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H.B. 564
134th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsor: Rep. Koehler

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SUMMARY

- From the bill's effective date through December 31, 2023, specifies that certain first responders who currently are considered full-time township employees for health coverage purposes are instead designated as part-time, thus temporarily limiting the category of township first responders to whom health coverage must be provided under certain circumstances.
- Permits public officials responsible for elections to collaborate with or accept money from a nongovernmental person or entity in order to use a building to train precinct election officials.
- Declares an emergency.

DETAILED ANALYSIS

Health coverage for township first responders

Current Ohio law does not require townships to provide health coverage to employees, but if a township opts to do so, it must provide uniform coverage to township officers and full-time employees. Regarding part-time employees, such a township may, but is not required to, provide health coverage.¹

Under the bill, certain township first responders who currently are considered full-time employees for health coverage purposes are instead designated as part-time for those purposes. This change applies during the period beginning on the bill's effective date and

¹ R.C. 505.60(A) and (B), not in the bill.

ending on December 31, 2023. Thus, the bill temporarily limits the category of township first responders to whom health coverage must be provided if the township provides coverage.²

Specifically, the bill's temporary expansion of part-time status for purposes of health coverage applies to a township first responder when all of the following criteria are met:

- The first responder's primary job duties include those of the following:
 - A firefighter of a lawfully constituted fire department; or
 - A first responder, emergency medical technician (EMT)-basic, EMT-intermediate, or EMT-paramedic of an ambulance service organization or emergency medical service organization as described in the First Responders and Emergency Medical Technicians Law.³
- The first responder is hired with the expectation of working not more than 1,976 hours annually (i.e., 38 hours weekly), which is an increase from the current law threshold, as discussed below.⁴
- The township employing the first responder does not qualify as an "applicable large employer" under the federal Patient Protection and Affordable Care Act (ACA).

Under the bill, a township qualifies as an "applicable large employer" by generally employing an average of 50 or more full-time equivalent employees (those working an average of 30 or more hours weekly) during the preceding calendar year. Under the ACA, an applicable large employer must provide health coverage to those full-time employees or pay a federal penalty. Thus, the bill applies to a township that does not employ a sufficient quantity of employees to trigger this penalty.⁵

As noted above, the amount of hours that a first responder is expected to work to be considered part-time under the bill is an increase from current law. Under current law, a first responder who is hired with the expectation of working not more than 1,500 hours annually (i.e., 28.846 hours weekly) is considered part-time for health coverage purposes. This threshold still applies for employees who are not first responders.⁶

Election training

The bill permits a public official who is responsible for administering or conducting an election in Ohio to collaborate with, or accept or expend any money from, a nongovernmental

² Section 3.

³ Section 3(A) and R.C. Chapter 4765, not in the bill.

⁴ Section 3(B).

⁵ Section 3(A) and (B) and 26 United States Code 4980H.

⁶ R.C. 505.60(G), not in the bill.

person or entity if it is for the use of any building to conduct training for precinct election officials.

Continuing law prohibits these public officials from collaborating with, or accepting or expending any money from, a nongovernmental person or entity for any costs or activities related to voter registration, voter education, voter identification, get-out-the-vote, absent voting, election official recruitment or training, or any other election-related purpose. An exception exists for money used to secure a building for conducting an election, including as a polling place. The bill adds to this exception by permitting the money to be used on a building for conducting precinct election official training as well.⁷

Emergency declaration

The bill specifies that, on enactment, its provisions go into immediate effect because it is an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for the necessity is to ensure that townships can maintain adequate staffing with part-time employees and that election officials receive proper training.⁸

HISTORY

Action	Date
Introduced	02-08-22
Reported, H. State & Local Gov't	04-12-22
Passed House (70-19)	05-18-22

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⁷ R.C. 3501.054.

⁸ Section 4.