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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 92  
134<sup>th</sup> General Assembly

## Final Analysis

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**Version:** As Passed by the General Assembly

**Primary Sponsors:** Reps. Abrams and Loychik

**Effective date:** Emergency: September 29, 2021

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## SUMMARY

### Child abuse or neglect investigation relating to armed forces

- Requires a public children services agency (PCSA) to determine if a parent, guardian, or custodian of a child subject to a child abuse or neglect investigation is in the armed forces and, if so, to notify the appropriate authority of that armed force in which the parent, guardian, or custodian serves that an investigation is being made.
- Requires PCSAs to disclose confidential information discovered during a child abuse or neglect investigation to any appropriate military authority that is a federal, state, or local government entity.
- Changes the law governing child abuse and neglect report confidentiality by permitting PCSA:
  - Notification of the appropriate military authority that a child abuse or neglect investigation is being made relating to an armed forces member; and
  - Disclosure of confidential information discovered during a child abuse or neglect investigation to any appropriate federal, state, or local government entity, including any appropriate military authority.

### Congressional redistricting – public submissions

- Requires the Ohio Redistricting Commission to create a website for the public to submit proposed congressional district plans, access census data, and view other submitted plans.
- Allows members of the public to mail proposed congressional district plans to the Commission by mailing it to the Ohio Statehouse.

- Requires the co-chairpersons of the Commission to notify other Commission members whenever a member of the public submits a proposed congressional district plan, and post the plan on the website.

### **Judiciary/Supreme Court earmark**

- Revises an FY 2022 and FY 2023 earmark in the Judiciary/Supreme Court appropriations for promoting information about judicial candidates.

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## **DETAILED ANALYSIS**

### **Child abuse or neglect investigation relating to armed forces**

#### **PCSA determination and notification of armed forces**

The act requires a public children services agency (PCSA) to determine, as soon as practicable, if a parent, guardian, or custodian of a child who is subject to a child abuse or neglect investigation is in the armed forces. If the PCSA determines that the parent, guardian, or custodian is in the armed forces, the PCSA must notify the appropriate authority of that armed force in which the parent, guardian, or custodian serves, in accordance with the memorandum of understanding established by that authority, that a child abuse or neglect investigation is being made that relates to that parent, guardian, or custodian.

Under the act, “armed forces” means the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.<sup>1</sup>

#### **Confidentiality and disclosure of investigation information**

The act requires PCSAs to disclose confidential information discovered during a child abuse or neglect investigation to any appropriate military authority that is a federal, state, or local government entity.<sup>2</sup>

The act changes the law governing child abuse and neglect report confidentiality by permitting: (1) PCSA notification of the appropriate military authority that a child abuse or neglect investigation is being made, and (2) PCSA disclosure of confidential information discovered during a child abuse or neglect investigation to any federal, state, or local government entity, including any appropriate military authority, that needs the information to carry out its responsibilities.<sup>3</sup>

### **Congressional redistricting – public submissions**

The act requires the Ohio Redistricting Commission, established by the Ohio Constitution, to create a website so the public may submit proposed congressional district

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<sup>1</sup> R.C. 2151.4210.

<sup>2</sup> R.C. 2151.423.

<sup>3</sup> R.C. 2151.421(l)(1).

plans, access the federal decennial census data necessary to create a proposed district plan, and view other submitted maps.<sup>4</sup>

The Ohio Constitution charges the Commission with drawing new General Assembly districts after the decennial census. Additionally, it requires the Commission to draw new congressional districts after the decennial census if the General Assembly cannot pass a congressional redistricting plan by September 30 of a redistricting year (years ending in the numeral “1”), or if the Governor vetoes the plan and the General Assembly does not override the veto. The Commission is composed of the Governor, the Auditor of State, the Secretary of State, one person appointed by the Speaker of the House, one person appointed by the House Minority Leader, one person appointed by the President of the Senate, and one person appointed by the Senate Minority Leader.<sup>5</sup>

The Ohio Constitution requires that the General Assembly and the Commission “facilitate and allow for the submission of proposed congressional district plans by members of the public,” in a manner provided by law.<sup>6</sup> To that end, the act requires the Commission to create a website, housed at [www.redistricting.ohio.gov](http://www.redistricting.ohio.gov). The website must allow members of the public to submit a proposed congressional district plan, access the federal decennial census data necessary to create a congressional district plan, and view proposed congressional district plans submitted by members of the public.

In addition to the website, the act permits members of the public to submit a proposed congressional district plan by mailing it to the Ohio Redistricting Commission, c/o Clerk of the Senate, Ohio Statehouse, Columbus, Ohio 43215.

The act also requires that proposed congressional district plans submitted by a member of the public contain visual representations of the proposed boundaries of the congressional districts – i.e., a map.

Upon receiving a proposed congressional district plan submitted by a member of the public, the co-chairpersons of the Commission promptly must electronically notify the Commission members of the submitted plan and cause the submitted plan to be posted on the Commission’s website for the public to view.<sup>7</sup>

## **Judiciary/Supreme Court earmark**

The act amends the earmark of \$150,000 in FYs 2022 and 2023 from the General Revenue Fund appropriation item 005406, Law-Related Education, to promote information about judicial candidates who have filed to run for a judicial office, instead of the prior requirement of information about Ohio Supreme Court Justices and Chief Justice and court of

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<sup>4</sup> R.C. 3521.04.

<sup>5</sup> Ohio Constitution, Article XI, Section 1 and Article XIX, Section 1.

<sup>6</sup> Ohio Const., art. XIX, sec. 1(H).

<sup>7</sup> R.C. 3521.04.

appeals candidates nominated to appear on the general election ballot with a party designation.<sup>8</sup>

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## HISTORY

| Action  | Date     |
|---|----------|
| Introduced                                    | 02-09-21 |
| Reported, H. Families, Aging & Human Services | 03-09-21 |
| Passed House (97-0)                           | 03-17-21 |
| Reported, S. Veterans & Public Safety         | 09-22-21 |
| Passed Senate (32-0)                          | 09-22-21 |
| House concurred in Senate amendments (94-0)   | 09-22-21 |

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<sup>8</sup> Section 3.