

As Introduced

131st General Assembly

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H. B. No. 132

Representatives Lepore-Hagan, Bishoff

**Cosponsors: Representatives Antonio, Kuhns, Howse, Slesnick, Clyde, Fedor,
Celebrezze, Sykes, Johnson, G., Sheehy, Phillips, Reece, Boyd**

A BILL

To amend sections 121.22, 2907.29, 3313.60, 1
3313.6011, 3314.03, 3326.11, 3328.24, 4729.16, 2
4729.18, and 4729.35 and to enact sections 3
1751.68, 3701.049, 3727.61, 3727.611, 3727.612, 4
3923.84, 4729.44, and 4729.45 of the Revised 5
Code regarding coverage for prescription 6
contraceptive drugs and devices, the provision 7
of certain hospital and pregnancy prevention 8
services for victims of sexual assault, and 9
comprehensive sexual health and sexually 10
transmitted infection education in schools. 11

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 121.22, 2907.29, 3313.60, 12
3313.6011, 3314.03, 3326.11, 3328.24, 4729.16, 4729.18, and 13
4729.35 be amended and sections 1751.68, 3701.049, 3727.61, 14
3727.611, 3727.612, 3923.84, 4729.44, and 4729.45 of the Revised 15
Code be enacted to read as follows: 16

Sec. 121.22. (A) This section shall be liberally construed 17
to require public officials to take official action and to 18

conduct all deliberations upon official business only in open 19
meetings unless the subject matter is specifically excepted by 20
law. 21

(B) As used in this section: 22

(1) "Public body" means any of the following: 23

(a) Any board, commission, committee, council, or similar 24
decision-making body of a state agency, institution, or 25
authority, and any legislative authority or board, commission, 26
committee, council, agency, authority, or similar decision- 27
making body of any county, township, municipal corporation, 28
school district, or other political subdivision or local public 29
institution; 30

(b) Any committee or subcommittee of a body described in 31
division (B) (1) (a) of this section; 32

(c) A court of jurisdiction of a sanitary district 33
organized wholly for the purpose of providing a water supply for 34
domestic, municipal, and public use when meeting for the purpose 35
of the appointment, removal, or reappointment of a member of the 36
board of directors of such a district pursuant to section 37
6115.10 of the Revised Code, if applicable, or for any other 38
matter related to such a district other than litigation 39
involving the district. As used in division (B) (1) (c) of this 40
section, "court of jurisdiction" has the same meaning as "court" 41
in section 6115.01 of the Revised Code. 42

(2) "Meeting" means any prearranged discussion of the 43
public business of the public body by a majority of its members. 44

(3) "Regulated individual" means either of the following: 45

(a) A student in a state or local public educational 46

institution; 47

(b) A person who is, voluntarily or involuntarily, an 48
inmate, patient, or resident of a state or local institution 49
because of criminal behavior, mental illness or retardation, 50
disease, disability, age, or other condition requiring custodial 51
care. 52

(4) "Public office" has the same meaning as in section 53
149.011 of the Revised Code. 54

(C) All meetings of any public body are declared to be 55
public meetings open to the public at all times. A member of a 56
public body shall be present in person at a meeting open to the 57
public to be considered present or to vote at the meeting and 58
for purposes of determining whether a quorum is present at the 59
meeting. 60

The minutes of a regular or special meeting of any public 61
body shall be promptly prepared, filed, and maintained and shall 62
be open to public inspection. The minutes need only reflect the 63
general subject matter of discussions in executive sessions 64
authorized under division (G) or (J) of this section. 65

(D) This section does not apply to any of the following: 66

(1) A grand jury; 67

(2) An audit conference conducted by the auditor of state 68
or independent certified public accountants with officials of 69
the public office that is the subject of the audit; 70

(3) The adult parole authority when its hearings are 71
conducted at a correctional institution for the sole purpose of 72
interviewing inmates to determine parole or pardon; 73

(4) The organized crime investigations commission 74

established under section 177.01 of the Revised Code;	75
(5) Meetings of a child fatality review board established under section 307.621 of the Revised Code and meetings conducted pursuant to sections 5153.171 to 5153.173 of the Revised Code;	76 77 78
(6) The state medical board when determining whether to suspend a certificate without a prior hearing pursuant to division (G) of either section 4730.25 or 4731.22 of the Revised Code;	79 80 81 82
(7) The board of nursing when determining whether to suspend a license or certificate without a prior hearing pursuant to division (B) of section 4723.281 of the Revised Code;	83 84 85 86
(8) The state board of pharmacy when determining whether to suspend a license without a prior hearing pursuant to division (D) <u>(E)</u> of section 4729.16 of the Revised Code;	87 88 89
(9) The state chiropractic board when determining whether to suspend a license without a hearing pursuant to section 4734.37 of the Revised Code;	90 91 92
(10) The executive committee of the emergency response commission when determining whether to issue an enforcement order or request that a civil action, civil penalty action, or criminal action be brought to enforce Chapter 3750. of the Revised Code;	93 94 95 96 97
(11) The board of directors of the nonprofit corporation formed under section 187.01 of the Revised Code or any committee thereof, and the board of directors of any subsidiary of that corporation or a committee thereof;	98 99 100 101
(12) An audit conference conducted by the audit staff of	102

the department of job and family services with officials of the 103
public office that is the subject of that audit under section 104
5101.37 of the Revised Code; 105

(13) The occupational therapy section of the occupational 106
therapy, physical therapy, and athletic trainers board when 107
determining whether to suspend a license or limited permit 108
without a hearing pursuant to division (D) of section 4755.11 of 109
the Revised Code; 110

(14) The physical therapy section of the occupational 111
therapy, physical therapy, and athletic trainers board when 112
determining whether to suspend a license without a hearing 113
pursuant to division (E) of section 4755.47 of the Revised Code; 114

(15) The athletic trainers section of the occupational 115
therapy, physical therapy, and athletic trainers board when 116
determining whether to suspend a license without a hearing 117
pursuant to division (D) of section 4755.64 of the Revised Code. 118

(E) The controlling board, the tax credit authority, or 119
the minority development financing advisory board, when meeting 120
to consider granting assistance pursuant to Chapter 122. or 166. 121
of the Revised Code, in order to protect the interest of the 122
applicant or the possible investment of public funds, by 123
unanimous vote of all board or authority members present, may 124
close the meeting during consideration of the following 125
information confidentially received by the authority or board 126
from the applicant: 127

(1) Marketing plans; 128

(2) Specific business strategy; 129

(3) Production techniques and trade secrets; 130

(4) Financial projections;	131
(5) Personal financial statements of the applicant or members of the applicant's immediate family, including, but not limited to, tax records or other similar information not open to public inspection.	132 133 134 135
The vote by the authority or board to accept or reject the application, as well as all proceedings of the authority or board not subject to this division, shall be open to the public and governed by this section.	136 137 138 139
(F) Every public body, by rule, shall establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings. A public body shall not hold a special meeting unless it gives at least twenty-four hours' advance notice to the news media that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.	140 141 142 143 144 145 146 147 148 149 150
The rule shall provide that any person, upon request and payment of a reasonable fee, may obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. Provisions for advance notification may include, but are not limited to, mailing the agenda of meetings to all subscribers on a mailing list or mailing notices in self-addressed, stamped envelopes provided by the person.	151 152 153 154 155 156 157 158
(G) Except as provided in divisions (G) (8) and (J) of this	159

section, the members of a public body may hold an executive 160
session only after a majority of a quorum of the public body 161
determines, by a roll call vote, to hold an executive session 162
and only at a regular or special meeting for the sole purpose of 163
the consideration of any of the following matters: 164

(1) To consider the appointment, employment, dismissal, 165
discipline, promotion, demotion, or compensation of a public 166
employee or official, or the investigation of charges or 167
complaints against a public employee, official, licensee, or 168
regulated individual, unless the public employee, official, 169
licensee, or regulated individual requests a public hearing. 170
Except as otherwise provided by law, no public body shall hold 171
an executive session for the discipline of an elected official 172
for conduct related to the performance of the elected official's 173
official duties or for the elected official's removal from 174
office. If a public body holds an executive session pursuant to 175
division (G)(1) of this section, the motion and vote to hold 176
that executive session shall state which one or more of the 177
approved purposes listed in division (G)(1) of this section are 178
the purposes for which the executive session is to be held, but 179
need not include the name of any person to be considered at the 180
meeting. 181

(2) To consider the purchase of property for public 182
purposes, or for the sale of property at competitive bidding, if 183
premature disclosure of information would give an unfair 184
competitive or bargaining advantage to a person whose personal, 185
private interest is adverse to the general public interest. No 186
member of a public body shall use division (G)(2) of this 187
section as a subterfuge for providing covert information to 188
prospective buyers or sellers. A purchase or sale of public 189
property is void if the seller or buyer of the public property 190

has received covert information from a member of a public body 191
that has not been disclosed to the general public in sufficient 192
time for other prospective buyers and sellers to prepare and 193
submit offers. 194

If the minutes of the public body show that all meetings 195
and deliberations of the public body have been conducted in 196
compliance with this section, any instrument executed by the 197
public body purporting to convey, lease, or otherwise dispose of 198
any right, title, or interest in any public property shall be 199
conclusively presumed to have been executed in compliance with 200
this section insofar as title or other interest of any bona fide 201
purchasers, lessees, or transferees of the property is 202
concerned. 203

(3) Conferences with an attorney for the public body 204
concerning disputes involving the public body that are the 205
subject of pending or imminent court action; 206

(4) Preparing for, conducting, or reviewing negotiations 207
or bargaining sessions with public employees concerning their 208
compensation or other terms and conditions of their employment; 209

(5) Matters required to be kept confidential by federal 210
law or regulations or state statutes; 211

(6) Details relative to the security arrangements and 212
emergency response protocols for a public body or a public 213
office, if disclosure of the matters discussed could reasonably 214
be expected to jeopardize the security of the public body or 215
public office; 216

(7) In the case of a county hospital operated pursuant to 217
Chapter 339. of the Revised Code, a joint township hospital 218
operated pursuant to Chapter 513. of the Revised Code, or a 219

municipal hospital operated pursuant to Chapter 749. of the 220
Revised Code, to consider trade secrets, as defined in section 221
1333.61 of the Revised Code; 222

(8) To consider confidential information related to the 223
marketing plans, specific business strategy, production 224
techniques, trade secrets, or personal financial statements of 225
an applicant for economic development assistance, or to 226
negotiations with other political subdivisions respecting 227
requests for economic development assistance, provided that both 228
of the following conditions apply: 229

~~(1)~~(a) The information is directly related to a request 230
for economic development assistance that is to be provided or 231
administered under any provision of Chapter 715., 725., 1724., 232
or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 233
5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 234
5709.81 of the Revised Code, or that involves public 235
infrastructure improvements or the extension of utility services 236
that are directly related to an economic development project. 237

~~(2)~~(b) A unanimous quorum of the public body determines, 238
by a roll call vote, that the executive session is necessary to 239
protect the interests of the applicant or the possible 240
investment or expenditure of public funds to be made in 241
connection with the economic development project. 242

If a public body holds an executive session to consider 243
any of the matters listed in divisions (G) (2) to (8) of this 244
section, the motion and vote to hold that executive session 245
shall state which one or more of the approved matters listed in 246
those divisions are to be considered at the executive session. 247

A public body specified in division (B) (1) (c) of this 248

section shall not hold an executive session when meeting for the 249
purposes specified in that division. 250

(H) A resolution, rule, or formal action of any kind is 251
invalid unless adopted in an open meeting of the public body. A 252
resolution, rule, or formal action adopted in an open meeting 253
that results from deliberations in a meeting not open to the 254
public is invalid unless the deliberations were for a purpose 255
specifically authorized in division (G) or (J) of this section 256
and conducted at an executive session held in compliance with 257
this section. A resolution, rule, or formal action adopted in an 258
open meeting is invalid if the public body that adopted the 259
resolution, rule, or formal action violated division (F) of this 260
section. 261

(I) (1) Any person may bring an action to enforce this 262
section. An action under division (I) (1) of this section shall 263
be brought within two years after the date of the alleged 264
violation or threatened violation. Upon proof of a violation or 265
threatened violation of this section in an action brought by any 266
person, the court of common pleas shall issue an injunction to 267
compel the members of the public body to comply with its 268
provisions. 269

(2) (a) If the court of common pleas issues an injunction 270
pursuant to division (I) (1) of this section, the court shall 271
order the public body that it enjoins to pay a civil forfeiture 272
of five hundred dollars to the party that sought the injunction 273
and shall award to that party all court costs and, subject to 274
reduction as described in division (I) (2) of this section, 275
reasonable attorney's fees. The court, in its discretion, may 276
reduce an award of attorney's fees to the party that sought the 277
injunction or not award attorney's fees to that party if the 278

court determines both of the following: 279

(i) That, based on the ordinary application of statutory 280
law and case law as it existed at the time of violation or 281
threatened violation that was the basis of the injunction, a 282
well-informed public body reasonably would believe that the 283
public body was not violating or threatening to violate this 284
section; 285

(ii) That a well-informed public body reasonably would 286
believe that the conduct or threatened conduct that was the 287
basis of the injunction would serve the public policy that 288
underlies the authority that is asserted as permitting that 289
conduct or threatened conduct. 290

(b) If the court of common pleas does not issue an 291
injunction pursuant to division (I)(1) of this section and the 292
court determines at that time that the bringing of the action 293
was frivolous conduct, as defined in division (A) of section 294
2323.51 of the Revised Code, the court shall award to the public 295
body all court costs and reasonable attorney's fees, as 296
determined by the court. 297

(3) Irreparable harm and prejudice to the party that 298
sought the injunction shall be conclusively and irrebuttably 299
presumed upon proof of a violation or threatened violation of 300
this section. 301

(4) A member of a public body who knowingly violates an 302
injunction issued pursuant to division (I)(1) of this section 303
may be removed from office by an action brought in the court of 304
common pleas for that purpose by the prosecuting attorney or the 305
attorney general. 306

(J) (1) Pursuant to division (C) of section 5901.09 of the 307

Revised Code, a veterans service commission shall hold an 308
executive session for one or more of the following purposes 309
unless an applicant requests a public hearing: 310

(a) Interviewing an applicant for financial assistance 311
under sections 5901.01 to 5901.15 of the Revised Code; 312

(b) Discussing applications, statements, and other 313
documents described in division (B) of section 5901.09 of the 314
Revised Code; 315

(c) Reviewing matters relating to an applicant's request 316
for financial assistance under sections 5901.01 to 5901.15 of 317
the Revised Code. 318

(2) A veterans service commission shall not exclude an 319
applicant for, recipient of, or former recipient of financial 320
assistance under sections 5901.01 to 5901.15 of the Revised 321
Code, and shall not exclude representatives selected by the 322
applicant, recipient, or former recipient, from a meeting that 323
the commission conducts as an executive session that pertains to 324
the applicant's, recipient's, or former recipient's application 325
for financial assistance. 326

(3) A veterans service commission shall vote on the grant 327
or denial of financial assistance under sections 5901.01 to 328
5901.15 of the Revised Code only in an open meeting of the 329
commission. The minutes of the meeting shall indicate the name, 330
address, and occupation of the applicant, whether the assistance 331
was granted or denied, the amount of the assistance if 332
assistance is granted, and the votes for and against the 333
granting of assistance. 334

Sec. 1751.68. (A) Notwithstanding section 3901.71 of the 335
Revised Code, no individual or group health insuring corporation 336

policy, contract, or agreement that is delivered, issued for 337
delivery, or renewed in this state shall do any of the 338
following: 339

(1) Limit or exclude coverage for prescription 340
contraceptive drugs or devices approved by the United States 341
food and drug administration, if the policy, contract, or 342
agreement provides coverage for other prescription drugs or 343
devices; 344

(2) Limit or exclude coverage for physician-directed 345
outpatient services that are related to prescription 346
contraceptive drugs or devices, if the policy, contract, or 347
agreement provides coverage for other outpatient services 348
rendered by a provider. 349

(B) The coverage specified in division (A) of this section 350
is subject to the same terms and conditions, including copayment 351
charges, that apply to similar coverage provided under the 352
policy, contract, or agreement. 353

Sec. 2907.29. Every hospital of this state that offers 354
organized emergency services shall provide that a physician, a 355
physician assistant, a clinical nurse specialist, a certified 356
nurse practitioner, or a certified nurse-midwife is available on 357
call twenty-four hours each day for the examination of persons 358
reported to any law enforcement agency to be victims of sexual 359
offenses cognizable as violations of any provision of sections 360
2907.02 to 2907.06 of the Revised Code. The physician, physician 361
assistant, clinical nurse specialist, certified nurse 362
practitioner, or certified nurse-midwife, upon the request of 363
any peace officer or prosecuting attorney and with the consent 364
of the reported victim or upon the request of the reported 365
victim, shall examine the person for the purposes of gathering 366

physical evidence and shall complete any written documentation 367
of the physical examination. The director of health shall 368
establish procedures for gathering evidence under this section. 369

Each reported victim shall be informed of available 370
~~venereal disease~~ sexually transmitted infection, pregnancy, 371
medical, and psychiatric services in accordance with section 372
3727.611 of the Revised Code. 373

Notwithstanding any other provision of law, a minor may 374
consent to examination under this section. The consent is not 375
subject to disaffirmance because of minority, and consent of the 376
parent, parents, or guardian of the minor is not required for an 377
examination under this section. However, the hospital shall give 378
written notice to the parent, parents, or guardian of a minor 379
that an examination under this section has taken place. The 380
parent, parents, or guardian of a minor giving consent under 381
this section are not liable for payment for any services 382
provided under this section without their consent. 383

Sec. 3313.60. Notwithstanding division (D) of section 384
3311.52 of the Revised Code, divisions (A) to (E) of this 385
section do not apply to any cooperative education school 386
district established pursuant to divisions (A) to (C) of section 387
3311.52 of the Revised Code. 388

(A) The board of education of each city, exempted village, 389
and local school district and the board of each cooperative 390
education school district established, pursuant to section 391
3311.521 of the Revised Code, shall prescribe a curriculum for 392
all schools under its control. Except as provided in division 393
(E) of this section, in any such curriculum there shall be 394
included the study of the following subjects: 395

(1) The language arts, including reading, writing, spelling, oral and written English, and literature;	396 397
(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	398 399 400 401 402 403
(3) Mathematics;	404
(4) Natural science, including instruction in the conservation of natural resources;	405 406
(5) Health education, which shall include instruction in:	407
(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, and the use and effects of food additives;	408 409 410
(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;	411 412
(c) Venereal disease <u>Sexually transmitted infection prevention education, including HIV/AIDS prevention education in accordance with section 3313.6011 of the Revised Code, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in venereal disease sexually transmitted infection prevention education. Instruction shall stress abstinence but shall not exclude other instruction and materials on contraceptive methods and infection reduction measures;</u>	413 414 415 416 417 418 419 420 421
(d) In grades kindergarten through six, instruction in personal safety and assault prevention, except that upon written	422 423

request of the student's parent or guardian, a student shall be 424
excused from taking instruction in personal safety and assault 425
prevention; 426

(e) In grades seven through twelve, age-appropriate 427
instruction in dating violence prevention education, which shall 428
include instruction in recognizing dating violence warning signs 429
and characteristics of healthy relationships. 430

In order to assist school districts in developing a dating 431
violence prevention education curriculum, the department of 432
education shall provide on its web site links to free curricula 433
addressing dating violence prevention. 434

If the parent or legal guardian of a student less than 435
eighteen years of age submits to the principal of the student's 436
school a written request to examine the dating violence 437
prevention instruction materials used at that school, the 438
principal, within a reasonable period of time after the request 439
is made, shall allow the parent or guardian to examine those 440
materials at that school. 441

(f) Prescription opioid abuse prevention, with an emphasis 442
on the prescription drug epidemic and the connection between 443
prescription opioid abuse and addiction to other drugs, such as 444
heroin. 445

(6) Physical education; 446

(7) The fine arts, including music; 447

(8) First aid, including a training program in 448
cardiopulmonary resuscitation, safety, and fire prevention, 449
except that upon written request of the student's parent or 450
guardian, a student shall be excused from taking instruction in 451
cardiopulmonary resuscitation. 452

(B) Except as provided in division (E) of this section, 453
every school or school district shall include in the 454
requirements for promotion from the eighth grade to the ninth 455
grade one year's course of study of American history. A board 456
may waive this requirement for academically accelerated students 457
who, in accordance with procedures adopted by the board, are 458
able to demonstrate mastery of essential concepts and skills of 459
the eighth grade American history course of study. 460

(C) As specified in divisions (B) (6) and (C) (6) of section 461
3313.603 of the Revised Code, except as provided in division (E) 462
of this section, every high school shall include in the 463
requirements for graduation from any curriculum one-half unit 464
each of American history and government. 465

(D) Except as provided in division (E) of this section, 466
basic instruction or demonstrated mastery in geography, United 467
States history, the government of the United States, the 468
government of the state of Ohio, local government in Ohio, the 469
Declaration of Independence, the United States Constitution, and 470
the Constitution of the state of Ohio shall be required before 471
pupils may participate in courses involving the study of social 472
problems, economics, foreign affairs, United Nations, world 473
government, socialism, and communism. 474

(E) For each cooperative education school district 475
established pursuant to section 3311.521 of the Revised Code and 476
each city, exempted village, and local school district that has 477
territory within such a cooperative district, the curriculum 478
adopted pursuant to divisions (A) to (D) of this section shall 479
only include the study of the subjects that apply to the grades 480
operated by each such school district. The curriculums for such 481
schools, when combined, shall provide to each student of these 482

districts all of the subjects required under divisions (A) to 483
(D) of this section. 484

(F) The board of education of any cooperative education 485
school district established pursuant to divisions (A) to (C) of 486
section 3311.52 of the Revised Code shall prescribe a curriculum 487
for the subject areas and grade levels offered in any school 488
under its control. 489

(G) Upon the request of any parent or legal guardian of a 490
student, the board of education of any school district shall 491
permit the parent or guardian to promptly examine, with respect 492
to the parent's or guardian's own child: 493

(1) Any survey or questionnaire, prior to its 494
administration to the child; 495

(2) Any textbook, workbook, software, video, or other 496
instructional materials being used by the district in connection 497
with the instruction of the child; 498

(3) Any completed and graded test taken or survey or 499
questionnaire filled out by the child; 500

(4) Copies of the statewide academic standards and each 501
model curriculum developed pursuant to section 3301.079 of the 502
Revised Code, which copies shall be available at all times 503
during school hours in each district school building. 504

Sec. 3313.6011. (A) As used in this section, ~~"sexual-~~ 505
~~activity"~~ has the same meaning as in section 2907.01 of the 506
~~Revised Code.~~ 507

~~(B) Instruction in venereal disease education pursuant to 508
division (A) (5) (c) of section 3313.60 of the Revised Code shall 509
emphasize that abstinence from sexual activity is the only 510~~

~~protection that is one hundred per cent effective against~~ 511
~~unwanted pregnancy, sexually transmitted disease, and the sexual~~ 512
~~transmission of a virus that causes acquired immunodeficiency~~ 513
~~syndrome.~~ 514

~~(C) In adopting minimum standards under section 3301.07 of~~ 515
~~the Revised Code, the state board of education shall require~~ 516
~~course material and instruction in venereal disease education~~ 517
~~courses taught pursuant to division (A) (5) (c) of section 3313.60~~ 518
~~of the Revised Code to do all of the following:~~ 519

~~(1) Stress that students should abstain from sexual~~ 520
~~activity until after marriage;~~ 521

~~(2) Teach the potential physical, psychological,~~ 522
~~emotional, and social side effects of participating in sexual~~ 523
~~activity outside of marriage;~~ 524

~~(3) Teach that conceiving children out of wedlock is~~ 525
~~likely to have harmful consequences for the child, the child's~~ 526
~~parents, and society;~~ 527

~~(4) Stress that sexually transmitted diseases are serious~~ 528
~~possible hazards of sexual activity;~~ 529

~~(5) Advise students of the laws pertaining to financial~~ 530
~~responsibility of parents to children born in and out of~~ 531
~~wedlock;~~ 532

~~(6) Advise students of the circumstances under which it is~~ 533
~~criminal to have sexual contact with a person under the age of~~ 534
~~sixteen pursuant to section 2907.04 of the Revised Code;~~ 535

~~(7) Emphasize adoption as an option for unintended~~ 536
~~pregnancies.~~ 537

~~(D) :~~ 538

(1) "Age-appropriate" means appropriate for a pupil based 539
on the social, cognitive, and emotional level of the pupil. 540

(2) "Comprehensive sexual health education" means 541
education regarding human development and sexuality that 542
includes education on sexual health, family planning, and 543
sexually transmitted infections. 544

(3) "HIV/AIDS prevention education" means instruction on 545
the nature of HIV/AIDS, methods of transmission, strategies to 546
reduce the risk of HIV infection, and social and public health 547
issues related to HIV/AIDS. "HIV/AIDS prevention education" is 548
not comprehensive sexual health education. 549

(4) "Instructors trained in the appropriate courses" means 550
instructors with knowledge of the most recent medically and 551
scientifically accurate research on human sexuality, pregnancy, 552
and sexually transmitted infections. 553

(5) "Medically and scientifically accurate" means verified 554
or supported by research conducted in compliance with scientific 555
methods and published in peer-reviewed journals, where 556
appropriate, and recognized as accurate and objective by 557
professional organizations and agencies with expertise in the 558
relevant field, such as the United States centers for disease 559
control and prevention and the American college of obstetricians 560
and gynecologists. 561

(B) Any school district or educational service center may 562
offer comprehensive sexual health education. Beginning on the 563
first day of August immediately following the effective date of 564
this amendment, each school district and educational service 565
center that elects to offer comprehensive sexual health 566
education shall ensure that the program meets all of the 567

- following requirements: 568
- (1) Instruction and materials shall be age-appropriate. 569
- (2) All factual information shall be medically and 570
scientifically accurate. 571
- (3) Instruction and materials shall be appropriate for use 572
with all pupils regardless of gender, race, ethnic and cultural 573
background, religion, disability, sexual orientation, or gender 574
identity. 575
- (4) Instruction and materials shall encourage pupils to 576
communicate with their parents or guardians about human 577
sexuality. 578
- (5) Instruction and materials shall teach all of the 579
following: 580
- (a) That abstinence from sexual activity is the only 581
certain way to avoid pregnancy, sexually transmitted infections, 582
and other associated health problems; 583
- (b) That bearing children outside of a committed 584
relationship is likely to have consequences for the child, the 585
child's parents, and society; 586
- (c) How, as young people, to effectively reject sexual 587
advances and how alcohol and drug use increases vulnerability to 588
sexual advances; 589
- (d) The importance of attaining self-sufficiency before 590
engaging in sexual activity. 591
- (6) Instruction and materials shall stress abstinence but 592
shall not exclude other instruction and materials on 593
contraceptive methods and infection reduction measures. 594

(7) If age-appropriate, instruction and materials shall 595
provide information about the effectiveness and safety, 596
including the health benefits and side effects, of all 597
contraceptive methods in preventing unintended pregnancy and 598
reducing the risk of contracting sexually transmitted 599
infections. 600

(8) Instruction about sexually transmitted infections 601
shall commence not later than grade seven. The instruction shall 602
include information on how sexually transmitted infections are 603
and are not transmitted, the effectiveness and methods of 604
reducing the risk of contracting sexually transmitted 605
infections, and identification of local resources for testing 606
and medical care for sexually transmitted infections and HIV. 607

(9) If age-appropriate, instruction and materials shall 608
provide pupils with skills for negotiating intimate 609
relationships and making and implementing responsible decisions 610
about sexuality. 611

(10) If age-appropriate, instruction and materials shall 612
include a discussion of the possible emotional, physical, and 613
psychological consequences of preadolescent and adolescent 614
sexual activity and the emotional, physical, and psychological 615
consequences of unintended pregnancy. 616

(11) Instruction and materials shall teach pupils to 617
recognize unwanted physical and verbal sexual advances, not to 618
make unwanted physical and verbal sexual advances, and how to 619
effectively reject unwanted sexual advances. The instruction and 620
materials shall cover verbal, physical, and visual sexual 621
harassment, including nonconsensual physical sexual contact and 622
rape by an acquaintance or family member. The course information 623
and materials shall emphasize personal accountability and 624

respect for others and shall encourage youth to resist peer 625
pressure. 626

(12) Comprehensive sexual health education shall not 627
include any instruction or materials that teach or promote 628
religious doctrine. 629

A school district or educational service center may use 630
separate, outside speakers or prepared curricula to teach 631
different content areas or units with the comprehensive sexual 632
health education program, as long as all speakers, curricula, 633
and materials used comply with this section. 634

(C) Each city, local, exempted village, and joint 635
vocational school district shall ensure that each pupil in 636
grades seven through twelve receives HIV/AIDS prevention 637
education from instructors trained in the appropriate courses. 638
Each pupil shall receive this instruction at least once in 639
grades seven through nine, and at least once in grades ten 640
through twelve. HIV/AIDS prevention education, whether taught by 641
school district personnel or outside consultants, shall 642
accurately reflect the latest information and recommendations 643
from the United States surgeon general, the United States 644
centers for disease control and prevention, and the national 645
academy of sciences, and shall include all of the following: 646

(1) Information on the nature of HIV/AIDS and its effects 647
on the human body; 648

(2) Information on the manner in which HIV is and is not 649
transmitted, including information on activities that present 650
the highest risk of HIV infection; 651

(3) Discussion of methods to reduce the risk of HIV 652
infection, which shall emphasize that sexual abstinence, 653

monogamy, and the avoidance of multiple sexual partners, and 654
abstinence from intravenous drug use, are the most effective 655
means for HIV/AIDS prevention, but shall also include statistics 656
based upon the latest medical information citing the success and 657
failure rates of condoms and other contraceptives in preventing 658
sexually transmitted HIV infection, as well as information on 659
other methods that may reduce the risk of HIV transmission from 660
intravenous drug use; 661

(4) Discussion of the public health issues associated with 662
HIV/AIDS; 663

(5) Information on local resources for HIV testing and 664
medical care; 665

(6) Instruction and materials that provide pupils with 666
skills for negotiating intimate relationships and making and 667
implementing responsible decisions about sexuality; 668

(7) Discussion about societal views on HIV/AIDS, including 669
stereotypes and myths regarding persons with HIV/AIDS, which 670
shall emphasize an understanding of the condition and its impact 671
on people's lives; 672

(8) Instruction and materials that teach pupils to 673
recognize unwanted physical and verbal sexual advances, not to 674
make unwanted physical and verbal sexual advances, and how to 675
effectively reject unwanted sexual advances. The instruction and 676
materials shall cover verbal, physical, and visual sexual 677
harassment, including nonconsensual physical sexual contact and 678
rape by an acquaintance or family member. The course information 679
and materials shall emphasize personal accountability and 680
respect for others and shall encourage youth to resist peer 681
pressure. 682

(D) Each school district and educational service center shall cooperatively plan and provide, through regional planning, joint powers agreements, or contract services, in-service training for all school district personnel who provide comprehensive sexual health education or HIV/AIDS prevention education. In doing so, each district and service center shall consult with the department of education. 683
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The in-service training shall be conducted periodically to enable district and service center personnel to learn new developments in the scientific understanding of sexual health and HIV/AIDS. The in-service training shall be voluntary for district and service center personnel who have demonstrated expertise or received in-service training from the department or the United States centers for disease control and prevention. 690
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A district or service center may contract with outside consultants with expertise in comprehensive sexual health education and HIV/AIDS prevention education, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver the in-service training to district or service center personnel. 697
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(E) At the beginning of each school year, or at the time of enrollment in the case of a pupil who enrolls after the beginning of the school year, each school district shall notify the parent or guardian of each pupil about instruction in comprehensive sexual health education and HIV/AIDS prevention education and about research on pupil health behaviors and health risks planned for that year. The notice shall advise parents and guardians of all of the following: 703
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(1) That written and audio-visual educational materials used in comprehensive sexual health education and HIV/AIDS 711
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prevention education are available for inspection; 713

(2) Whether comprehensive sexual health education or 714
HIV/AIDS prevention education will be taught by school district 715
personnel or by outside consultants; 716

(3) That a parent or guardian may request a copy of this 717
section; 718

(4) That a parent or guardian may request in writing that 719
the child not receive comprehensive sexual health education or 720
HIV/AIDS prevention education. 721

A school district or educational service center shall not 722
permit a pupil to attend any class in comprehensive sexual 723
health education or HIV/AIDS prevention education if the school 724
has received a written request from the pupil's parent or 725
guardian excusing the pupil from participation. A pupil who is 726
so excused shall not be subject to disciplinary action, academic 727
penalty, or other sanction, and the district or service center 728
shall make an alternative educational activity available for the 729
pupil while comprehensive sexual health education or HIV/AIDS 730
prevention education is conducted. 731

Each school district and educational service center shall 732
make written and audio-visual educational materials used in 733
comprehensive sexual health education and HIV/AIDS prevention 734
education available for inspection by the parents and guardians 735
of pupils. Each school district shall provide a copy of this 736
section upon request to the parent or guardian of a pupil 737
enrolled in the district. 738

(F) Any model education program for health education the 739
state board of education adopts shall conform to the 740
requirements of this section. 741

~~(E) On and after March 18, 1999, and notwithstanding (G)~~ 742
If a school district or educational service center does not 743
elect to offer comprehensive sexual health education under this 744
section, any sexual education that the school district or 745
educational service center offers, including instruction in 746
sexually transmitted infection prevention pursuant to division 747
(A) (5) (c) of section 3313.60 of the Revised Code, shall stress 748
abstinence but shall not exclude other instruction and materials 749
on contraceptive methods and infection reduction measures. 750

(H) Notwithstanding section 3302.07 of the Revised Code, 751
the superintendent of public instruction shall not approve, 752
pursuant to that section 3302.07 of the Revised Code, any waiver 753
of any requirement of this section or of any rule adopted by the 754
state board of education pursuant to this section. 755

Sec. 3314.03. A copy of every contract entered into under 756
this section shall be filed with the superintendent of public 757
instruction. The department of education shall make available on 758
its web site a copy of every approved, executed contract filed 759
with the superintendent under this section. 760

(A) Each contract entered into between a sponsor and the 761
governing authority of a community school shall specify the 762
following: 763

(1) That the school shall be established as either of the 764
following: 765

(a) A nonprofit corporation established under Chapter 766
1702. of the Revised Code, if established prior to April 8, 767
2003; 768

(b) A public benefit corporation established under Chapter 769
1702. of the Revised Code, if established after April 8, 2003. 770

- (2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum; 771
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- (3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments; 775
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- (4) Performance standards by which the success of the school will be evaluated by the sponsor; 779
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- (5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code; 781
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- (6) (a) Dismissal procedures; 784
- (b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student. 785
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- (7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; 791
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- (8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code. 793
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(9) The facilities to be used and their locations;	799
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code.	800 801 802 803 804 805
(11) That the school will comply with the following requirements:	806 807
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	808 809 810
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	811 812 813
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	814 815 816 817
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.948, 3313.472, 3313.50, 3313.536, 3313.539, 3313.608, 3313.609, <u>3313.6011</u> , 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.80, 3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3321.01,	818 819 820 821 822 823 824 825 826 827

3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 828
3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 117., 829
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 830
the Revised Code as if it were a school district and will comply 831
with section 3301.0714 of the Revised Code in the manner 832
specified in section 3314.17 of the Revised Code. 833

(e) The school shall comply with Chapter 102. and section 834
2921.42 of the Revised Code. 835

(f) The school will comply with sections 3313.61, 836
3313.611, and 3313.614 of the Revised Code, except that for 837
students who enter ninth grade for the first time before July 1, 838
2010, the requirement in sections 3313.61 and 3313.611 of the 839
Revised Code that a person must successfully complete the 840
curriculum in any high school prior to receiving a high school 841
diploma may be met by completing the curriculum adopted by the 842
governing authority of the community school rather than the 843
curriculum specified in Title XXXIII of the Revised Code or any 844
rules of the state board of education. Beginning with students 845
who enter ninth grade for the first time on or after July 1, 846
2010, the requirement in sections 3313.61 and 3313.611 of the 847
Revised Code that a person must successfully complete the 848
curriculum of a high school prior to receiving a high school 849
diploma shall be met by completing the requirements prescribed 850
in division (C) of section 3313.603 of the Revised Code, unless 851
the person qualifies under division (D) or (F) of that section. 852
Each school shall comply with the plan for awarding high school 853
credit based on demonstration of subject area competency, 854
adopted by the state board of education under division (J) of 855
section 3313.603 of the Revised Code. 856

(g) The school governing authority will submit within four 857

months after the end of each school year a report of its 858
activities and progress in meeting the goals and standards of 859
divisions (A) (3) and (4) of this section and its financial 860
status to the sponsor and the parents of all students enrolled 861
in the school. 862

(h) The school, unless it is an internet- or computer- 863
based community school, will comply with section 3313.801 of the 864
Revised Code as if it were a school district. 865

(i) If the school is the recipient of moneys from a grant 866
awarded under the federal race to the top program, Division (A), 867
Title XIV, Sections 14005 and 14006 of the "American Recovery 868
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 869
the school will pay teachers based upon performance in 870
accordance with section 3317.141 and will comply with section 871
3319.111 of the Revised Code as if it were a school district. 872

(12) Arrangements for providing health and other benefits 873
to employees; 874

(13) The length of the contract, which shall begin at the 875
beginning of an academic year. No contract shall exceed five 876
years unless such contract has been renewed pursuant to division 877
(E) of this section. 878

(14) The governing authority of the school, which shall be 879
responsible for carrying out the provisions of the contract; 880

(15) A financial plan detailing an estimated school budget 881
for each year of the period of the contract and specifying the 882
total estimated per pupil expenditure amount for each such year. 883

(16) Requirements and procedures regarding the disposition 884
of employees of the school in the event the contract is 885
terminated or not renewed pursuant to section 3314.07 of the 886

Revised Code;	887
(17) Whether the school is to be created by converting all	888
or part of an existing public school or educational service	889
center building or is to be a new start-up school, and if it is	890
a converted public school or service center building,	891
specification of any duties or responsibilities of an employer	892
that the board of education or service center governing board	893
that operated the school or building before conversion is	894
delegating to the governing authority of the community school	895
with respect to all or any specified group of employees provided	896
the delegation is not prohibited by a collective bargaining	897
agreement applicable to such employees;	898
(18) Provisions establishing procedures for resolving	899
disputes or differences of opinion between the sponsor and the	900
governing authority of the community school;	901
(19) A provision requiring the governing authority to	902
adopt a policy regarding the admission of students who reside	903
outside the district in which the school is located. That policy	904
shall comply with the admissions procedures specified in	905
sections 3314.06 and 3314.061 of the Revised Code and, at the	906
sole discretion of the authority, shall do one of the following:	907
(a) Prohibit the enrollment of students who reside outside	908
the district in which the school is located;	909
(b) Permit the enrollment of students who reside in	910
districts adjacent to the district in which the school is	911
located;	912
(c) Permit the enrollment of students who reside in any	913
other district in the state.	914
(20) A provision recognizing the authority of the	915

department of education to take over the sponsorship of the 916
school in accordance with the provisions of division (C) of 917
section 3314.015 of the Revised Code; 918

(21) A provision recognizing the sponsor's authority to 919
assume the operation of a school under the conditions specified 920
in division (B) of section 3314.073 of the Revised Code; 921

(22) A provision recognizing both of the following: 922

(a) The authority of public health and safety officials to 923
inspect the facilities of the school and to order the facilities 924
closed if those officials find that the facilities are not in 925
compliance with health and safety laws and regulations; 926

(b) The authority of the department of education as the 927
community school oversight body to suspend the operation of the 928
school under section 3314.072 of the Revised Code if the 929
department has evidence of conditions or violations of law at 930
the school that pose an imminent danger to the health and safety 931
of the school's students and employees and the sponsor refuses 932
to take such action. 933

(23) A description of the learning opportunities that will 934
be offered to students including both classroom-based and non- 935
classroom-based learning opportunities that is in compliance 936
with criteria for student participation established by the 937
department under division (H) (2) of section 3314.08 of the 938
Revised Code; 939

(24) The school will comply with sections 3302.04 and 940
3302.041 of the Revised Code, except that any action required to 941
be taken by a school district pursuant to those sections shall 942
be taken by the sponsor of the school. However, the sponsor 943
shall not be required to take any action described in division 944

(F) of section 3302.04 of the Revised Code. 945

(25) Beginning in the 2006-2007 school year, the school 946
will open for operation not later than the thirtieth day of 947
September each school year, unless the mission of the school as 948
specified under division (A) (2) of this section is solely to 949
serve dropouts. In its initial year of operation, if the school 950
fails to open by the thirtieth day of September, or within one 951
year after the adoption of the contract pursuant to division (D) 952
of section 3314.02 of the Revised Code if the mission of the 953
school is solely to serve dropouts, the contract shall be void. 954

(26) Whether the school's governing authority is planning 955
to seek designation for the school as a STEM school equivalent 956
under section 3326.032 of the Revised Code. 957

(B) The community school shall also submit to the sponsor 958
a comprehensive plan for the school. The plan shall specify the 959
following: 960

(1) The process by which the governing authority of the 961
school will be selected in the future; 962

(2) The management and administration of the school; 963

(3) If the community school is a currently existing public 964
school or educational service center building, alternative 965
arrangements for current public school students who choose not 966
to attend the converted school and for teachers who choose not 967
to teach in the school or building after conversion; 968

(4) The instructional program and educational philosophy 969
of the school; 970

(5) Internal financial controls. 971

(C) A contract entered into under section 3314.02 of the 972

Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for oversight and monitoring of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;

(3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department of education and to the parents of students enrolled in the community school;

(4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;

(5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare

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the school to be on probationary status pursuant to section 1002
3314.073 of the Revised Code, suspend the operation of the 1003
school pursuant to section 3314.072 of the Revised Code, or 1004
terminate the contract of the school pursuant to section 3314.07 1005
of the Revised Code as determined necessary by the sponsor; 1006

(6) Have in place a plan of action to be undertaken in the 1007
event the community school experiences financial difficulties or 1008
closes prior to the end of a school year. 1009

(E) Upon the expiration of a contract entered into under 1010
this section, the sponsor of a community school may, with the 1011
approval of the governing authority of the school, renew that 1012
contract for a period of time determined by the sponsor, but not 1013
ending earlier than the end of any school year, if the sponsor 1014
finds that the school's compliance with applicable laws and 1015
terms of the contract and the school's progress in meeting the 1016
academic goals prescribed in the contract have been 1017
satisfactory. Any contract that is renewed under this division 1018
remains subject to the provisions of sections 3314.07, 3314.072, 1019
and 3314.073 of the Revised Code. 1020

(F) If a community school fails to open for operation 1021
within one year after the contract entered into under this 1022
section is adopted pursuant to division (D) of section 3314.02 1023
of the Revised Code or permanently closes prior to the 1024
expiration of the contract, the contract shall be void and the 1025
school shall not enter into a contract with any other sponsor. A 1026
school shall not be considered permanently closed because the 1027
operations of the school have been suspended pursuant to section 1028
3314.072 of the Revised Code. 1029

Sec. 3326.11. Each science, technology, engineering, and 1030
mathematics school established under this chapter and its 1031

governing body shall comply with sections 9.90, 9.91, 109.65, 1032
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1033
3301.0714, 3301.0715, 3301.948, 3313.14, 3313.15, 3313.16, 1034
3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 1035
3313.482, 3313.50, 3313.536, 3313.539, 3313.608, 3313.6011, 1036
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.61, 1037
3313.611, 3313.614, 3313.615, 3313.643, 3313.648, 3313.6411, 1038
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 1039
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 1040
3313.718, 3313.719, 3313.7112, 3313.80, 3313.801, 3313.814, 1041
3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 1042
3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 1043
3319.45, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 1044
3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 1045
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 1046
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 1047
as if it were a school district. 1048

Sec. 3328.24. A college-preparatory boarding school 1049
established under this chapter and its board of trustees shall 1050
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 1051
3301.0714, 3301.948, 3313.536, 3313.6011, 3313.6013, 3313.6411, 1052
3313.7112, 3313.89, 3319.39, 3319.391, and 3319.46 and Chapter 1053
3365. of the Revised Code as if the school were a school 1054
district and the school's board of trustees were a district 1055
board of education. 1056

Sec. 3701.049. (A) There is hereby created the Ohio teen 1057
pregnancy prevention task force. The task force shall commence 1058
its activities not later than thirty days after the effective 1059
date of this section. 1060

(B) The task force shall consist of the following members: 1061

<u>(1) The director of health or the director's designee;</u>	1062
<u>(2) The superintendent of public instruction or the superintendent's designee;</u>	1063
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<u>(3) Two members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives;</u>	1065
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<u>(4) Two members of the senate, one appointed by the president of the senate and one appointed by the minority leader of the senate;</u>	1069
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<u>(5) One member of the commission on minority health;</u>	1072
<u>(6) Two teens who reside in this state, appointed by the director of health;</u>	1073
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<u>(7) Two parents who reside in this state and are the parents of teens who reside in this state, appointed by the director of health;</u>	1075
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<u>(8) Two teachers who reside in this state and are employed as classroom teachers in this state, appointed by the director of health;</u>	1078
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<u>(9) One representative of each of the following, appointed by the director of health:</u>	1081
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<u>(a) Community-based organizations that provide teen pregnancy prevention services;</u>	1083
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<u>(b) Public health professionals;</u>	1085
<u>(c) Licensed medical practitioners;</u>	1086
<u>(d) School nurses.</u>	1087

(C) Members shall serve without compensation, but may be 1088
reimbursed for actual and necessary expenses incurred in the 1089
performance of their duties. The department of health shall 1090
provide meeting space for the task force. 1091

(D) The director of health or the director's designee 1092
shall serve as chairperson of the task force. The task force 1093
shall convene at the call of the chairperson. 1094

(E) The task force shall do all of the following: 1095

(1) Advise the governor and general assembly on strategies 1096
to prevent teen pregnancy in this state; 1097

(2) Monitor and evaluate the implementation of strategies 1098
to prevent teen pregnancy in this state, identify barriers to 1099
implementing those strategies, and establish methods to overcome 1100
the barriers; 1101

(3) Collect and maintain information regarding successful 1102
teen pregnancy prevention programs, research, and other relevant 1103
materials to guide the governor and general assembly in their 1104
efforts to reduce the number of teen pregnancies in this state; 1105

(4) Explore the establishment of a program within the 1106
department of health that would award grants to federally 1107
qualified health centers, as defined in section 3701.047 of the 1108
Revised Code, to establish or expand teen pregnancy prevention 1109
programs; 1110

(5) Collect information provided by local communities 1111
regarding successful teen pregnancy prevention programs; 1112

(6) Hold meetings and maintain records of the meetings; 1113

(7) Perform any other duties specified by the director of 1114
health. 1115

(F) Not later than the first day of December of each year, 1116
the task force shall submit an annual report to the governor 1117
and, in accordance with section 101.68 of the Revised Code, the 1118
general assembly. The report shall summarize the task force's 1119
findings and recommendations for changes to the laws of this 1120
state regarding teen pregnancy. The initial report shall also 1121
include a comprehensive assessment of teen pregnancy in this 1122
state and make recommendations for reducing the number of teen 1123
pregnancies. Subsequent reports shall also evaluate the success 1124
of programs undertaken to reduce teen pregnancies and make 1125
additional recommendations as necessary. 1126

Sec. 3727.61. As used in this section and sections 1127
3727.611 and 3727.612 of the Revised Code: 1128

(A) "Drug" has the same meaning as in the "Federal Food, 1129
Drug, and Cosmetic Act," 52 Stat. 1040, 1041 (1938), 21 U.S.C. 1130
321(g)(1), as amended. 1131

(B) "Device" has the same meaning as in the "Federal Food, 1132
Drug, and Cosmetic Act," 52 Stat. 1040, 1041 (1938), 21 U.S.C. 1133
321(h), as amended. 1134

(C) "Emergency contraception" means any drug, drug 1135
regimen, or device intended to prevent pregnancy after 1136
unprotected sexual intercourse or contraceptive failure. 1137

(D) "Sexual assault" means a violation of sections 2907.02 1138
to 2907.06 of the Revised Code. 1139

Sec. 3727.611. (A) It shall be the standard of care in 1140
this state for hospitals that offer organized emergency services 1141
to provide the services specified in divisions (B) and (C) of 1142
this section to victims of sexual assault or individuals 1143
reported to be victims of sexual assault. The services shall be 1144

provided without regard to the ability of the victim or 1145
individual reported to be a victim to pay for the services. 1146

(B) Except as provided in division (E) of this section, 1147
the services specified in divisions (B)(1) and (2) of this 1148
section shall be provided by the hospital to a victim of sexual 1149
assault or individual reported to be a victim of sexual assault 1150
who is female and, as determined by the hospital, is of child- 1151
bearing age. 1152

(1) The hospital shall provide the victim or individual 1153
reported to be a victim with information about emergency 1154
contraception. The information shall be medically and factually 1155
accurate and unbiased. It shall be provided in clear and concise 1156
language in both written and oral formats. The information shall 1157
explain all of the following: 1158

(a) That emergency contraception has been approved by the 1159
United States food and drug administration for use by women of 1160
all ages with or without a prescription as a safe and effective 1161
means to prevent pregnancy after unprotected sexual intercourse 1162
or contraceptive failure if used in a timely manner; 1163

(b) That emergency contraception is more effective the 1164
sooner it is used following unprotected sexual intercourse or 1165
contraceptive failure; 1166

(c) That emergency contraception does not cause an 1167
abortion and studies have shown that it does not interrupt an 1168
established pregnancy. 1169

(2) The hospital shall promptly offer emergency 1170
contraception to the victim or individual reported to be a 1171
victim and provide the emergency contraception if the victim or 1172
individual accepts the offer. 1173

(C) The services specified in divisions (C) (1) to (4) of 1174
this section shall be provided by the hospital to a victim of 1175
sexual assault or individual reported to be a victim of sexual 1176
assault, regardless of the victim's or individual's age or sex. 1177

(1) The hospital shall promptly provide the victim or 1178
individual reported to be a victim with an assessment of the 1179
victim's or individual's risk of contracting sexually 1180
transmitted infections, including gonorrhea, chlamydia, 1181
syphilis, and hepatitis. The assessment shall be conducted by a 1182
physician, physician assistant, clinical nurse specialist, 1183
certified nurse practitioner, certified nurse-midwife, or 1184
registered nurse. The assessment shall be based on the 1185
following: 1186

(a) The available information regarding the sexual 1187
assault; 1188

(b) The established standards of risk assessment, 1189
including consideration of any recommendations established by 1190
the United States centers for disease control and prevention, 1191
peer-reviewed clinical studies, and appropriate research using 1192
in vitro and nonhuman primate models of infection. 1193

(2) After conducting the assessment, the hospital shall 1194
provide the victim or individual reported to be a victim with 1195
counseling concerning the significantly prevalent sexually 1196
transmitted infections for which effective postexposure 1197
treatment exists and for which deferral of treatment would 1198
either significantly reduce treatment efficacy or pose 1199
substantial risk to the victim's or individual's health, 1200
including the infections for which prophylactic treatment is 1201
recommended based on guidelines from the centers for disease 1202
control and prevention. The counseling shall be provided by a 1203

physician, physician assistant, clinical nurse specialist, 1204
certified nurse practitioner, certified nurse-midwife, or 1205
registered nurse. The counseling shall be provided in clear and 1206
concise language. 1207

(3) After providing the counseling, the hospital shall 1208
offer treatment for sexually transmitted infections to the 1209
victim or individual reported to be a victim. The hospital shall 1210
provide the treatment if the victim or individual consents to 1211
the treatment. 1212

(4) Before the victim or individual reported to be a 1213
victim leaves the hospital, the hospital shall provide the 1214
victim or individual with counseling on the physical and mental 1215
health benefits of receiving follow-up care from the victim's or 1216
individual's primary care physician or from another medical care 1217
provider capable of providing follow-up care to victims of 1218
sexual assault. The counseling shall include information on 1219
local organizations and relevant health providers capable of 1220
providing either follow-up medical care or other health services 1221
to victims of sexual assault. The counseling shall be provided 1222
by a physician, physician assistant, clinical nurse specialist, 1223
certified nurse practitioner, certified nurse-midwife, or 1224
registered nurse. The counseling shall be provided in clear and 1225
concise language. 1226

(D) In the case of minors, the services specified in this 1227
section shall be provided at the discretion of the treating 1228
physician and in accordance with the guidelines of the centers 1229
for disease control and prevention. 1230

Notwithstanding any other provision of law, a minor may 1231
consent to the services specified in this section. The consent 1232
is not subject to disaffirmance because of minority, and consent 1233

of the parent, parents, or guardian of the minor is not required 1234
for the services to be provided. 1235

(E) In either of the following cases, a hospital is not 1236
required to provide information about emergency contraception, 1237
to offer emergency contraception, or to provide emergency 1238
contraception to a victim of sexual assault or individual 1239
reported to be a victim of sexual assault who is female and, as 1240
determined by the hospital, is of child-bearing age: 1241

(1) The hospital is aware that the victim or individual is 1242
incapable of becoming pregnant. 1243

(2) The hospital is aware that the victim or individual is 1244
pregnant. 1245

If the hospital has a pregnancy test performed to confirm 1246
whether the victim or individual is pregnant, the hospital shall 1247
have the test performed in such a manner that the results of the 1248
test are made available to the victim or individual during the 1249
initial visit to the hospital regarding the sexual assault. 1250

(F) Nothing in this section shall be construed as meaning 1251
any of the following: 1252

(1) That a hospital is required to provide treatment to a 1253
victim or individual reported to be a victim of sexual assault 1254
if the treatment goes against recommendations established by the 1255
United States centers for disease control and prevention; 1256

(2) That a victim or individual reported to be a victim of 1257
sexual assault is required to submit to any testing or 1258
treatment; 1259

(3) That a hospital is prohibited from seeking 1260
reimbursement for the costs of services provided under this 1261

section from the victim's or individual's health insurance or 1262
from medicaid, if applicable, and to the extent permitted by 1263
section 2907.28 of the Revised Code. 1264

Sec. 3727.612. In addition to other remedies under common 1265
law, an individual may file a complaint with the department of 1266
health if the individual believes a hospital has failed to 1267
comply with the requirements of section 3727.611 of the Revised 1268
Code. The department shall investigate the complaint in a timely 1269
manner. 1270

If the department determines that a hospital has failed to 1271
provide the services required by section 3727.611 of the Revised 1272
Code to a victim of sexual assault or individual reported to be 1273
a victim of sexual assault, the department shall, pursuant to an 1274
adjudication under Chapter 119. of the Revised Code, impose a 1275
civil penalty of not less than ten thousand dollars for each 1276
violation. 1277

If the hospital has previously violated section 3727.611 1278
of the Revised Code, the department may ask the attorney general 1279
to bring an action for injunctive relief in any court of 1280
competent jurisdiction. On the filing of an appropriate petition 1281
in the court, the court may conduct a hearing on the petition. 1282
If it is demonstrated in the proceedings that the hospital has 1283
failed to provide the services, the court shall grant a 1284
temporary or permanent injunction enjoining the hospital's 1285
operation. 1286

Sec. 3923.84. (A) Notwithstanding section 3901.71 of the 1287
Revised Code, no individual or group policy of sickness and 1288
accident insurance that is delivered, issued for delivery, or 1289
renewed in this state or public employee benefit plan that is 1290
established or modified in this state shall do either of the 1291

following: 1292

(1) Limit or exclude coverage for prescription 1293
contraceptive drugs or devices approved by the United States 1294
food and drug administration, if the policy or plan provides 1295
coverage for other prescription drugs or devices; 1296

(2) Limit or exclude coverage for outpatient services 1297
rendered by a health care professional that are related to the 1298
provision of such drugs or devices, if the policy or plan 1299
provides coverage for other outpatient services rendered by a 1300
health care professional. 1301

(B) The coverage specified in division (A) of this section 1302
shall be subject to the same terms and conditions, including 1303
copayments and deductibles, that apply to similar coverage 1304
provided under the policy or plan. 1305

Sec. 4729.16. (A) The state board of pharmacy, after 1306
notice and hearing in accordance with Chapter 119. of the 1307
Revised Code, may ~~revoke~~ do one or more of the following if it 1308
finds that a pharmacist or pharmacy intern has committed an act 1309
described in division (B) of this section: 1310

(1) Revoke, suspend, limit, place on probation, or refuse 1311
to grant or renew an identification card, ~~or may impose;~~ 1312

(2) Impose a monetary penalty or forfeiture not to exceed 1313
in severity any fine designated under the Revised Code for a 1314
similar offense, or in the case of a violation of a section of 1315
the Revised Code that does not bear a penalty, a monetary 1316
penalty or forfeiture of not more than five hundred dollars~~7.~~ 1317

(B) An action described in division (A) of this section 1318
may be taken by the board if ~~the board~~ it finds a pharmacist or 1319
pharmacy intern: 1320

(1) Guilty of a felony or gross immorality;	1321
(2) Guilty of dishonesty or unprofessional conduct in the practice of pharmacy;	1322 1323
(3) Addicted to or abusing alcohol or drugs or impaired physically or mentally to such a degree as to render the pharmacist or pharmacy intern unfit to practice pharmacy;	1324 1325 1326
(4) Has been convicted of a misdemeanor related to, or committed in, the practice of pharmacy;	1327 1328
(5) Guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of this chapter, sections 3715.52 to 3715.72 of the Revised Code, Chapter 2925. or 3719. of the Revised Code, or any rule adopted by the board under those provisions;	1329 1330 1331 1332 1333 1334
(6) Guilty of permitting anyone other than a pharmacist or pharmacy intern to practice pharmacy;	1335 1336
(7) Guilty of knowingly lending the pharmacist's or pharmacy intern's name to an illegal practitioner of pharmacy or having professional connection with an illegal practitioner of pharmacy;	1337 1338 1339 1340
(8) Guilty of dividing or agreeing to divide remuneration made in the practice of pharmacy with any other individual, including, but not limited to, any licensed health professional authorized to prescribe drugs or any owner, manager, or employee of a health care facility, residential care facility, or nursing home;	1341 1342 1343 1344 1345 1346
(9) Has violated the terms of a consult agreement entered into pursuant to section 4729.39 of the Revised Code;	1347 1348

(10) Has committed fraud, misrepresentation, or deception	1349
in applying for or securing a license or identification card	1350
issued by the board under this chapter or under Chapter 3715. or	1351
3719. of the Revised Code;	1352
<u>(11) Has failed to comply with the requirements of section</u>	1353
<u>4729.44 of the Revised Code.</u>	1354
(B) <u>(C)</u> Any individual whose identification card is	1355
revoked, suspended, or refused, shall return the identification	1356
card and license to the offices of the state board of pharmacy	1357
within ten days after receipt of notice of such action.	1358
(C) <u>(D)</u> As used in this section:	1359
"Unprofessional conduct in the practice of pharmacy"	1360
includes any of the following:	1361
(1) Advertising or displaying signs that promote dangerous	1362
drugs to the public in a manner that is false or misleading;	1363
(2) Except as provided in section 4729.281 of the Revised	1364
Code, the sale of any drug for which a prescription is required,	1365
without having received a prescription for the drug;	1366
(3) Knowingly dispensing medication pursuant to false or	1367
forged prescriptions;	1368
(4) Knowingly failing to maintain complete and accurate	1369
records of all dangerous drugs received or dispensed in	1370
compliance with federal laws and regulations and state laws and	1371
rules;	1372
(5) Obtaining any remuneration by fraud,	1373
misrepresentation, or deception.	1374
(D) <u>(E)</u> The board may suspend a license or identification	1375

card under division (B) of section 3719.121 of the Revised Code 1376
by utilizing a telephone conference call to review the 1377
allegations and take a vote. 1378

~~(E)~~(F) If, pursuant to an adjudication under Chapter 119. 1379
of the Revised Code, the board has reasonable cause to believe 1380
that a pharmacist or pharmacy intern is physically or mentally 1381
impaired, the board may require the pharmacist or pharmacy 1382
intern to submit to a physical or mental examination, or both. 1383

Sec. 4729.18. The state board of pharmacy shall adopt 1384
rules in accordance with Chapter 119. of the Revised Code 1385
establishing standards for approving and designating physicians 1386
and facilities as treatment providers for pharmacists with 1387
substance abuse problems and shall approve and designate 1388
treatment providers in accordance with the rules. The rules 1389
shall include standards for both inpatient and outpatient 1390
treatment. The rules shall provide that to be approved, a 1391
treatment provider must be capable of making an initial 1392
examination to determine the type of treatment required for a 1393
pharmacist with substance abuse problems. Subject to the rules, 1394
the board shall review and approve treatment providers on a 1395
regular basis and may, at its discretion, withdraw or deny 1396
approval. 1397

An approved treatment provider shall: 1398

(A) Report to the board the name of any pharmacist 1399
suffering or showing evidence of suffering impairment by reason 1400
of being addicted to or abusing alcohol or drugs as described in 1401
division ~~(A)~~(B) (3) of section 4729.16 of the Revised Code who 1402
fails to comply within one week with a referral for examination; 1403

(B) Report to the board the name of any impaired 1404

pharmacist who fails to enter treatment within forty-eight hours 1405
following the provider's determination that the pharmacist needs 1406
treatment; 1407

(C) Require every pharmacist who enters treatment to agree 1408
to a treatment contract establishing the terms of treatment and 1409
aftercare, including any required supervision or restrictions of 1410
practice during treatment or aftercare; 1411

(D) Require a pharmacist to suspend practice on entering 1412
any required inpatient treatment; 1413

(E) Report to the board any failure by an impaired 1414
pharmacist to comply with the terms of the treatment contract 1415
during inpatient or outpatient treatment or aftercare; 1416

(F) Report to the board the resumption of practice of any 1417
impaired pharmacist before the treatment provider has made a 1418
clear determination that the pharmacist is capable of practicing 1419
according to acceptable and prevailing standards; 1420

(G) Require a pharmacist who resumes practice after 1421
completion of treatment to comply with an aftercare contract 1422
that meets the requirements of rules adopted by the board for 1423
approval of treatment providers; 1424

(H) Report to the board any pharmacist who suffers a 1425
relapse at any time during or following aftercare. 1426

Any pharmacist who enters into treatment by an approved 1427
treatment provider shall be deemed to have waived any 1428
confidentiality requirements that would otherwise prevent the 1429
treatment provider from making reports required under this 1430
section. 1431

In the absence of fraud or bad faith, no professional 1432

association of pharmacists licensed under this chapter that 1433
sponsors a committee or program to provide peer assistance to 1434
pharmacists with substance abuse problems, no representative or 1435
agent of such a committee or program, and no member of the state 1436
board of pharmacy shall be liable to any person for damages in a 1437
civil action by reason of actions taken to refer a pharmacist to 1438
a treatment provider designated by the board or actions or 1439
omissions of the provider in treating a pharmacist. 1440

In the absence of fraud or bad faith, no person who 1441
reports to the board a pharmacist with a suspected substance 1442
abuse problem shall be liable to any person for damages in a 1443
civil action as a result of the report. 1444

Sec. 4729.35. The violation by a pharmacist or other 1445
person of any laws of Ohio or of the United ~~State~~ States of 1446
America or of any rule of the board of pharmacy controlling the 1447
distribution of a drug of abuse as defined in section 3719.011 1448
of the Revised Code or the commission of any act set forth in 1449
division ~~(A)~~ (B) of section 4729.16 of the Revised Code, is 1450
hereby declared to be inimical, harmful, and adverse to the 1451
public welfare of the citizens of Ohio and to constitute a 1452
public nuisance. The attorney general, the prosecuting attorney 1453
of any county in which the offense was committed or in which the 1454
person committing the offense resides, or the state board of 1455
pharmacy may maintain an action in the name of the state to 1456
enjoin such person from engaging in such violation. Any action 1457
under this section shall be brought in the common pleas court of 1458
the county where the offense occurred or the county where the 1459
alleged offender resides. 1460

Sec. 4729.44. (A) As used in this section: 1461

(1) "Contraception" or "contraceptive" means any drug or 1462

device approved by the United States food and drug 1463
administration to prevent pregnancy. 1464

(2) "Employee" means a person employed by a pharmacy by 1465
contract or any other form of an agreement. 1466

(3) "Product" means a drug or device approved by the 1467
United States food and drug administration. 1468

(4) "Professional judgment" means the use of professional 1469
knowledge and skills to form a clinical judgment in accordance 1470
with prevailing standards of care. 1471

(5) "Without delay" means a pharmacy providing, providing 1472
a referral for, or ordering contraception, or transferring the 1473
prescription for contraception within the usual and customary 1474
timeframe at the pharmacy for providing, providing a referral 1475
for, or ordering other products, or transferring the 1476
prescription for other products. 1477

(B) Subject to division (E) of this section, if a customer 1478
requests a contraceptive that is in stock, the pharmacy shall 1479
ensure that the contraceptive is provided to the customer 1480
without delay. 1481

(C) Subject to division (E) of this section, if a customer 1482
requests a contraceptive that is not in stock and the pharmacy 1483
in the normal course of business stocks contraception, the 1484
pharmacy immediately shall inform the customer that the 1485
contraceptive is not in stock and without delay offer the 1486
customer the following options: 1487

(1) If the customer prefers to obtain the contraceptive 1488
through a referral or transfer, the pharmacy shall do both of 1489
the following: 1490

<u>(a) Locate a pharmacy of the customer's choice or the</u>	1491
<u>closest pharmacy confirmed to have the contraceptive in stock;</u>	1492
<u>(b) Refer the customer or transfer the prescription to</u>	1493
<u>that pharmacy.</u>	1494
<u>(2) If the customer prefers to order the contraceptive</u>	1495
<u>through the pharmacy, the pharmacy shall obtain the</u>	1496
<u>contraceptive under the pharmacy's standard procedure for</u>	1497
<u>expedited ordering of products and notify the customer when the</u>	1498
<u>contraceptive arrives.</u>	1499
<u>(D) The pharmacy shall ensure that its employees do not do</u>	1500
<u>any of the following:</u>	1501
<u>(1) Intimidate, threaten, or harass customers in the</u>	1502
<u>delivery of services relating to a request for contraception;</u>	1503
<u>(2) Interfere with or obstruct the delivery of services</u>	1504
<u>relating to a request for contraception;</u>	1505
<u>(3) Intentionally misrepresent or deceive customers about</u>	1506
<u>the availability of contraception or its mechanism of action;</u>	1507
<u>(4) Breach medical confidentiality with respect to a</u>	1508
<u>request for contraception or threaten to breach such</u>	1509
<u>confidentiality;</u>	1510
<u>(5) Refuse to return a valid, lawful prescription for</u>	1511
<u>contraception on the customer's request.</u>	1512
<u>(E) This section does not prohibit a pharmacy from</u>	1513
<u>refusing to provide a contraceptive to a customer in any of the</u>	1514
<u>following circumstances:</u>	1515
<u>(1) When it is unlawful to dispense the contraceptive to</u>	1516
<u>the customer without a valid, lawful prescription and no such</u>	1517

prescription is presented. 1518

(2) When the customer is unable to pay for the 1519
contraceptive. 1520

(3) When the employee of the pharmacy refuses to provide 1521
the contraceptive to the customer because, in the employee's 1522
professional judgment, a contraindication exists or the 1523
provision of the contraceptive is similarly not in the best 1524
interest of the customer's health. 1525

Sec. 4729.45. (A) Any person who believes that a violation 1526
of section 4729.44 of the Revised Code has occurred may file a 1527
complaint with the state board of pharmacy. Not later than 1528
thirty days after receiving the complaint, the board shall 1529
investigate the complaint and determine whether a violation 1530
occurred. If the board determines a violation occurred, the 1531
board may impose a fine of not more than five thousand dollars 1532
for each violation. 1533

(B) A person who has been injured by a violation of 1534
section 4729.44 of the Revised Code may bring a civil action in 1535
a court of competent jurisdiction to recover damages for the 1536
person's injury, as well as costs and reasonable attorney's 1537
fees. 1538

(C) If the attorney general has cause to believe that a 1539
person or group of persons has been or may be injured by a 1540
violation of section 4729.44 of the Revised Code, the attorney 1541
general may commence a civil action in a court of competent 1542
jurisdiction to compel compliance with that section. In such 1543
action, the court may award appropriate relief on a finding that 1544
a violation or violations have occurred, including compensatory 1545
damages and punitive damages not exceeding five thousand dollars 1546

for each violation. 1547

Section 2. That existing sections 121.22, 2907.29, 1548
3313.60, 3313.6011, 3314.03, 3326.11, 3328.24, 4729.16, 4729.18, 1549
and 4729.35 of the Revised Code are hereby repealed. 1550

Section 3. Section 1751.68 of the Revised Code shall apply 1551
only to policies, contracts, and agreements that are delivered, 1552
issued for delivery, or renewed in this state on or after the 1553
effective date of this act, and section 3923.84 of the Revised 1554
Code shall apply only to policies of sickness and accident 1555
insurance delivered, issued for delivery, or renewed in this 1556
state and public employee benefit plans that are established or 1557
modified in this state on or after the effective date of this 1558
act. 1559

Section 4. Sections 3727.61, 3727.611, and 3727.612 of the 1560
Revised Code, as enacted by this act, shall be known as the 1561
"Compassionate Assistance for Rape Emergencies Act." 1562