

AN ACT

To amend section 3701.13 and to enact sections 3301.601, 3301.65, and 3792.04 of the Revised Code regarding technology-based educational opportunities for, and the enrollment of, military children; regarding public schools, state institutions of higher education, and prohibitions on mandatory vaccinations and discrimination; and regarding the authority of the Ohio Department of Health over matters of quarantine and isolation.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3701.13 be amended and sections 3301.601, 3301.65, and 3792.04 of the Revised Code be enacted to read as follows:

Sec. 3301.601. (A) "Children of military families," "local education agencies," "military installation," and "transition" have the same meanings as in section 3301.60 of the Revised Code.

(B) In order to minimize disruptions, local education agencies shall permit children of military families to participate in technology-based educational opportunities when those students' families receive permanent change of station orders to or within the state to transition from one military installation to another. Local education agencies also shall permit such students to participate in technology-based opportunities when those students' families receive permanent change of station orders out of the state until such time as the students are enrolled in the schools of a new local education agency.

Sec. 3301.65. (A) In order to implement the provisions of sections 3301.60 and 3301.601 of the Revised Code, a school district board of education shall permit the school-aged child of a member of the uniformed services who is relocating to or within the state on active duty and who is not a resident of the district during the enrollment period to apply for enrollment in a school in the district in the same manner and at the same time as students residing in the district.

(B) A school district shall accept applications under this section by electronic means for enrollment, including enrollment in a specific school or program within the school district.

(C) The parent or guardian of a student enrolled in accordance with this section shall provide proof of residence in the school district within ten days after establishing residence in the district. All of the following are acceptable forms of residency for purposes of this division:

- (1) A temporary on-base billeting facility;
- (2) A purchased or leased home or apartment;
- (3) Federal government or public-private venture off-base military housing.

Sec. 3701.13. (A) As used in this section:

(1) "Isolation" means the separation of one or more individuals who have been medically diagnosed with a communicable or contagious disease from other individuals who have not been

medically diagnosed with the disease.

(2) "Quarantine" means the separation or restriction of movement of one or more individuals who have come into direct contact with someone who has been medically diagnosed with a communicable or contagious disease.

(B)(1) The department of health shall have supervision of all matters relating to the preservation of the life and health of the people and have authority in matters of quarantine and isolation, which it may declare and enforce, when neither exists, and modify, relax, or abolish, when either has been established.

(2) Under the authority described in division (B)(1) of this section, the department may require an individual traveling to this state from another country for which the centers for disease control and prevention has issued the highest level of travel health notice due to an outbreak of communicable or contagious disease in that country, and the notice is in effect at the time of arrival in this state from that country, to quarantine or isolate for a period of up to forty-eight hours from arrival, regardless of whether the individual has been medically diagnosed with or come into direct contact with an individual who has been medically diagnosed with that disease.

If the department requires an individual to quarantine or isolate under division (B)(2) of this section, the department shall provide the individual with transportation, lodging, food, and any necessary medical examination, testing, or treatment related to the communicable or contagious disease during that period.

(3) The authority of the department of health under this section is superior to the authority of a board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code.

~~(2)-(4)~~ The department may approve methods of immunization against the diseases specified in section 3313.671 of the Revised Code for the purpose of carrying out the provisions of that section and take such actions as are necessary to encourage vaccination against those diseases.

(C) Subject to section 101.36 of the Revised Code, the department may make special or standing orders or rules for preventing the spread of contagious or infectious diseases.

(D) In addition to the authority granted by division ~~(C)(1)-(C)~~ of this section, the department may make special or standing orders or rules for any of the following purposes:

(1) To prevent the use of fluoroscopes for nonmedical purposes that emit doses of radiation likely to be harmful to any person;

(2) To govern the receipt and conveyance of remains of deceased persons;

(3) To address such other sanitary matters as are best controlled by a general rule.

(E) Whenever possible, the department shall work in cooperation with the health commissioner of a general or city health district.

In any of the following circumstances, the department may make and enforce orders in local matters or reassign substantive authority for mandatory programs from a general or city health district to another general or city health district: when an emergency exists, when the board of health of a general or city health district has neglected or refused to act with sufficient promptness or efficiency, or when such board has not been established as provided by sections 3709.02, 3709.03, 3709.05, 3709.06, 3709.11, 3709.12, and 3709.14 of the Revised Code. In such cases, the necessary expense incurred shall be paid by the general health district or city for which the services are

rendered.

The department of health may require general or city health districts to enter into agreements for shared services under section 9.482 of the Revised Code. The department shall prepare and offer to boards of health a model contract and memorandum of understanding that are easily adaptable for use by boards of health when entering into shared services agreements. The department also may offer financial and other technical assistance to boards of health to encourage the sharing of services.

As a condition precedent to receiving funding from the department of health, the director of health may require general or city health districts to apply for accreditation by July 1, 2018, and be accredited by July 1, 2020, by an accreditation body approved by the director. The director of health, by July 1, 2016, shall conduct an evaluation of general and city health district preparation for accreditation, including an evaluation of each district's reported public health quality indicators as provided for in section 3701.98 of the Revised Code.

(F) The department may make evaluative studies of the nutritional status of Ohio residents, and of the food and nutrition-related programs operating within the state. Every agency of the state, at the request of the department, shall provide information and otherwise assist in the execution of such studies.

Sec. 3792.04. (A) As used in this section:

(1) "Public school" means any of the following: a city, local, exempted village, or joint vocational school district; community school established under Chapter 3314. of the Revised Code; STEM school established under Chapter 3326. of the Revised Code; or college-preparatory boarding school established under Chapter 3328. of the Revised Code.

(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(B) Notwithstanding any conflicting provision of the Revised Code, a public school or state institution of higher education shall not do either of the following:

(1) Require an individual to receive a vaccine for which the United States food and drug administration has not granted full approval;

(2) Discriminate against an individual who has not received a vaccine described in division (B)(1) of this section, including by requiring the individual to engage in or refrain from engaging in activities or precautions that differ from the activities or precautions of an individual who has received such a vaccine.

(C) This section does not apply to a hospital or other health care facility that is owned or operated by, or affiliated with, a state institution of higher education.

SECTION 2. That existing section 3701.13 of the Revised Code is hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20 ____.

Secretary of State.

File No. _____ Effective Date _____