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Substitute Bill Comparative Synopsis

Sub. H.B. 606

135th General Assembly

House Finance

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_135_1966-9)
Policy regarding racial, religious, and ethnic bias, harassment, and intimidation	
Requires each state institution of higher education and private college to adopt and enforce a policy regarding racial, religious, and ethnic bias, harassment, and intimidation (<i>R.C. 3320.05</i>).	Same, but with the following changes: <ol style="list-style-type: none"> 1. Removes the requirement that state institution of higher education and private for-profit college policies address “bias” (<i>R.C. 3320.05(B)</i>); and 2. Removes the requirement that private nonprofit institution of higher education address “religion” or “bias” (<i>R.C. 3320.06(A)</i>).
No provision.	Defines “harassment” as unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual’s education program or activity (<i>R.C. 3320.05(A)(1)</i> ; see also <i>R.C. 3345.0211</i> , not in the bill).
No provision.	Defines “intimidation” as a violation of ethnic intimidation as described under Ohio criminal law (<i>R.C. 3320.05(A)(3)</i> ; see also <i>R.C. 2927.12</i> , not in the bill).

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<p>Requires an institution’s policy to include training for all admission institution administration, faculty, and staff, including the institution’s office of diversity, equity, and inclusion (DEI) and student affairs, and campus safety organizations, that provides information on how to respond to incidents of hate or harassment occurring during a class or event at the time the incident occurs (R.C. 3320.05(B)(1)).</p>	<p>Same, except that offices of DEI, student affairs, and campus safety organizations are not specifically mentioned and the training may be provided online (R.C. 3320.05(B)(1) and 3320.06(A)(1)).</p>
<p>Requires an institution’s policy to include a written procedure for accepting and investigating student complaints and allegations of racial, religious, or ethnic bias, harassment, or intimidation threatened or taken against any student, staff, or faculty member, that, at the conclusion of an investigation, requires mandatory communications to be sent to identified individuals who submit a complaint and individuals who are the subject of a complaint (R.C. 3320.05(B)(2)(c)).</p>	<p>Same, but does not require the procedures to be written, excludes “bias” and “threatened or taken,” excludes “religion” for private nonprofit institutions, and gives institutions discretion to set mandatory communication requirements (R.C. 3320.05(B)(2)(c) and 3320.06(A)(2)(c)).</p>
<p>Requires an institution’s policy to include creation of a campus task force on combating antisemitism, Islamophobia, and hatred, harassment, bullying, or violence toward others on the basis of their perceived or actual religious identity at the institution (R.C. 3320.05(B)(3)).</p>	<p>Same, but requires the task force to be created independently of the policy and, for private nonprofit institutions of higher education, excludes “on the basis of their perceived or actual religious identity at the institution” (R.C. 3320.05(D) and 3320.06(C)).</p>
<p>Requires an institution’s policy to include creation of partnerships between university police, local law enforcement, the state highway patrol, and student communities to provide security functions for student groups that face threats of terror attacks or hate crimes, both on- and off-campus (R.C. 3320.05(B)(4)).</p>	<p>Requires each institution to ensure that, to the extent possible and as needed, its campus security and police department, if the institution has one, collaborates with those groups, and, for private nonprofit institutions, specifies that security functions must be provided consistently with institutional policies (R.C. 3320.05(C) and 3320.06(B)).</p>
<p>Prohibits the policy requirements from being construed from infringing upon protections for First Amendment rights or noncommercial expressive activity (R.C. 3320.05(C)).</p>	<p>Same for state institutions and private for-profit colleges, but for private nonprofit institutions, states that in the event of a conflict between the policy requirements and the U.S. Constitution, any other provision of federal law applicable to nonprofit institutions of higher education, or Article I, Sections 3 and 11 of the Ohio Constitution, the other provision of law controls (R.C. 3320.05(E) and 3320.06(D)).</p>

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Annual reports of incidents	
<p>Requires the Chancellor of Higher Education to establish a uniform reporting system on hate incidents at institutions of higher education (<i>R.C. 3320.06(B)</i>).</p>	<p>No provision.</p>
<p>Requires each institution of higher education to submit an annual report of all allegations of racial, religious, and ethnic bias, harassment, and intimidation received by the institution and other documented incidents in that year (<i>R.C. 3320.06(B)</i>).</p>	<p>Requires institutions to submit an annual report to the Chancellor of all harassment and intimidation reports submitted to the federal government consistent with the federal Clery Act (<i>R.C. 3320.07</i>).</p>
<p>Requires reports submitted through the uniform reporting system to be distributed to the Chancellor, Attorney General, and the U.S. attorneys for the federal northern and southern districts of Ohio (<i>R.C. 3320.06(C)</i>).</p>	<p>No provision.</p>
Chancellor's committee on combating harassment and intimidation	
<p>Requires the Chancellor of Higher Education to establish a committee on combating antisemitism and other forms of racial, religious, and ethnic bias, harassment, and intimidation at institutions of higher education and requires the committee to develop guidance on that purpose, including a framework for discussions to educate students on prohibited conduct and recommended safety measures for safety organizations. The committee's guidance must be posted on the Department of Higher Education's website (<i>R.C. 3320.06(A)</i>).</p>	<p>Same, but requires the committee to develop a model policy, guidance, best practices, and recommendations for further action for policies adopted by state institutions and private for-profit colleges under the bill (<i>Section 2(A)</i>).</p>
<p>No provision.</p>	<p>Requires the committee to include all of the following in its model policy, guidance, best practices, and recommendations:</p> <ol style="list-style-type: none"> 1. A review of current investigation procedures and recommendations to increase transparency; 2. Model training requirements providing information on how to respond to hate crimes or incidents of harassment or intimidation;

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No provision.	<ol style="list-style-type: none"> 3. Best practices for collaboration with local, state, and federal law enforcement to enhance security functions for students that face threats of terror attack and hate crimes; 4. A framework to promote an institution's conduct policies; 5. Recommended definitions to incorporate in policies adopted under the bill; and 6. Model procedures for investigating student complaints submitted through procedures developed under the bill including communication to students on complaints submitted to institutions (<i>Section 2(B)</i>). <p>Requires the committee to consist of representatives from each of the following:</p> <ol style="list-style-type: none"> 1. Legal counsel from state institutions or private for-profit colleges; 2. Offices of student life from state institutions or private for-profit colleges; 3. Institutionally sanctioned student organizations from state institutions or private for-profit colleges; 4. The Inter-University Council of Ohio; 5. The Ohio Association of Community Colleges; 6. Organizations representing faith-based communities; 7. Organizations representing racial and ethnic communities; and 8. Any other stakeholders determined appropriate by the Chancellor (<i>Section 2(A)</i>).
No provision.	Requires the Chancellor to issue a report containing the committee's model policy, guidance, best practices, and recommendations by the first day of July following the bill's effective date and submit the report to the Governor,

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	President and Minority Leader of the Senate, and Speaker and Minority Leader of the House of Representatives (<i>Section 2(C)</i>).
Publication of time, place, and manner restrictions	
Requires institutions of higher education to publicize any time, place, or manner restrictions placed on the expressive activities of its students, including information on how the institution uses viewpoint- and content-neutral criteria to establish those restrictions (<i>R.C. 3320.07</i>).	Requires state institutions of higher education to publicize on its website any time, place, or manner restrictions placed on expressive activities (<i>R.C. 3320.08</i>).
Campus Student Safety Grant Program	
Requires the Chancellor to award grants to institutions of higher education to enhance security measures and ensure student safety at on- and off-campus locations and to prioritize awarding grants to students and student groups who face increased threats of certain crimes or harassment (<i>R.C. 3333.80</i>)	Same, but with the following changes: <ol style="list-style-type: none"> 1. Requires grants to be awarded to <i>increase</i> student safety, rather than <i>ensure</i> student safety; 2. Removes the reference to on- or off-campus locations; 3. Limits the prioritization of grants to students and <i>institutionally sanctioned</i> student organizations (<i>R.C. 3333.80</i>).
Campus Community Grant Program	
Requires the Chancellor to provide funding under the program to institutions of higher education to support intergroup and interfaith outreach and cultural competency between institution-affiliated student organizations (<i>R.C. 3333.801</i>).	Requires the Chancellor to provide funding under the program to institutionally sanctioned student organizations at institutions of higher education to support such outreach between <i>institutionally sanctioned</i> student organizations (<i>R.C. 3333.801</i>).
Campus Security Support Program	
Requires the Chancellor to distribute funding to institution-sanctioned student organizations affiliated with communities that are at risk for increased threats of violent crime, terror attacks, hate crimes, or harassment to enhance security measures and ensure student safety at on- and off-campus locations at institutions of higher education (<i>Section 3</i>).	Same, but requires the funding to be distributed to <i>institutionally sanctioned</i> student organizations to enhance security measures and <i>increase</i> student safety at institutions of higher education and removes references to <i>on- and off-campus locations</i> (<i>Section 4</i>).

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No provision.	Permits the Chancellor to use a portion of the Campus Security Support Program funding to administer the program (<i>Section 4</i>).
State agency policies for the prevention of antisemitism	
Requires each state agency to adopt a policy for the prevention of antisemitism and defines “state agency” to include state institutions of higher education (<i>R.C. 4112.20</i>).	Removes state institutions of higher education from the definition of “state agency” and limits the requirement to state agencies employing 50 or more employees (<i>R.C. 4112.20</i>).