(133rd General Assembly)
(Amended Substitute House Bill Number 197)

AN ACT

To amend sections 122.075, 125.831, 131.45, 133.01, 133.06, 133.07, 133.18, 135.142, 305.31, 306.322, 307.671, 307.672, 307.674, 307.678, 307.695, 319.301, 321.03, 321.20, 323.154, 323.155, 351.01, 351.03, 351.141, 718.01, 718.021, 929.01, 1545.041, 1545.21, 1711.15, 1711.16, 3316.03, 3316.06, 3317.01, 4301.20, 4582.024, 4582.26, 4582.56, 4723.43, 4729.01, 4761.17, 5104.31, 5701.08, 5701.11, 5701.12, 5703.04, 5703.211, 5703.54, 5703.94, 5703.95, 5705.03, 5705.13, 5705.19, 5705.195, 5705.213, 5705.252, 5705.29, 5705.315, 5705.34, 5705.35, 5705.36, 5705.49, 5709.201, 5709.43, 5709.48, 5709.53, 5709.61, 5709.80, 5709.85, 5709.93, 5713.03, 5713.30, 5713.351, 5715.13, 5715.36, 5721.06, 5721.191, 5721.39, 5725.98, 5726.50, 5726.98, 5727.02, 5727.11, 5727.23, 5727.32, 5727.33, 5727.80, 5727.83, 5727.84, 5729.98, 5733.042, 5733.05, 5733.052, 5733.055, 5733.40, 5733.98, 5735.026, 5735.06, 5739.01, 5739.011, 5739.02, 5739.021, 5739.028, 5739.03, 5739.034, 5739.08, 5739.09, 5739.21, 5740.02, 5743.05, 5743.08, 5743.33, 5743.65, 5745.14, 5747.01, 5747.011, 5747.012, 5747.013, 5747.02, 5747.058, 5747.061, 5747.07, 5747.082, 5747.11, 5747.231, 5747.41, 5747.51, 5747.52, 5747.55, 5747.98, 5748.08, 5748.09, 5751.01, 5751.08, 5751.09, 5751.50, 5751.51, 5751.98, and 5753.11; to enact sections 4723.433, 4723.434, 4723.435, 5739.091, 5739.092, 5751.40, 5751.41, and 5751.42; and to repeal sections 901.13, 5705.211, 5727.87, 5733.46, 5739.105, 5747.75, and 5751.23 of the Revised Code and to amend Section 757.40 of H.B. 166 of the 133rd General Assembly to continue essential operations of state government and maintain the continuity of the state tax code in response to the declared pandemic and global health emergency related to COVID-19, to make appropriations, and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 122.075, 125.831, 131.45, 133.01, 133.06, 133.07, 133.18, 135.142, 305.31, 306.322, 307.671, 307.672, 307.674, 307.678, 307.695, 319.301, 321.03, 321.20, 323.154, 323.155, 351.01, 351.03, 351.141, 718.01, 718.021, 929.01, 1545.041, 1545.21, 1711.15, 1711.16, 3316.03, 3316.06, 3317.01, 4301.20, 4582.024, 4582.26, 4582.56, 4723.43, 4729.01, 4761.17, 5104.31, 5701.08, 5701.11, 5701.12, 5703.04, 5703.211, 5703.54, 5703.94, 5703.95, 5705.03, 5705.13, 5705.19, 5705.195, 5705.213, 5705.252, 5705.29, 5705.315, 5705.34, 5705.35, 5705.36,

essential services to effectuate a property transfer shall remain open and available with all offices.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, and notwithstanding an order or directive from the court of common pleas or the board of county commissioners, the title office of a clerk of court of common pleas shall remain open and operational in order to allow land professionals, automobile, watercraft, outboard motor, all terrain vehicles, and mobile home dealers access to the office as necessary to process titles that are not otherwise available online. The office may provide such access during limited hours and for a limited duration, and may subject nonclerk personnel to requirements and restrictions in the interest of public health. The office may allow persons other than the aforementioned land professionals and dealers physical access to the office at the discretion of the office during such limited hours, for such limited duration, and subject to such requirements and restrictions in the interest of public health as the office determines.

SECTION 22. (A) The following that are set to expire between March 9, 2020, and July 30, 2020, shall be tolled:

(1) A statute of limitation, as follows:

(a) For any criminal offense, notwithstanding any other provision of law to the contrary, the applicable period of limitation set forth in section 2901.13 of the Revised Code for the criminal offense;

(b) When a civil cause of action accrues against a person, notwithstanding any other provision of law to the contrary, the period of limitation for commencement of the action as provided under any section in Chapter 2305. of the Revised Code, or under any other provision of the Revised Code that applies to the cause of action;

(c) For any administrative action or proceeding, the period of limitation for the action or proceeding as provided under the Revised Code or the Administrative Code, if applicable.

(2) The time within which a bill of indictment or an accusation must be returned or the time within which a matter must be brought before a grand jury;

(3) The time within which an accused person must be brought to trial or, in the case of a felony, to a preliminary hearing and trial;

(4) Time deadlines and other schedule requirements regarding a juvenile, including detaining a juvenile;

(5) The time within which a commitment hearing must be held;

(6) The time by which a warrant must be issued;

(7) The time within which discovery or any aspect of discovery must be completed;

(8) The time within which a party must be served;

(9) The time within which an appearance regarding a dissolution of marriage must occur pursuant to section 3105.64 of the Revised Code;

(10) Any other criminal, civil, or administrative time limitation or deadline under the Revised Code.

(B) This section applies retroactively to the date of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020.

(C) Division (A) of this section expires on the date the period of emergency ends or July 30,

2020, whichever is sooner.

SECTION 23. The Public Employees Retirement Board, State Teachers Retirement Board, School Employees Retirement Board, or State Highway Patrol Retirement Board may delay an election of members to the applicable board that is scheduled to take place during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but before December 1, 2020, until December 1, 2020. The delayed election shall be conducted as provided for in section 145.058, 3307.075, 3309.075, or 5505.047 of the Revised Code.

The Ohio Police and Fire Pension Fund Board of Trustees may delay an election of members to the Board that is scheduled to take place during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but before December 1, 2020, until December 1, 2020. The delayed election shall be conducted as provided in section 742.04 of the Revised Code, except that the Board shall adjust the dates in that section for nominating petitions to be filed and ballots to be returned to the Board to reflect the new election date.

If a board delays an election in accordance with this section, the elected members of the board whose terms were set to expire following the original election date shall continue in office subsequent to the expiration date of the member's term until the member's successor is elected and takes office.

SECTION 24. Notwithstanding sections 3.16, 305.02, 731.43, 733.08, 733.31, 1901.31, and 3513.31 of the Revised Code, the county central committee of the political party that is responsible for filling any vacancy shall have an additional forty-five days to fill the vacancy from the date the vacancy was required to be filled during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020.

SECTION 25. The Auditor of State, on a case-by-case basis, may determine that the requirement under division (D) of section 117.114 of the Revised Code to have one audit performed under division (A) of section 117.11 or division (A) of section 117.12 of the Revised Code may be waived, if the waiver applies to an audit period during which the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, is or was in effect.

SECTION 26. The Auditor of State, on a case-by-case basis, may determine that a qualifying subdivision that fails to meet any of the criteria established by rule under division (B) of section 117.114 of the Revised Code is otherwise eligible for an agreed-upon procedure audit and may, in writing, grant a waiver of particular criteria, if the waiver applies to an audit period during which the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, is or was in effect.

SECTION 27. During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, all of the following apply:

(A) Notwithstanding Chapter 164. of the Revised Code or any other provision of law to the

1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 133.18 of the Revised Code as amended by Am. Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 153 of the 129th General Assembly.

Section 5705.19 of the Revised Code as amended by both Sub. H.B. 122 and Sub. H.B. 500 of the 132nd General Assembly.

SECTION 40. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to continue essential operation of various facets of state government, maintain the continuity of the state tax code, and respond to the declared pandemic and global health emergency related to COVID-19. Therefore, this act shall go into immediate effect.