CLIENT ALERTS & INSIGHTS

Ohio's 2024 Lame Duck Session: Highlights and Missed Opportunities

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The Ohio General Assembly operates on two-year terms, and when lawmakers adjourned around 2:00 a.m. on December 19, 2024, any bill not on its way to Governor Mike DeWine's desk effectively died. This session saw contentious debates and unfinished business on topics including marijuana regulation, higher education, and contemplated changes to Ohio's death penalty.

Marijuana and Delta-8 THC Regulation

Lawmakers spent much of 2024 negotiating changes to Ohio's recreational marijuana laws, with little progress. Efforts to ban delta-8 THC, an unregulated derivative sometimes called "diet weed," also stalled. Senate President Matt Huffman, who will take over as House Speaker in 2025, has expressed a desire to address flaws in the state's marijuana initiative passed by voters, which is also a priority for Gov. DeWine.

Higher Education Reform Stalls

One of the most controversial measures left on the table was a bill addressing conservatives' concerns with higher education. The proposal aimed to ban most mandatory diversity training in public colleges, promote "intellectual diversity," and reduce university trustee terms. Although it passed the Senate in summer 2023, it failed to gain traction in the House.

House Speaker Jason Stephens (R-Kitts Hill) argued that the bill lacked the votes to pass, despite pressure from Sen. Jerry Cirino (R-Kirtland), who vowed to reintroduce the proposal in 2025 without concessions, such as removing the ban on faculty strikes.

Executions Remain Controversial

The death penalty debate resurfaced with a proposal to add nitrogen gas as a second execution method. Attorney General Dave Yost emphasized the state's duty to enforce the law, while opponents, including Senate Minority Leader Nickie Antonio (D-Lakewood), pushed for abolition in favor of life sentences without parole. Both bills died in committee, and Gov. DeWine continued issuing execution stays.

Legislative Actions with Broad Impact

The session concluded with the passage of several bills addressing issues that will impact Ohio residents:

- **Parents' Bill of Rights (HB 8):** Public schools must notify parents about age-appropriate sexuality content and healthcare services, granting parents the option to opt out. The bill also allows students to attend religious courses off-site during school hours.
- **Easier Expulsions for Dangerous Students (HB 206):** Grounds for student expulsions have expanded to include making hit lists or posing severe threats. Reinstatement now requires psychiatric or psychological assessments, potentially extending expulsion periods.
- **License Reinstatement:** Simplified processes for Ohioans with suspended driver's licenses aim to facilitate reinstatements and reduce associated hardships.
- **Braden's Law - Sextortion and Child Grooming Laws:** New measures criminalize sexual extortion as a third-degree felony and increase penalties for offenders targeting vulnerable populations like minors and seniors.
- **Suicide Prevention Hotline:** Lawmakers approved the administration of the 988 suicide prevention hotline, though a permanent funding source remains undetermined.
- **Infant and Maternal Health (HB 7):** Despite the removal of $35 million in funding, this bill aims to reduce Ohio's high infant mortality rate, laying the groundwork for future budget discussions.
- **Hospital Price Transparency (HB 173):** Initially focused on price transparency, including a requirement that hospitals publish a list of standard charges for services, the bill was amended to also designate October as Hindu Heritage Month. A controversial provision banning sanctuary cities was tabled.

Additional Noteworthy Legislation

Other bills passed during the session include:

- **Election-Related Updates (HB 74):** Modernized IT systems and clarified the attorney general's role in voter registration and ballot issue vetting.
- **Streamlining Occupational Regulations (HB 238):** Implemented recommendations from the Sunset Review Committee to ensure the continuation of various state boards and commissions as well as the standard occupational licensing review, which made changes to Ohio's real estate professional law and eliminated the motor vehicle salesperson license.

Public Safety and Workplace Measures: Bills addressed workplace violence prevention in hospitals (HB 452), required employers to provide pay stubs (HB 106), and set new rules for online public meetings (HB 257).

- **Property and Tax Policy Updates:** Revisions to county laws (HB 497), property tax changes (HB 496), and new drone policies (HB 77) were approved.
- **Firearm Liability Insurance Ban (SB 58):** A measure prohibiting requirements for firearm liability insurance was enacted.

Broadband Expansion Progress

- The Ohio Broadband Expansion Authority has made strides toward achieving universal broadband coverage by 2030. In October, $793 million in federal funding from the Broadband Equity, Access, and Deployment (BEAD) program was approved. Ohio revised its broadband deployment plan to address feedback from the National Telecommunications & Information Administration (NTIA), focusing on local coordination, workforce standards, and award-scoring criteria.

- Further support came from the U.S. Department of Agriculture, which allocated $12.5 million to Ohio's Imagine Networks LLC, benefiting over 4,100 rural residents. Additionally, the Broadband Pole Replacement and Undergrounding Program has reimbursed $1.4 million so far, with $50 million available through 2029. House Bill 308 adjusted reimbursement formulas to ensure efficient use of funds.

Looking Ahead

As Ohio prepares for 2025 and a new General Assembly, the groundwork laid during this Lame Duck session offers opportunities for progress in areas of tax reform, cannabis policy, higher education reform, and more. A flock of 27 new legislators will be sworn in on January 6, with new committee assignments to soon follow. Legislators will move quickly this year to consider Gov. DeWine's final Transportation Budget and Main Operating Budget of his tenure, as well as reforms to Ohio's energy policies.

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