



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Emily E. Wendel

### **Am. H.B. 80**

132nd General Assembly  
(As Passed by the House)

**Reps.** LaTourette and K. Smith, Antonio, Blessing, Boccieri, Boggs, Brenner, Craig, Edwards, Fedor, Leland, Lepore-Hagan, Miller, Rezabek, Riedel, Seitz, R. Smith, West, Ashford, Butler, Cupp, Gavarone, Hambley, Manning, Anielski, Antani, Arndt, Barnes, Boyd, Carfagna, Celebrezze, Clyde, DeVitis, Greenspan, Holmes, Householder, Howse, Ingram, G. Johnson, T. Johnson, Kelly, Kent, Landis, McColley, O'Brien, Patmon, Patterson, Patton, Pelanda, Perales, Ramos, Reece, Reineke, Rogers, Ryan, Schuring, Sheehy, Sprague, Strahorn, Sweeney, Sykes, Young

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## **BILL SUMMARY**

- Permits a school district that provides summer academic intervention services and that opts out of offering a summer food service in a school in which at least half of the students are eligible for free lunches to allow an approved summer food service program sponsor to use the school's facilities.

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## **CONTENT AND OPERATION**

Under the bill, if a school district that provides summer academic intervention services opts out of offering a summer food program in a school in which at least half of the students are eligible for free lunches, the district board may allow an approved summer food service program sponsor to use the school's facilities.<sup>1</sup> The Department of Education must post a list of approved sponsors in a prominent location on the Department's website.

Continuing law requires a school district that provides summer academic intervention services to extend its school breakfast program or school lunch program during the summer or to establish a summer food service program. The district board

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<sup>1</sup> The bill's title states in error that the bill requires a school district to allow a sponsor to use the school's facilities. The House Education and Career Readiness Committee amended the bill to make that provision permissive.

may opt out of the summer food requirement if the board determines that it cannot comply for financial reasons.

The bill permits a district board to charge the summer food service program sponsor a reasonable fee for the use of school facilities, subject to continuing laws governing the use of school facilities. The fee may include the actual cost of custodial services, charges for the use of school equipment, and a prorated share of the utility costs as determined by the district board.

A school district also must require a summer food service program sponsor to indemnify the district and hold it harmless from any potential liability resulting from the operation of the program. The district and the sponsor must either add the sponsor as an additional insured party under the district's existing liability insurance policy or require the sponsor to submit evidence of a separate liability insurance policy for an amount approved by the district board. The sponsor must be responsible for any costs incurred in obtaining the coverage under either option.<sup>2</sup>

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## HISTORY

ACTION	DATE
Introduced	02-14-17
Reported, H. Education and Career Readiness	03-15-17
Passed House (90-4)	03-15-17

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<sup>2</sup> R.C. 3313.813(C)(3) and (4).

