
ACT ADMINISTRATION

- Includes a default provision stating that, except as otherwise specifically provided, the amendment, enactment, or repeal of a section is subject to the referendum and takes effect on the 91st day after the act is filed with the Secretary of State (barring the filing of a referendum petition).
- Includes many exceptions to the default provision, some of which provide that specified provisions are not subject to the referendum and go into immediate effect.
- Includes an expiration clause stating that an item that composes the whole or part of an uncodified section contained in the act (other than an amending, enacting, or repealing clause) has no effect after June 30, 2019, unless its context clearly indicates otherwise.
- With respect to R.C. sections appearing in more than one place in the act, restates the policy of Ohio law that all amendments to a statute are to be given effect if it is reasonably possible to do so.

Effective dates

(Sections 812.10 to 812.40)

Article II, Section 1d of the Ohio Constitution states that "appropriations for the current expenses of state government and state institutions" and "[l]aws providing for tax levies" go into immediate effect and are not subject to the referendum. The act includes a default provision stating that, except as otherwise specifically provided, the amendment, enactment, or repeal of a section is subject to the referendum and takes effect on the 91st day after the act is filed with the Secretary of State (barring the filing of a referendum petition). The act was filed with the Secretary of State on June 30, 2017, and the 91st day after that is September 29, 2017. The act also includes many exceptions to the default provision, some of which provide that specified provisions are not subject to the referendum and go into immediate effect.

Note – effective dates of veto overrides

On July 6, 2017, the House voted to override the Governor's veto of 11 items. On August 22, 2017, the Senate voted to override six of the 11 items. The Senate filed the six items with the Secretary of State on August 23, 2017. Presumably, the items that are subject to the referendum take effect on the 91st day after they were filed: November 22,



2017 (barring the filing of a referendum petition).¹⁷⁸ Presumably, the items not subject to the referendum take effect August 22, 2017, which is the day of the Senate override vote. According to the act, Items 3, 23, 26, and 31 are subject to the referendum. Most of Item 27 is subject to the referendum, but the act designates Section 333.165 as exempt from the referendum. The act also designates Item 34 as exempt from the referendum.

Expiration

(Section 809.10)

The act includes an expiration clause stating that an item that composes the whole or part of an uncodified section contained in the act (other than an amending, enacting, or repealing clause) has no effect after June 30, 2019, unless its context clearly indicates otherwise.

Treatment of sections subject to multiple amendments

(Section 815.20)

The act recognizes that several sections of law in the act are amended more than once by the act. In this regard, it states that the multiple amendments are subject to the statute declaring that all amendments to a statute that reasonably can be put into simultaneous operation are to be harmonized and given effect.¹⁷⁹

These provisions reflect, in general, the policy of Ohio law that all amendments to a statute are to be given effect if it is reasonably possible to do so.¹⁸⁰

HISTORY

ACTION	DATE
Introduced	02-08-17
Reported, H. Finance	05-02-17
Passed House (58-37)	05-02-17
Reported, S. Finance	06-21-17
Passed Senate (24-8)	06-21-17
House refused to concur in Senate amendments (1-93)	06-21-17
Senate requested conference committee	06-21-17
House acceded to request for conference committee	06-21-17
House agreed to conference committee report (59-40)	06-28-17

¹⁷⁸ See Ohio Constitution Article II, Sections 1c, 1d, and 16.

¹⁷⁹ R.C. 1.52(B), not in the act.

¹⁸⁰ R.C. 1.51, not in the act.



ACTION	DATE
Senate agreed to conference committee report (24-8)	06-28-17
<u>House voted to override vetoed item #3, Controlling Board authority (66-31)</u>	07-06-17
<u>House voted to override vetoed item #23, Medicaid coverage of optional eligibility groups (66-31)</u>	07-06-17
<u>House voted to override vetoed item #25, Legislative oversight, rules increasing Medicaid rates (66-31)</u>	07-06-17
<u>House voted to override vetoed item #26, Medicaid rates for neonatal and newborn services (97-0)</u>	07-06-17
<u>House voted to override vetoed item #27, Medicaid rates for nursing facilities (96-1)</u>	07-06-17
<u>House voted to override vetoed item #30, Long-term care services added to Medicaid managed care (95-2)</u>	07-06-17
<u>House voted to override vetoed item #31, Behavioral health redesign (managed care) (95-2)</u>	07-06-17
<u>House voted to override vetoed item #33, Health insuring corporation franchise fee (87-10)</u>	07-06-17
<u>House voted to override vetoed item #34, Controlling Board authorization, Medicaid expenditures (66-31)</u>	07-06-17
<u>House voted to override vetoed item #36, Healthy Ohio program waiver (66-31)</u>	07-06-17
<u>House voted to override vetoed item #37, Oil and Gas Leasing Commission appointments (68-29)</u>	07-06-17
<u>Senate voted to override vetoed item #3, Controlling Board authority (23-10)</u>	08-22-17
<u>Senate voted to override vetoed item #23, Medicaid coverage of optional eligibility groups (23-10)</u>	08-22-17
<u>Senate voted to override vetoed item #26, Medicaid rates for neonatal and newborn services (33-0)</u>	08-22-17
<u>Senate voted to override vetoed item #27, Medicaid rates for nursing facilities (32-1)</u>	08-22-17
<u>Senate voted to override vetoed item #31, Behavioral health redesign (managed care) (33-0)</u>	08-22-17
<u>Senate voted to override vetoed item #34, Controlling Board authorization, Medicaid expenditures (23-10)</u>	08-22-17

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