



LEGISLATIVE UPDATE

March 25, 2020

This has been a very busy and tense time in the Ohio House and Senate (as well as the federal level!). Jim Wightman shared the note below. He and Dawn Shinew and others to make sure our students were not forgotten.

Good Evening,

WE DID IT. Attached is the Bill that was passed by both Chambers of legislature today. You will want to look to line 217 of the document. I had received word earlier in the day that the Bill had passed the Senate but needed to wait until it passed the House without modifications. The Bill will cover all of our licensure programs.

THANK YOU FOR ALL OF YOUR HELP AND SUPPORT. It is an honor and a privilege to represent you. Have a great evening.

Jim Wightman, PhD

## HOUSE ACTIVITY REPORT

### HOUSE CONCURS IN SENATE AMENDMENTS (SEE FOLLOWING NOTE)

**HB 197**

#### **TAX REVISIONS** ([Powell, J.](#), [Merrin, D.](#))

To enact the "Tax Code Streamlining and Correction Act" to make technical and corrective changes to the laws governing taxation, makes other changes regarding the COVID-19 emergency and to declare an emergency.

Bill: 91-0; Emergency: 90-0

## SENATE ACTIVITY REPORT INTRODUCED

**SB 297**

#### **EVICTIONS** ([Antonio, N.](#), [Craig, H.](#))

To prohibit foreclosure activity and the eviction of



residential and commercial tenants during the state of emergency declared regarding COVID-19, to refer such proceedings caused by the state of emergency to mediation, and to declare an emergency.

**SB 298**

**COVID-19 INFORMATION** ([Craig, H.](#))

To require the department of health to make the COVID-19 web site and phone hotline accessible in multiple languages and to declare an emergency

**SB 299**

**PAID LEAVE** ([Craig, H.](#))

To require paid leave for an employee who is unable to work due to quarantine or mandatory isolation, to create a grant program to compensate contract workers who cannot perform services during public health emergencies, to make an appropriation, and to declare an emergency.

**SB 300**

**LICENSE PLATE** ([Sykes, V.](#))

To create the "East Europeans of Ohio" license plate.

**PASSED**

**HB 197**

**TAX REVISIONS** ([Powell, J.](#), [Merrin, D.](#))

To enact the "Tax Code Streamlining and Correction Act" to make technical and corrective changes to the laws governing taxation, makes other changes regarding the COVID-19 emergency and to declare an emergency.

Bill: 26-0; Emergency: 26-0

(AMENDED) [Amendment Bullets](#); [Amendment Language](#)



Amended Substitute House Bill 197  
Senate Floor (Omnibus Amendment) Summary

1. Amends emergency clause already in the bill and makes applicable to every provision of the bill. In order to continue essential operations of state government, maintain the continuity of the state tax code and to respond to the declared pandemic and global health emergency related to COVID-19
2. Prohibits public water disconnections during the pandemic since they are not governed by PUCO non disconnect orders (**see note**)
3. Suspends the staff to child ratio requirements and maximum group sizes at childcare centers (**see note**)
4. Exempts schools and other entities from food processing requirements to allow for continued student meal delivery (**see note**)
5. Extends the validity of licenses issued by state agencies and political subdivisions and provides a 90-day window for renewal. Still allows for disciplinary actions during this time (**see note**)
6. Permits state boards & commissions, local & county governments, and higher education boards to operate meetings electronically so long as the public is aware and can participate electronically (**see note**)
7. Allows recently retired state employees to be rehired. This is limited to the following agencies: DRC, DYS, MHA, DVS and DDD (**see note**)
8. \$20M (non-GRF) fund shift for DAS operation of state agency capital facility projects. Money to be repaid after upcoming bond sale.
9. Gives the Director of Medicaid additional flexibility to support the health care workforce and providers during this time of crisis. Additional program flexibility is necessary to avoid a significant workforce shortage and patient provider access shortages at the end of the COVID-19 emergency. Drafted for future cases up to 6 months. Temporary provision expires December 1, 2020.
10. Permits school districts, STEM schools, and community schools other than e-schools, and chartered nonpublic schools to use distance learning to make up for any missed days or hours of instruction caused by the ordered closure of Ohio schools
11. Allows licensed special education providers to utilize tele-health and electronic communication methods to serve students who are receiving special education services through their school district or through the Autism Scholarship or Jon Peterson Special Needs Scholarships (**see note**)
12. Waives state testing and report cards for the 2019-2020 school year & creates a safe harbor from sanctions for schools; permits seniors to graduate if school determines on track to do so prior to the COVID-19 emergency; local school



determine promotion for Third-Grade Reading Guarantee; makes evaluations permissive and prohibits the use of value-added data; excludes academic performance data from

being used in sponsor ratings this year; allows Chancellor and State Supt to waive College Credit Plus timelines/requirements during the COVID-19 emergency

**13.** Limits the number of Ed Choice designated school buildings for the 2020-21 school year to those buildings previously eligible in the 2019-20 school year; allows siblings of current scholarship recipients, incoming Kindergarten students, and rising high school students to receive a performance-based scholarship for the 2020-21 school year if the building they attend or would attend meets these criteria

**14.** Allows JFS to continue making payments to publicly funded child care providers during the emergency – all this is done within existing appropriations - and is done to maintain the system so it may quickly return to full operation

**15.** Codifies the governor's executive order relative to Unemployment Compensation. **(see note)**

- a. Waives first week waiting period
- b. Changes eligibility to include COVID-19 related unemployment situations
- c. Waives work search requirement

**16.** Makes several changes, all due to Feds moving the tax filing deadline from April 15<sup>th</sup> to July 15<sup>th</sup>

- a. Extends date for estimated payments
- b. Waives interest payments (penalties already able to be waived)
- c. Not withstands the "20-day rule" under municipal income tax for employees working from home during the health emergency plus 30 days
- d. Extends due date of the state-administered municipal net profit tax

**17.** Temporary law that tolls statute of limitations for criminal & civil cases and administrative acts that would expire between March 9<sup>th</sup> and July 30<sup>th</sup> 2020.

**18.** Allows public retirement system boards to delay board member elections until December 1, 2020. This applies to OPERS, OP&F, STRS, SERS, OSHP

**19.** Provides an extra 45 days for a county central committee to fill a vacancy. Current law is 45 days. This is temp law change and not permanent law

**20.** Allows the Auditor of State to waive certain requirements regarding procedure audits if the audit period overlaps this health emergency

**21.** Delays the requirement that child care centers participate in Step Up to Quality in order to receive public funding from July 1, 2020 to September 1, 2020

**22.** Allows Ohio Public Works Commission, Ohio Water Development Authority and Ohio Environmental Protection Agency to waive penalties and fees from outstanding



loans and provides for additional flexibilities. Temporary provision expires December 1, 2020.

**23.** Specifies that all county offices required to transfer property and process titles that aren't made available online must remain open. Suspends a provision of law regarding liability of a county recorder for failure to perform certain duties

**24.** Allows a transfer (subject to controlling board) from the BSF in order to balance the FY 20 books. Additionally, requires at least 2 votes from each chamber to approve such a request

**25.** Grants certified registered nurse anesthetists (CRNAs), under certain conditions, the authority to perform additional duties or services related to anesthesia care, including ordering and administering drugs and IV fluids, ordering diagnostic tests and directing nurses to administer drugs. This is a permanent law change

**26.** Allows for recent nursing graduates to obtain a temporary license to practice prior to passing the licensure examination. Temporary licenses expire either 90 days after the duration of the COVID-19 emergency or 90 days after December 1, 2020, whichever comes sooner.

**27.** Extends absentee voting by mail for the March 17, 2020 primary election to April 28,

2020, authorizes \$7.0M (from Emergency purposes fund) to pay associated costs

**28.** Adds a severability clause for the provisions of the bill

\*\*\* Several items above contain a provision sun-setting the amendment to the earlier of Dec. 1, 2020 or the rescission of the Governor's March 9<sup>th</sup> Executive order and are noted accordingly with (**see note**)

YOUR STUDENTS MAY BE INTERESTED IN THIS!

**Secretary DeVos Directs FSA to Stop Wage Garnishment, Collections Actions for Student Loan Borrowers, Will Refund More Than \$1.8 Billion to Students, Families**

WASHINGTON — U.S. Secretary of Education Betsy DeVos announced today that, due to the COVID-19 national emergency, the Department will halt collection actions and wage garnishments to provide additional assistance to borrowers. This flexibility will last for a period of at least 60 days from March 13, 2020. "These are difficult times for many Americans, and we don't want to do anything that will make it harder for them to make ends meet or create additional stress," said Secretary DeVos. "Americans counting on their tax refund or Social Security check to make ends meet during this national emergency should receive those funds, and our actions today will make sure they do." At the Secretary's direction, the Department has stopped all requests to the U.S. Treasury to withhold money from defaulted borrowers' federal



income tax refunds, Social Security payments, and other federal payments. Such withholdings, known as “Treasury offsets,” are permitted by federal law and applied toward repayment of defaulted federal student loans. At the same time, the Secretary directed the Department to refund approximately \$1.8 billion in offsets to more than 830,000 borrowers. The Department expects the number of borrowers who will benefit from this relief to increase as servicers work through additional offsets in the queue at the time of this announcement. The refunds represent offsets that were in the process of being withheld on March 13, 2020, the date President Donald J. Trump declared a national emergency and announced emergency executive actions related to COVID-19. Additionally, private collection agencies have been instructed to halt all proactive collection activities, including making phone calls to borrowers and issuing collection letters and billing statements. The Department must rely on employers to make the change to borrowers’ paychecks, so it will monitor employers’ compliance with the request to stop wage garnishment. Borrowers whose wages continue to be garnished after March 13 should contact their employers’ human resources department. Borrowers with defaulted student loans, a current relationship with a private collection agency, and an interest in continuing a prior payment arrangement, consolidating their loans, or beginning a loan rehabilitation arrangement with their private collection agency, should contact the Department’s Default Resolution Group at 1-800-621-3115 (TTY for the deaf or hearing-impaired 1-877-825-9923). Private collection agencies are permitted to provide assistance upon the borrower's request. This new student loan relief for borrowers comes just days after President Donald J. Trump announced that borrowers with a federally held student loan will automatically have their interest rates set to 0% for a period of at least 60 days. In addition, these non-defaulted borrowers will have the option to suspend their payments for at least two months to allow them greater flexibility during the national emergency. This will allow borrowers to temporarily stop their payments without worrying about accruing interest.