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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Synopsis of Senate Committee Amendments

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

H.B. 184 of the 136th General Assembly

Senate Judiciary and Senate Finance

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As Reported by Senate Judiciary

Contracts with intercollegiate athletes

Specifies that “name, image, and likeness” (NIL), for purposes of the law governing contracts with intercollegiate athletes, includes “personal services,” thus expressly applying the NIL Law’s requirements and prohibitions to personal services.

Defines “personal services” as services performed by an intercollegiate athlete to which both of the following apply:

- The services are nondelegable obligations for which the athlete cannot substitute another individual to fulfill the duties agreed upon by the athlete under the contract, and the services must be rendered personally by that athlete; and
- The services involve skill-based or talent-based performance by the athlete, and the contract is formed due to the athlete’s specific athletic ability, status as an athlete, public persona, or brand recognition.

Prohibits any person from entering into a contract with an intercollegiate athlete that compensates the athlete for the athlete’s NIL if it requires any litigation, arbitration, or other dispute resolution process arising from the contract to occur in another state.

Requires a contract that provides an intercollegiate athlete with compensation for use of the athlete’s NIL to require any litigation, arbitration, or other dispute resolution process arising from the contract to take place in Ohio and be governed by Ohio law.

Requires the parties to any NIL contract involving an intercollegiate athlete who transfers to an Ohio institution from another state to ensure that the contract continues at the new institution.

Requires the parties to any NIL contract to ensure that contract complies with the bill.

Applies the bill to contracts and agreements entered into on or after the bill's effective date.

As Reported by Senate Finance

The following provisions were added to the bill:

Nursing facility quality incentive payments

For purposes of determining the total amount spent on Medicaid quality incentive payments in a year for nursing facilities, specifies that calculations conducted under continuing law utilize 60% of the per diem amount by which a nursing facility's cost per case-mix unit changed as a result of a rebasing, rather than 60% of the amount a facility's rate for direct care costs changed.

Specifies that for purposes of this calculation, a facility's cost per case-mix unit is determined under continuing law and must not be multiplied by the facility's semiannual case-mix score.

Declares the General Assembly's intent to do all of the following:

- Clarify statutory language in response to the decision of the Ohio Supreme Court in the case *State ex rel. LeadingAge Ohio v. Ohio Dept. of Medicaid*;
- Require ODM to continue calculating and paying the quality incentive payments in the manner they were actually paid for state FYs 2024 and 2025;
- Cap the amount of funds available to nursing facilities via this calculation; and
- Clarify that ODM calculated the quality incentive pool in the way the General Assembly originally intended.

Caps on school district administrative expenses

Excludes educational service center (ESC) governing boards from the prohibition against any school district board spending more than 15% of its annual operating budget on administrative expenses.

Montgomery County Pupil Transportation Program

Permits the ESC serving the Montgomery County Pupil Transportation Pilot Program to transport a student to and from that student's workplace learning experiences, in addition to a student's place of residence.

Science of reading implementation report

Requires, by June 30 each year, the Department of Education and Workforce (DEW) to prepare and issue a report to the Governor and the General Assembly regarding the implementation of the law regarding the Science of Reading in public schools.

School emergency management plans

Corrects the licensing body of a preschool program or school-age child care program from DEW to the Department of Children and Youth (DCY) in the law regarding school emergency management plans.

State institution of higher education facility inspection reports

Requires each state institution of higher education to submit any inspection report it receives from an Ohio Building or Fire Code inspection of an existing building or structure under its control or controlled by a private entity on its behalf to the Chancellor of Higher Education and the Department of Administrative Services (DAS).

Requires DAS to post a copy of each report in a prominent location on its website.

Requires DAS, if a report identifies any issues in a building or structure requiring remediation, to prepare and post a cost estimate for the remediation alongside the report on its website.

Accelerated College and Career Pathways Program

Clarifies that accelerated 90-hour degree programs are 90 semester credit hour degree programs.

DNR project

Redirects \$85,000 from an \$850,000 community project earmark under Fund 7035 ALI C725E2 Local Parks, Recreation, and Conservation Projects, from Irishtown Bend and Canal Basin Park to Hart Crane Park.

Wildlife area land royalties

Makes a technical correction to change the funding source for ALI 7256A7, Wildlife Area Land Royalties, from the Natural Resources Land Royalty Fund (Fund 5BJ1) to the Wildlife Land Royalty Fund (Fund 5DB1).

OBM – strategic community investments

Modifies an existing earmark of \$175,000 in Fund 5AY1 appropriation item 042509, One Time Strategic Community Investments, for the Camp Cheerful Reimagined project by instead allocating \$100,000 for the Achievement Centers for Children Westlake facility and \$75,000 for the Achievement Centers for Children Camp Cheerful facility.

General Holding Account

Clarifies that Fund R004 ALI 055631, General Holding Account, may also be used by the Attorney General to disburse money under the terms of “grant agreements pertaining to body armor” (rather than only relevant court orders and other settlements).

Percent for Arts spending cap

Limits to \$200,000 the amount of state funds a state agency must use to purchase works for art for display in or on a renovated or newly constructed public building.

Capital appropriation changes

Eliminates a \$250,000 earmark in capital appropriation item C58050, Community Support, for Ashtabula County Transitional Housing for Homeless Youth, under the Department of Behavioral Health.

Appropriates \$250,000 to capital appropriation item C501HP, Ashtabula County Public Safety Center Security Upgrades, under the Department of Rehabilitation and Correction.

Fire department grants

Clarifies the eligible recipients of grants under the \$8.0 million set aside in FY 2026 under Fund 5460 ALI 800639, Fire Department Grants, for the Small County Volunteer Fire Department Grant, which may be used to buy firefighting equipment and gear or to cover fire department costs.

DAS – building improvement

Increases FY 2026 appropriations under Fund 5KZ0 ALI 100659, Building Improvement, by \$1,600,000.

Requires the OBM Director to transfer \$1,600,000 cash from the GRF to the Building Improvement Fund (Fund 5KZ0).

Temporary property tax abatements

Permits a municipal corporation, county, new community authority, or port authority in Franklin County to apply, within 12 months of the bill's 90-day effective date, for a property tax exemption and abatement of delinquent taxes on any multi-level off-street parking structure owned or leased by the applicant, without regard to the regular time and payment limitations imposed by current law, i.e., a restriction that abatements may not generally be sought for more than three years of delinquent taxes and that abatements are unavailable for delinquent taxes accrued by previous owners.

Historic rehabilitation tax credits – rescinded awards

Allows a project that was awarded a historic rehabilitation tax credit between September 13, 2022, and July 1, 2024, then had its award rescinded, and then had another award granted on a subsequent application, to qualify for an increased credit allowance that applied to awards made during the September 13, 2022, to July 1, 2024, window.

Municipal income tax and Public Records Law

Specifies that information gained as a result of returns, investigations, hearings, or verifications required or authorized under Municipal Income Tax Law is not a public record under Ohio's Public Records Law (under current law, such information is designated as confidential but is not specifically exempted from Public Records Law).

Economic development assistance and Public Records Law

Specifies that information submitted to a political subdivision, a port authority, or a tax incentive review council, from an applicant for or recipient of economic development assistance, or of any grant, subgrant, exemption, credit, loan, award, cooperative agreement, or other similar and related form of financial assistance, and any information taken for any purpose from that information, is confidential and not a public record under Ohio's Public Records Law.

Allows the entity to use that information to the extent required to secure approval of an application and to comply with specific mandates imposed under law.

Tax increment financing (TIF) extensions

Allows a municipal corporation, township, or county that has previously exempted property taxes on improvements to real property as part of a tax increment financing (TIF) arrangement to extend an expiring or expired exemption for up to 30 years if all of the following conditions are met:

- The buildings comprising the improvements are owned and occupied by a multinational for-profit entity;
- The entity has maintained operations at those buildings for more than 25 years;
- The entity will commit to investing at least \$100 million dollars and retaining at least 1,000 jobs at the location over the period of the extended exemption; and
- The improvements were previously subject to a TIF arrangement that expired after tax year 2024.

Allows the extension to tax year 2025 or any following tax year.

Mass transit for student transportation

Effective July 1, 2026:

Authorizes a city, local, or exempted village school district located in a county with a population between 530,000 and 540,000 according to the most recent federal decennial census (currently, only Montgomery County) to arrange for pupil transportation services for the district's students in grades 9 to 12 via the local mass transit system (as permitted for community and charter nonpublic school students under current law).

Requires any school district that arranges for mass transit transportation (as specified above) to ensure both of the following:

- The students are assigned to a route that does not require them to make more than one transfer; and
- That any transfer does not occur at the mass transit system's central transfer hub.

Surety liability for Brent Spence Bridge projects

Limits the liability of a surety on a contract performance bond to 115% of the value of the bond, with respect to additional costs reasonably incurred by the Director of Transportation for completion of a project, if all of the following apply:

- The contract relates to a major bridge project over the Ohio River (i.e., the Brent Spence Bridge project);
- The surety made a written offer to the Director within ten days of the contractor defaulting on the contract to complete the work covered by the contract; and
- The surety failed or refused to complete the work covered by the contract.

Accessible parking placard

Removes the fee associated with obtaining a duplicate removable windshield placard when the original is lost, destroyed, or mutilated.

Removes outdated references to a parking card (which was the former version of a removable windshield placard and has not been issued since 1994).

Commercial driver's licenses for noncitizens

Requires a commercial driver's license that is issued to a legally present noncitizen of the U.S. to include a prominent statement with the words "Non-Domiciled Commercial Driver's License" printed on the license.

Eligible adults for driving supervision

Expands who qualifies as an eligible adult to supervise the actual driving experience of a person who is an emancipated adult to include any person 21 or older who holds a valid Ohio driver's license or commercial driver's license.

Driver's license fees for disabled veterans

Expands which disabled veterans are exempt from paying driver's license-related fees by exempting a veteran who has a service-connected disability that is compensated at 100% by the U.S. Veterans Administration in the same manner as if the veteran has a disability rating of 100%.

Driver's education and supervised training requirements

Exempts a person from the limited term license driver's education and supervised driving requirements if that person does all of the following:

- Possess a valid, unexpired visa issued by the U.S. Department of State;

- Possess a valid, unexpired foreign driver's license; and
- Presents a form, prescribed by the Registrar of Motor Vehicles, attesting to their relationship with a hospital or health system.

Driver's education exemption for agricultural workers

Exempts a limited term license applicant who holds a valid, unexpired H-2A visa (agricultural worker) and presents a form attesting to the applicant's employment by an Ohio farm from the driver's education and supervised driving requirements.

Attorney unclaimed funds; Access to Justice Foundation

Exempts attorney unclaimed funds that were reported to the Director of Commerce on or before January 1, 2016, from escheating to the state. The right to such funds vests in the Ohio Access to Justice Foundation (OAJF) on January 1, 2036.

Allows the General Assembly to appropriate money to OAJF to offset the attorney unclaimed funds and interest that escheat to the state, including funds and interest reported to the Director after January 1, 2016.

Appropriates \$19,500 in FY 2026 and \$90,500 in FY 2027 to the Department of Commerce under Fund 5DI1 ALI 800664, Access to Justice Unclaimed Funds, for OAJF to offset the effect of escheatments to which the organization is subject under H.B. 96 of the 136th General Assembly.

Transfers \$110,000 cash from the GRF to the newly created Access to Justice Unclaimed Funds Fund (Fund 5DI1).

Private insurance outreach program

Repeals duplicative language requiring the Department of Medicaid, during FY 2027, to create and administer an outreach program to provide information, awareness, and assistance to Medicaid recipients to help them transition from Medicaid to private insurance (continuing law requires the Department of Insurance to create and administer the program).

Rural Practice Incentive Program

Updates the time admitted to the practice of law in Ohio from less than eight years to less than 12 years to apply to participate in the Rural Practice Incentive Program, to match the eligibility requirements for the program.

Payment to publicly funded child care (PFCC) providers

Extends to July 9, 2028 (from July 5, 2026) the date by which DCY must begin to calculate PFCC payments based on a child's enrollment with a child care provider rather than on the child's attendance.

Early Childhood Education Grant Program

Specifies that a grant awarded under DCY's Early Childhood Education Grant Program is not PFCC or a family services program, and therefore not subject to the laws governing PFCC or family services programs.

Ohio Post-Traumatic Stress Fund

Specifies, for purposes of coverage under the State Post-Traumatic Stress Fund, that all of the following are included in the phrase "public safety officer," whether they are paid or volunteer:

- A peace officer;
- A firefighter of a lawfully constituted fire department; and
- A certified first responder, emergency medical technician (EMT) -basic, EMT-intermediate, or EMT-paramedic.

Transfers responsibility for the fund from the Director of Budget and Management to the Director of Public Safety.

Requires the OBM Director to transfer \$40 million cash from the GRF to the fund in FY 2027.