiscal year, we will be forced to seek additional spending authority of existing business service fees to avoid a budget crisis before the end of this fiscal year in June.

- **Audit Request to Mary Taylor, Auditor of State**

Three weeks ago I requested an audit of the Secretary of State's office by new State Auditor Mary Taylor, after discovering that no complete financial or performance audit of the office has been performed since June 30, 2004.

- **Lawsuits**

Upon taking office, we have been faced with 21 pending lawsuits against the former Secretary of State. In the first week of office, we discovered that former Secretary of State Blackwell had settled litigation relating to the 2004 Presidential election, agreeing to an order for attorney fees in the amount of \$225,000. During our first week we were required to pay that sum out of our limited budget.

- **Voting Rights Institute**

In just one short month we are working intensely to do the necessary work to make Ohio's elections free, fair, open and honest. We have established the Voting Rights Institute to create a contact point for voters with individual voting problems and for state and national voter registration and voter protection groups with concerns about Ohio's voting process. The VRI also exists as a means to develop new legislation, utilizing an advisory council, as a result of the sharing of concerns for fair elections in Ohio.

- **The National Association of Secretaries of State conference**

I attended the National Association of Secretaries of State Conference in Washington, D.C. February 9 through 12, benefiting from the chance to meet with other secretaries of state from 42 states, including up and coming secretaries Mark Ritchie from Minnesota and Debra Bowen from California. This was also an opportunity to learn of a myriad of other voting systems and to gain from the experience of long-time secretaries of both political parties. While in Washington, I had the opportunity to learn about H.R. 811, new federal legislation, sponsored by Congressman Rush Holt (D-NJ), which would require a paper trail of archival quality for all DRE (Direct Recording Electronic) voting machines for federal elections. If passed, this may have serious consequences for Ohio, as the change would be required before the presidential election next year.

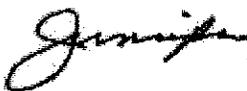
- **My first directive to Boards of Elections**

I issued my first directive to the Boards of Elections on February 20th to establish minimum standards for the hiring of directors and deputy directors at the county boards. My goal is to improve upon the professionalism and expertise of the boards of elections to offer the best possible service to Ohio voters. Previous election experience, including experience with voting machine technology and elections law will be given priority in the assessment of candidates.

With the vacancy of a director and deputy director in Cuyahoga County this is a perfect opportunity to assist in ensuring elections in a previously troubled process in this county are efficient, professionally executed and produce results that we can trust.

I am extremely fortunate to have working with me a professional and dedicated staff who believes, as I do, that we live in a great state, and that soon the nation will see a new Ohio that will be an example of what people working effectively together can do in just a short time -- turn around Ohio. I will keep you updated on our progress. Thank you for all of your continued support.

Sincerely,



Jennifer Brunner

