



Health Order Update

The Governor has announced a new State Health order to consolidate and simplify other orders. Other industry specific orders have been rescinded. They will be sticking to these basics:

- Masks
- Social Distancing
- Outside is preferred to inside
- Good hand washing
- Limiting large gatherings

Regarding mass gathering – limitations will be modified in the new order. Your group at an event should be less than 10. One way traffic when possible. Groups of people should keep social distancing (6 feet apart)

Indoor seated events will still be limited to 25% seated capacity.

The order can be viewed [here](#).

Biennial Budget Bill – Passes House

The first half of 2020 has been dominated by the State biennial budget process. The Governor introduced his version of the budget, House Bill 110, in February. The House worked on their version for a few months and passed their version on April 21, 2021 by a vote of 70-27.

David Drake, GOSA President, testified in support of the Department of Agriculture’s budget as it related to amusement ride safety. Mr. Drake testified before the Finance Subcommittee on Agriculture, Development and Natural Resources on March 4, 2021. The testimony was to support the appropriation of GRF funds to support the Amusement Ride Safety Division as opposed to proposing inspection fee increases. The GOSA knows our members cannot take on additional fees and expenses as those businesses were so negatively affected by the COVID-19 shutdowns.

The House version of the bill contains a provision that:

- Waives vehicle and trailer registration taxes and fees, for one year after the effective date of the provision, for an amusement ride owner that was not able to operate the owner's amusement rides in calendar year 2020.
- Specifies that the following taxes and fees are included in the waiver: the annual registration tax, any annual registration fees (BMV or alternative fuel vehicle fees), any local motor vehicle taxes, any license plate fees, and the BMV or deputy registrar service fee.

Appropriations of interest to GOSA were unchanged in the House version of the bill.

Section 211.10. AGR DEPARTMENT OF AGRICULTURE

GRF 700511 Ride Inspection	\$ 900,000	\$ 600,000
5780 700620 Ride Inspection	\$ 700,000	\$ 1,200,000
GRF 700501 County Agricultural Societies	\$ 379,673	\$ 379,673
5CV1 700672 Coronavirus Relief - Local Fairs	\$1,000,000	\$0

Legislation Would Provide Businesses Relief from COVID-19 Violations

House Bill 127 has been introduced by Representative Derek Merrin that would prohibit disciplinary action against businesses for violations of COVID-19 orders provided they were otherwise acting in compliance of laws and their license. It would also vacate any violation that has been issued since March 14, 2020 and any penalties assessed would be refunded to the business. This bill is pending before the House State and Local Government Committee.

A provision to accomplish this is also included in the House version of the budget.

Bills to Increase Minimum Wage

Legislation has been introduced in both the House and the Senate by Democrat members to increase Ohio's minimum wage. House Bill 69 was introduced by Representatives Brigid Kelly (D) and Dontavius Jarrells (D) and Senate Bill 51 was introduced by Senators Cicil Thomas (D) and Hearcel Craig (D). Both bills take an approach to annually increase the minimum wage until it reached \$15 per hour. Under the House Bill the minimum wage would be \$15 per hour starting in 2027. Under the Senate bill, the minimum wage would be \$15 in 2025. Because these bills do not appear to have support from the Republican majority, they are unlikely to get any movement.

COVID Liability Protections Remain in Effect

Both the House and the Senate made legislation to protect businesses from COVID-19 related lawsuits a priority. House Bill 606, sponsored by Representative Diane Grendell, became the ultimate vehicle for enactment. The Republican legislature had hoped to include an emergency clause to the bill but didn't have enough Democrat support to pass an emergency clause. The legislature to extend the time the protection is effective through September 30, 2021. The Governor signed the bill on September 14, 2020 and it is effect 90 days after signature. Under the law all "persons" are protected from lawsuits for any COVID-19 exposure, transmission, or contraction. Ohio law defines "person" to include an individual, corporation, business trust, estate, trust, partnership, and association.

Legislature Overrides Veto Regarding Health Emergencies and Executive Orders

Senate Bill 22, sponsored by Senators Terry Johnson and Rob McColley, is designed to give the legislature additional oversight over public health orders and emergencies. In short, Senate Bill 22 creates a 6-person legislative panel that would have the authority to make recommendations regarding health orders. It would be called the Ohio Health Oversight and Advisory Committee. The bill also establishes that a public health state of emergency cannot be issued for more than 90 days and that the Governor and ODH must report to the Senate President and House Speaker on action taken in response to the emergency. In order for an emergency declaration to extend beyond 90 days, that would have to be approved by the legislature in intervals of up to 60 days.

The House added language regarding local boards of health stating that they are generally prohibited from closing schools or prohibiting public gatherings. It also specifies that orders only apply to specific individuals and businesses that have been medically diagnosed with or come into direct contact with someone who has been diagnosed with the disease or have a documented incient of the disease in the building.

There is a provision that states that any emergency declaration in effect on the bill's effective date may not exist for more than 30 days following the bill's effective date.

The Senate passed SB 22 by a party line vote of 25-8. The House passed the bill by a vote of 57-37. And the Senate concurred with the House changes sending the legislation to the Governor's desk. The Governor vetoed the legislation on March 23rd and sent a letter to legislators hoping to find a compromise. However, the Republicans in the legislature have enough of a majority in each chamber to entertain a veto override which they did on March 24th. 3 Republicans (2 Senators and one Representative) joined Democrats in voting against the veto override.

“Business Fairness Act” Reintroduced

Legislation that failed to pass last year has been re-introduced. This time with a Senate companion bill. HB 215 sponsored by Reps. Shane Wilkin and Jon Cross and SB 134 sponsored by Senator George Lang are titled the “Business Fairness Act” and both bills were introduced with an emergency clause. The bills basically says that health orders can’t close businesses if other businesses are allowed to stay open so long as they follow the safety precautions for those business permitted to continue to stay open. A prime example with this is flower shops. During the initial COVID shut down, flower shops were ordered closed. BUT you could still buy flowers at Walmart that was allowed to remain open, putting those other small businesses at a disadvantage. So, under this bill (if enacted) that small flower shop could stay open if they follow the protocols. Additionally, for amusement rides, the state allowed large amusement parks to open, but kept the portable ride industry shutdown.

Trailer Legislation

2 bills have been introduced regarding trailers.

House Bill 96, sponsored by Representative Derek Merrin, would allow for noncommercial trailers to be permanently registered. The fee for this permanent registration would be:

- Eight times the annual registration tax for a noncommercial trailer (which is determined by the weight of the trailer);
- Eight times the annual \$11 Bureau of Motor Vehicles fee;
- Eight times the amount of any local motor vehicle taxes (if applicable); and
- The \$5 deputy registrar/BMV service fee.

House Bill 97, sponsored by Representatives Jon Cross and Phil Plummer, would replace the annual \$25 registration tax for commercial trailers and semitrailers with a one-time \$50 registration tax.

HB 96 and HB 97 are both pending in the House Transportation and Public Safety Committee.

How to Contact Your Lobbyist

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