

Ohio Legislature Concludes 131st General Assembly in Marathon Session Lasting Until 3:30 AM Last Friday

By ***Madison Lisotto Whalen, Associate***

After a whirlwind final week of the lame duck session, where the Legislature passed various, often times emotion-evoking measures (including gun rights, abortion, unemployment compensation fund changes, municipal minimum wage pre-emption, and modifications to renewable energy standards), the 131st General Assembly has come to an end. The 132nd Ohio General Assembly begins January 3, 2017.

Below are some of the passed measures that may impact you or your business.

Business

- Changes to the state's unemployment compensation benefits including a freeze on benefits and a small increase in employer taxes for two years beginning in 2018
 - The Legislature, along with business and labor leaders, also announced a plan for a final compromise to create a solvent unemployment compensation system by April 1, 2017
- The state is prohibited from contracting with any business that has boycotted or divested from any nation in which the U.S. conducts open trade
- The list of places where a concealed carry permit holder can have their firearm has expanded, and employers can no longer ban a permit holder from storing a gun in his or her vehicle while in a company parking lot
- Ban on the manufacture of certain baby products
- The creation of a presumption in law, governing workers' compensation and the Ohio Police and Fire Pension Fund, that a firefighter who is disabled as a result of specified types of cancer, incurred the cancer while performing official duties as a firefighter
- Regulation of the usage of used tires
- The enactment of the Corporate Governance Annual Disclosure Act
- Modifications to the state's requirements for renewable energy, energy efficiency savings, and peak demand reduction
- The laws governing real estate brokers and salespersons have been modernized

Local Government

- Local jurisdictions are now prohibited from establishing a minimum wage different from the state's level
- Local governments may provide property tax breaks to developers who are improving the property
- Expedited actions to foreclose mortgages on vacant and abandoned residential properties have been established
- Civil asset forfeiture reform, which includes a requirement in law that a person must be charged with certain crimes to justify court-ordered forfeiture
 - Currently, prosecutors and police may force the forfeiture of property before a crime has been charged

Education

- High-performing school districts are exempt from certain education laws, for example they are now allowed to hire non-licensed teachers
- Some Medicaid providers are allowed to make referrals for certain services under the Medicaid School Program

- Modifications to the administration of state education assessments and operations of primary and secondary schools

Health Care

- Abortions are prohibited after a fetal heartbeat is detected; abortions are also prohibited when the probable post-fertilization age of the unborn child is twenty (20) weeks or greater
- Physicians are permitted to treat terminally ill patients with drugs not approved by the United States Food and Drug Administration (USFDA); drug manufacturer are permitted to provide such drugs to the patient or physician
- The revision of laws governing Advanced Practice Registered Nurses (APRNs)
- Chiropractors are authorized to engage in certain activities involving nutrition-related items and therapies, non-prescription drugs, and medical goods and devices
- Pharmacists are allowed to dispense multiple refills of a prescription simultaneously under certain circumstances
- Requirements have been established for the operation of palliative care facilities, as well as requirements for hospital after-care and discharge planning, to include a prohibition of assisted suicide and requirement for autism coverage

And now, the good news... the state's biennial budget will be released at the end of January, which will provide opportunities to revise law changes that may have a negative impact on you or your business.

If you are interested in influencing public policy or seeking state funding opportunities, please contact any of the listed Roetzel attorneys.

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