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OHIO LEGISLATIVE SERVICE COMMISSION

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Synopsis of House Committee Amendments

(This synopsis does not address amendments that may have been adopted on the House Floor.)

S.B. 1 of the 133rd General Assembly

House State and Local Government

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Department of Health orders and rules

Specifies that all orders issued by the Director of Health on or after April 29, 2020, cease to be effective 14 days after the bill takes effect, unless the Joint Committee on Agency Rule Review (JCARR) approves extensions of those orders by a majority vote, including three members of the House of Representatives and three members of the Senate.

Prohibits any future order of the Director of Health from being effective for more than 14 days unless, at the Director's request, JCARR approves an extension by that same vote.

Specifies that the Director may make public health rules to prevent the spread of disease only in accordance with the Administrative Procedure Act, and prohibits the Director from making emergency rules, rule amendments, or rescissions under the Act.

Gives any Ohio citizen standing to seek a court order that the Director comply with the bill's requirements, and specifies that the citizen is not required to prove that irreparable harm will result if the court does not issue the order.

Administrative rules

In order to maintain the relevant laws enacted in the most recent Main Operating Budget (H.B. 166), modifies the bill's administrative rule reduction provisions in the following ways:

-No longer subjects the Attorney General, Auditor of State, Treasurer of State, or Secretary of State to the provisions;

-Delays until July 1, 2023, the bill's provision that prohibits a state agency that has not achieved a specified percentage reduction according to the schedule in the bill from adopting a new regulatory restriction unless the agency simultaneously removes two or more other existing regulatory restrictions. H.B. 166 enacted a blanket prohibition through June 30, 2023, against state agencies adopting a new regulatory restriction unless the agency simultaneously removes two or more other existing regulatory restrictions.