



Government Affairs Committee Agenda
June 4, 2026

Welcome & Introductions

Luke Harms, Director of Government Relations,
Whirlpool Corporation, Committee Chair

Special Guest

Senate President Rob McColley
Republican Lieutenant Governor Nominee

Public Policy Rundown/Staff Reports

- Leadership
- Energy
- Environment
- Human Resources
- Safety and Workers' Compensation
- Taxation and Finance

Ryan Augsburger, OMA President
James Lee, OMA Staff
Jacob Sargent, OMA Staff
Lindsey Short, OMA Staff

Special Guest

David Pepper
Democratic Lieutenant Governor Nominee

OMA Counsel's Report

Chris Slagle, Bricker Graydon Wyatt LLP,
OMA Counsel

Discussion Agenda

- Protecting competitive energy markets
- 2026 General Election
- Legislative opportunities and threats

Our Meeting Sponsors:



2026 Government Affairs Committee Calendar

Meetings begin at 10 a.m.

Thursday, June 4 (9:30 a.m.)

Wednesday, September 30

Thursday, October 1 – Ohio Manufacturers' Annual Meeting

Thursday, November 19

OMA Government Affairs Committee - Jun 2026

Name	Company	Location
Kevin Abke	Ohio CAT	Perrysburg, OH
Ali Alavi	Arcwood Environmental, LLC	East Liverpool, OH
Mary Beth Arensberg, PhD, RD, LD,FADA	Abbott Nutrition	Columbus, OH
Ryan R. Augsburger	The Ohio Manufacturers' Association	Columbus, OH
Matt Austin	Austin Legal, LLC	
Kevin Baird	PPG	Pittsburgh, PA
Jan Bans	AT&T Ohio	Columbus, OH
Krista Bistline	Verizon	Lewis Center, OH
Kimberly W. Bojko	Carpenter Lipps LLP	Columbus, OH
John Broderick	Magna Services of America, Inc.	Troy, MI
Angie Brunswick	Fort Recovery Industries, Inc.	Fort Recovery, OH
Stephen Buehrer	Carpenter Lipps LLP	Columbus, OH
Ashley M. Canfield	ArcelorMittal Tubular Products USA	Shelby, OH
Kassie Cooper	Bowling Green State University	Bowling Green, OH
Alex Coorey	Charter Communications	Columbus, OH
Sara Corona	Crown Equipment Corporation	New Bremen, OH
Andrew P. Corsig	PhRMA	Cincinnati, OH
William Creedon, Esq.	Bricker Graydon Wyatt LLP	Columbus, OH
Lindsey Daniels	GFS Chemicals, Inc.	Powell, OH
Russell Decker	Nutrien	Lima, OH
Matthew DeWine	Foxconn	Warren, OH
Bobbi Dillon	The Procter & Gamble Company	Cincinnati, OH
Steve Dimon	AMG Vanadium LLC C/o 21 Consulting, LLC	Columbus, OH
Sarah Doran	The Kraft Heinz Company	Northfield, IL
Shaun Eller	Ohio Gratings, Inc.	Canton, OH
Patrick G. Foltyn	The Cincinnati Insurance Companies	Columbus, OH
Tayte French Lutz	French Oil Mill Machinery Company	Piqua, OH
Ted Geer	Intel Corporation	Hillsboro, OR
Jennifer Gilliland	Identity Systems Inc	Columbus, OH
Cedric Glasper	Mechanical Rubber	Strongsville, OH
Rashad M. Gray	Mechanical Rubber	Hilliard, OH
Spencer Gross	High Bridge Consulting	Columbus,
Chris Hansell	The Sherwin-Williams Company	Washington, DC
Steve Higley	Cenovus Energy	Washington, DC
Rodney Hildebrand	Covestro LLC	Washington, DC
Ron Holbrook	Sugar Creek Packing Company	Blue Ash, OH
Lawrence D. Holmes	Fort Recovery Industries Inc..	Greenville, OH
Nicole Hoyer	Miami University	Oxford, OH
Brian Huprich	Ariel Corporation	Mount Vernon, OH
Wendell Husebo	The J.M. Smucker Company	Orrville, OH
Larry Johns	McJak Candy Company	Medina, OH
Matthew F. Johnston	Worthington Enterprises	Columbus, OH
Danielle Jonda	Abbott Nutrition	Columbus, OH
Jeff Kasler	Johnson & Johnson	Dublin, OH
Katherine Kehres	The J.M. Smucker Company	Orrville, OH
Amber Kohler	OhioSE	Nelsonville, OH
Matt Koppitch	Bricker Graydon Wyatt LLP	Columbus, OH
Mark Lamoncha	Humtown Products	Columbiana, OH
Christye Leasure	Ghent, a GMi Company	Lebanon, OH
James Lee	The Ohio Manufacturers' Association	Columbus, OH
Jill Lifer	Johnson Bros.-West Salem, Inc.	West Salem, OH
Timothy Ling	Plaskolite, LLC	Columbus, OH
Jessica A. Lloyd, MBA	Brilex Tech Services	Youngstown, OH
Michael Madriaga	The J.M. Smucker Company	Washington, DC
Kenneth D. Magyar	DT Midstream	Canonsburg, PA
Philip Maxon	Terracon Consultants, Inc.	Cleveland, OH
Nathan Mays	The Ohio Manufacturers' Association	Columbus, OH

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Name	Company	Location
Deb Mazol	Seaman Corporation	Wooster, OH
Ryan McCarty	The Ohio Manufacturers' Association	Columbus, OH
Chris McDonough	PPG	Pittsburgh, PA
Regan McHale	Eagle Elastomer Inc.	Cuyahoga Falls, OH
Michael McLean	Illuminate USA	Pataskala, OH
Jane M. Neal	AMG Vanadium LLC	Cambridge, OH
Jay O'Bryant	Vistra Corp.	Columbus, OH
Jeffrey J. Oravitz	AAA Farm Properties, LLC	Cincinnati, OH
Kevin Orr	Pfizer, Inc.	Dublin, OH
Markee Osborne	High Bridge Consulting	Columbus,
Todd Penney	Crown Equipment Corporation	New Bremen, OH
Angela R. Phillips	Phillips Tube Group, Inc.	Middletown, OH
Melanie Pillion	Francis Manufacturing Company	Russia, OH
Rick Platt	Heath-Newark-Licking County Port Authority	Heath, OH
Ellie Portillo	Ferrero U.S.A, Inc.	Washington, DC
Mike Purcell	GBQ Partners LLC	Columbus, OH
Dennis Rowbotham	GRT Utilicorp, Inc.	Wooster, OH
Jim Samuel	Capitol Integrity Group	Columbus, OH
Jacob Sargent	The Ohio Manufacturers' Association	Columbus, OH
Lindsey Short	The Ohio Manufacturers' Association	Columbus, OH
Teresa Simons	The Alliance for Working Together Foundation (AWT)	Mentor, OH
Christopher N. Slagle	Bricker Graydon Wyatt LLP	Columbus, OH
Richard Smith	Leavitt Group Midwest	Westerville, OH
Jeff Spain	MEP at Columbus State Community College	Columbus, OH
Gretchen Spear	International Paper	Bloomington, MN
Steve Staub	Staub Manufacturing Solutions	Dayton, OH
Duane Steelman	Terracon Consultants, Inc.	Parma, OH
Jeri Steinbrook	Bowling Green State University	Bowling Green, OH
Joe Stevens	Roetzel & Andress	Columbus, OH
Shilpi Sunil Kumar	MARA	
Mike Suver	Shumaker, Loop & Kendrick, LLP	Toledo, OH
Jeff Swartz	Seaman Corporation	Wooster, OH
Jennifer Sweeney	The Campbell's Company	Camden, NJ
Craig Tornow	Ferriot Inc.	Akron, OH
Quoc Tra	United Dairy Farmers	Cincinnati, OH
Ben Trumpower	ArcelorMittal Tubular Products USA	Shelby, OH
Whitney Tull	STERIS Corporation	Washington, DC
Michael Wallenhorst	Fibertech of Ohio, Inc.	Washington Court House, OH
Joe Watts	Minerva Dairy	Minerva, OH
Venae Watts	Minerva Dairy	Minerva, OH
Jason Wetzel	General Motors Corporation	Indianapolis, IN
Chad Yoder	ProVia	Sugarcreek, OH
Zuzana Zvarova	Boston Beer Company	Boston, MA

Total Participants 100



Rob McColley, Senate President

Ohio Senate

(614) 466-8150

ohiosenate.gov/rob-mccolley

Biography

Senator Rob McColley was unanimously elected President of the Ohio Senate in January of 2025 and will preside over the Upper Chamber during the 136th General Assembly.

President McColley began serving in Senate after being appointed in December 2017. He represents the 1st Senate District, which includes Defiance, Hancock, Hardin, Henry, Fulton, Paulding, Putnam, Van Wert, and

Williams counties, as well as part of Logan County. He was elected by his Senate colleagues to serve as Senate Majority Floor Leader for the 135th General Assembly.

McColley graduated from Napoleon High School in 2003 and then went on to attend The Ohio State University, where he earned a Bachelor of Science in Business Administration with a major in Finance. He then attended the University of Toledo College of Law and graduated with a Juris Doctorate in 2010.

Prior to being appointed to the Senate, he represented the 81st Ohio House District as a State Representative where he also served in House leadership as Assistant Majority Whip. Before being elected State Representative, he served in the Community Improvement Corporation of Henry County, where he oversaw economic development efforts for the county and worked to improve local workforce development efforts between manufacturers and schools in Henry and Williams counties.

In addition, he is a former trustee of the Ohio Fallen Heroes Memorial in Sunbury, Ohio, which honors Ohio's men and women who have died in the war on terror. Other examples of his community involvement include formerly serving as a trustee of the Henry County Community Foundation, board member for the Henry County Board of Developmental Disabilities, a member of the OSU Alumni Club of Northwest Ohio, and a board member of the Center for Child and Family Advocacy.

Senator McColley lives in Napoleon with his wife, Denise, their daughter Anna, and their twin boys Matthew and Michael.



David Pepper

Lawyer, Writer, Politician, and Adjunct Professor

davidpepper4ohio@gmail.com

davidpepper.com

Biography

David Pepper is a lawyer, writer, political activist, former elected official, and adjunct professor, and served as the Chairman of the Ohio Democratic Party between 2015 and 2021.

In that role, he was engaged in numerous fights and extensive litigation over voter suppression and election laws in the Buckeye State. Stemming from that work, David appeared in “All In”—the documentary highlighting Stacey Abrams’ nationwide fight for voting rights.

Pepper has written four novels that bridge real-world politics and fiction—including *A Simple Choice* (released in August 2022). His first novel, *The People’s House*, earned praise for having “predicted the Russia scandal.” *The Wall Street Journal* named Pepper “one of the best political-thriller writers on the scene.”

Born and raised in Cincinnati, David is a fifth-generation Cincinnati. David earned his B.A. magna cum laude from Yale University, where he was Phi Beta Kappa, and later earned his J.D. from Yale Law School.

David finished first out of 26 candidates in his first run for political office and served on Cincinnati City Council from 2001-2005. In 2006, he flipped Hamilton County blue for the first time in 40 years when he ousted the incumbent commissioner; he then served on the Commission from 2007-2010, including as its president in 2009-2010. David was the Democratic candidate for Ohio Auditor in 2010 and Ohio Attorney General in 2014. He was elected chair of the Ohio Democratic Party in December 2014.

In 1999, David clerked for the Honorable Nathaniel Jones of the United States Court of Appeals for the Sixth Circuit. After 2000, David also worked in the Cincinnati offices of major law firms Squire Sanders and Blank Rome, focusing his practice on commercial and business litigation, and appellate litigation. David also teaches election and voting rights law as an Adjunct Professor at the University of Cincinnati College of Law.

Between his undergraduate and law school years, David spent three years doing international work in St. Petersburg, Russia. Based out of the Center for Strategic and International Studies—a Washington D.C. think tank—he served as a research intern for Zbigniew Brzezinski for part of 1993, followed by several years as the assistant director of a project providing technical assistance to the City of St. Petersburg as it underwent economic reform. In that role, David interacted with international figures such as Henry Kissinger, Paul Bremer, ambassadors, members of Congress, business leaders, and Vladimir Putin, who was then Vice Mayor of St. Petersburg.

David and his wife Alana have two sons, Jack, 8, and Charlie, 5.

Ohio Public Policy Highlights June 2026

Overview

As Ohio lawmakers prepare for their final voting sessions in June, legislative activity in Columbus is winding down for the summer. This spring, the primary legislative focus has been the capital budget process, with lawmakers working to appropriate state funds for local community projects ahead of the November general election.

Beyond routine capital budget negotiations, the spring session moved at a fast pace as committees held extensive hearings on a wide range of policy proposals. Chief among these is the push from legislators to assess regulatory guardrails on AI and study the economic impacts of data centers, a critical issue given their potential downstream effects on manufacturers. Additionally, several newly emerging proposals aim to restrict corporate HR policies and target manufacturers' intellectual property rights.

Following a highly predictable May primary, Ohio's general election matchups are officially set, positioning the state as a top political battleground this fall. The race for the U.S. Senate is already shaping up to be a toss-up between incumbent Senator Jon Husted and former Senator Sherrod Brown, while recent polling indicates a tightening, high-profile gubernatorial contest between Dr. Amy Acton and Vivek Ramaswamy. The OMA has provided a complete analysis of the field in the Post-Primary Election Briefing attached to today's meeting materials.

Current priorities for the OMA include:

- Opposing attempts by electric utilities to monopolize generation at the expense of captive customers
- Requiring more oversight on inflated utility load forecasts that have driven up customers' electricity bills
- Advancing workforce development solutions for manufacturers
- Fighting against state MAHA legislation
- Advocating for the rollback of costly and invasive environmental regulations
- Building political support and candidate education

The OMA's testimony supporting legislative reforms can be found in today's meeting materials.

Energy

Legislation has been introduced in the Ohio House that would allow electric utilities to re-enter the generation business, seeking to effectively reverse decades of progress toward a competitive electricity market in Ohio. House Bill 862 would turn back the clock on energy policy by allowing monopoly utilities to once again own and recover the costs of generation assets directly from captive ratepayers. Ohio moved away from this model in order to foster competition, encourage private investment, and protect customers from bearing the financial risks associated with utility-owned generation projects. OMA stands in strong opposition to HB 862.

Electricity costs continue to climb as unverified utility load forecasts drive up capacity prices for customers across the PJM region. Inflated forecasts are often treated as guaranteed demand in grid planning and trigger costly investments that ultimately fall on the backs of customers. Greater scrutiny is needed to shield customers from bearing the costs of inflated projections. Forthcoming legislation will require more thoughtful review of these load forecasts. While speculative forecasts are the driver of higher electricity costs, data centers have served as a scapegoat and are the subject of a newly formed bicameral committee. See energy section for more details.

Legislation is being heard this week in House Energy Committee to codify a discriminatory tariff placed on energy intensive users. Last year, the PUCO approved an AEP Ohio rate structure designed to target data centers. The OMA opposed the tariff, arguing that it sets a precedent which could impact industrial customers, including manufacturers. Additionally of concern, the tariff could increase costs to other customers. OMA Energy Group is appealing the matter at the Ohio Supreme Court.

Workforce

The Senate recently unanimously passed Senate Bill 328, OMA-supported legislation aimed at strengthening Ohio's education-to-workforce alignment through expanded career exploration, improved coaching consistency and greater transparency on workforce outcomes. The bill would require structured middle school career exploration, establish a statewide career coaching framework and create an Education and Workforce Return on Investment Initiative to better align education data with labor market demand.

Ohio's TechCred program has become one of the state's most popular workforce development tools for manufacturers and other employers seeking to upskill workers in an increasingly technology-driven economy. The program's strong demand has exceeded available funding, underscoring both the value employers place on the initiative and the growing need for workforce training across Ohio's industrial sectors. In response, the Ohio Department of Development is evaluating potential modifications to the program to ensure long-term sustainability and maintain employer access to workforce training opportunities.

Civil Justice Reform Bills Roundup

The Senate has recently acted on several pieces of legislation to improve Ohio's legal climate. Senate Bill 157 passed the chamber at the end of May, which promotes timely resolution of disputes for contract actions and helps businesses operate with greater certainty and efficiency. SB 157 would reduce Ohio's statute of limitations for written contract actions from six years to four years, while reducing the statute of limitations for non-written contracts from four years to two years.

The Senate Judiciary Committee recently held a hearing on House Bill 105 to require plaintiffs funded by a third-party litigation financier to disclose their funding information. The OMA testified in support of the bill, noting that lawsuits against manufacturers may attract third-party litigation funders. HB 105 also prohibits commercial litigation financiers who are not domiciled in the United States from operating in Ohio. Chair Manning stated it was his intent to vote this bill out of committee during the next hearing.

Senate Judiciary Committee also held a hearing on House Bill 126, an OMA-supported bill to protect against misuse of public nuisance claims. Trial lawyers have made many efforts to expand public nuisance far beyond its intended scope to profit off its misuse by applying it to the production and manufacturing of products.

While progress has been on several OMA-supported bills, Senate Judiciary Committee also held a hearing on Senate Bill 292, which would raise Ohio's noneconomic damages caps for both medical malpractice and general tort claims from \$350,000 to \$580,000 and allows annual adjustments based on the Consumer Price Index. The bill's increases will destabilize insurance costs, raise litigation risks, and create financial uncertainty for businesses and health care providers, particularly small businesses already facing rising expenses.

Human Resources

The OMA is actively monitoring and testifying on legislation affecting employers, including proposals to ban noncompete agreements and a “ban the box” bill that would expose employers to civil litigation for asking about criminal history on job applications. In health care, the OMA continues to push back against state-level expansions of the 340B drug pricing program, which has been shown to increase employer premiums and underscores the need for federal reforms led by the National Association of Manufacturers.

Property Tax Reform

In the first year of this General Assembly, legislators have passed a number of changes to Ohio’s property tax system in an effort to reduce pressure for a possible 2026 ballot initiative that would eliminate property taxes and leave schools and local governments without funding. This catastrophic reduction in funding will upend Ohio’s competitive tax structure for manufacturers and businesses. As a result, conversations have led many to consider reimplementing corporate income, franchise, and tangible personal property taxes, and eliminating Ohio’s manufacturing sales tax exemption, to make up for funding shortfalls.

On February 4, the Director of the Ohio Office of Budget and Management, Kimberly Murnieks, issued a memo to Governor DeWine titled “Consequences of Local Property Tax Abolishment.” In the memo, she highlighted the catastrophic impacts on essential local services and the challenges of replacing the substantial revenue loss should the tax be abolished.

The deadline to submit the required 415,000 signatures is July 1st in order to appear on November’s ballot. As of May 2026, the Ax the Tax campaign reported only collecting 305,000 signatures which is well below what an issue campaign needs to be successful. The campaign has the option to not file this July and try to make next year’s ballot. OMA is watching what they do carefully and has agreed to be helpful to a campaign to oppose the measure should it ever make the ballot.

R&D Tax Updates

SB 9 was passed and signed by Governor Dewin in March of this year, despite some difficulties in the House. The bill would conform Ohio’s tax code to federal tax changes enacted by President Trump’s “One Big Beautiful Bill.”

OMA presented proponent testimony for SB 9, provided by Sycamore Growth Group President Rick Kleban. OMA specifically advocated for the restoration of immediate expensing under Section 174 for research and experimental (R&E) expenditures, also known as “specified Research or Experimental (SRE) expenditures found in the ‘One Big Beautiful Bill,” highlighting its benefits at the federal level and explaining how it would operate within Ohio.

In March of this year HB 756 was introduced by Representatives Jack Daniels and David Thomas. The bill would create a new R&D tax credit that can be applied to offset a business's income taxes. The structure mimics the R&D credit that can be applied to the CAT.

OMA typically opposes any changes to the CAT, and while this bill references the CAT, it does not affect it. We are currently exploring if this creates an inequity within the business community that we should be concerned about since the bill specifically prohibits a business from applying the credit to their income taxes if they already used the R&D credit for their CAT. We see possible inequity when a small corporation no longer has to pay CAT and could soon use a beneficial credit that CAT payers can use.

Marijuana & Intoxicating Hemp Reforms

After years of infighting, republican state legislators have come to a deal to pass reforms to adult use cannabis and intoxicating hemp products, following the passage of a 2023 ballot initiative to legalize marijuana.

SB 56 aligns state law with recent federal changes by prohibiting intoxicating hemp products outside licensed dispensaries and creating a temporary, regulated market for drinkable cannabinoid products through 2026, allowing sales in grocery stores, bars, and other retailers with clear THC labeling.

The legislature passed SB 56 in late December 2025, and Governor DeWine promptly approved the measure.

Despite the OMA's opposition to cannabis legalization over workplace safety concerns, the bill protects some of the strongest drug-free workplace protections in the nation—mirroring provisions the OMA helped craft in 2016 when medical cannabis was legalized.

Marijuana activists failed to gather the necessary signatures to have a referendum appear on the ballot. SB 56 recently took effect and is the law of the land.

Prompt Pay

Prompt Pay Legislation has resurfaced this general assembly with the recent reintroduction of HB 288. The legislation sets stringent payment terms in construction contracts and effectively eliminates an owner's right to contract negotiations by requiring all projects to be paid within 30 days. Additionally, HB 288 imposes a penalizing 18% interest rate on payments not made within the state-mandated "prompt pay" period.

Last year, the OMA's advocacy efforts successfully stopped the bill in the final days of the General Assembly, despite a strong last-minute push by contractor unions to quietly advance it through the Senate. This year, the bill advanced out of committee and was rumored to be put on the House floor for a vote. Through OMA's advocacy, the bill was halted and never reached a vote. HB 288 has not moved since.

Aerospace and Defense

The Ohio Manufacturers' Association recently submitted proponent testimony in support of House Bill 292, which establishes the Ohio Defense and Space Commission and the Ohio Defense Fund to coordinate and invest in the state's aerospace ecosystem. Proponent testimony was delivered on behalf of the OMA by Eric Jenkusky, CEO of TJ Clark International, who highlighted that the bill's expansion program transitions Ohio from a standard participant in the defense supply chain into a proactive, globally competitive leader in advanced military manufacturing. Looking ahead, the OMA will launch an internal, members-only Ohio Defense Policy Committee this August to bring members together, foster collaboration, and shape state-level advocacy efforts to support Ohio's defense industry.

Economic Development and Jobs Ohio

The OMA recently highlighted the vital importance of Ohio's innovative economic development model, emphasizing that JobsOhio remains a critical tool for the state's national competitiveness. OMA President Ryan Augsburg noted that while transparency and accountability are necessary following recent political scrutiny, weakening the private-nonprofit model would severely damage Ohio's ability to win fast-moving, multi-billion-dollar manufacturing projects. This unique structure allows the state to move at the speed of business, which—combined with major tax reforms and other policies championed by the OMA—sets the stage for sustained statewide economic growth. The full op-ed can be found in today's materials.

Right to Repair Returns Legislation Returns to Statehouse

Once again, efforts to enact right to repair legislation have resurfaced in the legislature, with companion bills (HB 301 & SB 176) being recently introduced to require manufacturers of certain digital electronic equipment to provide documentation, tools, and parts to independent repair providers and owners as necessary for diagnosis, maintenance, and repair of that equipment. The OMA will continue to push back on these proposals for their assault on Ohio's OEMs' intellectual property rights and detrimental exposure of trade secrets.

The OMA has opposed the legislation in multiple committee hearings, with OMA Counsel, Matt Koppitch, providing recent testimony before the House Technology and Innovation Committee. That testimony can be found in today's leadership materials.

Manufacturing Extension Partnership Funding Freeze

In December, the U.S. Department of Commerce announced an abrupt and immediate suspension of Manufacturing Extension Partnership (MEP) funding, marking the latest in a series of bureaucratic attempts to dismantle these critical centers. These programs provide essential modernization and engineering services that small and mid-sized manufacturers rely on to remain competitive. Unfortunately, the state immediately followed suit—a decision that led to the permanent closure of programs across Ohio, with the exception of MAGNET.

The OMA has led a coalition of industry partners to push back against the administration's decision to mirror the federal suspension, arguing that withholding these funds created the worst possible outcome for Ohio's industrial base. The OMA is currently working with state lawmakers to secure a long-term, stable funding solution that insulates these vital services from an increasingly adversarial federal bureaucracy. On the federal level, U.S. Senators Jon Husted and Bernie Moreno deserve significant credit for their aggressive efforts to challenge the Department of Commerce and release the held funds following the issuance of the final report. OMA's advocacy efforts are reflected in today's materials.

Environment

On the federal level, the U.S. EPA continues to aggressively roll back major legacy regulations to reduce the compliance burden on industry. Key to this effort is the rescinding of the Endangerment Finding, which previously empowered the agency to regulate greenhouse gases, alongside the targeted removal of unattainable PM 2.5 NAAQS standards and the Good Neighbor Rule as outlined in Administrator Lee Zeldin's reform agenda. These shifts signal a move toward more pragmatic, growth-oriented federal oversight.

At the state level, the OMA is securing significant victories to insulate Ohio manufacturers from litigation and permitting gridlock:

- **PFAS Consumer Product Bans:** Ohio House Bill 272, known as the "Pure Life Act," would phase out PFAS in consumer products beginning in 2027 and fully ban them by 2032 unless they are deemed "currently unavoidable." The bill was also recently amended to add several provisions, including bans on FDA-approved food dyes and additives such as Red 40, Yellow 5, and titanium dioxide, and to make fluoridation of public water systems optional rather than mandatory. OMA legal counsel warns that, because the bill mirrors regulations in the EU and California, it could put Ohio businesses at a competitive disadvantage compared with businesses in states with less stringent standards. OMA is actively lobbying the committee to remain in opposition to the legislation.

At the Federal Level, OMA is partnering with state regulators to push for key legal and permitting protections for manufacturers that include:

- Litigation Protection: The OMA's efforts to remove a "nuisance rule" that exposed manufacturers to citizen suits—where plaintiffs could recover attorney's fees—are slated for U.S. EPA approval by year-end. This removal effectively mitigates future litigation risk for the industry.
- Air Attainment Headroom: The OMA is actively exploring the use of "exceptional events" designations to move Northeast and Southwest Ohio into attainment for PM 2.5 and Ozone standards. By accounting for non-industrial factors, this strategy protects future economic growth in these regions by creating the necessary permitting headroom for new projects and expansions.

MAHA Madness

Following federal Make America Healthy Again (MAHA) initiatives led by HHS Secretary Robert F. Kennedy, Jr., Ohio lawmakers have introduced a series of bills aimed at improving public health by targeting food products and packaging, and by restricting purchases with SNAP dollars. For example, HB 10 mandates labeling, restricts SNAP purchases of cultivated-protein products, and proposes a ban on certain food dyes, oils, and PFAS chemicals.

In March, the Food and Nutrition Service (FNS) approved a request from the Ohio Department of Job and Family Services to exclude sugar- sweetened beverages from purchase using SNAP benefits.

2026 Campaigns and Elections

As Ohioans concluded Primary Election voting recently, turnout was estimated at 22.56% of Ohio's 7.9 million registered voters. Over the past decade, Republicans have secured consistent statewide victories, leading many analysts to view Ohio as a reliably red state rather than a traditional bellwether. This year, Democrats believe President Trump's approval ratings, combined with their candidates for Governor and Senate, could shift the political landscape, while Republicans have dismissed those expectations as unrealistic.

As expected, the likely Republican and Democratic gubernatorial tickets emerged victorious. Amy Acton and her running mate, David Pepper, faced no primary opposition, while Vivek Ramaswamy and his running mate, Rob McColley, won their primary with 82.47% of the vote.

Despite the GOP primary, both candidates have been focused on the general election for months, with polling consistently showing a tight race. The most recent BGSU poll shows Ramaswamy leading 48% to 47%.

Ramaswamy continues to dominate fundraising. Acton raised more than \$10 million, including \$5.6 million in Q1 2026 (a Democratic record in Ohio), while Ramaswamy reported \$5 million raised, \$29.5 million from his Super PAC, and an additional \$25 million personal loan, bringing his total cash on hand to roughly \$80 million.

Ohio's U.S. Senate race has long been set, with former Senator Sherrod Brown challenging incumbent Jon Husted. Like the gubernatorial contest, the race remains close. Recent polling shows Husted at 50% and Brown at 47%, while the Cook Political Report has shifted the race from Likely Republican to Toss-Up.

Fundraising has favored Brown, who reported raising \$10.1 million in Q1 2026 and having \$16.5 million in cash on hand. Husted reported raising \$3 million and having \$9 million on hand. In April, the National Republican Senatorial Committee announced a \$342 million national investment, including \$79 million in Ohio (the largest allocation for any race this cycle).

As of early May, the National Democrat Senate fund announced an initial investment of \$40 million into Ohio, specifically for tv ads to support Sherrod Brown.

The Ohio Supreme Court has two elections this year. In the first election, incumbent Justice Dan Hawkins is running for reelection. In the other election, a crowded GOP primary ensued to challenge the last Democrat on the court, Jeniffer Brunner. In a bitter four-way race that very cleanly split the vote, Colleen O'Donnell was able to squeak out victory with 32.15% of the vote

While focus is on Ohio's Gubernatorial and Senate elections, all statewide elected seats are open this year because all incumbents are term-limited and prohibited from running again.

A full list of matchups for statewide races can be found below:

Attorney General:	Republican Keith Faber vs. Democrat John Kulwicz
State Auditor:	Republican Frank LaRose vs. Democrat Annette Blackwell
Secretary of State:	Republican Robert Sprague vs. Democrat Allison Russo
State Treasurer:	Republican Jay Edwards vs. Democrat Seth Walsh

In Ohio's 9th Congressional district Derek Merrin once again emerged victorious on the Republican side to challenge Marcy Kaptur. This is shaping up to be one of the most competitive congressional races in the country and could have major implications for the future leadership of the US House.

Senate President Pro-Tempore Bill Reineke has emerged as the co-chair of the coveted Republican Senate Campaign Committee, along with Senate President Rob McColley. This is believed to have happened because President McColley will be focused on his bid for Lt. Governor. This is a clear sign that Senator Reineke will be the next Senate President in 2027.

Constitutional Amendment to Ban Data Centers

A group of rural Ohio activists are seeking to amend the Ohio Constitution to ban data centers larger than 25 megawatts. At the end of May, it was reported that the group had only obtained 27,000 signatures so far, significantly short of the required 413,000 needed by July to place the amendment before voters this November.

This amendment has surfaced as data centers have been a frequent topic of discussion and are the subject of a recent joint legislative committee. The OMA continues to circulate research demonstrating that higher electricity prices result from inflated utility load forecasting, not from data centers.

Redistricting

The Ohio Redistricting Commission unanimously approved a new congressional map, shifting the state from 10–5 to 12–3 in favor of Republicans. The compromise preserves Democratic Reps. Shontel Brown's 11th district, Joyce Beatty's 3rd district, and Emilia Sykes' 13th district, while making Marcy Kaptur's 9th district and Greg Landsman's 1st district more competitive. The map keeps key communities intact but moves GOP-leaning areas into safer Republican districts. Despite bipartisan approval, public opposition was strong, but there have been no legal challenges to the approved maps.

Leadership News

[Click here for Leadership Community articles from previous Leadership Briefings.](#)

Miscellaneous Legislation of Interest to Manufacturers
Prepared by: The Ohio Manufacturers' Association
Report created on May 30, 2026

- HB2** **ESTABLISH CHILD CARE CRED PROGRAM** (JOHNSON M) To establish the Child Care Cred Program and to make an appropriation.
Current Status: 5/27/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-2>
- HB41** **ESTABLISH CHILD CARE GRANT PROGRAMS** (WHITE A, ROEMER B) To establish certain child care grant programs, including those related to child care capacity and learning labs, and to make an appropriation.
Current Status: 6/3/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-41>
- HB96** **OPERATING BUDGET** (STEWART B) To make operating appropriations for the biennium beginning July 1, 2025, and ending June 30, 2027, to levy taxes, and to provide authorization and conditions for the operation of state programs.
Current Status: 10/1/2025 - Consideration of Governor's Veto; Senate Overrides Veto on Item 66, Vote 21-11
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-96>
- HB98** **ESTABLISH COMMUNITY CONNECTORS WORKFORCE PROGRAM** (SANTUCCI N, WILLIAMS J) To establish the Community Connectors Workforce Program and to make an appropriation.
Current Status: 6/3/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-98>
- HB126** **PROHIBIT PUBLIC NUISANCE ACTIONS-PRODUCT LIABILITY** (MATHEWS A, CRAIG M) To prohibit public nuisance actions concerning product liability.
Current Status: 6/3/2026 - Senate Judiciary, (Fifth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-126>
- HB159** **CREATE MANUFACTURING TECHNOLOGY ASSISTANCE GRANTS** (SANTUCCI N, DEMETRIOU S) To create the manufacturing technologies assistance grant program and to make an appropriation.
Current Status: 11/18/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-159>
- HB167** **AUTHORIZE EMPLOYER-PROVIDED CHILD CARE TAX CREDITS** (WHITE A) To authorize nonrefundable tax credits for certain employer-provided child care expenditures.
Current Status: 5/21/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-167>

- HB231** **EMPLOYER TAX CREDIT-PAID PARENTAL LEAVE** (WILLIAMS J, MILLER M) To create an income tax credit for employers that provide paid parental leave and to name this act the Paid Parental Leave Act.
Current Status: 10/29/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-231>
- HB447** **INCREASE CIVIL ACTION DOLLAR CAPS** (STEWART B) To increase the dollar caps on noneconomic damages and punitive or exemplary damages in civil actions and to provide a procedure for the Department of Taxation to make annual adjustments of those caps based on the consumer price index.
Current Status: 11/5/2025 - House Judiciary, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-447>
- HR443** **HONORING MARK LAMONCHA** (ROBB BLASDEL M) Honoring Mark Lamoncha as the 2026 National Small Business Person of the Year.
Current Status: 5/20/2026 - Introduced
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HR-443>
- SB10** **REVISE NON-RECOURSE LITIGATION FUNDING AGREEMENTS** (WILSON S, LANG G) To revise and supplement state regulations concerning non-recourse litigation funding agreements.
Current Status: 6/18/2025 - Senate Judiciary, (Fifth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-10>
- SB32** **ESTABLISH CHILD CARE CRED PROGRAM** (REYNOLDS M, SCHAFFER T) To establish the Child Care Cred Program and to make an appropriation.
Current Status: 2/18/2025 - Senate Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-32>
- SB38** **DETERMINE LIABILITY-INJURY FROM FOOD** (DEMORA B) To provide for a reasonable expectation test in determining liability for injury caused by consumption of food containing a substance injurious to health and for the jury to make that determination.
Current Status: 2/12/2025 - Senate Judiciary, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-38>
- SB77** **ESTABLISH SYSTEM-REPORT WAGE DISCRIMINATION** (HICKS-HUDSON P, SMITH K) To require the Ohio Civil Rights Commission to establish a system for individuals to anonymously report wage discrimination.
Current Status: 2/26/2025 - Senate Judiciary, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-77>

- SB146** **CODIFY COMMON LAW-PIERCING CORPORATE VEIL** (GAVARONE T, TIMKEN J) To codify the elements of the common law cause of action for "piercing the corporate veil."
Current Status: 11/5/2025 - Referred to Committee House Judiciary
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-146>
- SB157** **REDUCE STATUTE OF LIMITATIONS-WRITTEN, ORAL CONTRACT** (LANG G) To reduce the statute of limitations for bringing an action upon a written or oral contract.
Current Status: 5/27/2026 - Referred to Committee House Judiciary
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-157>
- SB292** **INCREASE DAMAGES CAPS-CIVIL ACTIONS** (BLESSING III L) To increase the dollar caps on noneconomic damages and punitive or exemplary damages in civil actions and to provide a procedure for the Department of Taxation to make annual adjustments of those caps based on the consumer price index.
Current Status: 5/20/2026 - Senate Judiciary, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-292>



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THE OHIO MANUFACTURERS' ASSOCIATION PAC

FOR A PRIVATE ROUNDTABLE WITH

VIVEK RAMASWAMY

CANDIDATE FOR GOVERNOR

MONDAY, JUNE 15, 2026

5:00–6:00 P.M.

The Boat House at Confluence Park

679 West Spring Street | Columbus, Ohio

Optional member dinner immediately following the Roundtable

EVENT CHAIR: \$16,615 PER PERSON | **CO-CHAIR:** \$10,000 PER PERSON

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Contributions may be made [online](#) or by check payable to:
"Vivek Ramaswamy for Ohio" or "Vivek for Ohio"

Please send online contribution receipts to OMA staff listed below or bring checks to the event.

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Ohio Manufacturers' ANNUAL FORUM 2026

Sponsor Packages

WHAT:

The premier event for leaders in Ohio's manufacturing industry.

WHEN:

Thursday, October 1, 2026

WHERE:

The Grand Event Center
820 Goodale Blvd.
Columbus, Ohio 43212

WHO:

CEOs, CFOs, COOs, CIOs, presidents, owners, managers, business strategists, government and public affairs professionals, and more.

HIGHLIGHTS:

The kickoff event of manufacturing month. This forum brings together manufacturing leaders from across the state for an afternoon of leadership insights, policy analysis, and recognition of outstanding manufacturers shaping the future of Ohio's top industry. This in-person event will also provide networking opportunities for industry leaders and professionals.

GOLD

\$15,000

- Recognition as Welcome Reception Sponsor
- Featured sponsor for Keynote Presentation
- Recognition as Lunch Sponsor
- Green room access to meet guest speaker*
- Inclusion of your promotional material in OMA swag bags for all attendees
- Recognition as Gold Sponsor during opening and closing remarks
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- Eight complimentary registrations

SILVER

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- Recognition as Silver Sponsor during opening and closing remarks
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\$5,000

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- Two complimentary registrations

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Post-Election Report Wednesday, May 6, 2026

Overview and Turnout

As Ohioans concluded Primary Election voting yesterday, turnout was estimated at 22.56% of Ohio's 7.9 million registered voters.

Over the past decade, Republicans have secured consistent statewide victories, leading many analysts to view Ohio as a reliably red state rather than a traditional bellwether.

This year, Democrats believe President Trump's approval ratings, combined with their candidates for Governor and Senate, could shift the political landscape, while Republicans have dismissed those expectations as unrealistic.

While most primaries were uneventful, several races at all levels of government proved competitive, setting the stage for a closely watched General Election.

Unofficial Returns from the Secretary of State's Office

Visit the [Ohio Secretary of State website](#) for the unofficial vote tallies. Certified results are due by May 28.

Gubernatorial Front Runners Declare Victory

As expected, the likely Republican and Democratic gubernatorial tickets emerged victorious. Amy Acton and her running mate, David Pepper, faced no primary opposition, while Vivek Ramaswamy and his running mate, Rob McColley, won their primary with 82.47% of the vote.

Despite the GOP primary, both candidates have been focused on the general election for months, with polling consistently showing a tight race. The most recent BGSU poll shows Ramaswamy leading 48% to 47%.

Ramaswamy continues to dominate fundraising. Acton raised more than \$10 million, including \$5.6 million in Q1 2026 (a Democratic record in Ohio), while Ramaswamy reported \$5 million raised, \$29.5 million from his Super PAC, and an additional \$25 million personal loan, bringing his total cash on hand to roughly \$80 million.

With this advantage, the Ramaswamy campaign has already launched a \$10 million TV ad buy. Acton has yet to make comparable expenditures.

Ohio's Senate Campaign Remains Most Competitive in the Nation

Ohio's U.S. Senate race has long been set, with former Senator Sherrod Brown challenging incumbent Jon Husted.

Like the gubernatorial contest, the race remains close. Recent polling shows Husted at 50% and Brown at 47%, while the Cook Political Report has shifted the race from Likely Republican to Toss-Up.

Fundraising has favored Brown, who reported raising \$10.1 million in Q1 2026 and having \$16.5 million in cash on hand. Husted reported raising \$3 million and having \$9 million on hand.

In April, the National Republican Senatorial Committee announced a \$342 million national investment, including \$79 million in Ohio (the largest allocation for any race this cycle). As of this week the National Democrat Senate fund announced an initial investment of \$40 million into Ohio, specifically for tv ads to support Sherrod Brown.

The Ohio Supreme Court Election Faces the Last Remaining Democrat

The Ohio Supreme Court has two elections this year. In the first election, incumbent Justice Dan Hawkins is running for reelection. In the other election, a crowded GOP primary ensued to challenge the last Democrat on the court, Jeniffer Brunner. In a bitter four-way race that very cleanly split the vote, **Colleen O'Donnell was able to squeak out victory with 32.15% of the vote.**

- **Ohio Supreme Court (1):** Republican Dan Hawkins vs. Democrat Marilyn Zayas
- **Ohio Supreme Court (2):** Republican Colleen O'Donnell vs. Democrat Jeniffer Brunner

Statewide Matchups are Set

While focus is on Ohio's Gubernatorial and Senate elections, all statewide elected seats are open this year because all incumbents are term-limited and prohibited from running again.

Republicans currently hold all statewide elected offices. As a result, many of those current officeholders are running for each other's positions. Democrats have largely rallied around a single candidate early to run for each seat. Because of these dynamics, most matchups have been set for some time, and most candidates have enjoyed avoiding a primary. A few, however, were not as lucky and instead faced stiff competition from within their own party.

- The Democratic Attorney General primary is between former State Representative Elliott Forhan and John Kulwicz. Forhan, a self-described progressive and critic of party leadership, went so far as to sue the former House Minority Leader for unfounded grievances from their time as colleagues in the House. Forhan faced an uphill battle after **the Ohio Democratic Party endorsed Kulwicz, who ultimately won with 63.16% of the vote.**
- The Republican Primary for Secretary of State was between current State Treasurer, Robert Sprague, and elections activist Marcell Strbich. Despite some large conservative county endorsements for Stirbich, **Sprague won handily with 70.21% of the vote.**
- The Democratic Secretary of State primary is between Allison Russo and Dr. Bryan Hambley. Party divisions, due to an impressive grassroots campaign by Dr. Hambley, prevented an endorsement, **but Russo ultimately prevailed with 67.41% of the vote.**
- The State Treasurer's race became extremely contentious after major political figures made opposing endorsements. The race was between current State Senator Kristinia Roegner and former State Representative Jay Edwards. Vivek Ramaswamey endorsed Kristina Roegner, while Senator Bernie Moreno and Vice President JD Vance endorsed Jay Edwards. **In the end Jay Edwards was able to pull out a victory with 53.05% of the vote.**

A full list of matchups for statewide races can be found below:

- Attorney General: Republican Keith Faber vs. Democrat John Kulwicz

- State Auditor: Republican Frank LaRose vs. Democrat Annette Blackwell
- Secretary of State: Republican Robert Sprague vs. Democrat Allison Russo
- State Treasurer: Republican Jay Edwards vs. Democrat Seth Walsh

Ohio's Congressional Seats

Ohio has 15 congressional districts that were redrawn by the state legislature in 2025. You can view the new maps on the [Ohio Secretary of State's website](#). In the last two elections, Ohio has had three congressional districts that were both contentious and garnered national interest. In 2026, only one of those districts is considered competitive. A full list of contests can be found [here](#).

- 1st Congressional District (Greater Cincinnati Area). For the last several elections, OH-01 has been a competitive seat, changing hands from Republican to Democrat in 2022. After redistricting, this is considered a safer Democratic seat, with the index moving from D+2 to D+3. Incumbent Congressman Greg Landsman is expected to retain this seat. He is facing a Republican Challenger, Eric Conroy, who was endorsed in the Primary by President Donald Trump.
- 9th Congressional District (NW Ohio and Greater Toledo). The longest serving woman in Congress, Marcy Kaptur, currently holds this seat. OH-09 has been redrawn three times in the last five years. Congresswoman Kaptur has continued to narrowly win each election despite the district becoming more conservative. In 2026, the district moved from an R+3 to an R+5, and she will face Republican challenger Derek Merrin for the second time. Derek handily won his five way primary with an impressive 44.10% of the vote.
- 13th Congressional District (Greater Akron Area). OH-13 has been labeled the most competitive House District in the nation for the last two elections. After redistricting, this district has become a comfortable seat for Democrats, with a D+2 index. In 2024, incumbent Congresswoman Emilia Sykes faced off against Republican challenger Kevin Coughlin, and she narrowly defeated him. In 2025, Coughlin announced he was running again but ended his bid after seeing the new district, declaring it unwinnable for Republicans. Congresswoman Sykes now faces Republican challenger Carey Coleman.

- 15th Congressional District (Central Ohio). Incumbent Congressman Mike Carey originally faced a primary from self-described progressive Samuel Ronan. Ronan has previously run as a Democrat in both state and national races. A Republican voter filed a protest with the Franklin County Board of Elections, presenting social media posts and interviews as evidence of Ronan's scheme to "trick" GOP voters. Ronan admitted openly that his candidacy was part of a calculated strategy to run Democrats as Republicans in "deep red districts" to "get a foot in the door." The Secretary of State's Office removed Ronan from the ballot (a decision later upheld by a federal court), leaving Congressman Carrey without a primary.

Ohio Senate

Sixteen of Ohio's 33 Senate districts were on the ballot. Senate terms are four years, staggered so that approximately half the membership is elected every two years. Republicans presently control the Senate with a 24-9 supermajority. By all accounts, it appears that Senator Bill Reineke has successfully secured the Senate President's Gavel after the current President, Rob McColley, leaves office at the end of this year. The current Senate Minority Leader is also leaving this year, and Senate Democrats have elected Senator Beth Liston to take the mantle. Two major Senate primaries took place, both on the Republican side.

- 1st Senate District (NW Ohio). Senate President Rob McColley is term-limited and vacating his Senate seat. This is a heavily conservative district, and the Republican Primary created a contest between current State Representative Jim Hoops and former State Representative Craig Reidel. Massive issue-driven organizations contributed to this race, supporting Reidel after Senator Bill Reineke endorsed him. **Craig Reidel barely won this election with 50.98% of the vote.**
- 19th Senate District (Delaware and Knox County). Senator Andrew Brenner was also term-limited and instead ran for the Ohio House. Current State Representative Beth Lear faced off against local business owner Ryan Rivers. While Representative Lear appeared to have early momentum, similar issue-driven organizations inserted themselves into this race, supporting Ryan Rivers, again after Senator Reineke endorsed him. Despite her near incumbent status, **Ryan Rivers was able to block additional major GOP endorsements from going her way and ultimately won with 51.84% of the vote.**

Ohio House

All 99 Ohio House of Representatives seats were up for election. House terms are two years. Republicans presently control the House 64-35. Typical Primary elections involve jockeying for the Speaker's gavel as factions work to have their candidates be the nominee. This year, however, there is harmony within both the Republican and Democratic parties, as well as a consensus on who their leaders are. Speaker Matt Huffman is projected to remain the Speaker of the House, and Representative Dani Isaacsohn will most likely remain House Minority Leader. Despite this, there are still a few races that were attention-grabbing.

- 31st House District (Summit County): Representative Bill Roemer is term-limited in 2026, leaving his seat open to two challengers who are not your typical candidate. 24-year-old Mike Kahoe entered the race first and has received endorsements from both Speaker Huffman and the Ohio GOP. In addition to political support, issue-driven organizations have also poured thousands of dollars into helping him win his primary. He is facing Stephanie Stock, the president of the Ohio for Medical Freedom Coalition. **Mike Kahoe secured victory with 65.29% of the vote.**
- 40th House District (Preble and Butler County): Incumbent Representative Rodney Creech originally attempted to run for an open Senate District 5. This was anticipated to be a contentious primary between Rep. Creech and current Assistant Speaker Pro Tempore Phil Plummer. As a result of the presumed open House seat, former State Representative J. Todd Smith filed to run. After a lot of controversy over some allegations of inappropriate conduct against Rep. Creech, and with the majority of political support going to Plummer, Rep. Creech decided at the last minute to file for reelection in House District 40 rather than run for the Senate. **Representative Rodney Creech handily won with 58.32% of the vote.**
- 61st House District (Delaware and Knox County): Incumbent Beth Lear decided to run for the Ohio Senate, leaving her House seat open. The primary consists of current State Senator Andrew Brenner and former State Representative Shawn Stevens. Senator Brenner has received massive support from Speaker Huffman, but Shawn Stevens has blocked Senator Brenner from receiving both an Ohio Republican Party endorsement and a Delaware County GOP endorsement. **Senator Brenner was ultimately defeated by Shawn Stevens who won with 57.10% of the vote.**

- 93rd House District (Gallia, Jackson, and Lawrence County): This seat is currently held by former Speaker of the House Jason Stephens. Stephens became Speaker in 2023 by largely partnering with Democrats and a minority of Republicans. As a result Matt Huffman was able to easily take the gavel from Speaker Stephens. In continued retaliation, the Ohio Republican Party and coordinated to prop up a primary challenger in District 93, Larry Kidd. Despite Kidd's independent wealth, **Stephens' deep political ties within the 93rd District were enough to secure his victory with 62.62% of the vote.**
- 96th House District (Belmont, Jefferson, and Monroe County): Incumbent Representative Ron Ferguson was defending his seat from former State Senator Frank Hoagland this election. Hoagland was supported by both Speaker Huffman and large issue driven organizations that spent a sizable amount of money to help him win. Despite this, **Rep. Ferguson was able to retain his seat, earning 62.71% of the vote.**

Potential 2026 Ballot Issues

Over the last year, two major ballot issues have been widely discussed and debated.

The Ohio Legislature has tried to appease critics of Ohio's property tax system by passing several reforms without outright abolition. An issue campaign to oppose this measure was also formed, which OMA has joined. In late April, the "Ax the Tax" campaign announced that it had collected 305,000 of the 413,488 signatures it needed to appear on the November ballot to eliminate property taxes. The deadline to submit signatures to make this year's ballot is July 2026 and based on their numbers (and the high rate of signature disqualification), they are facing a massive undertaking to make it in time. The question now is whether the campaign rushes to meet the minimum and file what they have in July or takes their time to make up what they need and try to file it to appear in the next election.

The other widely talked about issue campaign is a new one led by southeast Ohio citizens to ban new data center projects in Ohio. This campaign announced its intentions in April and must collect 413,488 signatures by July 1 to make the ballot. Despite this, the campaign believes it can achieve this and is actively trying to appear in this upcoming election. Rumors of significant outside fundraising have surfaced, and OMA is watching it closely. The campaign recently had its language approved by the Ohio Attorney General's Office and is authorized to begin collecting signatures.

Bottomline

Midterm elections typically present challenges for the party in power. As President Trump's approval ratings decline, Ohio Democrats aim to capitalize, while Republicans have intensified efforts to reinforce the state's shift toward a conservative stronghold.

Both parties believe the results of this year's Primary Election have put the best and brightest of their respective sides on the ballot.

The upcoming General Election in Ohio is expected to be closely watched, massively expensive, and offer interesting insight into the state of mind of the average American voter.

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**BEFORE THE SENATE JUDICIARY COMMITTEE
SENATOR NATHAN MANNING, CHAIRMAN**

**PROPONENT TESTIMONY
OF
ANNE MARIE SFERRA
OMA LEGAL COUNSEL**

HOUSE BILL 105

May 20, 2026

Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and distinguished members of the Senate Judiciary Committee, my name is Anne Marie Sferra, and I am privileged to serve as counsel to the Ohio Manufacturers' Association. Thank you for the opportunity to provide testimony today in support of House Bill 105.

The Ohio Manufacturers' Association (OMA) was created in 1910 with the mission to protect and grow Ohio manufacturing. Today, it has nearly 1,300 members representing the largest economic sector in the state, which contributed more than \$137 billion to Ohio's economy in 2024. According to the most recent data, nearly 700,000 Ohioans work in manufacturing, and manufacturing has the largest payroll of any Ohio economic sector.

At the outset, the OMA recognizes that Sub. H.B. 105 addresses two types of third-party litigation funding: *consumer* litigation funding and *commercial* litigation funding. My comments today are focused on third-party *commercial* litigation funding because the lawsuits against the OMA's members are likely to attract third-party commercial litigation funders.

OMA members have historically supported legislation that provides a fair and balanced civil justice system and Sub. H.B. 105 is aimed in that direction. For decades, defendants in Ohio's state and federal courts have been required to disclose to plaintiffs whether insurance is available to cover all or part of a settlement or judgment. On the other hand, plaintiffs have been able to proceed in secrecy, without ever having to disclose if anyone else has a financial interest in their litigation. Sub. H.B. 105 alters this dynamic.

First, under this bill, all commercial litigation financiers must register with the attorney general prior to commencing any business activity in this state. Later in the litigation process, when the claim has been resolved, the attorneys representing plaintiffs who have entered into commercial litigation financing agreements are required to disclose the existence and contents of the agreement to the attorney general. Then, the Attorney General is required to "promptly publish the contents of the commercial litigation financing agreements included in the disclosure to the attorney general's publicly accessible website."

Second, the bill expressly provides that if a commercial litigation financing agreement prohibits or limits discovery of the agreement—or the parties to the agreement—it is void and unenforceable.

Another reason OMA supports this bill is that it includes provisions to protect against national security risks. The extent of foreign third-party litigation financing investment in the United States is largely unknown because the third-party litigation financing industry has been shrouded in a cloak of secrecy to date. However, we know it exists based on reports of Chinese and Russian ties to third-party litigation financing in the United States. If foreign adversaries are permitted to fund litigation in the United States, they may be able to gain access to intellectual property and other proprietary and sensitive information involved in those lawsuits, thereby undermining the interests of the United States and American businesses. Sub. H.B. 105 seeks to protect against those risks by prohibiting commercial litigation financiers who are not domiciled in the United States from operating in Ohio. This is particularly important to Ohio's manufacturers who are competing in a global economy.

The OMA appreciates the opportunity to provide proponent testimony on Sub. H.B. 105, and urges its passage. I am happy to answer any questions you have.



**BEFORE THE SENATE JUDICIARY COMMITTEE
SENATOR NATHAN MANNING, CHAIRMAN**

**PROPONENT TESTIMONY
OF
ANNE MARIE SFERRA
OMA LEGAL COUNSEL**

May 13, 2026

Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and distinguished members of the Senate Judiciary Committee, my name is Anne Marie Sferra, and I am privileged to serve as counsel to the Ohio Manufacturers' Association. Thank you for the opportunity to provide testimony today in support of House Bill 126.

The Ohio Manufacturers' Association (OMA) was created in 1910 with the mission to protect and grow Ohio manufacturing. Today, it has nearly 1,300 members representing the largest economic sector in the state, which contributed more than \$137 billion to Ohio's economy in 2024. According to the most recent data, nearly 700,000 Ohioans work in manufacturing, and manufacturing has the largest payroll of any Ohio economic sector.

For manufacturers to invest and grow in Ohio – and compete globally – Ohio's civil justice system must be rational, fair, and predictable. House Bill 126 helps maintain Ohio's stable legal climate and promotes a common-sense civil justice system. In particular, this bill protects against misuse of public nuisance claims and expressly codifies the Supreme Court of Ohio's recent decision in *In Re National Prescription Opiate Litigation* (decided in December 2024).

Public nuisance claims have their origin in cases involving land use and public spaces. But, in recent decades, plaintiffs have attempted to expand public nuisance claims far beyond their original scope by applying them to products and manufacturers. For instance, in the early 2000s, the Supreme Court of Ohio permitted a public nuisance claim to proceed based on the manufacture and sale of firearms.

For many years, the OMA has been advocating on behalf of laws that rein in the misuse of product liability and public nuisance claims. For instance, the OMA strongly supported an amendment to Ohio's Product Liability Act ("OPLA"), which became effective in 2005, clarifying that OPLA abrogates all common law product liability causes of action. Shortly thereafter, the OMA supported another amendment to OPLA, amending the definition of "product liability claim" to make clear that this term "includes any public nuisance claim." This amendment became effective in 2007.

The culmination of these amendments adopted by the General Assembly is seen in the Supreme Court of Ohio's decision in *In Re National Prescription Opioid Litigation*. Both the 2005 and 2007 amendments to the OPLA were addressed in this decision, which held that all common law public nuisance claims arising from the sale of a product are abrogated by the OPLA. In other words, in Ohio, you cannot bring a common law public nuisance claim arising from a product. Such claim must be brought under Ohio's product liability statutory scheme.

The *In Re National Prescription Opioid Litigation* case was brought by municipalities. House Bill 126 codifies this decision. The OMA supports House Bill 126's amendments to the OPLA and R.C. 715.44, which governs a municipality's power to abate nuisances. The OMA respectfully requests your favorable consideration of House Bill 126.

Thank you for the opportunity to testify on behalf of the OMA. I would be happy to take questions from the committee.



**BEFORE THE TECHNOLOGY AND INNOVATION COMMITTEE
THE OHIO HOUSE OF REPRESENTATIVES
REPRESENTATIVE THADDEUS J. CLAGGETT, CHAIR**

**HOUSE BILL 301
TESTIMONY OF MATT KOPPITCH
THE OHIO MANUFACTURERS' ASSOCIATION**

OCTOBER 21, 2025

Chair Claggett, Ranking Member Mohamed, and members of the House Technology and Innovation Committee, thank you for the opportunity to provide testimony on House Bill 301, the Digital Fair Repair Act.

My name is Matt Koppitch from the law firm Bricker Graydon, representing The Ohio Manufacturers' Association (OMA). Created in 1910 to advocate for Ohio's manufacturers, the OMA today has approximately 1,300 members statewide. Its mission is to protect and grow Ohio manufacturing.

As you may know, manufacturing is the largest of the state's 20 major industry sectors. As of Q3 2022, manufacturing contributed more than \$130 billion annually to Ohio's economy, accounting for nearly one-fifth of Ohio's private industry GDP.

In 2023, OMA opposed SB 73, the predecessor to this measure, due to its scope, exposure of proprietary technology, and litigation risks. Those concerns remain with HB 301.

We appreciate refinements in HB 301, such as clarified exemptions and a liability shield, but the bill still overreaches, potentially undermines security and safety practices, and invites litigation without clear evidence these mandates are necessary in a marketplace where manufacturers already provide warranty service and repair options.

HB 301 requires original equipment manufacturers (OEMs) to provide documentation, tools, and parts to equipment owners and independent repair providers on "fair and reasonable" terms. It prohibits "parts pairing" and similar practices and creates a private right of action for violations.

Like SB 73, HB 301 defines "digital electronic equipment" broadly, covering products valued over \$10. While certain sectors are excluded (motor vehicles, medical devices, some safety equipment), the bill still reaches many connected consumer products and some commercial/industrial devices not covered by the exclusions. That breadth remains a core concern.

We recognize HB 301's liability shield and clarified carve-outs as positive steps. However, these changes do not resolve fundamental problems that I will briefly outline:

- Even with carve-outs, HB 301's low value threshold and functional test could capture some industrial controls, sensors, and enterprise devices not covered by the exclusions. Misrepair of such systems could pose safety, environmental, and

operational risks, underscoring the need for tighter safeguards for calibration-critical equipment.

- HB 301 bans “parts pairing,” but that could unintentionally sweep up some legitimate safety and quality controls. Many manufacturers use serialization and software pairing to make sure replacement parts are calibrated correctly and meet safety or emissions standards. Those checks help keep things like batteries, sensors, and wireless systems operating safely and securely. A broad ban might make it harder to maintain those safeguards.
- HB 301 requires OEM diagnostic tools to work without user authorization or internet gating, which conflicts with common cybersecurity controls (secure portals, access logs, role-based access). For connected equipment, removing those controls can expand the attack surface, even though the bill still allows secure systems for security-lock materials and doesn’t require bypassing owner-activated protections.
- While HB 301 excludes “trade secrets,” the line between repair-critical information and proprietary algorithms, calibration tables, and security keys is thin. Disclosure risks reverse-engineering safety systems and exposing cryptographic material, despite the bill’s trade-secret language.
- HB 301 links violations to the Ohio Consumer Sales Practices Act, creating a private cause of action with the remedies in R.C. 1345.09 and AG enforcement. That enforcement model allows, in certain cases, class litigation and enhanced (including treble) damages, raising compliance and litigation risk without a clear showing of proportional consumer benefit.

Ohio manufacturers already operate authorized repair and training programs tailored to their products. A one-size-fits-all repair mandate could unintentionally weaken safety and quality controls, increase the risk of counterfeit or poorly calibrated parts, and widen the cybersecurity attack surface for connected devices, even with the bill’s current carve-outs.

Ohio leads when it balances innovation, safety, and consumer choice. As written, HB 301 tips that balance, covering some categories of sensitive or industrial equipment, restricting certain legitimate safety and calibration controls, and creating new litigation exposure while mandating disclosure of proprietary diagnostic materials that could implicate trade-secret and cybersecurity protections. For these reasons, OMA respectfully asks this Committee to reject HB 301.



December 18, 2025

The Honorable Mike DeWine
Governor of Ohio
77 South High Street
Columbus, Ohio 43215

Dear Governor DeWine,

On behalf of Ohio's business community, we respectfully urge you to release the state funds already appropriated for Ohio's Manufacturing Extension Partnership (MEP) programs.

Ohio's MEPs are a proven, front-line resource for small and mid-sized manufacturers, delivering technical assistance, workforce support, and operational expertise that strengthens Ohio's manufacturing economy. The decision to halt state funding, following the federal pause, places these programs at immediate risk of collapse. If funding is not restored, Ohio will lose skilled staff, regional capacity, and critical infrastructure that cannot be easily reassembled. Programs such as MEP are essential to Ohio's supply chain, strengthening the connections between farmers, manufacturers, and retailers that fuel the state's economy.

We applaud your leadership in pressing the U.S. Department of Commerce for clarity and answers regarding the recent federal decisions related to Ohio's MEP Funding. At the same time, we believe Ohio's manufacturers cannot afford a funding gap while those questions are resolved. State dollars are essential to keep these programs operational in the interim, ensuring continuity of services and preserving the long-term value of the MEP network.

Like you, we support accountability and appropriate oversight, and we agree that any concerns should be fully addressed once the review process is complete. However, withdrawing state support now would not safeguard Ohio's interests - it would instead risk permanently dismantling a vital economic development asset before that process concludes.

We respectfully ask that your administration act promptly to release Ohio's MEP funding so these programs can remain viable and continue serving the manufacturers and workers who depend on them.

Sincerely,

Ryan Augsburger

President
Ohio Manufacturers' Association

Steve Steivers



President & CEO
Ohio Chamber of Commerce

Pat Tiberi



President & CEO
Ohio Business Roundtable

Adam Sharp



Executive Vice President
Ohio Farm Bureau

Gordon Gough



President & CEO
Ohio Council of Retail Merchants

The Columbus Dispatch

JobsOhio critical even in the face of Ohio State scandal | Opinion

Ohio should be careful not to confuse a need for accountability with a reason to weaken one of the state's most important economic development tools.

Ryan Augsburger

Guest columnist

May 14, 2026, 4:40 a.m. ET

- JobsOhio, a key economic development tool, faces scrutiny over a podcast payment but remains vital for Ohio's competitiveness.
- Ryan Augsburger argues that while accountability is necessary, weakening JobsOhio would harm the state's ability to attract investment.

Ryan Augsburger is president of the Ohio Manufacturers' Association.

Economic development is not a political or media circus. It is an essential tool that Ohio needs to compete for a prosperous economy that provides good-paying jobs for Ohioans.

[JobsOhio](#) has faced renewed scrutiny after it paid [\\$60,000 for a podcast project](#) connected to the circumstances surrounding former Ohio State President Ted Carter's [resignation](#). That episode deserves review.

Public confidence, [transparency and performance matter](#), especially for an entity with a unique public-private role and a mission tied directly to Ohio's competitiveness.

But Ohio should be careful not to confuse a need for accountability with a reason to weaken one of the state's most important economic development tools.

Every major manufacturing project that Ohio pursues is simultaneously being pursued by several other states offering generous incentives, shovel-ready sites, worker recruitment and training support and fast answers. Companies making billion-dollar decisions can't wait for a state to get its act together. They move fast and go where the path is the clearest and most certain.

That is why JobsOhio matters so much to our state.

JobsOhio is worth preserving

JobsOhio was not created as a rebuke of the professionals who served at the former Department of Development.

It was created because Ohio needed a faster, more flexible model to compete for investment and jobs. The model was designed to move at the speed of business, respect sensitive negotiations and work across regions, industries and administrations.

Institutions using state-created authority to shape Ohioans' shared economic future should be measured, reviewed and expected to deliver. To that end, JobsOhio operates under greater scrutiny and accountability than any other private nonprofit in the state, with rules

and reporting imposed on it by statute to ensure its accountability. That accountability strengthens Ohio's competitiveness.

The results show why the structure is worth preserving.

In 2024, JobsOhio helped secure 377 project wins, \$19.3 billion in capital investment, 19,338 new jobs, \$1.61 billion in new payroll and the retention of more than 54,000 existing Ohio jobs. Ohio also ranked No. 3 nationally in Site Selection's 2024 Governor's Cup for total projects and projects per capita. Ohio ranked No. 3 nationally again in the 2025 Governor's Cup rankings, with 467 qualifying projects.

Those numbers translate into more suppliers, expanded production, stronger tax bases, construction work, logistics demand and career opportunities across Ohio.

Workforce development key to Ohio's future

JobsOhio's model has become stronger because it recognizes that economic development does not end when a company chooses a site. Workforce is now one of the first questions companies ask and one of the hardest challenges manufacturers face.

That work developed over time. The Ohio Manufacturers' Association built Ohio's employer-led Industry Sector Partnership network to connect manufacturers, educators and workforce partners regionally. State support strengthened that model.

JobsOhio then became a strategic partner in workforce efforts, including earn-and-learn pathways, upskilling and regional talent alignment.

Today, that evolution is reflected in the Ohio Manufacturing Workforce Blueprint and the Ohio Manufacturing Talent Partnership, where JobsOhio, OMA, state workforce and education partners, and regional Industry Sector Partnerships are working from a more coordinated playbook.

Companies do not invest only because a state has land or incentives. They invest where they believe they can find and develop talent. JobsOhio's workforce engagement has made the model more relevant to modern manufacturing.

JobsOhio owes us clear answers



None of this means JobsOhio should be immune from criticism.

It should continue to disclose completed agreements, report results, undergo audits and show that incentives produce measurable value for Ohioans. Good oversight is not anti-growth. Done right, it builds trust.

When questions arise about how it is doing its job, JobsOhio owes Ohio clear answers. More importantly, it owes Ohio a commitment to never rest on its laurels, play politics or become complacent. Constant improvement must be its mantra.

[As Ohio heads toward a change in state leadership](#), a new administration should ask hard questions, set priorities and demand results in every area of state government and in those non-public sector partners that work closely with the state, like JobsOhio.

JobsOhio's model has stood the test of time. It works. Can its operations be improved? Can leadership be challenged and held accountable? Can new innovations take it to the next level? The answers are, of course, "yes."

Ohioans only stand to benefit from building on JobsOhio's success. Ohio's manufacturers look forward to working with the next governor to keep JobsOhio moving forward in the right direction.



Ryan Augsburger is president of the Ohio Manufacturers' Association.

OHIO CAPITAL JOURNAL**Game on: Ramaswamy, Acton race to become Ohio governor**BY: **MORGAN TRAU** - MAY 8, 2026 3:45 AM

📷 Vivek Ramaswamy and Amy Acton. (Photo by WEWS.)

With the primary out of the way, the race is officially on to become Ohio's next governor. Republican candidate Vivek Ramaswamy will take on Democratic candidate Dr. Amy Acton in an already record-breaking expensive general election.

Ramaswamy, a Cincinnati businessman and billionaire, celebrated his win in Columbus with a crowd of supporters.

"I believe we're on the cusp of a new dawn for Ohio," Ramaswamy said.

He thanked his family, the voters, and his running mate, Ohio Senate President Rob McColley, a legislative leader and attorney from Northwest Ohio.

The pair won with more than 82% of the GOP vote, according to unofficial election results from the secretary of state website. They beat out YouTuber and car designer Casey Putsch.

"I'm proudly the most pro-free enterprise, pro-liberty, conservative, and pro-capitalist governor this state will have," Ramaswamy said.

Ramaswamy is running on the platform of cutting taxes, reducing government waste, and advocating for more energy independence. So far, he has raised \$50 million in this race, half of it coming from himself.

“We are in this because we believe that together with the complementary skills that we bring to the table, we are the two people in this state who can work together as a team to lead Ohio back to our true potential, to our greatest heights, to put more money in your pocket, to bring down those costs, and to give our kids the world class education,” Ramaswamy said, referencing McColley.

The Democratic nominee is former state health director Amy Acton from Youngstown, who is running with David Pepper, a former party leader and attorney from Cincinnati.

“I am running for governor because people in this state are struggling. They are doing everything right. They’re working harder than they ever have, but there is no more breathing room. They’re struggling with the cost of everyday life,” Acton said. “And I refuse to look the other way. We are refusing to look the other way.”

Also at a crowded event for supporters, Acton thanked her voters and talked about the importance of the election. She was unopposed in the primary.

“It is time to put working families, Ohio’s families, first,” she said.

Her platform is affordability in housing and healthcare, as well as improving public education and supporting small businesses.

“Together we’re gonna make Ohio affordable so that we can pursue our dreams again, so that we can live a good life, so that we can age in place with dignity,” Acton said.

She has raised more than \$10 million for the race.

“Ohioans need somebody fighting for them, not the self-funding billionaires and special interests,” Acton said.

While Acton and Ramaswamy both bring up affordability, they have different ways to accomplish it.

Acton wants to fully fund education so that schools don’t rely on increasing property taxes, as well as put forward a working families tax cut. She also proposed a new system to reduce prescription costs.

“I will fight to protect Medicaid and ensure that everyone in Ohio has access to quality healthcare, affordable healthcare,” she said.

Ramaswamy would limit automatic property tax increases and has suggested shutting down universities he calls “subpar,” like Akron, Kent State, or CSU, in order to pay for an income tax cut.

Expanding natural gas development will also make life more affordable, he added.

“We’re bringing down your electric bills because we’re producing more energy in Ohio,” he said.

And for each of them, they say the race is really just beginning.

“Now the real destination is in November,” Ramaswamy said.

While Ramaswamy and Acton are the frontrunners, Libertarian Don Kissich, a veteran from Northwest Ohio, will also be on the ballot.

He is running with brokerage director James Mills. They are focused on rooting out corruption, which Acton is as well.

“This campaign has never been about insiders, political machines, or corporate influence. It has been about everyday Ohioans- workers, parents, small business owners, young people struggling to afford a future, and citizens who feel unheard by a broken system,” Mills said in a statement over text.

He congratulated both Ramaswamy and Acton’s teams, then said that his campaign is about giving a voice back to the people.

“We are going to continue building a coalition of people who believe in individual liberty, government accountability, economic opportunity, and restoring trust between citizens and their institutions. We will fight for affordable living, transparent government, civil liberties, and a future where Ohio families can thrive without being crushed by corruption, bureaucracy, and division,” he added.

What other races stood out?

Ohio’s 9th Congressional District

Ohio’s 9th Congressional District had a very competitive five-way Republican primary to choose a candidate to run against longtime Democratic U.S. Rep. Marcy Kaptur.

The November election will be a rematch between her and former lawmaker Derek Merrin.

Merrin won with 44% of the vote, according to unofficial results. Notably, He beat out Ohio House Majority Whip Josh Williams and former ICE Deputy Director Madison Sheahan.

The 2024 race was incredibly close, just about a 2,000-vote difference. Thanks to redistricting, the area is more red than it was before. However, President Donald Trump won’t be at the top

of the ticket.

Ohio's 7th Congressional District

Brian Poindexter, a union ironworker from Cleveland, won a crowded seven-person Democratic primary for Ohio's 7th Congressional District. He won with 37% of the vote, according to unofficial results, beating out former Cuyahoga County Executive Ed FitzGerald.

He will take on incumbent and Trump ally U.S. Rep. Max Miller.

Ohio Supreme Court

Former Franklin County Common Pleas Judge Colleen O'Donnell won a four-way Republican primary to take on Justice Jennifer Brunner this fall. She won with 32% of the vote, according to unofficial results.

If she beats Brunner, the Supreme Court will be made up of all Republicans, as right now it is 6-1.

State Treasurer

Although the race looked tight at first, former lawmaker Jay Edwards won the Republican nomination over state Sen. Kristina Roegner, R-Hudson. He won with 53% of the vote, according to unofficial results.

He will face off against Cincinnati Councilman Seth Walsh, who ran unopposed in the primary.

Secretary of State

Both parties had two candidates running. Treasurer Robert Sprague beat veteran Marcell Strbich with 70% of the Republican vote, according to unofficial results. Former House Minority Leader Allison Russo beat doctor Bryan Hambley with 67%.

Tom Pruss, a libertarian, will also be on the ballot. He ran unopposed in that primary.

This race will be one to watch in November.

Incumbent lawmakers

Two incumbent Republican state lawmakers held onto their seats, at least for the primary, despite heavy campaigning against them.

Former Speaker Jason Stephens, Kitts Hill, defeated primary challenger Larry Kidd, while Rep. Ron Ferguson, R-Wintersville, beat former state Sen. Frank Hoagland. Both won by 62%, according to unofficial results.

State Sen. Andrew Brenner, R-Delaware, when trying to move over to the Ohio House, lost to former lawmaker Shawn Stevens.

State Rep. Beth Lear, R-Galena, tried to switch to the Ohio Senate, but was beaten by businessman Ryan Rivers.

State Rep. Jim Hoops, R-Napoleon, also tried to move to the other chamber, but narrowly lost to former lawmaker Craig Riedel.

Follow [WEWS](#) statehouse reporter Morgan Trau on [X](#) and [Facebook](#).

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Analyst says far-right support for Amy Acton unlikely to sway Ohio voters

by: Katie Millard

Posted: May 15, 2026 / 07:00 AM EDT

COLUMBUS, Ohio ([WCMH](#)) — The governor’s race is set for November, and Democrat Amy Acton received an unorthodox endorsement.

After Vivek Ramaswamy [secured the Republican candidacy for November’s election](#), a small but vocal coalition of conservatives said they would sooner support Acton. Dominik Stecula, Ohio State University assistant professor of communications and political science, said far-right support of Acton is interesting in a close election but likely not influential. *See previous coverage of the governor’s race in the video player above.*

Most publicly, far-right political commentator Nick Fuentes, sitting next to his America First hat, encouraged Ohioans to either stay home or vote for Acton. The endorsement stirred discourse online, although neither candidate has commented on it publicly.

“We’re going to have to hold our noses and we’re going to have to vote Democrat,” Fuentes said.

Stecula said opposition to Ramaswamy likely comes from a small faction of Republicans who discriminate against him. Stecula said outside conservative figures and groups may be loud but that does not mean they will influence the election.

“It’s not really about Acton. It’s about his opposition, most likely, on racial and religious grounds to Ramaswamy,” Stecula said. “Whether that on its own matters? Probably not. Fuentes is still a relatively fringe figure.”

Fuentes has 1.3 million followers on X, and his daily livestreams typically amass several hundred thousand views, a consistent but comparably small audience when compared to other conservative influencers. Speaker of the House Mike Johnson (R-Louisiana) said Fuentes' comments can be [“blatantly antisemitic, racist and anti-American.”](#)

Ramaswamy comfortably defeated [Republican Casey Putsch in the primary](#), who got about 17.5% of the vote to Ramaswamy's 82.5%. [After the primary](#), Putsch — who faced allegations that he aligned with neo-Nazi beliefs — said Republicans could not win without his supporters. Putsch has not endorsed Ramaswamy or Acton and is critical of both.

Ramaswamy also got much more of the primary vote than current Republican Gov. Mike DeWine did in [2022, Ohio's last election for governor](#). In 2022, incumbent DeWine received 48% of the vote and ran against three challengers.

Stecula said primary results will likely not translate directly to results in the general election. He thought support toward Acton from far-right voters may not be influential but can be interesting, especially with [most polling placing Acton and Ramaswamy in a practical tie](#).

“I think we have to remember that, just objectively speaking, (the general election) is a lot of people,” Stecula said. “But in the context of an election that can be swung by a percentage point that could matter, right?”

Stecula said midterms like November's election typically favor whichever party is not in control of the White House. President Donald Trump's approval rating is low, which Stecula said may not help Ramaswamy, who was endorsed by Trump. However, Ohio has typically swung red in recent years.

This is the first race for governor in Ohio's history where [neither leading candidate](#) has won an elected office before. Stecula said that could help both candidates, as neither will be seen as part of the establishment. He predicts affordability will be most important in swaying voters.

Ohioans will select their next governor on Nov. 3.

THE PLAIN DEALER



Campaigns to ban property taxes, data centers unlikely to get on 2026 ballot, experts say

- Updated: May. 08, 2026, 10:25 a.m.
- |Published: May. 07, 2026, 4:54 p.m.



By
[Laura Hancock, cleveland.com](#)

COLUMBUS, Ohio - Longtime Ohio political observers on the left and right said it's unlikely that campaigns to [abolish property taxes](#) and [ban large data centers](#) will get enough signatures to make it to the ballot in November.

Greg Lawson, senior research fellow at the right-leaning Buckeye Institute think tank, and Zach Schiller, research director for the left-leaning Policy Matters Ohio think tank, noted that each campaign is using volunteers to gather signatures. Successful Ohio

constitutional amendment campaigns usually use paid signature gatherers because the bar is so high.

To get on the ballot in November, each campaign needs 413,288 signatures of valid registered Ohio voters. A specific number of signatures must be collected from 44 of the state's 88 counties.

Lawson and Schiller spoke Thursday afternoon at Impact Ohio, a post-primary election conference hosted by the Ohio Chamber of Commerce that features politicians and other speakers from the left and right who interpret election results and try to make sense of the state's political environment.

The property tax abolishment campaign [said in late April](#) that it had 305,000 signatures and just 10 weeks to collect another 315,000. Campaigns generally collect more signatures than necessary with the expectation that names will be removed during verification due to people not being registered to vote, signing more than once and other issues.

Both Lawson and Schiller doubted the property tax campaign would ultimately collect the sufficient number in time.

Even if they don't make the November ballot, the campaigns could work toward qualifying for the ballot in a future election.

Although from ideologically different perspectives, Lawson and Schiller both oppose abolishing the property tax, which collects \$21 billion a year for local school districts, townships, libraries, mental health and addiction boards, developmental disability boards, and other services.

Schiller said that the state will likely have to make steep cuts to government programs, as well as hike income and sales taxes, to replace the revenue. Sales taxes could rise [as high as 25%](#), he said.

Lawson noted that millions of Ohioans live within an hour of another state's borders. They can shop in the neighboring state to bypass Ohio's high sales taxes under such a scenario, he said.

Ohio's process to get on the ballot would allow the campaign to continue gathering signatures for a future election, Lawson noted. It's possible the abolishment campaign will continue to collect signatures, although people who have signed may die or change addresses, which would make some earlier collected signatures invalid.

Lawson said he could envision an outside group with money joining the grassroots campaign that wants to ban large data centers.

It's occurred in the past, when "ultimately, somebody kind of parachutes in for whatever reason they may have in a given election cycle, and does actually put in the infrastructure, the resources into it," he said.

Although citizen campaigns may not successfully land on the ballot, Schiller said that they are successful in other ways. They force the legislature to pay attention.

For instance, the legislature late last year passed a package of laws that will cut \$3 billion in property taxes statewide over the next three years. That came about because lawmakers were trying to get ahead and foil the amendment campaign, he said.

Schiller said the General Assembly may want to address data centers by passing laws prohibiting local governments from signing nondisclosure agreements with tech firms so members of the public can't see the plan details until after it's been built. Data centers are in part responsible for higher electricity prices Ohioans have seen lately because they increase demand on the grid. The legislature could pass laws requiring them to pay for that strain on the grid, he said.

"We're getting calls from all over the state, and it's not because they're liberal or conservative, Republican or Democrat. There's enormous opposition to this all over the

state,” he said. “And for good reason because people are legitimately concerned about water, about electricity costs, about noise, about pollution.”

Larry Obhof, chief legal officer for the Ohio Secretary of State, also participated in the discussion, but couldn’t comment on the likelihood of whether the volunteer campaigns will get on the ballot this year.

However, he said he personally believes the Ohio Constitution is too long, with too many specifics.

“In my personal opinion the Constitution should be about 12-15 pages. It should say, these are the rights of people. They can’t be infringed, the branches of government and the responsibilities of each,” he said. “Not a lot more than that.”



MEMORANDUM

TO: Ohio Manufacturers' Association
Government Affairs Committee

FROM: Bricker Graydon Wyatt LLP
Christopher N. Slagle, OMA General Counsel

DATE: June 4, 2026

RE: June 2026 OMA Government Affairs Committee Counsel Report

I. June 2026 Government Affairs Committee Counsel Report.

Please find below several political, legislative, and judicial efforts our Firm has been monitoring for the OMA.

II. Statewide Ballot Issues Overview.

Prohibition of Data Centers.

On March 16, 2026, a group of petitioners filed a summary of a constitutional amendment to prohibit the construction of data centers in Ohio. Attorney General Yost certified the summary as fair and truthful on March 26, 2025. Following, the Ohio Ballot Board met on April 2, 2026 and certified the issue as a single issue. Supporters begin collecting signatures after that date. This group of petitioners is a volunteer-led effort. At the end of May, supporters revealed they had collected over 25,000 signatures, which is far from the required amount of 413,487 valid signatures. To appear on the November 2026 General Election ballot, the supporters must have enough signatures to be able to file with the Secretary of State's office on July 1, 2026 deadline.

Abolishment of Taxes on Real Property.

On May 1, 2025, a group of petitioners filed a summary of a ballot issue to abolish property taxes. Attorney General Yost certified the summary as fair and truthful statement on May 9, 2025. Following Attorney General Yost's certification, the ballot board met and certified the ballot measure as a single issue. If approved, the proposed amendment would add a new section to Article XII of the Ohio Constitution stating in part that "No real property shall be taxed, and no law shall impose any taxes on real property." The supporters of this ballot issue are collecting signatures to appear on the November 2026 General Election ballot. Signatures are due July 1, 2026.

Minimum Wage.

Although, organizers, One Fair Wage, of a proposed constitutional amendment to raise Ohio's minimum wage already had the ability to collect signatures to place the measure on the ballot, the group instead refiled the constitutional amendment with the Attorney General's office



on March 27, 2023. The third submission of the constitutional amendment includes an increase of minimum wage to \$12.75 per hour on January 1, 2025, and then increase to \$15 per hour on January 1, 2026. The Attorney General certified the summary as truthful and accurate statement on April 5, 2023. Following, the Ohio Ballot Board met and certified the issue as a single issue for the ballot. The group attempted to collect signatures to file before July 3, 2024, but One Fair Wage made a statement on the deadline date that they failed to collect enough signatures in the required number of counties. Supporters of the measure could be collecting signatures to appear on the November 2026 General Election ballot.

Secure and Fair Elections/Ohio Voter Bill of Rights.

On December 19, 2023, the group submitted similar same day voting registration language to the Attorney General's office to start the ballot issue process. The Attorney General's office rejected the summary on December 28, 2023. The group waited a few weeks and on January 16, 2024, the group submitted their second submission and renamed it "Ohio Voter Bill of Rights." Again, the Attorney General's office denied the summary. The group filed a writ of mandamus with the Ohio Supreme Court and requested an expedited schedule. The court denied their request for an expedited schedule on February 8. Following, on February 26, 2024, Attorney General Yost filed a motion to dismiss. The Ohio Supreme Court denied the motion to dismiss on May 22, 2024, and set a briefing schedule for the case. After the briefing schedule, on October 30, 2024, the Ohio Supreme Court unanimously ruled that the Attorney General overstepped his statutory bounds to review a summary of a ballot issue. The Court ordered that the Attorney General review the summary within 10 days of the Court's decision. On November 8, 2024, the Attorney General approved the summary as truthful and fair. Now, the Ohio Ballot Board will meet to determine if the proposed constitutional amendment is one issue or multiple. This proposed ballot issue is similar to another ballot issue proposed in 2020 on election process, which the Ohio Ballot Board found to be multiple issues. However, the ballot board on November 18, 2024 approved the issue as a single issue. The supporters of this ballot issue could collect signatures to appear on the November 2026 General Election ballot.

Protecting Ohioans' Constitutional Rights.

After a long litigation battle, the U.S. Supreme Court declined to stay a ruling and that ultimately forced Attorney General Yost to take steps to certify the ballot issue. Attorney General Yost certified the summary on April 22, 2025, and the Ballot Board determined it was a single issue on April 29, 2025. The supporters of this ballot issue could collect signatures to appear on the November 2026 General Election ballot.

Ohio Equal Rights Amendment and Marriage Repeal.

On June 24, 2025, supporters of the constitutional amendment filed a summary of the ballot issue with the Attorney General's office. Following, Attorney General Yost certified the summary on July 3, 2025. If approved, this ballot measure would add a new section to Ohio's constitution, which would bar the state or its political subdivisions from denying individuals equal rights under the law based on race, color, creed, religion, sex, sexual orientation or gender identity. The second



portion of this constitutional amendment would repeal existing constitutional language defining marriage as between one man and one woman. On July 9, 2025, the Ohio Ballot Board met to consider whether the language in the proposed ballot issue is only one proposed amendment, after a vote of 3-2 the Ballot Board separated the two issues. The supporters of this proposed measure decided not to appeal the decision to the Ohio Supreme Court and instead run two separate but concurrent campaigns. On August 1, 2025, the supporters resubmitted two separate summaries for repeal of the constitutional language defining marriage and the equal rights language. Subsequently, Attorney General Yost certified both summaries on August 8, 2025. The supporters of this ballot issue may be collecting signatures to appear on the November 2026 General Election ballot.

III. Pending Legislation.

The Ohio Legislature returned to the Statehouse after the May Primary Election to finish legislative work prior to summer recess. At this time, the House and Senate have indicated that they will finish their work the week of June 8th. The Legislature is working towards finalizing the capital budget to be approved before session dates on June 10th.

On May 13, 2026 Representative Holmes (R- Nashport) and Senator Chavez (R-Marietta), current chairs of their respective chambers' energy committees, announced a Joint Data Center Committee between the House and Senate. Each chamber will have a Select Committee on Data Centers and will meet jointly. The joint committee will receive testimony "to ensure that Ohio citizens have accurate, relevant and usable information concerning the economic, environmental, and security impacts of Ohio's data center development." The joint committee is reviewing the following five priorities: 1) determining data energy cost and availability impacts for other Ohio ratepayers; 2) identifying state and local economics of data center development; 3) determining the environmental impacts of data center development; 4) identifying public safety and national security consideration; 5) increasing public awareness and sector knowledge. The joint committee met on May 27, 2026 and heard invited testimony from Data Center Coalition, PJM, Public Utilities Commission of Ohio, Ohio EPA, Ohio Department of Natural Resources, Ohio Department of Development and Ohio Consumers' Counsel. The joint committee is scheduled to meet June 1, June 4, June 8 and June 11.

Manufacturing Technology Assistance Grants. Representatives Santucci (R-Howland Township) and Steve Demetriou (R-Bainbridge Township) reintroduced legislation to create a manufacturing technologies grant program, House Bill 159, on March 6, 2025. The bill was referred to the House Technology & Innovation Committee and has received four hearings. On October 14, 2025, the committee reported the bill and re-referred to Rules and Reference. Following, Rules and Reference Committee re-referred the bill to House Finance Committee.

Income Tax Reduction. Representatives Adam Mathews (R-Lebanon) and Brian Lampton (R-Beavercreek) introduced House Bill 30, to phase-down the state income tax to a flat rate of 2.75% over two years. The bill was referred to House Ways and Means Committee. H.B. 30 received a hearing on March 26, 2025. Senator George Lang (R-West Chester) and Senator Steve Huffman (R-Tipp City), introduced companion language, Senate Bill 3. S.B. 3 was referred to Senate Ways and Means Committee and received its first hearing on March 26, 2025.



Pricing Algorithms. Senators Bill Blessing (R-Colerain Township) and William Blackshear (D-Dayton) introduced Senate Bill 79, to regulate the use of pricing algorithms. This is similar to Senator Blessing's bill from the 135th General Assembly. The bill was referred to Senate Financial Institutions, Insurance and Technology Committee. Senate Bill 79 prohibits a business from using to distributing a pricing algorithm that uses, incorporates or is trained with nonpublic competitor data. Nonpublic competitor data means "nonpublic data that is derived from or otherwise provided by another person that competes in the same market as a person, or a related market." "Nonpublic competitor data" does not include information distributed, reported, or otherwise communicated in a way that does not reveal any underlying data from a competitor, such as narrative industry reports, news reports, business commentaries, or generalized industry survey results. The bill received its first hearing on March 4, 2025.

Representatives Christine Cockley (D-Columbus) and Tex Fischer (R-Canfield) introduced companion legislation, House Bill 665, on January 29, 2026 and the bill was referred to House Technology and Innovation Committee. The bill has received two hearings.

PFAS Ban. Representatives Justin Pizzulli (R-Franklin Furnace) and Monica Robb- Blasdel (R-Columbiana) introduced House Bill 272 on May 13, 2025. House Bill 272 aims to regulate certain substances, focusing on per-and polyfluoroalkyl substances (PFAS). The bill restricts the intentional addition of PFAS in certain products, with a phased implementation beginning January 1, 2027. By 2032, the sale of products containing PFAS is prohibited unless deemed unavoidable by the Director of the Ohio Environmental Protection Agency. The bill has serious implications for Ohio's manufacturers, as Ohio currently does not have a state law restricting products containing PFAS. The bill was referred to House General Government Committee and received its first hearing on June 10, 2025. During the bill's second hearing, the committee adopted a substitute bill, which eliminated language addressing fluoride. Now, the bill only focuses on PFAS. The bill received proponent testimony during its third hearing on May 19, 2026.

PFAS Rules. House Bill 815, introduced by Representatives Tristan Rader (D-Lakewood) and Allison Russo (D-Upper Arlington), requires the Ohio EPA Director to adopt rules to establish maximum allowable contaminant levels in drinking water, including PFAS levels. Ohio EPA must also establish water quality standards for PFAS. The bill was referred to House Energy Natural Resources Committee on May 13, 2026.

Prompt Payment. Representative Sweeney (D-Westlake) and Representative Bill Roemer (R-Richfield) reintroduced prompt pay for private contractors, House Bill 288, on May 20, 2025. The bill was referred to House Small Business Committee, in which it received four hearings, and was voted out of committee on June 17, 2025 right before the summer recess.

Post-Employment Agreements. Senators Bill Blessing (R-Colerain Township) and Bill DeMora (D-Columbus) introduced Senate Bill 11, which would prohibit non-compete agreements. The bill was referred to Senate Judiciary Committee, and thus far, has received three hearings. OMA provided opponent testimony on the bill during its third hearing. Testimony can be found [here](#).



Digital Repair Act. Senate Bill 176 is reintroduced legislation from the 135th General Assembly. Senator Bill Blessing (R-Colerain Township) introduced Senate Bill 176 on April 17, 2025, and was referred to Senate Small Business and Economic Opportunity Committee. If enacted, the bill requires manufacturers of certain digital electronic equipment to provide documentation, tools, and parts to independent repair providers and owners. OMA opposed the legislation during the 135th General Assembly (S.B. 73). Thus far, the bill has only received sponsor testimony on May 15, 2025.

Companion legislation, House Bill 301 (Mathews) was referred to House Technology and Innovation Committee. The bill has received three hearings. OMA opposed the legislation during the bill's third hearing. Testimony can be found [here](#). During the bill's fourth hearing, the committee adopted a substitute bill. Following, OMA provided opposition testimony again on May 19, 2026. Testimony can be found [here](#).

Prohibit Criminal Background Questions. Senators Craig (D-Columbus) and Blessing (R-Colerain Township) introduced Senate Bill 143 on March 11, 2025. If enacted, S.B. 143 prohibits private employers from including on an employment application any question concerning the criminal background of the applicant. The bill was referred to Senate Workforce Development Committee and has received five hearings. During its fifth hearing on March 3, 2026, a substitute bill was adopted. The substitute bill removes language prohibiting employers from asking job applicants about an arrest that did not result in a conviction or participation in a pretrial diversion program.

IV. Tort Reform.

Counsel is currently monitoring various tort reform legislative efforts and await the possible re-introduction of certain civil justice legislative items from prior legislative cycles.

Non-Economic Damages Cap. Representative Brian Stewart (R-Ashville) introduced House Bill 447 on September 15, 2025. House Bill 447 aims to increase Ohio's non-economic damages caps from \$350,000 to \$585,000. Besides a one-time increase, the bill requires the caps to be adjusted on an annual basis on a percentage increase in the Consumer Price Index (CPI). The bill was referred to House Judiciary Committee and has received three hearings. During the bill's third hearing, the Ohio Alliance for Civil Justice provided opponent testimony on the bill. Testimony can be found [here](#).

Companion legislation was introduced by Senator Bill Blessing (R-Colerain Township), Senate Bill 292. The bill was referred to Senate Judiciary Committee. The bill has received two hearings.

Third Party Litigation Funding. Senator Steve Wilson (R-Maineville) reintroduced the non-recourse civil litigation legislation, Senate Bill 10. Among other provisions, the bill requires the disclosure of consumer agreements and commercial agreements to other parties to a legal action. The bill was referred to Senate Judiciary Committee and has received five hearings since its introduction. During its third hearing, on June 11th, the committee adopted a substitute bill. The substitute bill included additional consumer protections, specifies that commercial agreements are subject to disclosure if ordered by a court and caps the fee that can be charged at 28%.



A companion bill, House Bill 105 (Craig/ Mathews) was introduced on February 18, 2025. The bill was referred to House Insurance Committee and has received five hearings. The committee amended the bill twice. H.B. 105 similar to S.B. 10 seeks to reform third party litigation funding agreements. The bill was referred to House Insurance Committee on February 26, 2025. During its seventh hearing, the committee adopted a substitute bill, which eliminated the disclosure requirement to litigation parties. Under the substitute bill, H.B. 105 requires consumer and commercial third-party litigation funders to register with the attorney general and bans all foreign third-party litigation funders. After eight hearings, the bill was reported out of committee and the House passed the measure out by a vote of 74-12. The bill was referred to Senate Judiciary Committee. On May 13, 2026, sponsors Representative Craig and Mathews provided sponsor testimony. The next week, on May 20, 2026, proponents provided testimony on the bill, including OMA. OMA's testimony can be found [here](#). Chair Manning indicated that the bill will likely be reported out of committee in this coming weeks.

Ohio's legislative activity on third party litigation funding has led it to be placed on the "Heat Watch" list for the American Tort Reform Association (ATRA). ATRA's press release can be found [here](#).

Public Nuisance. House Bill 126 was introduced on February 24, 2025 and seeks to codify the Ohio Supreme Court holding in the *In Re National Prescription Opiate* Litigation case. Specifically, the bill prohibits public nuisance actions arising from the sale of a product. After introduction, the bill was referred to the Senate Judiciary Committee. Thus far, the bill has received four hearings. During the bill's third hearing, the committee adopted a substitute bill. The Ohio Alliance for Civil Justice provided proponent testimony on House Bill 126 during the bill's second hearing. The bill received a hearing on May 7, 2025, during such hearing the committee reported the bill out. House passed the bill out of the chamber on May 8, 2025 by a vote 59-36. The Senate referred the bill to Senate Judiciary Committee. Prior to the holiday recess, the committee held three hearings on H.B. 126. On May 13, 2026, Senate Judiciary Committee held a fourth hearing on H.B. 126. OMA provided proponent testimony during that hearing. Testimony can be found [here](#).

Ohio's legislative activity on House Bill 126 has led it to be placed on the "Heat Watch" list for the American Tort Reform Association (ATRA). ATRA's press release can be found [here](#) and attached following this report.

Product Liability. Senator Bill DeMora (D-Columbus) introduced Senate Bill 38 on January 28, 2025, which seeks to reverse the Ohio Supreme Court decision in *Berkheimer v. REKM* (the boneless chicken wing case). The bill creates a civil cause of action for persons who suffer injury, death, or loss to person allegedly caused by consuming food containing a substance injurious to human health when that food was provided by a food supplier or food service operation. The bill requires the trier of fact to use the reasonable expectation test meaning liability of the food supplier or the food service operator is determined by whether the injured person had a reasonable expectation that the food did not contain a substance injurious to human health when consuming the food. The bill was referred to Senate Judiciary Committee and received one hearing.



Corporate Veil. Senate Bill 146 was introduced on March 12, 2025, and it was referred to Senate Judiciary Committee. Senate Bill 146 aims to codify elements that must be proved with respect to the liability of a “covered person” (individual such as an officer) of a “covered entity” (corporation) for damages or civil penalties under the common law doctrine of “piercing the corporate veil.” Without these elements, a plaintiff cannot pierce the corporate veil. The bill states that a covered person has no liability to any person for damages or civil penalties unless the person seeking to pierce the corporate veil demonstrates the following: (1) “covered person” exerted control over the “covered entity” that the covered entity had no separate mind, will, or existence of its own; (2) the “covered person” caused the “covered entity” to be used for the purpose of perpetuating, and the “covered entity” perpetrated, an actual fraud on the person seeking to pierce the corporate veil primarily for the direct pecuniary benefit of the “covered person;” and (3) the person seeking to pierce the corporate veil sustained an injury or unjust loss as a direct result of the control and fraud described above. If passed, this new statute will apply to all pending cases at the time it becomes effective. After four hearings, Senate Judiciary reported the bill out. Following that same day, the full Senate considered the measure and passed it by a vote of 32-0. The bill was referred to House Judiciary Committee.

Contract Statute of Limitations. Senator George Lang (R-West Chester) introduced Senate Bill 157 on March 25, 2025. Following Senator Lang’s work on previously enacted Senate Bill 13 in the 134th General Assembly, Senate Bill 157 proposes to lower the statute of limitations for written contracts from six to three years. Additionally, Senate Bill 157 seeks to lower the statute of limitations for oral contracts from three to two years. The bill was referred to Senate Judiciary Committee. OMA provided proponent testimony on the bill during its second hearing. Testimony can be found [here](#). After five hearings, Senate Judiciary Committee reported the bill out and that same day the Senate passed the measure by a vote of 26-4. The bill was referred to House Judiciary Committee.

V. Energy Related Legislation.

Carbon Capture. House Bill 170 (Robb-Blasdel, Peterson) was introduced on March 12, 2025. If enacted, House Bill 170 would set a regulatory framework for carbon capture and storage technologies in Ohio. After introduction, the bill was referred to the House Natural Resources Committee and received four hearings. The committee adopted a substitute bill during its June 18, 2025 meeting. When the Legislature returned to the statehouse for its fall session, House Natural Resources Committee reported H.B. 170 out. The House passed the measure by a vote of 91-4. The bill was referred to Senate Energy Committee. After four hearings and adoption of a substitute bill, Senate Energy Committee reported H.B. 170 out on May 19, 2026. Following the next day, the Senate passed the bill by vote of 30-0.

Senate Bill 136, introduced by Senator Chavez (R- Marietta) and Senator Schaffer (R- Lancaster), is companion legislation to H.B. 170. The bill was referred to Senate Energy Committee, which Senator Chavez also chairs.

Voluntary Demand Response Program. Representative Klopfenstein (R-Haviland) introduced House Bill 427 over the summer, which would authorize a voluntary demand response program



for residential and small commercial customers. Specifically, the bill allows an EDU to propose such a program in its rate case application. The bill was referred to House Energy Committee. So far, the bill has received four hearings. House Energy amended the bill during the third hearing, which eliminated the utility's performance and included consumer choice billing. During the fourth hearing, AES Ohio and AEP Ohio came out as opponents to the substitute bill. The bill received its fifth hearing on May 20, 2026.

Net Metering Mercantile Customers. Representatives David Thomas (R-Jefferson) and Tex Fischer (R-Canfield) introduced House Bill 832 on April 21, 2026. The bill requires an electric utility to establish a separate standard contract or tariff providing net metering for a mercantile customer that is also a customer-generator. The contract or tariff shall have the option for the mercantile customer's transmission service costs to be billed and collected by the mercantile customer's competitive retail electric service supplier instead of by the utility. Additionally, the bill permits virtual net metering in Ohio and requires Ohio's EDUs to establish a contract or tariff for virtual net metering. The bill was referred to House Energy Committee.

EDU Nuclear Generation. On May 12, 2026, Representatives Adam Matthews (R-Lebanon) and Bob Peterson (R-Celina) introduced House Bill 862, which authorizes Ohio's EDUs to construct, own and operate nuclear generating facilities. H.B. 862 sets up the framework for the application process at the Public Utilities Commission of Ohio ("PUCO"). Once the application is approved, the facility would be added to the EDU's rate base for guaranteed cost recovery. Energy and capacity would be sold into wholesale markets, with revenues credited against facility costs. Participating customers would pay the remaining costs through their retail participation agreements; after those agreements expire or terminate, any remaining costs would be recovered from all EDU ratepayers.

VI. Data Center Legislation.

Data Center Study Commission. On January 14, 2026, Representatives Gary Click (R-Vickery) and Kelli Deeter (R-Norwalk) introduced House Bill 646. The bill creates a data center study commission to study economic development, electricity usage, environmental, and land impacts of data centers. The Commission must draft and issue a report no later than six months after the effective date of the bill. This bill was referred to House Technology and Innovation Committee. The bill received three hearings. During the third hearing, the committee adopted a substitute bill, which revises the members of the commission, and reported the bill out of committee. On March 18, 2026, the House passed the measure by a vote of 93-0. The bill was referred to House Financial Institutions, Insurance & Technology Committee.

Prohibit Non-Disclosure Agreements. Introduced by Representatives Adam Bird (R) and Brian Stewart (R-Ashville), House Bill 695 prohibits county commissioners, township trustees, village council members, and village mayors from entering into non-disclosure agreements regarding matters related to their official duties. The bill was referred to House Local Government Committee. H.B. 695 has received two hearings.



Minimum Requirements for Electric Service to Data Centers. House Bill 706 was introduced by Representatives Dave Thomas (R-Jefferson) and Tristan Rader (D-Lakewood) on February 17, 2026. The bill requires data centers to enter into agreements with electric distribution utilities for electric service subject to approval of Public Utilities Commission of Ohio. The service agreements must include 85% of contracted capacity for minimum billing demand, exit fees and collateral. The minimum contract term cannot be less than 12 years, including a load ramp period up to four years. H.B. 706 was referred to House Energy Committee, and has received two hearings. During its second hearing, the committee only adopted a substitute bill. The substitute bill now requires each EDU to file an application with the PUCO by December 31, 2028 for a data center tariff. House Energy Committee is scheduled to meet on June 3, 2026 to hear all testimony on the bill.

Incentives to Data Centers. Introduced on February 24, 2026, House Bill 710 prohibits incentives to new data centers by a state agency or political subdivision. The bill also prohibits data centers from being built on “prime farmland” unless the board of county commissioners adopts a resolution authorizing such construction. H.B. 710 also limits a new data center from being approved, permitted or interconnected to receive utility service unless the new data center developers demonstrate to the satisfaction of the public utilities commission that the new data center’s electric load will not result in increased electricity rates for residential, agricultural, or small business customers. Compliance is presumed if the data center developer constructs or contractually secures newly constructed nuclear or natural gas-fired electric generation capacity equal to 100% of the data center’s projected peak electric load. The bill was referred to House General Government Committee and received its first hearing on May 19, 2026.

Data Center Interconnection Request. Senator Casey Weinstein (D- Hudson) introduced Senate Bill 381, which requires a data center to file application for interconnection to seek the PUCO’s approval. The bill was referred to Senate Public Utilities Committee.

VII. Political Updates.

U.S. Senate. Senator Jon Husted is set to face former U.S. Senator Sherrod Brown (D) in November.

Ohio Governor. Vivek Ramaswamy and his running mate, current Senate President Rob McColley, won the Republican primary in May. They will face the Democrat ticket: Amy Acton, former Department of Health Director, and her running mate David Pepper.

Statewide Races. All of Ohio’s statewide offices are up in 2026. Treasurer Robert Sprague (R-Findlay) is running for Secretary of State against current Representative Allison Russo (D-Upper Arlington) in November. Current Auditor Keith Faber (R-Celina) is set to run for the Republican ticket for Attorney General against John Kulewicz (D-Upper Arlington). Current Secretary of State Frank LaRose (R-Upper Arlington) is running for Auditor against Mayor of Maple Heights Annette Blackwell (D-Maple Heights). Former State Representative Jay Edwards (R-Athens) was successful in the Republican primary to run for Treasurer in November. Edwards will face Cincinnati Council Member Seth Walsh (D-Cincinnati).



Ohio Supreme Court. Republicans currently have a 6-1 majority after key races in 2024. Former Franklin County Common Pleas Judge Colleen O'Donnell (R-Columbus) was successful in the Republican primary. She is now set to challenge Justice Jennifer Brunner (D-Columbus)

Justice Dan Hawkins (R) must run for a new term after winning the remainder of Justice Kennedy's term in 2024. Justice Hawkins is being challenged by current First District Court of Appeals Judge Marilyn Zayas (D) in the general election. Judge Zayas previously ran for the Ohio Supreme Court challenging Justice DeWine in 2022.

Ohio General Assembly. Although partisan control of the Ohio House and Senate is not likely to change following the 2026 elections, with Republicans likely to keep their robust majorities, Republican leadership in the Senate will change in 2026 due to term limits. President Rob McColley (R-Napoleon) is term limited. Quickly after the May primary, current Finance Chairman Jerry Cirino (R-Kirtland) announced he was ending his campaign for Senate President. Therefore, Senate President Pro Tempore Bill Reineke (R-Tiffin) will be the next leader of the Republican caucus in 2027.

Several House members are seeking to switch chambers including Representative Gayle Manning (R-Lorain), Representative Phil Plummer (R-Dayton), Representative Steve Demetriou (R-Bainbridge Township), and Representative Bride Sweeney (D-Westlake).

All 99 seats are up in the Ohio House, and 17 seats are up in the Ohio Senate.

VIII. Litigation Updates.

A. Monitored cases

1. *John Paganini v. The Cataract Eye Center of Cleveland*, Cuyahoga County Court of Common Pleas, Case No. CV-22-971901 (closed); Eighth District Court of Appeals, Case Nos. CA 24 113867 (closed) and CA 24-114019 (closed); Ohio Supreme Court, Case No. 2025-0386

Paganini involves a challenge to R.C. 2323.43(A), which establishes a two-tiered cap on noneconomic damages in medical malpractice cases. Under this statute, plaintiffs with catastrophic injuries may recover up to \$500,000 in noneconomic damages, while those with less severe injuries are limited to \$250,000 or three times their economic loss, up to \$350,000, whichever is greater. Plaintiff John Paganini received a jury award for noneconomic damages exceeding the \$500,000 cap and argued that applying the statutory limit to his case was unconstitutional. Both the trial court and the Eighth District Court of Appeals agreed, finding the cap violated his due process rights as applied to his circumstances.

In support of the Defendants' discretionary appeal to the Ohio Supreme Court, five organizations filed an amicus brief on March 18, 2025: the Ohio Hospital Association, Ohio State Medical Association, Ohio Osteopathic Association, Ohio Alliance for Civil Justice (of which the OMA is a leading member), and Academy of Medicine of Cleveland & Northern Ohio. These groups argue that the appellate court's decision was flawed in several respects. First, they contend



that Paganini’s “as-applied” challenge is in substance a facial challenge because it could be raised by any plaintiff whose award exceeds the cap. Facial challenges must be proven beyond a reasonable doubt — a higher standard than the “clear and convincing evidence” standard used for as-applied challenges. According to the amici, by accepting Paganini’s theory, the court effectively rendered the statute unconstitutional in every instance where it applies, bypassing the proper legal framework.

The amici also argue that the statute easily satisfies the applicable rational basis test, which requires only that the law bear a real and substantial relationship to a legitimate government interest. When it enacted R.C. 2323.43(A) through Senate Bill 281, the General Assembly made express findings about the need to stabilize the medical liability insurance market, retain physicians, and ensure access to healthcare — particularly in underserved areas. The brief emphasizes that noneconomic damages are (1) inherently subjective and difficult to measure, (2) the statutory caps were enacted to promote fairness, reduce volatility in jury awards, and (3) control healthcare costs. The amici warn that affirming the lower court’s decision would not only disrupt Ohio’s carefully balanced tort reform system but also eliminate an important tool for controlling liability exposure in the healthcare sector. On May 27, 2025, the Ohio Supreme Court accepted the appeal. Briefing is complete.

Appellants filed a motion to dismiss the appeal as improvidently allowed on November 20, 2025. On December 9, 2025, the Court denied the motion to dismiss. The Ohio Supreme Court heard oral argument on February 10, 2026. No decision has been issued to date.

2. *Susan Lyon v. Riverside Methodist Hospital, et al.*, Franklin County Common Pleas Court, Case No. 16CV-12056 (closed); Tenth District Court of Appeals, Case No. 23AP-379 (closed); Ohio Supreme Court, Case No. 2025-1317

On August 21, 2025, the Tenth District Court of Appeals issued its long-awaited decision in *Lyon*, a case involving both “as applied” and facial constitutional challenges to the same statute (R.C. 2323.43) as is being challenged in *Paganini*. In *Lyon*, the Plaintiff challenged the noneconomic damage cap applicable to medical malpractice claims on three constitutional grounds: (1) due process, (2) equal protection, and (3) right to trial by jury.

Relying heavily on *Morris v. Savoy* and *Paganini*, the Tenth District held that the statute was constitutional on its face but unconstitutional as applied to the Plaintiff on due process and equal protection grounds. The Court did not decide the issue of whether the statute violated the right to a trial by jury, stating that it did not need to address this issue in light of finding other constitutional violations.

On October 6, 2025, Defendants appealed to the Ohio Supreme Court. This case is similar to *Paganini* in that both hold that the statute violates the Ohio Constitution’s due process (or “due course of law”) provision. It differs from *Paganini* in that the *Lyon* decision also finds that the statute violates the Ohio Constitution’s equal protection clause. As a result, the *Lyon* Defendants need to win on the equal protection argument even if *Paganini* holds that the statute is not



unconstitutional under the due process clause. On December 23, 2025, the Ohio Supreme Court accepted the appeal, held it for the decision in *Paganini*, and stayed the briefing schedule.

IX. Tax Updates.

A. Selected Proposed Ohio Legislation

Regards R&D non-refundable tax credit- H.B. 756

Introduced on March 11, 2026, and referred to the Ways and Means Committee on March 18, 2026, H.B. 756 of the 136th General Assembly aims to expand the R&D non-refundable tax credit to the state income tax for “qualified research expenses” incurred in Ohio by enacting section 5747.88 and amending ORC sections 5747.98 and 5751.51. At this time, the bill has been introduced and in the committee phase. No further action has taken place.

Under current law, ORC 5751.51 establishes a nonrefundable Commercial Activity Tax (CAT) credit for qualified Ohio research expenses, calculated as 7% of the excess research spending over a three-year average. With the CAT exclusion threshold increasing from three million in annual taxable gross receipts (2024) to six million in annual taxable gross receipts (2025), many smaller, R&D-intensive startups now fall below the CAT and cannot use the existing nonrefundable credit.

If H.B. 756 is enacted, the bill would extend the same nonrefundable R&D credit to the Ohio State income tax, not just the CAT, while retaining the 7% calculation on qualified expenses above a three-year average. If the credit exceeds the taxpayer’s income tax due, any unused amount could be carried forward for up to seven years. The tax commissioner could audit claimed expenses, and taxpayers would need to retain substantiating records for at least four years. The bill makes clear that a credit cannot be claimed against income tax if it has already been used to offset the CAT (current R&D credit).

Regards municipal income tax net operating loss carry-overs – H.B. 642

Introduced on January 12, 2026, and referred to the Ways and Means Committee on February 4, 2026, H.B. 642 authorizes businesses to carry forward net operating losses to future tax years without a timeframe, i.e., unlimited carryforward period, whereas under current law, there is a 5-year carryforward period. The bill has been introduced and in the committee phase. No further action has taken place.

Regards temporary increase in the amount of homestead exemption– S.B. 356

Introduced on February 10, 2026, and referred to the Senate Finance Committee on February 11, 2026, S.B. 356 provides relief to homeowners by increasing the homestead exemption to reduce



property taxes for eligible seniors and disabled individuals. The bill has been introduced and in the committee phase. No further action has taken place.

Regards delinquent property taxes and assessments upon lot transfer– S.B. 366

Introduced on February 17, 2026, and referred to the Senate Local Government committee February 18, 2026, S.B. 366 requires the payment of all delinquent property taxes and assessments when a lot or tract of real estate is transferred to a new owner. To ensure that delinquent property taxes are dealt with during a real estate ownership transfer, the bill would mandate grantors to pay all of these taxes, not just those currently due, at the time of transfer, with exceptions for government transfers, deeds in lieu of foreclosure, or specific court-ordered/trust transfers. The bill has been introduced and in the committee phase. No further action has taken place.

Regards voter approval of municipal tax reciprocity credit – HB 503

Introduced on October 7, 2025, and referred to the Ways and Means Committee on October 8, 2025, H.B. 503 would require local voter approval before city councils can reduce or eliminate existing income tax reciprocity credits. This bill would allow taxpayers to initiate, increase, or enact reciprocity credits through a petition process and would prohibit city councils from combing changes to reciprocity credits with tax rate increases on the same ballot. The sixth Ways and Means Committee hearing was held on February 18, 2026 and the bill was referred to the Ways and Means Committee on March 4, 2026.

Regards sales and use tax exemption for certain projects – S.B. 367

Introduced on February 18, 2026, S.B. 367 proposes to amend sections 4582.72, 5739.02, and 5739.03 of the Ohio Revised Code to exempt sales and use tax for materials and services used in certain development projects even if a port authority or county refuses to endorse a project agreement. The bill has been referred to the Ways and Means Committee on March 4, 2026. No further action has taken place.

Regards tax enforcement authority and sales tax exemption – S.B. 359

Introduced on February 10, 2026, S.B. 359 modifies how penalties and interest are computed on delinquent real estate taxes. The bill was referred to the Ways and Means Committee on February 11, 2026. No further action has been taken.

Regards Ohio Capital Gains Tax Repeal Act – H.B. 617

Introduced on December 1, 2025, and referred to the Ways and Means Committee on February 4, 2026, H.B. 617 eliminates capital gains from state and municipal income tax. The bill would provide relief for investors and individuals who currently pay capital gains on profits from the sale of assets like stocks, bonds, and real estate. The first Ways and Means Committee hearing was held on February 25, 2026.



Regards tax enforcement authority – H.B. 613

Introduced on November 25, 2025, and referred to the Ways and Means Committee on February 4, 2026, H.B. 613 establishes a 180-day limit for hearings and allows taxpayers 30 days to review proposed final determinations from the Ohio Department of Taxation. The bill proposes to stop the accrual of interest on unresolved tax reassessment petitions after one year and allows taxpayers to appeal directly to the Board of Tax Appeals if the Ohio Department of Taxation fails to act within one year. No further action has been taken.

Regards statewide owner-occupied residence property tax credit – H.B. 673

Introduced on February 3, 2026, and referred to the Ways and Means Committee on February 4, 2026, H.B. 673 aims to expand the statewide owner-occupied residence property tax credit to apply to all tax levies, even those passed after the November 2013 general election. The first Ways and Means Committee hearing was held on February 25, 2026.

Regards law governing property taxes and other local taxes – H.B. 608

Introduced on November 19, 2025, and referred to the Ways and Means Committee on February 4, 2026, H.B. 608 proposes a requirement for counties to offer installment payment plans to taxpayers for property taxes while guaranteeing at least 30 days between the mailing of a property tax bill and its due date. This bill would ensure that property owners receive mailed notices of any property valuation changes and allow for the Real Estate Assessment Fund to return excess funds directly to owner-occupied households. No further action has been taken.

Regards employment under Ohio’s overtime and minimum wage laws – H.B. 624

Introduced on December 8, 2025, and referred to the Commerce and Labor Committee on February 4, 2026, H.B. 624 proposes to amend sections 4111.03 and 4111.14 and enact section 4111.20 of the Ohio Revised Code to establish a specific “economic realities” framework to determine if a worker is an employee or independent contractor for purposes of minimum wage and overtime. No further action has been taken.

B. Update to Previously Tracked Legislation

Amended substitute budget bill – H.B. 96

Introduced in the House on February 11, 2025, and passed by the House and the Senate on April 9, 2025, and June 11, 2025, respectively, this bill was signed into law by the Governor on June 30, 2025, with operating appropriations effective June 30, 2025, most items effective September 30, 2025, and some items subject to special effective dates. The bill has the following provisions:

- Sales and use tax exemption is repealed as of January 1, 2026, for the following:



- Sale of refrigerated food vending machines
- Rental payments for motor vehicles provided to the owner or lessee of a motor vehicle that's being repaired or serviced, where the payments are reimbursed by the service provider.
- Sale of advertising material or catalogs that price and describe property offered for retail sale
- Purchases by direct marketing vendors of items that are used in printing advertising material and equipment primarily used to accept orders
- Sales of digital audio on juke boxes and similar devices in commercial establishments
- Sales of telecommunications services that are used directly and primarily to perform the functions of a qualified call center
- Tangible personal property used in acquiring, formatting, editing, storing, and disseminating data or information by electronic publishing
- The 25% refund of sales and use taxes provided to providers of electronic information services.
- The bill caps the prompt payment sales and use tax vendor discount at \$750 per vendor's license per month. In addition, it exempts remittances from the sale of motor vehicle leases from the cap; the discount for such sales remains at 0.75% of the amount due on the return.
- The bill reduces the top bracket rate so that a flat 2.75% rate applies to all income over \$26,050. For tax year 2026, taxpayer with modified adjusted gross income of \$500,000 or less will be the only taxpayers eligible for the joint filing credit and personal and dependent exemptions.
- The bill amends the Commercial Activity Tax credit for certain net operating losses accrued under the defunct corporation franchise tax from a refundable to a nonrefundable credit starting in calendar year 2029.

C. Judicial Actions

Jones Apparel Group/Nine West Holdings v. Harris, Slip Opinion No. 2026-Ohio-74, Jones Apparel Group/Nine West Holdings (“Appellant”) filed a claim with the Tax Commissioner of Ohio (“Appellee”) requesting a refund of Commercial Activity Taxes it paid with respect to a portion of merchandise that was sold and shipped to its customer's distribution center in Ohio. While all of the merchandise was received at its distribution center in Ohio, large portions of the merchandise were shipped to the customers' stores outside of Ohio. Appellant argued that because certain merchandise was ultimately shipped outside of the state of Ohio, that merchandise was therefore exempt from Ohio CAT tax. The Tax Commissioner denied the claim for a refund and the Board of Tax Appeals confirmed. On January 14, 2026, Appellant brought an appeal to the



Ohio Supreme Court. The Court held that “[b]y using the word ‘amount, R.C. 5751.08(A) contemplated that the taxpayer must make a quantitative showing of the amount of the claimed refund with documentary evidence that justifies the issuance of a refund.” As Appellant failed to provide sufficient evidence of the actual amount of gross receipts for the merchandise that was transported and received outside of Ohio, the Court upheld the Board of Tax Appeal’s denial of refund.

Bahorek vs. Franklin County Board of Revisions et al., Ohio Court of Appeals No. 25AP-164. Taxpayer, Bahorek filed suit against the Franklin County Board of Revisions arguing that R.C. 5715.19 (A)(6)(a) violates the constitutional guarantee of taxation uniformity for property taxes in Article XII, Section 2 of the Ohio Constitution. The Ohio Supreme Court agreed. The Ohio Supreme Court stated that “imposing R.C. 5715.19(A)(6)(a) conditions on the filing of an undervaluation complaint blatantly treats properties different; it exposes some properties to a correction in valuation but allows others to remain undervalued. Therefore, R.C. 5715.19 (A)(6)(a) is a systematic and intentional departure from the uniform valuation of real property and is unconstitutional under Article XII, Section 2 of the Ohio Constitution”.

D. Administrative Actions

The Ohio Department of Taxation provided additional guidance as to the changes made to the timely filing discount found in ORC section 5739.12 and made by the amended *substitute H.B. 96*. Under prior law, the vendor would receive a discount of 0.75% of the amount due on the return if they filed a return and paid the amount due on or before the date the return was required to be filed. Under current law, which became effective on January 1, 2026, this discount is capped at \$750 per vendor’s license for each month covered by the return.

To align Ohio’s withholding rate on bonus income and supplemental compensation to Ohio’s income tax rate for 2026, Ohio Administrative Rule 5703-7-10 became effective to decrease Ohio’s withholding rate from 3.5% to 2.75%.

To: OMA Government Affairs Committee
From: Lindsey Short
Re: Energy Public Policy Report
Date: June 4, 2026

Overview

The Ohio General Assembly is entering a concentrated period of legislative activity as lawmakers work to advance legislation before departing Columbus for the summer campaign season ahead of the November election. Over the coming several weeks, both chambers are expected to accelerate committee hearings, floor votes, and negotiations on policy initiatives before adjourning in mid-June. Following their summer recess, lawmakers are anticipated to return later in the year for post-election session work that will culminate in a busy lame-duck session.

Energy policy continues to remain a priority of the legislature. Over the past year, the House and Senate energy committees dedicated substantial time to consideration and passage of House Bill 15, landmark legislation aimed at strengthening Ohio's competitive electric generation framework and reinforcing market-based energy policies. The bill reflected years of ongoing debate surrounding reliability, affordability, and the role of competitive markets. Despite that progress, a new proposal recently introduced in the House threatens to fundamentally alter Ohio's competitive energy landscape. The legislation would expand the authority of monopoly electric utilities by allowing utility ownership of generation, marking a significant departure from the state's long-standing restructured framework that separates competitive generation from regulated utility operations. See details in legislative section.

Meanwhile, data centers continue to serve as the focal point of conversations spanning many different areas of policy, with a significant emphasis on energy usage. As public attention to data centers grows, much misinformation is being spread about the relationship between data center development and consumer power bills. Data centers are being used as a scapegoat for utility companies while they inflate energy load forecasts and increase rates. Ohio customers have seen transmission-related costs soar over the past decade, long before the recent expansion of data center development became a policy discussion.

The OMA has continued to educate policymakers and others on the role that inflated load forecasts authored by utilities have on rising customer power bills, as well as the critical importance of accurate electric load forecasting to protect customers. See load forecasting section below for more details.

The High Cost of Inflated Demand Forecasts

Forecasting assumptions by electric utilities directly influence long-term generation planning, transmission investment decisions, and wholesale capacity market outcomes within the PJM region. When electric demand projections are overstated, the consequences can be significant. Inflated forecasts can contribute to unnecessarily higher capacity prices, accelerate costly infrastructure investments, and ultimately erode electric affordability for customers.

Research published by the OMA demonstrates how unverified electricity demand forecasts from utilities are driving up costs for customers across the PJM region. Because utilities earn returns on approved infrastructure, overstated forecasts can encourage building even when projected load never materializes, shifting the cost to customers. Unverified demand forecasts are being treated as guaranteed load and baked into grid planning, pushing up capacity prices and triggering unnecessary transmission and generation projects. The forecasts do not adequately

account for behind-the-meter generation that would reduce the amount of capacity the regional market must supply, or exponential improvement in energy efficiency of computing. There is a current lack of scrutiny of these load forecasts at both the PUCO and grid operator PJM Interconnection.

Greater transparency, independent verification, and accountability are needed when large load forecasts are used to justify billions of dollars from customers to pay for infrastructure or capacity decisions. Forthcoming legislation will put load forecasts to the test. See details in legislative section.

The OMA is leading the charge to educate policymakers and the media on how these forecasts are driving up costs. Additionally, the OMA is building a broad coalition to advocate for greater transparency, accountability, and accuracy in electric load forecasting practices.

Ohio Legislature Forms Joint Committee on Data Centers

The Ohio General Assembly continues to intensify its focus on data centers and the broader implications for local communities, infrastructure planning, economic development, and energy policy. While the Ohio House passed House Bill 646 in March to establish the Ohio Data Center Study Commission, legislative leaders have since moved forward with the creation of the Ohio Joint Data Center Committee, signaling a more immediate effort to examine the issue through ongoing legislative hearings. The shift toward a joint legislative committee reflects increasing pressure on lawmakers from constituents seeking greater transparency and a more comprehensive understanding of the impacts associated with large-scale data center development.

The committee will examine energy demand, use of agricultural land, noise pollution, water use and disposal, and national security. The committee began hearings on May 27 and plans to have weekly hearings until lawmakers go home for the summer.

Meanwhile, a group of Ohioans have been collecting signatures for a proposed constitutional amendment to ban large data centers from the state. At the end of May it was reported that the group had gathered approximately 27,000 signatures, significantly short of the 413,000 signatures required by July in order to place the issue on the ballot this year.

PUCO Looks to Extend Data Center Tariff, Continue Discriminatory Rate Design for Energy-Intensive Users

Last year, the PUCO approved an AEP Ohio rate structure designed to specifically target large data centers. The OMA Energy Group opposed the tariff throughout the regulatory process, arguing that the tariff is discriminatory in nature, lacks sufficient evidence, and sets a precedent which could impact industrial customers, including manufacturers, in the future. The tariff could increase costs to other customers in several ways, including:

- Increased future capacity prices by increasing the AEP load forecast submitted to PJM
- Increase transmission costs if baseline transmission upgrades are triggered in planning from overstated load forecasts
- Creates upward pressure on transmission rates as most data center interconnection costs are socialized to all customers as “supplemental transmission” projects

Unfortunately, the PUCO has recently ordered FirstEnergy to create new pricing rules for data center customers, doubling down on the discriminatory treatment of large energy consumers.

While this has largely been regulatory activity, a bill was introduced recently in the House to codify the data center tariff.

FirstEnergy Executives' Bribery Case Ends in Mistrial

The corruption trial of two former FirstEnergy executives began earlier this year. Both former CEO Chuck Jones and former Senior Vice President Mike Dowling were facing dozens of charges related to their role in the House Bill 6 bribery scheme. Prosecutors alleged that Jones and Dowling arranged for a \$4.3 million payment to former Public Utilities Commission of Ohio Chairman Sam Randazzo in exchange for his support on legislation to provide FirstEnergy's nuclear plants with a \$1.3 billion bailout paid for by Ohioans.

This spring, a Summit County Common Pleas Judge announced an impasse when the jury could not agree on whether the FirstEnergy executives bribed Randazzo. 10 out of 12 jurors voted for conviction.

In response, Ohio Attorney General Dave Yost said the state will retry the case, calling the outcome a setback but not the end of the pursuit of justice. General Yost has since announced that he will resign and move on to another position. Ohio Department of Public Safety Director Andy Wilson has been appointed by Governor DeWine to finish the final eight months of General Yost's term, and has indicated that he wants to discuss the case with staff before committing to proceeding with a second trial.

Ohio Manufacturers' Energy Conference

Join us for the Ohio Manufacturers' Energy Conference, the most comprehensive energy forum for manufacturers and energy professionals on August 27 in downtown Columbus. This full-day event delivers timely insights on energy management, electricity and natural gas market updates, and cost-control strategies. Learn about load forecasting and the facts on Ohio's electric transmission system, and hear from keynote speaker Congressman Troy Balderson, Chairman of the House Energy Action Team.

Registration is open and opportunities for sponsorship are available.

Legislative Report:

- **Re-Regulation Proposal Introduced: Utility Ownership of Generation**

A new proposal, House Bill 862, introduced by a pair of House Republicans would allow utilities to build and own nuclear power plants. This bill would effectively turn back the clock on competitive generation and allow utilities guaranteed cost recovery from customers.

Last year, the legislature decisively passed a bill, House Bill 15, to encourage energy infrastructure development. That bill also explicitly prohibited electric distribution utilities from owning generation facilities or bidding into wholesale markets using ratepayer funds. Speaker Huffman made comments this spring indicating that he was "not in favor of going back to a time ratepayers pay the costs of any company."

Details of this bill ring similar to House Bill 6, where utilities got guaranteed returns and customers were forced to assume the risk.

- **Electricity Forecast Integrity Act**

Projected power needs authored by electric utilities are being inflated by speculative assumptions about future power demand. Before approving costly new infrastructure or locking in higher rates for specific customers, the data driving those decisions must be accurate, transparent, and independently verified.

Legislation that is soon to be introduced will address this issue. The Electricity Forecast Integrity Act would require independent verification and public review of large-load forecasts before they can be used to justify major investments in power generation and transmission infrastructure. An independent third party must analyze the utilities' data and produce its own load forecast for each Ohio utility, which will then provide an alternative forecast to the Public Utilities Commission of Ohio (PUCO). The PUCO must create a process where stakeholders can review both the independent and utility-submitted load forecasts. The PUCO must then adopt the most reasonable and accurate forecast or a modified forecast prior to authorizing the forecast to be sent by the utility to PJM.

Currently, load forecast assumptions are being incorporated into long-term planning models as guaranteed growth, pushing up capacity prices and triggering unnecessary transmission and generation projects.

- **Energy Intensive Users Targeted in New Legislative Proposals**

As data centers have been widely discussed regarding their energy usage recently following inflated load forecasts authored by utilities, numerous bills have been introduced to penalize the industry of energy-intensive users. The OMA has urged lawmakers to proceed with caution when discriminating against a select industry.

Some of these bills include:

- House Bill 70 – to codify the tariff enacted on data centers that was approved by the PUCO
- House Bill 646 – to establish a Data Center Study Commission
- House Bill 78 – to require data centers to report monthly and yearly water consumption
- House Bill 710 – to prohibit economic development assistance to new data centers
- Senate Bill 381 – to require PUCO approval of agreements to interconnect data centers to the electric grid

The OMA will continue to educate policymakers on the real driver of rising energy costs – inflated load forecasts.

- **Competitive EV Charging Bill Approved by Both Chambers**

The OMA has supported a bill, Senate Bill 106, clarifying that electric vehicle charging is a competitive economic activity. Previous legislative proposals aimed at EV charging in prior General Assemblies had provisions which would have allowed monopoly electric utilities entry into the charging space where they would gain preferential market conditions at the expense of customers. The OMA fought to keep Senate Bill 106 clean of any such amendments as the bill progressed through the legislature.

Senate Bill 106 was voted unanimously out of the Senate in February and received a 96-1 vote out of the House at the end of May.

- **Virtual Net Metering**

Senate Bill 298 was introduced last year, which would create a virtual net-metering mechanism for local generation sited at brownfields and other similarly affected properties. Unlike previous proposals in prior General Assemblies, this OMA-supported bill allows for customer-sited generation to receive the full financial value of its transmission cost savings, and does not shift costs onto ratepayers.

The OMA testified as a proponent at a hearing before the Senate Energy Committee in April.

- **Ohio Fusion Energy Advancement Act**

Legislation has been introduced by Representative Brian Lorenz to establish a framework to support the development of fusion energy. House Bill 736 would task the Ohio Department of Development with convening a fusion energy working group. It would also update state laws to review whether current tax incentives and workforce programs could apply to fusion companies.

The bill is scheduled to receive a first hearing this week.

- **Natural Gas Utility “Giveaway” Passed**

Senate Bill 103 was passed by the legislature last year to modify rate-making processes for natural gas utilities. Regrettably, the final bill contained provisions that will benefit utilities at the expense of customers, such as:

- Allows gas companies to propose partially or fully forecasted test periods. This provision allows utilities to project future costs and revenues, which can result in consumers paying higher rates based on speculative estimates rather than actual, verifiable data
- States that the Public Utilities Commission can only consider a settlement if the utility supports the settlement
- Erodes customer protections by changing what is deemed used and useful
- Requires approval of above-market charges without any caps or limits on the amounts collected from customers
- Allows utilities to collect money from customers for capital expenditure riders on a projected basis, regardless of whether the funds are actually used

An opponent to the final legislation, the OMA articulated these concerns and urged lawmakers to bring balance to the bill by including a myriad of customer protections. The bill became effective in March.

- **Consumer Utility Billing Transparency Act**

Dubbed the Consumer Utility Billing Transparency Act, House Bill 158 would require utilities to itemize all riders, taxes and other costs on customers’ bills.

While the OMA is supportive of greater utility and billing transparency, counsel and retained experts are studying the bill. House Bill 158 has not received a hearing in committee since last spring.

- **Carbon Capture and Storage**

Companion pieces of legislation to regulate carbon capture and storage (CCS) technologies have been introduced in both chambers, House Bill 170 and Senate Bill 136. House Bill 170 has advanced out of the first chamber and unanimously passed the Senate recently.

Bill sponsors, alike oil & gas industry leaders have noted that the bills will standardize and better regulate CCS activity and allow companies to deal directly with the Ohio Department of Natural Resources rather than the federal government. The OMA is supportive of the legislation.

- **Carbon Credits Proposal Clears Senate**

Senator Shane Wilkin's Senate Bill 151 allows for competitive natural gas suppliers to offer carbon offsets to customers. The bill is supported by at least one OMA connections partner. The bill unanimously passed the Senate earlier this year and is currently pending before the House Energy Committee.

- **Demand Response Programs for Residential and Small Commercial Customers**

Representative Roy Klopfenstein has introduced House Bill 427, authorizing utilities to create demand response programs for residential and small commercial customers. Large commercial and industrial customers already have access to voluntary demand response programs through competitive business providers.

Demand response is an eligible capacity resource in the PJM capacity auction and can have the effect of lowering the price of electric capacity. However, it is not common for residential and small business customers to enroll with competitive demand response providers, and this resource remains underutilized. The proposed bill would allow utilities to create incentivized programs that would allow small energy users to sign up to agree to reduce their energy usage during high demand hours on the network. The OMA will continue to monitor the legislation.

House Bill 427 has continued receiving hearings in House Energy Committee this spring.

- **Community Energy Program**

House Bill 303 intends to implement a community solar program. A model bill driven mainly by environmental interests, renewable portfolios at the distribution level are unproven and may only serve as a cost-shift forcing non-participants to subsidize participants without any meaningful generation benefit. Significant revisions have been made to minimize the cost shift and the bill could advance, although utilities are opposed. The OMA will continue to monitor the legislation.

House Bill 303 passed the House last winter and received a first hearing in the Senate Energy Committee last month.

- **Energy Siting Policy**

Senators Mark Romanchuk and George Lang have teamed up to sponsor Senate Bill 294 to alter laws governing the siting of power generation. The ALEC-supported model bill would attempt to prioritize forms of generation based on efficiency of generation per customer dollar, with the stated intent of driving down subsidies for generation. The OMA will continue to monitor the bill.

Senate Bill 294 has received several rounds of amendments recently in Senate Energy Committee.

- **Submetering**

The House and Senate are considering Senate Bill 108 and House Bill 173, similar legislation to address submetering. Recent cases have revealed inconsistencies in the manner in which private companies offer submetering services. Intended to apply to residential and small commercial properties, the OMA has worked to ensure industrial complexes are unaffected.

These bills would exempt submeterers and billing agents in apartment complexes from being considered a public utility. While Senate Bill 108 has not seen any movement, House Bill 173 recently passed the House and received a first hearing in Senate Public Utilities Committee several weeks ago.

- **Resolution on Federal Permitting Reform**

Both chambers have resolutions pending to urge Congress to enact reforms to federal permitting policies with the goal of accelerating deployment of new energy infrastructure. House Concurrent Resolution 35 and Senate Concurrent Resolution 20 are both pending in their respective chambers.

Energy News

[Click here for Energy Community articles from previous Leadership Briefings.](#)

Energy Legislation
Prepared by: The Ohio Manufacturers' Association
Report created on June 1, 2026

- HB15** **ELECTRIC SERVICE LAW CHANGES** (KLOPFENSTEIN R) To amend the competitive retail electric service law, modify taxation of certain public utility property, and repeal parts of H.B. 6 of the 133rd General Assembly.
Current Status: 5/15/2025 - **SIGNED BY GOVERNOR**; eff. 8/14/25
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-15>
- HB66** **REPEAL LEGACY GENERATION RESOURCE PROVISIONS** (BRENNAN S, DEAN L) To repeal the legacy generation resource provisions of H.B. 6 of the 133rd General Assembly and provide customers refunds.
Current Status: 2/12/2025 - Referred to Committee House Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-66>
- HB96** **OPERATING BUDGET** (STEWART B) To make operating appropriations for the biennium beginning July 1, 2025, and ending June 30, 2027, to levy taxes, and to provide authorization and conditions for the operation of state programs.
Current Status: 10/1/2025 - Consideration of Governor's Veto; Senate Overrides Veto on Item 66, Vote 21-11
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-96>
- HB121** **PUBLIC UTILITY STATUS-RNG PRODUCERS** (STEWART B) To declare certain renewable natural gas producers are not public utilities.
Current Status: 2/26/2025 - Referred to Committee House Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-121>
- HB142** **ALLOW NATURAL GAS ALTERNATIVE RATE PLANS** (DOVILLA M, FISCHER T) To allow for alternative rate plans for natural gas companies to serve large load customers and to make changes to the process of valuating natural gas company property.
Current Status: 9/24/2025 - **SUBSTITUTE BILL ACCEPTED**, House Energy, (Fifth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-142>
- HB158** **REQUIRE UTILITY BILL ITEMIZATION** (BRENNAN S, THOMAS D) To enact "The Consumer Utility Billing Transparency Act" requiring the itemization of all riders, taxes, and other costs on certain utility bills.
Current Status: 5/14/2025 - House Energy, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-158>
- HB170** **ESTABLISH CARBON CAPTURE REGULATION PROCESS** (ROBB BLASDEL M, PETERSON B) To establish a process to regulate carbon capture and storage technologies and the geologic sequestration of carbon dioxide for long-term storage.
Current Status: 5/20/2026 - **PASSED BY SENATE**, Vote 30-0
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-170>
- HB173** **REGARDING SUBMETERED UTILITY SERVICES** (THOMAS D) Regarding submetered utility services.

Current Status: 6/3/2026 - Senate Public Utilities, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-173>

HB265 PUBLIC UTILITY SERVICES RESELLER REGULATION (BRENNAN S, FISCHER T) To regulate resellers of public utility services as public utilities.

Current Status: 6/4/2025 - House Energy, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-265>

HB303 ESTABLISH COMMUNITY ENERGY PROGRAM (RAY S, HOOPS J) To establish the community energy program and pilot program and to define electricity measurement in alternating current.

Current Status: 4/14/2026 - Senate Energy, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-303>

HB427 REGARDING VOLUNTARY DEMAND RESPONSE, ELECTRIC BILLING (KLOPFENSTEIN R) Regarding voluntary demand response programs for residential and small commercial customers and electric service billing to customers of competitive retail electric service providers.

Current Status: 5/20/2026 - House Energy, (Sixth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-427>

HB646 CREATE DATA CENTER STUDY COMMISSION (CLICK G, DEETER K) To create the Data Center Study Commission.

Current Status: 3/25/2026 - Referred to Committee Senate Financial Institutions, Insurance and Technology
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-646>

HB657 PUCO NOMINATING COUNCIL CHANGES (TROY D, SIGRIST M) To make various changes to the Public Utilities Commission nominating council and nomination process.

Current Status: 2/4/2026 - Referred to Committee House Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-657>

HB706 DATA CENTER CUSTOMER REQUIREMENTS (RADER T, THOMAS D) To impose certain minimum requirements on data center customers in the state.

Current Status: 6/3/2026 - House Energy, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-706>

HB710 PUBLIC SUPPORT PROHIBITION-DATA CENTERS (DEMETRIOU S, WORKMAN H) To prohibit public support for, and limit the construction of, new data centers.

Current Status: 5/19/2026 - House General Government, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-710>

HB756 EXPAND R&D CREDIT-INCOME TAX (DANIELS J, THOMAS J) To expand a research and development tax credit to apply to the income tax.

Current Status: 3/25/2026 - House Ways and Means, (First Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-756>

- HB832** **REGARDING VIRTUAL NET METERING, METER AGGREGATION** (FISCHER T, THOMAS D) Regarding virtual net metering and meter aggregation.
Current Status: 5/13/2026 - Referred to Committee House Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-832>
- HB862** **ALLOW NUCLEAR GENERATION-LIMITED CIRCUMSTANCES** (MATHEWS A, PETERSON B) To authorize electric distribution utilities to construct, own, and operate nuclear generating facilities in limited circumstances and to require the Ohio Nuclear Development Authority to appoint a State Nuclear Coordinator.
Current Status: 5/13/2026 - Referred to Committee House Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-862>
- HCR35** **URGE CONGRESS-ENERGY PERMITTING** (LEAR B) To urge Congress to enact reforms to federal permitting policies to accelerate deployment of new energy infrastructure.
Current Status: 6/3/2026 - House Energy, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HCR-35>
- HCR38** **URGE INTERSTATE COMPACT-ELECTRIC TRANSMISSION** (FISCHER T) To urge the creation of an interstate compact regarding competitively bid electric transmission projects.
Current Status: 3/18/2026 - Referred to Committee House Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HCR-38>
- SB2** **LAW CHANGES-PUBLIC UTILITIES** (REINEKE W) Regarding public utilities law, to make changes regarding utility tangible personal property taxation, and to repeal parts of H.B. 6 of the 133rd General Assembly.
Current Status: 3/26/2025 - Referred to Committee House Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-2>
- SB99** **MAKE CHANGES-PUCO NOMINATING COUNCIL, PROCESS** (HICKS-HUDSON P, DEMORA B) To make various changes to the Public Utilities Commission nominating council and nomination process.
Current Status: 3/5/2025 - Senate Public Utilities, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-99>
- SB103** **MAKE CHANGES-VALUATING PUBLIC UTILITIES PROPERTY** (WILKIN S) To allow for alternative rate plans for natural gas companies to serve large load customers and to make changes to the process of valuating property for certain public utilities.
Current Status: 12/19/2025 - **SIGNED BY GOVERNOR**; eff. 3/20/26
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-103>
- SB106** **REGARDING EV CHARGING STATIONS** (REINEKE W) Regarding electric vehicle charging stations and to make corrections to provisions of Senate Bill 103 of the 136th General Assembly.
Current Status: 5/20/2026 - **PASSED BY HOUSE**; Vote 96-1

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-106>

- SB108** **EXEMPT BEHIND THE METER UTILITIES (BRENNER A)** To exempt from regulation as a public utility certain persons or entities providing behind-the-meter utility services and to allow the Public Utilities Commission to register providers of such services.
Current Status: 3/5/2025 - Senate Public Utilities, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-108>
- SB116** **REDUCE PROPERTY TAX ASSESSMENT-PIPELINE COMPANIES (LANG G)** To reduce the tangible personal property tax assessment rate for new pipe-line company property.
Current Status: 3/19/2025 - **SUBSTITUTE BILL ACCEPTED**, Senate Public Utilities, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-116>
- SB136** **REGULATE CARBON CAPTURE, STORAGE TECHNOLOGY (SCHAFFER T, CHAVEZ B)** To establish a process to regulate carbon capture and storage technologies and the geologic sequestration of carbon dioxide for long-term storage.
Current Status: 3/19/2025 - Referred to Committee Senate Energy
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-136>
- SB151** **ALLOW CARBON OFFSET OFFERS (WILKIN S)** To allow for competitive retail natural gas service suppliers to offer carbon offsets to customers.
Current Status: 5/20/2026 - **BILL AMENDED**, House Energy, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-151>
- SB219** **CHANGE LAWS-OIL, GAS WELLS (LANDIS A)** To amend Section 343.30 of H.B. 96 of the 136th General Assembly to make changes to the law governing oil and gas wells.
Current Status: 6/3/2026 - House Natural Resources, (Fourth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-219>
- SB231** **ESTABLISH COMMUNITY PROGRAM, PILOT PROGRAM-ELECTRICITY MEASUREMENT (ROMANCHUK M, SMITH K)** To establish the community energy program and pilot program and to define electricity measurement in alternating current.
Current Status: 6/2/2026 - Senate Energy, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-231>
- SB245** **PROHIBIT UTILITIES-RECOVERING POLITICAL COSTS FROM CUSTOMERS (SMITH K)** To prohibit certain public utilities from recovering political expenditure costs from their customers.
Current Status: 11/5/2025 - Senate Public Utilities, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-245>
- SB246** **PROHIBIT UTILITY SERVICE TERMINATION-CERTAIN HOUSEHOLDS (SMITH K)** To prohibit terminating electric or gas service to certain households and establish a payment plan for these services.
Current Status: 11/5/2025 - Senate Public Utilities, (First Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-246>

SB294 **DECLARE ENERGY SITING POLICY** (LANG G, ROMANCHUK M) To declare the state's energy siting policy.

Current Status: 6/2/2026 - Senate Energy, (Sixth Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-294>

SB298 **REGARDING VIRTUAL NET METERING, METER AGGREGATION** (ROMANCHUK M) Regarding virtual net metering and meter aggregation.

Current Status: 4/14/2026 - **BILL AMENDED**, Senate Energy, (Second Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-298>

SB374 **PROHIBIT SALES TAX EXEMPTIONS-DATA CENTERS** (SMITH K, BLESSING III L) To prohibit new data center sales tax exemptions from being granted.

Current Status: 3/25/2026 - Referred to Committee Senate Finance

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-374>

SB381 **PUCO APPROVAL-DATA CENTER GRID CONNECTION** (WEINSTEIN C) To require the Public Utility Commission's approval of agreements to interconnect data centers to the electrical grid.

Current Status: 3/25/2026 - Referred to Committee Senate Public Utilities

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-381>

SCR2 **URGE CONGRESS, GOVERNOR-ELECTRIC GRID INVESTMENT** (JOHNSON T) Urging Ohio electric utility stakeholders, the Governor, and the Congress of the United States to invest resources into the security, reliability, and resiliency of the state and national interconnected electric grids against natural and man-made threats.

Current Status: 10/15/2025 - **ADOPTED BY HOUSE**; Vote 93-0

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SCR-2>

SCR20 **URGE CONGRESS-ENERGY PERMITTING REFORM** (WILKIN S) To urge Congress to enact reforms to federal permitting policies to accelerate deployment of new energy infrastructure.

Current Status: 6/2/2026 - Senate Energy, (Second Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SCR-20>

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PROTECTING & GROWING OHIO MANUFACTURING

May 13, 2026

For Immediate Release

OMA Warns AEP Nuclear Bill Revives HB 6 Playbook

COLUMBUS, Ohio — The Ohio Manufacturers' Association (OMA) today warned lawmakers that AEP-supported nuclear legislation would revive the House Bill 6 playbook by giving monopoly utilities a new path back into generation ownership and putting the financial risk on customers' electric bills.

House Bill 862 would create a new “nuclear project financing order” allowing electric distribution utilities to construct, own and operate nuclear generation. That would mark a major break from Ohio's competitive electric market and create a special exception in state law for monopoly utilities to get back into the generation business.

“Ohio should pursue nuclear energy, but not by handing monopoly utilities a new path back into generation ownership,” said Ryan Augsburger, OMA president. “This bill is not a nuclear development strategy. It is a utility ownership strategy. It takes Ohio backward toward the same customer-funded monopoly model utilities have been trying to revive since the HB 6 era.”

OMA said the proposal echoes the utility “[master plan](#)” revealed in House Bill 6-related documents, when utilities sought to expand customer-funded subsidies, increase monopoly control, rate-base new assets and shift more risk onto customers.

The association also said the same concepts keep reappearing under new names, including utility-owned generation, rate-based assets, alternative financing mechanisms and ratepayer-backed risk.

“This is the same movie with a new title,” Augsburger said. “During HB 6, utilities pushed customer-funded subsidies for aging plants. Now they are pushing customer-backed mechanisms for new utility-owned generation. The technology may be different, but the business model is the same. Utilities get guaranteed returns. Customers get the risk.”

The Northwest Ohio Aggregation Coalition (NOAC), which represents 125,000 residents and small businesses, also warned that the bill would revive the customer-funded subsidy model Ohio communities fought to eliminate.

“For years, northwest Ohio fought alongside Ohioans to get rid of these utility-owned nuclear plant subsidies,” said Tom Hays with the NOAC. “Together, we succeeded. We will fight this wrong-headed effort to bring this subsidy system back. Why? Because under this scheme, we paid about the highest electric rates in the whole country. It is a bad idea. This is a path toward electric rates like California’s.”

The Ohio Association of Community Action Agencies (OACAA), whose member agencies serve low-income Ohioans in all 88 counties, said affordability and consumer protections must remain central as lawmakers consider major energy policy changes.

“Community action agencies across Ohio work every day with families already struggling to keep up with rising utility costs,” said OACAA Executive Director Jason Smith. “OACAA supports energy policies that strengthen reliability and Ohio’s future generation capacity, but affordability and consumer protections must remain central to the discussion. Low-income households should not be asked to shoulder additional long-term costs and financial risk through higher utility bills.”

OMA said Ohio can pursue advanced nuclear energy without reversing decades of competitive-market policy. In Ohio’s competitive generation framework, investment risk belongs with developers and investors, not captive ratepayers.

“This bill asks Ohioans to forget the lesson of HB 6,” Augsburger said. “When monopoly utilities use public policy to own generation, protect returns and shift risk, customers lose. Ohio should not reopen that door.”

OMA also raised concerns about provisions that could allow key approvals to occur by default if regulators fail to act within certain timelines. If the Public Utilities Commission of Ohio misses the bill’s deadlines, an application could be deemed compliant or approved by operation of law, forcing approval of key nuclear financing and ratemaking decisions without a full decision on the merits.

“This is not rigorous review. It is a utility fast lane,” Augsburger said. “A project that could affect customer bills for generations should never be approved by default because a regulatory clock ran out. The shot clock applies only to the utility. Customers are the ones left paying after the buzzer.”

OMA cautioned that the bill relies on utility long-term load projections as part of the finding of need, allowing utilities to use their own forecasts to justify construction backed by customer bills.

“Utilities should not be allowed to turn their own forecasts into permission slips to build on customers’ dime,” Augsburger said. “Forecast integrity matters. If projections are inflated,

speculative or shaped by utility incentives, customers can be locked into paying for infrastructure the market may not need.”

OMA said the issue is not whether Ohio should pursue nuclear energy. The issue is whether monopoly utilities should be allowed to use nuclear development as a vehicle to re-enter generation ownership and place the financial risk on customers.

“Nuclear may have a role in Ohio’s energy future,” Augsburger said. “But AEP’s bill is not about unlocking nuclear innovation. It is about unlocking a customer-backed ownership model for monopoly utilities. Ohio should build the future, not rebuild the mistakes of HB 6.”

OMA urged lawmakers to reject the legislation and preserve Ohio’s competitive market structure. Nuclear investment should compete on its merits, not ride into law on a monopoly utility financing scheme backed by captive ratepayers.

###

The Ohio Manufacturers' Association is Ohio's largest statewide business association composed solely of manufacturers. Established in 1910, the OMA's mission is to protect and grow Ohio manufacturing. It represents manufacturers of all sizes in every subsector of the industry. Manufacturing is Ohio's largest economic sector, employing approximately 690,000 Ohioans and contributing more than \$138 billion annually to the economy. Visit ohiomfg.com, or follow us on [LinkedIn](#), [X](#), [Facebook](#) and [YouTube](#).

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The Columbus Dispatch

AEP's crisis is a power play that will gouge Ohioans | Opinion

Ryan Augsburger

Guest columnist

March 24, 2026 Updated March 25, 2026, 11:23 a.m. ET

Central Ohio native Ryan Augsburger serves as president for the tOhio Manufacturers' Association.

As an Akron jury deliberates FirstEnergy's role in Ohio's [largest bribery scheme](#), we mustn't forget AEP's role in the scandal.

In January 2025, [AEP agreed to pay a \\$19 million settlement with the Securities and Exchange Commission](#) to resolve claims that it made misleading statements and failed to properly disclose payments tied to a dark-money group connected to the House Bill 6 bribes.

Today, AEP turns to the same playbook, touting a power crisis due to data centers locating to Ohio.

So now Ohioans are facing the prospect of spending billions for unneeded electrical infrastructure. This time, the [AI-fueled data center boom](#) is the bogeyman, and utilities are relying on widely questioned demand forecasts to build new, expensive power facilities, sending customers the bill.

Electric bills already are rising and [will increase again in April](#), based on a recent ruling by state utility regulators. By June, they will rise even more.

Ohio's complex system of how power prices are determined makes it difficult for most customers to fight back.

Utilities have an incentive to exaggerate

But here are the basics: Utilities file demand estimates of customer load, including "large load adjustments" for data centers, at the Public Utilities Commission of Ohio, which traditionally does not question the estimates. Regional grid operator [PJM Interconnection](#) tends to accept those estimates with limited scrutiny.

If utilities' demand forecasts are high, electric bills climb higher.

Needless to say, utilities have an incentive to exaggerate because they make profit on how much they spend to build, not on how much electricity eventually moves through the wires. Take AEP at its word for what it told its shareholders while bragging of record profits, “... [it doesn't really matter](#) to us financially whether that load is actually coming online or not.”

We shouldn't pay for a 'future that might never arrive'

Before customers are forced to fund billions in new power projects, the Ohio Manufacturers' Association wants guarantees that the assumptions behind those decisions are tested, transparent and accountable. Overestimating demand forces Ohio customers to pay for a future that might never arrive.

To demonstrate that accurate forecasting is needed, [OMA issued a report](#) that shows how utility estimates of future power demand could be significantly wrong.

The report includes examples showing that utilities are likely counting data center projects multiple times, an insight widely supported by industry analysts.

Utility load forecasts also need to account for behind-the-meter generation that is booming in development, the exponential improvement in compute energy-efficiency, and the risks of lower-than-expected adoption of AI, among other factors. Time is of the essence.

Grid operator [PJM recently approved \\$11.8 billion in new transmission projects](#) based partly on these questionable projections.

Ohioans are not protected

Finally, where electrical infrastructure is needed, the costs need to be accurately allocated to the data centers. President Donald Trump's [Ratepayer Protection Pledge](#), signed by leading AI data center companies, is a good start.

But the state and the PUCO need to act on this good-faith pledge.

Unfortunately, Ohioans are not currently protected.

[AEP's new data center tariff](#) did more to ensure AEP shareholder profit from data center risks, than it did to ensure ratepayers are protected. Despite having the burden of proof, AEP presented no rate impact analysis for review at the PUCO. OMA analysts argued the tariff is being used to increase load forecasts, while failing to protect other classes of customers.

Utility mistakes and greed can stack up and Ohio has a history of non-existent regulatory protection: it was a former PUCO chairman who authorized FirstEnergy's ill-fated, \$456 Million “Distribution Modernization Rider,” [telling now indicted utility executives](#) that

“knowing that it would likely be found illegal and would not be refunded, I knew you would hold onto the funds.”

This half-billion-dollar giveaway was free cash for the utility. This year, the PUCO finally acted and \$275 million in restitution is headed to ratepayers.

Ohio’s manufacturers and the OMA will keep pressing for transparency, accountability and rate structures that protect customers instead of underwriting flawed utility planning.

We will also continue to fight to end the flawed, discriminatory, utility-favored data center tariff that was approved by the PUCO and will keep defending the integrity of Ohio manufacturers.

We hope members of the Ohio Senate Energy Committee on Tuesday press for real answers on how inflated utility forecasts and other utility missteps were allowed to saddle customers with higher power bills.

Electricity Forecast Integrity Act

Electric utilities are submitting overly aggressive load projections to grid operator PJM, driven by financial incentives to overbuild infrastructure. PJM generally accepts these forecasts with limited scrutiny.

Inflated forecasts raise electricity prices and overstate the need for new transmission investments and new generation that may not actually be needed. Customers ultimately pay the price, as recent PJM auctions produced record-high costs for businesses and households.

Ohio needs stronger oversight and more realistic forecasting to prevent unnecessary spending and protect customers from rising electricity costs. Independent verification of utility load forecasting is essential to hold utilities accountable.

Forthcoming legislation will help protect customers by providing necessary updates to Ohio law. The Electricity Forecast Integrity Act will do the following:

1. Strengthen load forecasting reporting requirements for the utilities to increase transparency and accountability;
2. Require an independent 3rd party to analyze the utilities' data and produce its own load forecast for each Ohio utility, which will provide an alternative forecast to verify the utilities' load forecasts and assist the Public Utilities Commission of Ohio (PUCO) in its approval process;
3. Create a process where stakeholders can review and challenge the two reports and underlying data for each utility;
4. Require a public hearing be held on the reports, increasing transparency and accountability, and encouraging the accuracy of the utilities' forecasts; and,
5. Strengthen the PUCO approval process, requiring the PUCO to consider the two load forecasts and adopt the most reasonable and accurate forecast or a modified forecast prior to authorizing the utility to submit the approved forecast to the regional transmission organization, PJM.

These additional safeguards will encourage more accurate forecasting to prevent utilities from overbuilding or gold-plating transmission facilities that are not needed and will send the proper market signals to new generators. Avoiding these unnecessary investments lowers electricity rates, prevents inflated PJM market prices, and reduces the risk of stranded assets that will otherwise be paid for by customers.



The Ohio Manufacturers' Association presents

2026 OHIO MANUFACTURERS' ENERGY CONFERENCE

A forum for manufacturers and energy professionals

Sponsor Packages

WHAT:

Ohio's most comprehensive energy event for manufacturers and energy professionals.

WHEN:

Thursday, August 27, 2026

WHERE:

Hilton Columbus Downtown
401 North High Street
Columbus, Ohio 43215

WHO:

Energy supply managers, category managers, utility engineers, sustainability specialists, policy experts, company executives, suppliers, consultants, regulators, and more.

HIGHLIGHTS:

With energy at the forefront of economic concerns, this event will showcase state and national experts who will share insights, best practices, and industry trends in energy management, efficiency, and procurement; generation, distribution, and transmission; policy and regulatory developments; and sustainability, ESG, and behind-the-meter opportunities. This in-person event will also provide networking opportunities for professionals as they enhance their competitiveness.

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TO: OMA Government Affairs Committee
FROM: James Lee
RE: Environment Public Policy Report
DATE: June 4, 2026

Overview

Several policy developments are impacting Ohio manufacturers at both the state and federal levels.

A key OMA priority was achieved with passage of legislation removing the Air Nuisance Rule from Ohio's SIP. Ohio EPA has submitted the change for federal approval, which is expected in the coming months.

State environmental legislation has been largely quiet, though recent bipartisan movement on PFAS regulations is emerging, with OMA poised to oppose the proposals.

Agency activity has remained stable despite leadership changes under Director John Logue. The OMA continues to engage on water quality rulemaking, monitor federal air requirements, and explore options to expand regulatory flexibility for manufacturers impacted by PM 2.5 and ozone nonattainment in Northeast and Southwest Ohio.

At the federal level, the Trump administration has begun advancing its deregulatory agenda, including early steps to reduce environmental justice funding and roll back major emissions programs such as greenhouse gas reporting. Though these major steps are impactful to manufacturers in allowing operations to thrive free from overreach and burdensome compliance costs, a major concern has developed with US EPA officially announcing PFAS as a priority in the Make America Healthy Again (MAHA) agenda.

Environment Legislation

OMA Advances Removal of Air Nuisance Rule from SIP

For years, the OMA has worked to eliminate the Air Nuisance Rule from Ohio's federal State Implementation Plan (SIP), which uniquely exposes manufacturers to frivolous litigation. After unsuccessful federal efforts, the OMA secured state budget language requiring Ohio EPA to petition U.S. EPA for its removal.

Ohio EPA has now submitted its SIP revision, and U.S. EPA is aware and actively working on the request, with removal likely within the year. In a recent update, the feds have opened the federal comment period – demonstrating quick movement toward finalization.

Once approved, Ohio manufacturers will be protected from future enforcement actions tied to this rule.

Amended HB 272 Resurfaces with focus PFAS Bans, Reporting Provisions

Representatives Justin Pizzulli (R-Portsmouth) and Monica Robb-Blasdel (R-Columbiana County) introduced House Bill 272, originally a wide-ranging proposal targeting PFAS, food additives, and other issues. While the bill was previously considered stalled, it has recently been amended and revived—now focused primarily on PFAS reporting requirements that remain problematic for manufacturers. Similar legislation has also been introduced by Democrats behind the scenes.

The revised bill centers on new PFAs bans for consumer products and reporting requirements, which would impose additional compliance obligations on manufacturers despite ongoing federal review, creating uncertainty and added burden. Noncompliance with the bill would slam manufacturers with a steep \$15,000 daily fine for each identified violation of the bill's provisions.

The bill received proponent testimony, but is unlikely to advance further thanks to a coalition led by the OMA and key business partners to push back on the bill.

House Bill 182: Fluoride Ban for Public Water Systems

State Representative Levi Dean (R-Xenia) has introduced legislation to prohibit adding fluoride to public water systems. House Bill 182, which simply reads, "No public water system shall add fluoride to the water supplied by the system," would effectively ban the mineral from being added to public water systems. This legislation follows the Make America Healthy Again, or MAHA movement, being pushed by US Health and Human Services Secretary, Robert F. Kennedy, who has publicly stated his skepticism of the need for fluoridated water. Water fluoridation bans are one of many facets on the MAHA agenda, which also encompasses bans on multiple chemicals, dyes, additives, and PFAS as mentioned above.

Out of several states that have moved to restrict fluoridation in public water systems, Utah was the first to pass legislation in February of 2025.

Feds Reject Ohio Push for E-Check Removal

Legislation to fund transportation agencies for the next two years included provisions to eliminate Ohio's E-Check program. The bill ultimately passed the General Assembly, marking a significant step toward ending the program at the state level. However, U.S. EPA has rejected Ohio's request to remove E-Check requirements, maintaining that the program remains necessary for compliance with federal air quality standards.

Ohio has long required E-Check as an air pollution control measure in certain counties, and despite state action, federal approval is required before the program can be fully eliminated. The E-check requirements protect northeast Ohio manufacturers from emissions burdens being shifted to their operations.

State Regulatory Activity

Cleveland Announced Compliant for Ozone Non-Attainment

The U.S. EPA has proposed redesignating the seven-county Cleveland area to "attainment" status for ground-level ozone, signaling that the region now meets national air quality standards. This follows a significant five-year drop in key pollutants, with nitrogen oxide emissions falling by 42% and volatile organic compounds by 25%. For manufacturers, this shift is a major win that will make air permitting for new projects and expansions faster, simpler, and more predictable. While current pollution controls and a 10-year maintenance plan will remain to protect air quality, the new status removes the heavy regulatory hurdles associated with "nonattainment" zones. The EPA is now opening a 30-day public comment period before finalizing the decision.

Feds Hand RCRA to State

The U.S. EPA has officially authorized the Ohio EPA as the primary authority for all hazardous waste permitting under the Resource Conservation and Recovery Act (RCRA). This shift consolidates oversight for air emissions, solid waste, and aerosol regulations at the state level, ensuring local experts handle the process while maintaining strict federal safety standards. For manufacturers, this move eliminates redundant federal layers, resulting in a faster and more predictable permitting experience. OMA President Ryan Augsburg highlighted that this transition provides the regulatory certainty needed for businesses to invest and expand within

Ohio. The Ohio EPA is now coordinating the transition of existing federal permits to state control to streamline industrial compliance. The official announcement was made at OMA Member Facility, AMG Vanadium, with Region 5 Administrator, Ann Vogel, and OMA Staff participating in the event.

OMA Seeking Exceptional Events Demonstrations for PM 2.5 and Ozone Attainment

The OMA is working with Ohio EPA to pursue exceptional events demonstrations aimed at bringing Northeast and Southwest Ohio into attainment for PM 2.5 and ozone standards. This effort is focused on expanding regulatory headroom, improving permit access, and supporting continued manufacturing growth in these regions. The OMA has identified several Canadian wildfire days that may be excluded from air quality data, which could significantly improve attainment status. If successful, these changes would reduce compliance costs and limit the need for manufacturers to implement costly new control technologies.

The Ohio EPA submitted exceptional events demonstrations for Ozone in December. The OMA submitted comments in support of the move, noting the need for additional days.

New Nutrients Implementation of Water Quality Standards Rule

Ohio EPA is considering a new rule to determine if streams and rivers are impaired by excessive nutrients, using a weight of evidence approach for consistency.

In June, the OMA submitted comments supporting this approach and emphasized using the 2015 Stream Nutrient Assessment Procedure (SNAP) for the proposed Nutrient ESO. The OMA also raised concerns about the 2018 framework for large river rulemaking in developing the Nutrient Implementation Standards rule.

OMA Engages on Ohio EPA's New Implementation of Water Variance Rule

The Ohio EPA has proposed a new Water Quality Standards Variance Rule (OAC 3745-1-38) to allow some manufacturers to meet adjusted, achievable water quality limits. This rule is intended to help companies gradually improve water quality when full compliance with strict standards isn't feasible, as seen with pollutants like mercury.

The OMA provided comments on August 23, 2023, supporting the rule's approach for certain ammonia discharges. However, OMA raised concerns about Ohio EPA's methods for setting these variance limits, particularly for mercury, which sometimes sets limits below what is realistically achievable. OMA has urged Ohio EPA to revise its guidance to make these permit limits more attainable for manufacturers.

Nutrient Rule Raises Cost Concerns, OMA Pushes for Flexible Approach

The OMA is weighing in on a proposed water quality rule that would determine when nutrient pollution controls are required for facilities discharging into Ohio waterways under the Clean Water Act [Nutrient Assessment Protocol Implementation and Definitions (OAC Chapter 3745-33-01 and -06)]. The rule could significantly impact manufacturers by triggering new permit limits and costly treatment upgrades if waterways are deemed impaired or at risk. While the OMA supports the overall science-based framework, it is raising concerns that some provisions could impose unnecessary costs without clear environmental benefits. In particular, the group is advocating for a more flexible, "adaptive management" approach that allows solutions to be tailored to real-world conditions. The Ohio Environmental Protection Agency is still developing the rule, and the OMA is actively engaged to ensure it remains practical and cost-effective for manufacturers.

Ohio Updates NOx Rules Could Shift Compliance for Manufacturers

The OMA is weighing in on proposed changes to Ohio's NOx RACT emissions rules that would clarify key definitions, determine which facilities are covered, and adjust compliance timelines under the Clean Air Act. A central update to the "potential to emit" definition could change whether certain manufacturers are subject to stricter requirements. For industry, that means possible shifts in regulatory obligations and timing, with real operational and cost implications. The Ohio Environmental Protection Agency is aiming to fix past inconsistencies, and the OMA is staying engaged to ensure the final rules are clear and workable.

Ohio EPA Takes RCRA

OMA to Monitor EPA's Review of "Beneficial Use" Designations in Waterways

The Ohio EPA is beginning early outreach to update "Beneficial Use" designations for the Maumee, Ashtabula, and Muskingum River basins, which set the environmental targets for these specific waterways. These designations are critical because they dictate the water quality standards and discharge limits written into your facility's wastewater permits. The agency is looking to add new water bodies to the rules and may upgrade the protection status of others, potentially moving them to more restrictive categories. For manufacturers, these changes can trigger tighter permit limits, reduced operational flexibility, and higher compliance costs. The OMA is monitoring this process to ensure that any designation updates are based on accurate data and remain economically feasible for Ohio's industrial sector.

Ohio Air Permits to Restore "Emergency Defense": New Protections Against Unavoidable Penalties

The OMA is backing a proposed update to Ohio's air rules that reinstates an "emergency defense" for facilities governed by the Clean Air Act. This provision protects manufacturers from fines when unforeseen equipment failures or emergencies cause temporary emission spikes. Triggered by recent litigation, the move ensures that companies aren't penalized for events beyond their reasonable control, provided they respond appropriately. For manufacturers, this restores a critical regulatory safeguard that distinguishes accidental emergencies from routine noncompliance. The OMA is currently working with the Ohio EPA to ensure the final rule is clear and practical for industrial operations.

Lucas County and Toledo Sue USEPA Over Maumee Watershed TMDL General Permit

Lucas County and the City of Toledo have filed a lawsuit against the U.S. Environmental Protection Agency (US EPA). The lawsuit alleges that the EPA knowingly violated the Clean Water Act by approving the total maximum daily load (TMDL) plan to restore the western basin of Lake Erie. This legal action is part of a broader effort to combat harmful algal blooms in Lake Erie, which have been a persistent environmental issue. The county commissioners argue that the TMDL plan, which is a regulatory component of the Clean Water Act intended to address the cleanup of impaired waters, fails to meet the legal standards necessary to prevent the pollution that leads to these algal blooms. They are particularly concerned about the runoff from "mega farms" and other non-point sources, which they believe is a significant contributor to the problem. The OMA advocated for the northwest region's manufacturers during the drafting of the TMDL plan, pushing back against inequitable policy proposals unfairly targeting point sources, which are not responsible for the major sources of pollution that come from non-point sources like agricultural runoff.

Federal Regulatory Activity and OMA Action

US EPA Rescinds Endangerment Finding – Revoking Green House Gas Emission Authority

USEPA Lee Zeldin recently announced the final rescission of the 2009 Endangerment Finding, a historic move that ends the federal government's legal obligation to regulate greenhouse gases as pollutants. By dismantling this regulatory pillar, the EPA is shifting carbon oversight

back to Congress and the states, arguing the agency lacks explicit authority for such broad climate mandates. For manufacturers, this shift provides an immediate reduction of approximately \$1.3 trillion in compliance costs and reporting requirements for vehicles and engines. However, it also introduces significant long-term uncertainty as industry leaders must now navigate a "patchwork" of conflicting state-level regulations and inevitable Supreme Court challenges.

US EPA Director Zeldin Announces Aggressive Deregulatory Agenda:

The US EPA has announced 31 major deregulatory actions, aiming to reduce regulatory burdens on energy, automotive, and manufacturing sectors. These rollbacks are expected to lower compliance costs, ease emissions rules, and increase state-level control. Manufacturers will benefit from reduced operational costs and more flexibility in production and energy use.

Key initiatives include:

Initiative	Description	Impact/Benefit	2026 Status
2009 Endangerment Finding	Rescission of the finding that GHGs endanger public health.	Removes legal basis for federal GHG regulations; saves estimated \$1.3T.	FINALIZED (Feb 2026)
GHG Reporting Program	Reconsideration of reporting for cement, steel, and chemicals.	Relieves administrative burdens on energy-intensive sectors.	TO BE RESCINDED FOLLOWING ENDANGERMENT FINDING REPEAL
PM 2.5 Air Quality Standards	Re-evaluating the 9 µg/m3 standard set in 2024.	Provides permitting relief; treats previous standards as "unattainable."	UNDER RECONSIDERATION
NESHAP Rulemakings	Review of multiple hazardous air pollutant standards.	Reduces permitting complexity and tech upgrade mandates.	UNDER RECONSIDERATION
"Good Neighbor" Plan	Termination of interstate NOx emissions controls.	Lowers compliance costs for upwind industrial sources.	UNDER RECONSIDERATION
Automotive EV Mandates	Repeal of federal GHG standards for light/heavy-duty vehicles.	Restores ICE production; reduces R&D costs; eases supply chain.	FINALIZED (Feb 2026)
Technology Transition Rule	Adjustment of GWP limits for HFCs/refrigerants.	Restores access to affordable cooling tech; eases supply chain.	ENFORCEMENT DELAYED / Final Rule Pending
Office of Environmental Justice	Complete termination of the office and related DEI initiatives.	Redirects agency focus to "core mission"; eliminates EJ grants.	FINALIZED

The US EPA's announcement outlining all 31 targeted regulations can be found in today's Environment materials.

EPA Announces Water Quality Focus on Microplastics and Pharmaceuticals

The EPA and HHS have officially designated microplastics and pharmaceuticals as priority contaminants, adding them to the federal monitoring list alongside PFAS. This decision follows

a 2025 legal petition and includes the launch of a new HHS program dedicated to researching and removing plastic particles from the human body. For manufacturers, this shift signals a transition toward stricter oversight, potentially requiring future investments in advanced filtration and waste-management technologies. The National Association of Manufacturers (NAM) is actively preparing to weigh in on the draft proposal to ensure new regulations are technically feasible for the industry. Manufacturers can coordinate with NAM's policy leadership to stay informed as the public comment period opens.

US EPA Labels PFAS Regulations MAHA

In a significant shift that has caught many manufacturers off guard, the U.S. EPA has officially integrated PFAS regulations into the broader "Make America Healthy Again" (MAHA) agenda, signaling a departure from the administration's typical deregulatory stance. By classifying these "forever chemicals" alongside high-profile health initiatives like the removal of food dyes, the agency is applying a new lens of increased regulatory oversight that targets industrial contaminants as direct public health threats. This move is punctuated by the EPA's formal affirmation of the CERCLA hazardous substance listing for PFOA and PFOS, a decision that cements long-term liability for manufacturers and complicates legacy cleanup obligations. While some analysts view this as a strategic move to appease a base concerned by previous environmental rollbacks, the agency's active use of emergency Superfund authorities and more frequent updates to disposal guidance suggest a precursor for a more aggressive enforcement path. For industry stakeholders, this merger of chemical regulation with the populist MAHA platform creates a volatile environment where further PFAS mandates are likely, as the administration appears increasingly willing to bypass traditional economic relief in favor of visible, health-centric results.

PFAS Drinking Water Standards

In 2024, the Biden administration finalized its excessively stringent PFAS Drinking Water Standards rule that will require utilities to reduce PFAS compound levels to the lowest level they can be reliably measured. The already exceptionally low standards will be reduced from 70 parts per trillion to 4 parts per trillion. The rule will lead to significant cost increases throughout the supply chain, impacting not only manufacturers but the US economy as a whole.

Following a May 2025 announcement and subsequent legal filings to cancel parts of the regulation due to procedural failures, the US EPA issued two formal rulemakings on May 20, 2026. These new proposals officially extend the PFOA and PFOS compliance deadlines for utilities from 2029 to 2031 while maintaining their 4 parts per trillion limits. Concurrently, the agency is formally moving to rescind all drinking water standards for the four remaining compounds—PFHxS, PFNA, PFBS, and HFPO-DA (GenX).

The OMA has engaged in this rule through multiple comments to federal agencies and alerted state regulators of its detrimental impact since the rule was proposed in 2023. In the weeks prior to finalization, the OMA wrote to the Biden White House asking the administration to rescind their unattainable drinking water standards that fail to provide benefits to public health and threaten Ohio's manufacturers with inordinate compliance burdens and costs. That letter can be found in today's Environment materials.

US EPA Terminates 16 Billion in Climate Grants

A federal appeals court has allowed the Trump administration's EPA to terminate more than \$16 billion in climate grants awarded under President Biden's 2022 Inflation Reduction Act. The D.C. Circuit Court ruled 2-1 that the lower court lacked jurisdiction over the nonprofits' challenge and found that Administrator Lee Zeldin acted within his discretion to halt the program. The decision

effectively frees the EPA to dismantle the Greenhouse Gas Reduction Fund, a key Biden initiative aimed at reducing emissions

PM2.5 Standard

In a devastating blow to manufacturers, the Biden administration finalized the US EPA's PM 2.5 rule, lowering the National Ambient Air Quality Standards for fine particulate matter to 9 micrograms per cubic meter. Lowering this standard will force manufacturers to comply with unattainable emissions requirements, cost as much as \$197 billion in lost U.S. economic activity, and result in a loss of 974,000 jobs nationwide.

The OMA has made numerous efforts to oppose the rule through public comments and coalition letters to federal agencies, Congress, and the White House. Upon release of the final rule, President Ryan Augsburger issued a statement opposing the rule as a disaster for manufacturers in Ohio.

In June 2024, the National Association of Manufacturers (NAM) filed the opening brief in litigation opposing the rule. In March 2025, Trump's US EPA announced that the agency would target the rule for reconsideration.

TSCA PFAS Reporting Rule

The U.S. EPA is moving to significantly revise the expansive TSCA PFAS Reporting Rule after multiple reporting deadline delays (now set for October 13, 2026). Responding to industry burden, the EPA plans to introduce key exemptions—most notably for the import of articles containing PFAS—and other modifications to reduce compliance costs. This revision is a win for manufacturers and small businesses, reducing the massive data reporting requirements that were previously estimated to cost the private sector nearly a billion dollars. The final, revised rule is currently expected in June 2026.

Environment News

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Environment Legislation
Prepared by: The Ohio Manufacturers' Association
Report created on May 30, 2026

- HB54** **TRANSPORTATION BUDGET (STEWART B)** To make appropriations for programs related to transportation for the biennium beginning July 1, 2025, and ending June 30, 2027, and to provide authorization and conditions for the operation of those programs.
Current Status: 3/31/2025 - **SIGNED BY GOVERNOR**; eff. 3/31/25
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-54>
- HB93** **RESTORE CLEAN OHIO FUND (HALL T, SWEENEY B)** To restore the Clean Ohio Fund to be administered by the Department of Development and the Clean Ohio Council.
Current Status: 5/20/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-93>
- HB96** **OPERATING BUDGET (STEWART B)** To make operating appropriations for the biennium beginning July 1, 2025, and ending June 30, 2027, to levy taxes, and to provide authorization and conditions for the operation of state programs.
Current Status: 10/1/2025 - Consideration of Governor's Veto; Senate Overrides Veto on Item 66, Vote 21-11
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-96>
- HB115** **E-CHECK PROGRAM COMPLIANCE ALTERNATIVE (DEMETRIOU S)** To create an alternative method to certify compliance with the E-Check program and to name this act the E-Check Ease Act.
Current Status: 2/26/2025 - Referred to Committee House Transportation
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-115>
- HB182** **PROHIBIT FLUORIDE-PUBLIC WATER SYSTEMS (DEAN L)** To prohibit a public water system from adding fluoride to its water.
Current Status: 3/4/2026 - House Natural Resources, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-182>
- HB272** **REGULATE FOOD ADDITIVES, FLUORIDE, PFAS (PIZZULLI J, ROBB BLASDEL M)** To prohibit the use of intentionally added PFAS in various products and to name this act the Protecting Utility and Resources for Enhanced Living, Improved Food, and Environment Act.
Current Status: 5/19/2026 - House General Government, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-272>



May 11, 2026

VIA Ohio EPA SmartComment (<https://ohioepa.commentinput.com/?id=JHY6maEFt>)

Ohio EPA Division of Air Pollution Control
Attn: Rule Coordinator
PO Box 1049
Columbus, OH 43216-1049

Re: Ohio EPA Interested Party Review – OAC Rule 3745-77-07 Permit Content under Ohio’s Title V Program

Dear Ohio EPA Division of Air Pollution Control:

Pursuant to Ohio EPA’s public notice of its Interested Party Review regarding potential rule changes to Ohio Administrative Code (OAC) 3745-77-07, which governs the contents of Title V Permits and historically included provisions for emergency affirmative defense, The Ohio Manufacturers’ Association (OMA) is hereby providing Ohio EPA with written comments.

The OMA is dedicated to protecting and growing manufacturing in Ohio. The OMA represents over 1,400 manufacturers in every industry throughout Ohio. For more than 100 years, The OMA has supported reasonable, necessary and transparent environmental regulations that promote the health and well-being of Ohio’s citizens. The OMA appreciates the opportunity to comment on the Interested Party Review for OAC rule 3745-77-07.

U.S. EPA published a final rule on July 21, 2023, removing the “emergency” affirmative defense provisions from the U.S. EPA’s Part 70 operating permit program regulations at 40 CFR 70.6(g). This action required Ohio EPA to remove the affirmative defense provisions from Ohio EPA’s Title V rules. On September 5, 2025, the D.C. Circuit Court of Appeals in *SSM Litigation Group v. Environmental Protection Agency, et al.*, Case No. 23-1267 (D.C. Cir. 2025) reversed U.S. EPA’s rescission of the narrow affirmative defense provisions under Title V of the Clean Air Act. As a result of the *SSM Litigation Group v. EPA* decision, Ohio EPA indicated it is appropriate to reinstate the “emergency” affirmative defense provision back in its Title V operating permit program rules, which will be included in paragraph (G) of OAC 3745-77-07.

This defense protects stationary sources, such as manufacturing facilities and refineries, from liability for violations of Clean Air Act emission limitations for major sources when the violation is a result of emergency events. Many of The OMA’s members operate under the Title V permitting program and are impacted by OAC Rule 3745-77-07. Ohio EPA’s efforts to reinstate the “emergency” affirmative defense provision back into its rules will provide many of The OMA’s members with greater operational flexibility and reduced risk associated with defending costly violations for emergencies that meet the affirmative defense. The OMA supports Ohio EPA’s efforts to re-insert this critical emergency affirmative defense provision back into OAC Rule 3745-77-07. The OMA looks forward to reviewing Ohio EPA’s proposed rule language and respectfully requests to be included in meetings or future discussions pertain to these rules.

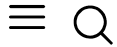
The OMA would like to thank Ohio EPA for the opportunity to comment and to participate in this rulemaking process. We look forward to working with Ohio EPA on this and any future stages of this rulemaking.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Lee".

James Lee
Director, Public Policy Services

cc: Julianne Kurdila
Christine Rideout Schirra



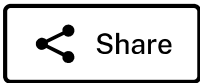
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Diebold Nixdorf CEO Octavio Marquez headlines Crain's Power Breakfast on June 3

COMMENTARY

Opinion: Earth Day in Ohio is marked by cleaner air, a stronger economy and real progress



Downtown Cleveland (Unsplash)

JL By James Lee, Ohio Manufacturers Association

April 20, 2026 05:45 AM EDT

Earth Day often brings lofty talk about protecting the planet. This year in Ohio, it should also bring recognition of something more meaningful: measurable progress.

The U.S. Environmental Protection Agency's proposal to redesignate the Cleveland area to attainment for the 2015 ozone standard is a major milestone for Northeast Ohio. After three years of air monitoring, the agency says the region now meets the national health-based standard. The proposal covers seven counties: Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit. It would place the area under a maintenance plan through 2038.

Manufacturers deserve a large share of the credit.

Too often, manufacturing gets cast as the villain in environmental stories. In Ohio, the record says otherwise. According to the Ohio Manufacturers' Association's **2025 Manufacturing Counts report**, emissions from Ohio industrial facilities have fallen dramatically over the long term. Sulfur dioxide emissions are down more than 97% since 1980. Nitrogen oxides have fallen more than 91%. Particulate emissions are down about 88%, and organic compounds have dropped more than 82%.

Those results did not happen by accident. They did not happen simply because regulations required them. They happened because manufacturers invested in better technology, smarter processes and cleaner operations. Environmental engineers inside manufacturing companies have spent decades reducing waste, improving efficiency and lowering emissions while keeping Ohio industry competitive.

That commitment reflects a reality too often ignored in these debates: cleaner operations and stronger competitiveness go hand in hand. Companies that use less energy, produce less waste and run more efficient facilities are also more competitive in the global marketplace.

The Cleveland attainment proposal recognizes those efforts. Had the region remained in nonattainment status, it could have severely constrained economic growth for years by limiting plant expansions, new facilities and job creation. Instead, regulators reviewed the data and acknowledged the real progress that had already been made.

Ohio EPA Director John Logue and U.S. EPA Region 5 Administrator Anne Vogel deserve credit for recognizing that progress and acting on it. Leaders like Logue and Vogel understand that environmental protection and economic growth are not competing goals. They know strong environmental outcomes can coexist with industrial expansion, investment and job creation. That kind of leadership reflects a clear understanding of what it takes to keep Ohio competitive.

Cleaner air in Northeast Ohio did not emerge overnight. It happened because manufacturers invested in innovation, engineers improved operations and companies committed to reducing their environmental impact year after year.

Ohio did not have to choose between a stronger economy and a cleaner environment.

James Lee is managing director of public policy services for the Ohio Manufacturers' Association.

Recommended For You





EPA proposes to redesignate Cleveland area to “attainment” for ozone; area now meets national air quality standards

Cleaner air for Northeast Ohio as key pollutants drop more than 40% in about five years

April 8, 2026

Contact Information

Macy Pressley (Pressley.macy@epa.gov)

312-886-1443

U.S. Environmental Protection Agency (EPA) is proposing to redesignate the Cleveland area to “attainment” for ground-level ozone after three years of air monitoring show the region meets the national health-based standard. EPA Regional Administrator Anne Vogel joined Ohio Governor Mike DeWine, U.S. Senator Bernie Moreno, U.S. Representative Dave Joyce, State Representative Bill Roemer and state and county officials to mark the milestone and invite public comment.

“Today’s proposal reflects our commitment to clean air for every community while making it easier for responsible projects to move forward,” **said EPA Regional Administrator Anne Vogel.** “Working with Ohio EPA, local leaders, and employers, we cut ozone emissions. That means healthier summers for families across Northeast Ohio and greater certainty for businesses investing and creating jobs.”

"This is a big win for public health, our environment, and for Ohio's future," **said Gov. Mike DeWine.** "The progress to reduce ground-level ozone in this region sends a clear signal that Ohio is a place where businesses can grow and create jobs while also meeting important environmental standards."

"Ohio has done the work to improve air quality, and this redesignation is a recognition of that progress. It's a win for Northeast Ohio—making it easier for industry to build, produce energy and do business—while maintaining our commitment to clean air," **said U.S. Sen. Jon Husted.**

"The EPA's proposed approval to redesignate the Cleveland area to attainment for ozone is great news for Ohioans. It reflects the meaningful progress our communities have made to improve air quality. This milestone is a testament to the hard work of local leaders and residents, and it proves we can protect our environment while supporting economic growth. As a member of the Environment Subcommittee on the House Energy and Commerce Committee with jurisdiction over these issues, I look forward to seeing this designation finalized," **said U.S. Rep. Bob Latta.**

"Today's announcement is major news for Northeast Ohio. Cleaner air means healthier kids, stronger communities, and a better quality of life for everyone in the region," **said U.S. Rep. Dave Joyce.** "This is also an important first step in hopefully eliminating the harmful and burdensome E-Check program that has placed an unfair and disproportionate weight on the hardworking people of Northeast Ohio. By getting rid of red tape and regulation, we are no longer restricting individuals and businesses from growth and economic opportunity. I want to thank our EPA partners, local elected officials, and stakeholders across the region for helping make this possible."

"This is a momentous day in Northeast Ohio for hardworking families and individuals across the seven impacted counties," **said State Rep. Bill Roemer.** "Having worked diligently on this issue over the past eight years, I'd like to express my gratitude to the U.S. and Ohio EPA for their hard work recognizing air quality improvements in Northeast Ohio."

"This redesignation shows Ohio manufacturers are proving you can grow the economy and clean the air at the same time. Since 1988, industrial investments have helped drive nearly a 90% reduction in total air emissions statewide. Moving Cleveland to attainment

gives manufacturers the certainty to keep investing and expanding,” **said Managing Director of Public Policy Services for the Ohio Manufacturers Association James Lee.**

“This milestone reflects the strength of regional collaboration and the impact of sustained local, state, and federal efforts to improve air quality,” **said NOACA Executive Director and CEO Grace Gallucci.** “It is a testament to the strong partnerships between local governments, state agencies, federal leaders, and the private sector, and a clear indication that our region’s investments in transportation planning and air quality strategies are making a real difference for our communities.”

In 2018, EPA designated the Cleveland area as “nonattainment” for the ozone standard because monitoring showed levels above the health-based limit. Since then, Ohio EPA, local governments, and industry worked together to cut the main pollutants that form ozone—nitrogen oxides (NOx) and volatile organic compounds (VOCs). As a result, NOx emissions in the area fell by about 42% and VOC emissions by about 25%, and recent monitoring shows the area meets the standard.

If EPA finalizes the redesignation after considering public comments, air permitting would be faster and more predictable while strong health protections remain in place. Importantly, existing pollution controls will continue, and regional transportation plans and major road projects will still be reviewed to ensure they do not worsen air quality. Federal law requires a maintenance plan to keep the area in attainment for at least 10 years.

The Cleveland area covered by this proposal includes Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit counties. EPA will publish the proposal in the *Federal Register* and open a 30-day public comment period. The notice will include instructions on how to submit comments and the deadline for doing so. After reviewing public input, EPA will issue a final decision.

To learn more about ground-level ozone and the National Ambient Air Quality Standards, visit EPA’s website. <<https://epa.gov/naaqs>>

For current air quality and ozone forecasts, visit the EPA AirNow app.



EPA Advances Comprehensive PFAS Strategy with Legally Defensible, Practical, Scientifically Sound Drinking Water Protections

Holistic approach tackles PFAS across its full lifecycle to Make America Healthy Again

May 18, 2026

Contact Information

EPA Press Office (press@epa.gov)

WASHINGTON -- Today, U.S. Environmental Protection Agency (EPA) is reaffirming its commitment to Make America Healthy Again at a PFAS destruction event alongside U.S. Department of Health and Human Services (HHS) Secretary Robert F. Kennedy Jr. by advancing a comprehensive, lifecycle-based strategy to address per- and polyfluoroalkyl substances (PFAS). As part of that strategy, EPA is highlighting innovative PFAS treatment and destruction technologies, announcing nearly \$1 billion in new funding to states to address PFAS in drinking water, and issuing two proposed rules for public comment that uphold the National Primary Drinking Water Standards for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) while enhancing practical implementation and proposing to correct potential failures of the Biden-Harris Administration to follow the clear requirements of the Safe Drinking Water Act (SDWA). Together with EPA's parallel work to address PFAS before it enters the environment, EPA is delivering real solutions to reduce PFAS exposure for Americans.

“The Trump EPA is committed to Make America Healthy Again by ensuring clean air, land, and water—and by taking on PFAS the right way, across the full lifecycle and built to last,” said EPA Administrator Lee Zeldin. “That means rules grounded in gold-standard science and the Safe Drinking Water Act, support for water systems on the front lines, and action to stop PFAS pollution at the source before it ever reaches a tap. The Biden administration cut corners and failed to follow the law. We are fixing that error with standards water systems can actually implement and that will hold up to scrutiny, while addressing PFOA and PFOS, two of the best-studied PFAS with well-documented health impacts.”

“PFAS contamination is a serious public health challenge that demands rigorous science, clear standards, and practical solutions,” said HHS Secretary Robert F. Kennedy, Jr. “Across HHS, we are advancing gold-standard research to better understand PFAS exposure, toxicity, and long-term health impacts on Americans. EPA’s actions today take important steps to reduce exposure, strengthen drinking water protections, and support communities as we work to address environmental contributors to chronic disease and advance the Make America Healthy Again agenda.”

The agency is also announcing nearly \$1 billion in grant funding to address PFAS and other emerging contaminants in drinking water through the Emerging Contaminants in Small or Disadvantaged Communities Grant. With this grant allotment, the agency has made \$5 billion available through this program over five years. EPA will be taking steps to ensure that available funding is expeditiously getting into communities that need it to identify and address PFAS and reduce exposure through drinking water.

A drinking water standard only protects Americans if it can actually be implemented by the nation's water systems and survive legal challenge. When a Maximum Contaminant Level (MCL) is rushed, it minimizes the opportunity for meaningful public comment, or fails to follow the statutory process Congress laid out in the SDWA, utilities face years of uncertainty, ratepayers face avoidable costs, and public health protections can be delayed or undone in court. The Trump EPA's approach is straightforward: follow the law, follow the science, and give water systems standards they can build their compliance programs around with confidence. The first proposed rule, if finalized, would continue supporting the health-protective federal drinking water standards for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) while

strengthening practical implementation by establishing an opt-in process through which eligible drinking water systems may apply for up to two additional years—until 2031—to come into compliance with enforceable limits.

Under the agency’s proposal, the extension would not be automatic. Drinking water systems that wish to receive additional time would need to affirmatively seek the extension and meet specific criteria EPA will set out in the final rule. Systems that do not opt in would remain subject to the original 2029 compliance deadline. This design ensures that systems prepared to meet 2029 are not slowed down, while systems facing legitimate implementation hurdles have a transparent, accountable path to additional time.

Where sources of drinking water are contaminated with PFOA and PFOS, protecting public health generally requires drinking water systems to diagnose the severity of contamination through robust sampling; evaluate various compliance options, including changing source water or installing new control systems; construct and test new controls, often including pilot studies; evaluate financing options; and train their workforce to support construction, operation, and maintenance.

Allowing drinking water systems to seek additional time for this work could also allow the cost of PFAS removal technologies to come down through technological advancements and production efficiencies. Continued federal investment, paired with a growing market for treatment technologies, is already driving costs down, better informing water utilities about what works, and expanding the toolkit available to remove PFAS in its various forms. That means lower water bills for Americans and more durable public health protections.

The second proposed rule, if finalized, would address some stakeholders’ legal concerns related to the Biden Administration’s failure to follow statutory requirements articulated in the SDWA when establishing regulations for perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid (HFPO-DA, commonly referred to as GenX chemicals), and the hazard index of these three plus perfluorobutane sulfonic acid (PFBS).

The SDWA requires a sequential approach to regulation, where the Agency must first propose to regulate a particular drinking water contaminant and seek public comment on whether a regulation would be appropriate. Only after the public has had the

opportunity to comment on that proposal and when the EPA has finalized a determination to regulate may the EPA publish a proposed regulation of that contaminant. Instead of abiding by that process set out in the SDWA, the Biden EPA combined steps simultaneously, which is not permitted, denying the public a chance to weigh in on the threshold question for PFHxS, PFNA, HFPO-DA and the Index PFAS, prior to locking in the new standard.

The proposed rule takes comment on whether the previous regulation did not adhere to the procedural and substantive requirements the statute imposes, leaving it legally vulnerable and creating implementation uncertainty for water systems.

Following the second proposal, if finalized, the Trump EPA would deliver on its commitment to evaluate these PFAS for regulation under the SDWA and do it correctly by supporting transparency and following gold-standard science. While EPA cannot pre-determine the outcome of the rulemaking, it is possible that the result could be more stringent requirements addressing these PFAS in drinking water. What Americans and water systems can count on is that whatever standards emerge will be built on a defensible legal and scientific record.

Stopping PFAS contamination before it reaches drinking water sources is central to EPA's strategy. The agency is advancing technology-based effluent limitations and pretreatment standards for key industrial categories that discharge PFAS, including chemical manufacturers and other sources, to keep PFAS out of waterways in the first place. The agency is currently developing a proposed rule that will be issued for public comment in the coming months. EPA is also using its authorities under the Toxic Substances Control Act (TSCA) to ensure new and existing chemicals are subject to the most robust, gold-standard scientific review before they enter commerce. The agency is also looking to hold polluters accountable for legacy contamination consistent with the polluter-pays principle, rather than the passive receivers that never placed these chemicals into the environment but have been left to manage them. Because enforcement discretion alone cannot shield passive receivers from third-party cleanup lawsuits and can be reversed by a future administration, a durable statutory fix from Congress is necessary.

By reducing PFAS at the point of discharge, EPA lowers the long-term treatment burden on water systems and their ratepayers and gets closer to the source of the problem. Source reduction also limits the volume of PFAS-laden residuals that water systems

must ultimately manage, making destruction and disposal more tractable.

These proposals are just one piece of a bigger effort to address PFAS, including proactive support to drinking water systems, funding for infrastructure upgrades, additional monitoring and evaluation, and wastewater discharge limits.

The Trump EPA is also making measurable progress identifying and validating the next generation of technologies to treat, remove, and destroy PFAS. That toolkit spans proven separation technologies that pull PFAS out of water such as granular activated carbon, ion exchange resins, and high-pressure membranes such as reverse osmosis, alongside a class of destruction technologies under study, such as supercritical water oxidation, electrochemical oxidation, hydrothermal alkaline treatment, non-thermal plasma, and the pyrolysis and gasification of PFAS-laden residuals.

To keep pace with a fast-moving field, in April, the agency announced it has moved its PFAS Destruction and Disposal Guidance <<https://epa.gov/newsreleases/trump-epa-updates-pfas-destruction-and-disposal-guidance-protect-american-communities>> from a three-year update cycle to annual updates, allowing EPA to continually assess the real-world effectiveness of available and emerging technologies and put the best-performing options in front of the water systems that need them. That assessment is increasingly informed by performance in the field. For example, EPA completed four full-scale PFAS treatment systems serving the Irvine Ranch and Orange County Water Districts in southern California, protecting more than 9,500 households. Each deployment generates verified performance data that sharpens utility decision-making, narrows the gap between promising and proven technologies, and steadily expands the toolkit available to remove and destroy PFAS in the many forms in which it appears.

Underpinning this work is a robust and ongoing EPA research program. Agency scientists are continually developing, validating, and refining gold-standard analytical methods, both targeted methods that measure specific known PFAS and nontargeted methods that use advanced instrumentation to surface previously unidentified compounds, across drinking water, surface water, wastewater, soil, and air. EPA recently developed a method capable of detecting 40 PFAS compounds across media ranging from groundwater and sediment to landfill liquid and fish tissue, and the agency continues to invest in research to understand the thousands of PFAS compounds and to

advance new treatment and destruction technologies. This research foundation ensures that the standards EPA sets and the cleanup actions it supports rest on data the agency can stand behind.

EPA has established a cross-agency coordinating group, led by the Office of the Administrator and the Office of Water, and drawing senior technical and policy leaders from across EPA program offices and Regions to share research, innovation, and actions, and accelerate the cleanup of PFAS contamination. An overview of the agency's first-year PFAS work, spanning testing and detection, direct community support, enforcement, public education, commonsense regulation, and cutting-edge research, is detailed in EPA's roundup of major year-one PFAS actions.

<<https://epa.gov/newsreleases/trump-epa-highlights-major-year-one-pfas-actions-combat-risks-and-make-america-healthy>>

On April 14, EPA announced its PFAS OUTreach—or PFAS OUT—initiative accelerating progress in addressing PFAS in drinking water. This new program proactively works with communities and water systems to reduce exposure to PFOA and PFOS in drinking water. Recognizing that small, rural, and disadvantaged water systems often have fewer resources, PFAS OUT is specifically designed to ensure these communities are not left behind. PFAS OUT will help every drinking water system dealing with PFOA or PFOS to effectively understand the challenge and reduce exposure as soon as possible while positioning them for successful compliance with enforceable drinking water standards.

EPA has additional funding programs to help drinking water systems address PFAS:

- \$4 billion is being invested through the Drinking Water State Revolving Funds dedicated to addressing PFAS and emerging contaminants. This is in addition to general state revolving fund money that can be used for PFAS-related projects.
- More than \$6.5 billion in low-interest financing is currently available through EPA's Water Infrastructure Finance and Innovation Act (WIFIA) Loan program, which can also be used to address PFAS.

Sustained investment of this scale does more than fund individual projects. It drives down the per-system cost of treatment, generates real-world performance data that better informs utility decision-making, accelerates innovation in destruction and disposal technologies, and helps mitigate PFAS across the many forms in which it appears in source water.

EPA is continuing to use the tools under the SDWA to address Americans' concerns about chemicals in drinking water. Earlier this spring, EPA proposed to prioritize funding and research for PFAS, microplastics, and pharmaceuticals by including them as groups on the draft sixth Contaminant Candidates List.

The two proposed rules will be published in the Federal Register with a 60-day public comment period, and EPA will hold a public hearing on July 7, 2026. EPA encourages robust participation in this process as we work together to protect Americans from PFAS exposure in the most effective way possible.

For more information about the proposed rules, including pre-publication versions of the proposals, fact sheets, directions for submitting comments, and information about a forthcoming public hearing, visit EPA's webpages here <<https://epa.gov/sdwa/proposed-pfas-rescission-rule>> and here <<https://epa.gov/sdwa/proposed-pfoa-and-pfos-compliance-extension-rule>>. Also, learn more about PFAS OUT <<https://epa.gov/water-infrastructure/pfas-out>>.

Background

On April 10, 2024, EPA announced the final National Primary Drinking Water Regulation that included legally enforceable drinking water Maximum Contaminant Levels (MCLs) for PFOA and PFOS, as well as PFHxS, PFNA, HFPO-DA, and mixtures of these three PFAS and PFBS, requiring public water system compliance by April 2029.

Last updated on May 18, 2026

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US agencies to monitor drinking water for microplastics, pharmaceuticals

By Valerie Volcovici

April 2, 2026 2:05 PM EDT · Updated April 3, 2026



[1/4] Environmental Protection Agency (EPA) Administrator Lee Zeldin looks on during an announcement on microplastics at the EPA headquarters in Washington, D.C., U.S., April 2, 2026. REUTERS/Ken Cedeno [Purchase Licensing Rights](#)



Feedback

Summary Companies

- Governors, environmental groups petitioned for move
- Studies link microplastics to cancers and reproductive harm
- Health Secretary Kennedy has vowed to fight plastic pollution

WASHINGTON, April 2 (Reuters) - The U.S. Environmental Protection Agency and Department of Health and Human Services on Thursday announced that they will monitor the impact of microplastics and pharmaceuticals on drinking water, the first step toward assessing their health risks and shaping new policies.

The joint announcement was hailed by EPA Administrator Lee Zeldin and Health Secretary Robert F. Kennedy, Jr. as a win for President [Donald Trump's](#) "Make America Healthy Again" agenda, whose priorities have included [reducing](#) the number of recommended childhood vaccines and promoting [whole](#) Page 112

[foods](#) in new dietary guidelines.

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The EPA will now include microplastics and pharmaceuticals on the sixth Contaminant Candidate List, which would mean they would start being tested and monitored under the Safe Drinking Water Act and receive funding for research, a precursor to future regulation if they are determined to threaten public water systems.

"We cannot treat what we cannot measure. We cannot regulate what we don't understand," Kennedy said at a press conference at EPA headquarters.

Zeldin and the EPA have [drawn criticism](#) from MAHA activists for falling short on addressing their concerns, including microplastics, and not applying more stringent rules on pesticides.

"For too long, Americans have been ignored as they sound the alarm about plastics in their drinking water. That ends today," Zeldin said at the press conference.

Supporters of RFK, Jr. and his MAHA platform helped elect President Donald Trump in 2024.

MOVE FOLLOWS PETITION

Seven U.S. governors from states including New Jersey and Michigan as well as 175 environmental and health groups late last year filed a legal petition calling on the EPA to add microplastics to the list of contaminants to monitor. The list is updated every five years.

Microplastics are [microscopic pieces of plastic](#) that have been discovered everywhere from inside human bodies to drinking water to the depths of oceans and Arctic ice. Some studies have linked them to cancers or reproductive harm.

Plastic industry groups have dismissed these studies and said the science is not settled concerning the harms caused by microplastics.

Judith Enck, president of Beyond Plastics and former EPA regional administrator, said the EPA's move is "an important first step."

Kimberly Wise White, vice president of regulatory and scientific affairs at the American Chemistry Council, which represents plastic manufacturers, said the group supports science-driven monitoring of drinking water for microplastics.

When Kennedy ran for the 2024 Democratic presidential nomination, he pledged to tackle plastic pollution, including its production. He later endorsed Republican candidate Trump, whose administration last year [warned countries](#) to oppose any attempt to cap plastic production under a potential UN treaty to limit plastic pollution.

Pharmaceuticals enter water systems through improper disposal and human waste.

The EPA will also release human health benchmarks for 374 pharmaceuticals to be monitored.

Reporting by Valerie Volcovici in Washington; Additional reporting by Leah Douglas; Editing by David Gregorio

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Valerie Volcovici
Thomson Reuters

Valerie Volcovici covers U.S. climate and energy policy from Washington, DC. She is focused on climate and environmental regulations at federal agencies and in Congress and how the energy transition is transforming the United States. Other areas of coverage include her award-winning reporting plastic pollution and the ins and outs of global climate diplomacy and United Nations climate negotiations.



Feedback

TO: OMA Government Affairs Committee
FROM: James Lee
RE: Human Resources and Workforce Public Policy Report
DATE: June 4, 2026

Overview

State legislation affecting HR policies has been relatively light, however bills banning standard hiring practices including non-compete agreements and criminal history inquiries in job applications have come to the surface. There have also been notable policies attempts at state legislation to expand unaccountable federal drug pricing mandates increasing employer healthcare costs.

Most workforce-related proposals and programs tend to be included in the state's operating budget, which was signed into law last year. While workforce development programs may be discussed throughout the rest of the year, the operating budget is the time when the most significant progress is made at the state level due to the many funding opportunities that are available through the budget. However, progress has recently been made on the OMA-supported Education and Workforce Return on Investment Initiative. Details included in legislative section below.

Ohio's TechCred program has emerged as one of the state's most utilized workforce development initiatives, helping manufacturers and other employers equip workers with in-demand technical skills needed in today's evolving economy. Demand for the program has consistently outpaced available funding, and as a result, the Ohio Department of Development is exploring potential adjustments to the program aimed at preserving its long-term viability while continuing to provide employers with meaningful access to workforce credentialing and training resources.

The OMA's Good Jobs Challenge Results have demonstrated manufacturers' in Ohio are leading the nation in advancing community based workforce solutions that are building the talent pipeline, resulting in over 3,500 permanent placements in long-term manufacturing careers across the state, a significantly higher placement total than any other state in the country.

Career Technical Education Access Grant

The Ohio Department of Education and Workforce and the OMA are partnering on a newly announced grant to help schools develop programs to teach students skills needed for modern manufacturing careers, including training with industry equipment and instruction aligned with employer needs.

\$3.2 million is available for the grant, and programs funded through the grant will incorporate OMA's WorkAdvance model to ensure that the new training programs will reflect the skills employers need most.

Workforce Development Remarks from Governor DeWine

In his final State of the State address earlier this spring, Governor DeWine emphasized literacy, career readiness, and stronger alignment between K-12 education, community colleges, and employers. The Governor announced additional actions through the Ohio Department of Education and Workforce, including the deployment of regional implementation teams to support low-performing schools and the addition of 50 new literacy coaches statewide. Governor DeWine stated that improving foundational educational outcomes is essential to preparing Ohio's future workforce and maintaining the state's ability to attract major business investment.

Legislative Report

Senate Bill 11: Ban on Non-Compete Agreements

Senators Lou Blessing (R- Colerain Twp) and Bill Demora (R-Columbus) introduced legislation to ban non-compete agreements early in the year. The OMA has opposed similar efforts at the federal level to place a ban on noncompete agreements – in 2023 The OMA organized and submitted comments from Ohio’s business community opposing the rule upon its introduction, noting the mutual benefits non-compete agreements provide to both employers and employees, along with the necessary protections to manufacturers’ trade secrets. The OMA opposed the legislation during its third hearing and the bill has not moved following public opposition.

Senate Bill 143: Ban the Box Legislation

Senate Bill 143, known as “ban the box” legislation, would prohibit private employers from asking about or considering an applicant’s criminal history on initial job applications. While employers could still conduct background checks, the bill imposes extensive notice, response, and documentation requirements before denying employment based on a criminal record.

For Ohio manufacturers, this creates new administrative burdens, potential liability under state civil rights law, and reduced flexibility in hiring. Although intended to expand employment opportunities for individuals with criminal records, the bill could discourage manufacturers from second-chance hiring and increase operational costs. See HR Materials for a detailed memo from the law firm of Bricker Graydon on the impacts of the bill.

HB 276 and SB 198: 340b Expansion and Employer Costs

The OMA testified before legislative committees urging a pause on HB 276 and SB 198, companion bills that would expand Ohio’s 340B Drug Pricing Program. Although the program was designed to help low-income patients access affordable medications, its current structure allows hospitals, pharmacies, and PBMs to capture significant revenue without ensuring discounts reach patients in need. The OMA cautioned that further expansion would drive up employer healthcare costs, reduce transparency, and weaken accountability—placing new burdens on manufacturers already struggling with rising healthcare expenses. The OMA’s testimony stressed that meaningful reform must begin with robust transparency requirements at the state level, paired with comprehensive federal reforms, to ensure 340B savings are used as intended and not shifted onto Ohio employers.

House Bill 94: Labor Law Notices

Representatives Thomas Hall (R-Oxford) and Adam Matthews (R-Lebanon) recently passed legislation to allow employers to allow certain required labor law notices to be posted online. The bill passed the House and is receiving consideration in the Senate.

OSHA’s Union Walkthrough Rule

As of February 2025, OSHA’s Worker Walkaround Representative Designation Process rule, which took effect on May 31, 2024, remains in effect. This rule allows employees to designate third-party representatives, such as union officials or community organizers, to accompany OSHA inspectors during workplace inspections if deemed reasonably necessary. The National Association of Manufacturers (NAM), along with other business groups, filed a lawsuit challenging the rule in May 2024, arguing it exceeds OSHA’s statutory authority and infringes on employers’ property rights. The legal challenge is ongoing, and no court has issued a ruling to block or repeal the rule to date.

The OMA made public comments to OSHA opposing the rule on the grounds that allowing virtually anyone to join an OSHA inspection process transforms a safety-focused endeavor into a tool for union organizing, a tactic for attorneys in litigation, a threat to trade secrets, and a means to harass employers.

You can find The OMA's comments in today's meeting materials. In follow up advocacy efforts, the OMA sent a letter to Ohio's congressional delegation with nearly 200 of our member companies signing on to urge legislative action against the rule.

No further action as the rule has been mired in litigation for months.

Legislation Watch List

- **Education and Workforce Return on Investment Initiative**

Senate Bill 328 was recently passed unanimously by the Ohio Senate and is now before the House Education Committee for their consideration.

Senate Bill 328 contains several workforce development initiatives with the intent of addressing the student workforce readiness gap. Key elements of this bill include:

- Middle school career exploration: Students in middle school must complete a ½ credit that includes exposure to 16 Ohio career clusters, hands-on learning, one career coaching session, beginner level financial planning, and professional skills
- Student academic and career plans: Every student must prepare a plan by the end of 8th grade to include their strengths and interests, academic goals, and a roadmap to meet graduation requirements in line with their plan.
- Establishes the Return on Investment Initiative: Ohio Department of Education and Workforce, Department of Higher Education, Job and Family Services, Development, and Children & Youth must work with the Governor's Office of Workforce Transformation to link and analyze data. Based on this data, the state will create and share annual Education and Workforce reports, including:
 - High school graduate report
 - Talent gap report
 - Industry-recognized credentials outcomes report
 - Higher education graduate report

The OMA testified in support of the bill during a hearing in March, noting that linking cross-agency data to better understand postsecondary outcomes, credential value, talent gaps, and wage progression will allow policymakers, educators, and employers to invest in strategies that demonstrably work.

- **Community Connectors Program**

House Bill 98 proposes to establish the Community Connectors Workforce Program which is intended to connect students to jobs, internships, and career professionals in their communities. This program would be overseen by the Department of Education and Workforce, and educational service centers (ESCs) are tasked with administering the program for the districts the ESC serves. The ESCs will employ directors to collaborate with OhioMeansJobs centers, facilitate career mentoring, administer aptitude tests, provide soft skills and professional skills training, and report program outcomes.

The bill is currently pending in House Finance Committee.

- **Child Care Proposals**

Lawmakers have continued examining barriers to workforce participation, particularly childcare access for in-demand occupations. Several of these proposals include:

- Child Care Credit Program: House Bill 2 would establish the Child Care Credit Program in the Department of Children and Youth (DCY) to allow the costs of child care to be shared by participating employees, their employers, and the Department. Under the bill, employees selected by their employer to participate in the program are responsible for 40% of the costs, employers are responsible for 40%, and, subject to available funds, DCY is responsible for 20%. The bill proposes to allocate \$10 million to the program.

The most recent hearing on HB 2 was in the spring last year.

- Child Care Capacity Grant Program: House Bill 41 would require the Department of Children and Youth (DCY) to administer a grant program to expand child care capacity. It would appropriate \$500,000 over the biennium to establish child care cohorts and create an employer-based child care co-design learning lab. Additionally, it would appropriate \$20 million over the biennium to DCY to administer a grant program to assist employers in equipping their onsite or near-site child care facilities, building new care facilities, and partnering with child care providers.

HB 41 is pending in House Finance Committee and most recently received a hearing in June last year.

- Paid Parental Leave Act: House Bill 231 would create a nonrefundable income tax credit for employers who provide at least four weeks of paid parental leave to qualifying employees following the birth, adoption, or stillbirth of a child. The credit is calculated as the lesser of the total paid parental leave benefits or \$300 per day per employee, with an annual cap of \$54,000 per employer. If a business earns more credit than it can use in a given year, it can carry the excess forward for up to three years.

The bill received a first hearing for sponsor testimony in October last year.

- Workforce Investment Now for Child Care Pilot: Both the House and Senate are considering proposals to create the Workforce Investment Now for Child Care pilot program, contained in House Bill 484 and Senate Bill 177. These bills would allow child care workers to receive child care for their own children, paid for by the state, in exchange for their service in the childcare workforce. One of the bill sponsors testified that too many individuals who could fill critical workforce positions currently do not qualify for federal aid, meaning they often stay home rather than re-enter the workforce. This \$20 million pilot program is intended to help fill that gap and therefore increase the number of child care slots available to families.

Both bills received hearings in October last year but no votes have been taken on these proposals.

- **Graduation Readiness and Development Act**

House Bill 119 has been introduced to create the Graduation Readiness and Development (GRAD) Act. It would require each public school to annually host an exit orientation program for 11th and 12th grade students to prepare them to enter the workforce, obtain marketable skills, or enroll in higher education or military service. It would also designate September as Workforce Development Month.

HB 119 is currently pending in House Education Committee and most recently received a hearing in April 2025.

- **Manufacturing Technologies Assistance Program**

The OMA is working with Representatives Santucci and Demetriou on House Bill 159, which creates the Ohio Manufacturing Technologies Assistance Program (MTAP). MTAP aims to assist small to mid-size manufacturers by providing grants of up to \$150,000 for investing in modern smart technologies, machinery, equipment, and training. MTAP is designed to enhance productivity, efficiency, and competitiveness in Ohio's manufacturing industry. The program requires applicants to undergo a technical assessment and be in good standing with the state.

Ohio's Manufacturing Extension Partnerships will be leading the assessment process for new technologies. MTAP aligns with nationwide Manufacturing 4.0 initiatives, supporting manufacturers to adopt automation, cybersecurity, robotics, and other innovative technologies, following successful models from states like Iowa and Indiana, initially funded with \$12,000,000 from the Ohio Department of Development. Ultimately, MTAP aims to empower businesses, drive growth, and ensure the resilience and success of Ohio's manufacturing sector in an evolving business landscape.

HB 159 is currently pending in House Technology and Innovation Committee.

- **Higher Education Evidence-Based Innovation Fund and Grant Program**

House Bill 644 was introduced last month and would create the Higher Education Evidence-Based Innovation Fund and Grant Program to support state institutions of higher education in developing, piloting, and scaling evidence-based student success programs, with a focus on improving retention, completion, and degree attainment, especially for low-income students. The bill also directs the Chancellor of Higher Education to conduct a study on incorporating employment and earnings data into retrenchment processes, aiming to align degree programs with workforce needs and improve student employment outcomes.

HB 644 was voted out of the House in May and is now before the Senate Higher Education Committee for their consideration.

Human Resources News

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Workforce News

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Human Resources, Health Care & Employment Law Legislation
Prepared by: The Ohio Manufacturers' Association
Report created on May 30, 2026

- HB2** **ESTABLISH CHILD CARE CRED PROGRAM (JOHNSON M)** To establish the Child Care Cred Program and to make an appropriation.
Current Status: 5/27/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-2>
- HB34** **INCREASE STATE MINIMUM WAGE (JARRELLS D, MOHAMED I)** To increase the state minimum wage.
Current Status: 2/5/2025 - Referred to Committee House Commerce and Labor
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-34>
- HB41** **ESTABLISH CHILD CARE GRANT PROGRAMS (WHITE A, ROEMER B)** To establish certain child care grant programs, including those related to child care capacity and learning labs, and to make an appropriation.
Current Status: 6/3/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-41>
- HB94** **ONLINE LABOR LAW NOTICE POSTING (MATHEWS A, HALL T)** To allow employers to post certain labor law notices on the internet.
Current Status: 4/2/2025 - Referred to Committee Senate Workforce Development
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-94>
- HB98** **ESTABLISH COMMUNITY CONNECTORS WORKFORCE PROGRAM (SANTUCCI N, WILLIAMS J)** To establish the Community Connectors Workforce Program and to make an appropriation.
Current Status: 6/3/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-98>
- HB376** **REDUCTION-UNEMPLOYMENT BENEFITS TIMEFRAME (TESKA M)** To reduce the maximum weeks an individual may receive unemployment benefits from 26 to 20 weeks.
Current Status: 3/18/2026 - House Public Insurance and Pensions, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-376>
- HB688** **EMPLOYMENT APPLICATION PROHIBITION-CRIMINAL BACKGROUND QUESTION (TIMS D, BRENT J)** To prohibit private employers from including on an employment application any question concerning the criminal background of the applicant.
Current Status: 2/18/2026 - Referred to Committee House Commerce and Labor
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-688>

- HB695** **NDA PROHIBITION-LOCAL OFFICIALS** (BIRD A, STEWART B) To prohibit certain local elected officials from entering into nondisclosure agreements.
Current Status: 6/3/2026 - House Local Government, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-695>
- HB709** **MENTAL TELEHEATH COVERAGE REQUIREMENTS** (BROWNLEE K, CRAIG M) To require private insurers to cover telehealth services for mental health services the same as for in-person mental health services.
Current Status: 6/2/2026 - House Insurance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-709>
- HB726** **REQUIREMENT WAIVER-UNEMPLOYMENT CLAIMANTS SEEKING WORK** (DEMETRIOU S) To waive the requirement that an unemployment claimant be actively seeking work under certain circumstances.
Current Status: 3/18/2026 - House Public Insurance and Pensions, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-726>
- SB8** **PROHIBIT EMPLOYEE COMPENSATION-UNION ACTIVITIES** (HUFFMAN S) To prohibit a public employer from providing paid leave or compensation for a public employee to engage in certain union activities.
Current Status: 3/19/2025 - Senate Government Oversight and Reform, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-8>
- SB11** **PROHIBIT POST-EMPLOYMENT AGREEMENTS** (BLESSING III L, DEMORA B) To prohibit agreements that restrain engaging in a lawful profession or business after the conclusion of an employment relationship.
Current Status: 3/5/2025 - Senate Judiciary, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-11>
- SB32** **ESTABLISH CHILD CARE CRED PROGRAM** (REYNOLDS M, SCHAFFER T) To establish the Child Care Cred Program and to make an appropriation.
Current Status: 2/18/2025 - Senate Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-32>
- SB33** **LABOR LAW NOTICES-POST ONLINE** (WILSON S, LANG G) To allow employers to post certain labor law notices on the internet.
Current Status: 4/21/2025 - **SIGNED BY GOVERNOR**; eff. 7/21/25
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-33>
- SB50** **REGARDING CERTIFICATE, WORK REQUIREMENTS-UNDER AGE 16** (SCHAFFER T) Regarding age and schooling certificate requirements and work hours for a person under sixteen years of age.

Current Status: 12/3/2025 - **VETOED BY GOVERNOR**

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-50>

SB51 ESTABLISH LEGISLATIVE OVERSIGHT (SCHAFFER T) To establish legislative oversight of executive action regarding voluntary federal unemployment compensation programs.

Current Status: 2/11/2025 - Senate Financial Institutions, Insurance and Technology, (First Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-51>

SB56 LAW CHANGES-MARIJUANA, LIQUOR, HEMP (HUFFMAN S) To revise specified provisions of the liquor control, hemp, and adult-use marijuana laws, and to make an appropriation, and to amend section 4506.01 of the Revised Code effective December 31, 2026, to revise the law governing commercial driver's licenses.

Current Status: 12/19/2025 - **SIGNED BY GOVERNOR**; eff. immediately

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-56>

SB74 CREATE FAIR PAYCHECK WORKPLACE CERTIFICATE (HICKS-HUDSON P, SMITH K) To create the fair paycheck workplace certificate.

Current Status: 2/26/2025 - Senate Judiciary, (First Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-74>

SB77 ESTABLISH SYSTEM-REPORT WAGE DISCRIMINATION (HICKS-HUDSON P, SMITH K) To require the Ohio Civil Rights Commission to establish a system for individuals to anonymously report wage discrimination.

Current Status: 2/26/2025 - Senate Judiciary, (First Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-77>

SB143 PROHIBIT CRIMINAL BACKGROUND QUESTIONS-EMPLOYMENT APPLICATIONS (CRAIG H, BLESSING III L) To prohibit private employers from including on an employment application any question concerning the criminal background of the applicant.

Current Status: 3/3/2026 - **SUBSTITUTE BILL ACCEPTED**, Senate Workforce Development, (Fifth Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-143>



**BEFORE THE SENATE EDUCATION COMMITTEE
SENATOR ANDREW BRENNER, CHAIRMAN**

**TESTIMONY
OF
ALEXIS McCULLOUGH
THK MANUFACTURING OF AMERICA, INC.**

MARCH 3, 2026

Chairman Brenner, Vice-Chair Blessing, Ranking Member Ingram and members of the Senate Education Committee, my name is Alexis McCullough. I serve as Corporate Communications Business Partner with THK Manufacturing of America, Inc. located in Hebron, Ohio, who is a pioneer manufacturer of Liner Motion Guides and components, supporting many essential industries such as manufacturing, healthcare, agriculture, and clean energy for the US and beyond. I am here today on behalf of the Ohio Manufacturers' Association, representing Ohio's largest industry sector and the employers who continue to invest, grow, and create opportunity across our state.

Ohio manufacturing is experiencing historic growth. Our members continue to report workforce shortages as their most pressing constraint to expansion. Employers need not only technical skills, but also professional skills, career awareness, and early exposure to pathways that lead to high-demand careers.

Senate Bill 328 is an important step in strengthening Ohio's education-to-workforce alignment and ensuring that students and families are equipped with the tools to make informed decisions about their futures.

Manufacturers across Ohio consistently identify three core workforce challenges. First, students often lack early awareness of career opportunities in modern manufacturing and other in-demand fields. Second, the quality and consistency of career advising varies significantly by district. Third, fragmented data systems limit our ability to understand outcomes and measure return on investment. Senate Bill 328 directly addresses each of these concerns in a thoughtful and strategic manner.

The bill's requirement for structured middle school career exploration ensures that students are exposed to numerous career clusters before making important high school course decisions. Career decisions often begin earlier than we assume, and when students do not understand the opportunities available to them, they cannot adequately prepare. Expanding structured exposure increases enrollment in career-technical education, advanced manufacturing pathways, and other high-demand programs that lead to strong careers.

Equally important is the creation of a statewide career coaching framework. Establishing consistent quality indicators, clear session objectives, and alignment to essential professional skills will bring needed uniformity to career advising across the state. Manufacturers increasingly emphasize professional skills such as communication, problem-solving, reliability, and teamwork as essential for workplace success. Aligning coaching and coursework to employer-validated professional skills standards ensures students are prepared for real-world expectations, regardless of where they attend school.

The bill also requires structured academic and career plans beginning in eighth grade, with annual updates and parent involvement. This approach strengthens intentionality. When students understand how their coursework connects to long-term goals, they are more likely to complete credentials, participate in work-based learning, and successfully transition into postsecondary education or employment. Involving parents further ensures transparency and shared decision-making throughout the process.

The OMA supports the creation of the Education and Workforce Return on Investment Initiative. Employers make decisions based on data, and Ohio should do the same. Linking cross-agency data to better understand postsecondary outcomes, credential value, talent gaps, and wage progression will allow policymakers, educators, and employers to invest in strategies that demonstrably work. The required annual reporting on graduate outcomes and workforce gaps will strengthen transparency and accountability while leveraging existing data systems rather than creating duplicative structures.

The OMA offers several recommendations to ensure successful implementation, which will require careful attention to resources and execution. The expanded middle school exploration requirement and coaching framework will necessitate advising capacity and professional development. Sustainable funding will be essential to ensure these new responsibilities do not divert resources from existing high-quality career-technical programming. Implementation should also allow existing effective coaching programs to qualify under the framework and provide districts flexibility to utilize aligned vocational-technical coursework in grades seven and eight where appropriate.

Additionally, a phased implementation timeline would strengthen statewide rollout. Allowing time for framework development, stakeholder engagement, and clear guidance prior to full compliance will improve consistency and effectiveness. Finally, the Return on Investment Initiative should minimize reporting burdens by leveraging existing data and reducing duplication.

This legislation comes at a critical moment. Ohio is attracting unprecedented capital investment in advanced manufacturing, semiconductors, aerospace, mobility, and energy technologies. These investments demand a strong pipeline of skilled operators, technicians, engineers, and managers. Senate Bill 328 strengthens that pipeline at its earliest stages. Career exploration in middle school is not about narrowing options; it is about expanding awareness. High-quality coaching is not about compliance; it is about informed choice. Cross-agency data is not about reporting; it is about results.

As the Committee considers Senate Bill 328, it is important to emphasize that employers must also be prepared to support their schools partners. Through the statewide Career Ambassador Program, the OMA is training manufacturers to engage

more effectively with K–12 students and educators. The program equips employer representatives to:

- Translate complex manufacturing roles into student-friendly language
- Connect daily job tasks to academic subjects like math, science, and technology
- Lead engaging classroom presentations and hands-on demonstrations
- Support job shadowing, plant tours, and work-based learning experiences
- Reinforce professional skills expectations in age-appropriate ways

One consistent lesson we have learned: simply sending a technical expert into a classroom is not enough. Meaningful career exploration requires preparation, messaging alignment, and intentional interaction design.

The Career Ambassador Program prepares manufacturers to present modern manufacturing accurately and compellingly, engage middle school students in interactive career exploration, align messaging with Ohio’s career clusters, and reinforce the professional skills standards employers expect. This matters because the quality of employer engagement directly impacts student perception. When done well, students leave with clarity, excitement, and understanding. When done poorly, the opportunity is lost.

Senate Bill 328’s emphasis on structured career exploration and coaching aligns directly with what we have seen succeed on the ground. Employers are ready to participate — and programs like the OMA’s Career Ambassador initiative ensure they do so in a way that is thoughtful, consistent, and aligned with school objectives.

For these reasons, the Ohio Manufacturers’ Association supports Senate Bill 328. With thoughtful implementation, including adequate resources, a phased rollout, and strong collaboration with practitioners, this legislation can meaningfully strengthen Ohio’s talent pipeline.

We appreciate the leadership of Senator Koehler and the Committee’s consideration of this bill, and we stand ready to partner in implementation to ensure success for Ohio students, families, and employers.

Thank you. I would be happy to answer any questions.

FREE EXPRESSION

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CONTINETTI: 'GANG' WA

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OPINION REVIEW & OUTLOOK Follow

The Great 340B Healthcare Grift

A federal judge shows how this hospital 'discount' fleeces drug makers and patients.

By The Editorial Board Follow

May 7, 2026 5:30 pm ET



DANIEL ACKER/BLOOMBERG NEWS

Politicians love to hate Big Pharma even as government policies raise drug prices. A textbook example is the federal 340B drug program, which hospitals exploit to raid drug makers. Since the press missed it, we'll tell you about the spectacular opinion by a federal judge detailing how this well-intended program has become a scam on taxpayers.

Last week federal Judge Daniel Traynor blocked a North Dakota law that sought to exploit 340B to transfer hundreds of millions of dollars from drug makers to hospitals and pharmacies. But his special contribution is his opinion explaining how a program “meant to help American poor is being

abused to provide a windfall to hospital conglomerates and participating pharmacies.”

We’ve previously reported how 340B has become a cash cow for hospitals. Congress created the program in 1992 to assist hospitals serving large numbers of low-income patients. To participate in Medicare and Medicaid, drug firms are required to “offer” their products at steep discounts to such hospitals.

Discounts typically range from 20% to 50% of a drug’s sticker price. “In some cases, the discount is so steep hospitals pay ‘a penny per unit,’” Judge Traynor writes. Hospitals and pharmacies with which they contract dispense the drugs to patients who pay the non-discounted prices (or their insurers do). This is a sweet arbitrage for hospitals and pharmacies.

“AstraZeneca’s Farxiga, for example, sells for ‘hundreds of dollars’ commercially but ‘less than a dollar’ with the 340B discount,” the judge notes. Drug makers in turn raise sticker prices to make up for the discounts they are required to give hospitals. “Ultimately, it is the patients who suffer as a result,” the judge writes.

340B spending has ballooned as more hospitals have become eligible owing to the ObamaCare Medicaid expansion. Now some of the wealthiest hospitals in the U.S. qualify, and there is no requirement that they use the discounts to directly help patients. Studies have found that hospitals largely use the money for financial investments and acquisitions.

Hospitals are also contracting with more pharmacies, which are paid a kickback to dispense medicines. Between 2010 and 2019, the number of contract pharmacies nationwide increased 18-fold, the judge says. Meanwhile, 340B drug purchases surged to \$81 billion in 2024 from \$6.9 billion in 2012.

Drug makers in recent years have attempted to limit the number of contract pharmacies to which they provide discounts to prevent abuse. This has spurred litigation. The Third Circuit and the D.C. Circuit courts of appeal

have held that drug makers aren't required under federal law to provide discounts to an unlimited number of pharmacies.

Enter North Dakota, which passed a law last year barring drug makers from limiting the number of pharmacies in the state that qualify for discounts. Arkansas has passed a similar law, and other states are considering it. Judge Traynor explains crisply: "Here is what is really going on: a coordinated collusion" between hospitals and pharmacies "to exploit Congress's inattention to a federal program."

"This scheme works because no one considers manufacturers as victims. Big pharma garners little sympathy," he writes, but that doesn't "mean manufacturers should be fleeced by enterprising states and hospital conglomerates that wield power in legislative lobbies." North Dakota's law "benefits hospital conglomerates, and Joe Paycheck sees no difference in the price of his meds."

The judge ruled that North Dakota's law is pre-empted by federal law since "manufacturers are forced to decide between violation of a state law or participation in a federal program with additional costs, which amount to the millions." AbbVie estimated North Dakota's law would cost it \$35 million this year alone.

Multiply that cost across the pharmaceutical industry and the U.S., and you're looking at an income transfer of tens of billions of dollars a year from drug companies and patients to hospitals and their pharmacy partners. Senate Republicans last year issued a report detailing how wealthy hospitals like the Cleveland Clinic have exploited the program.

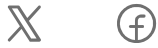
An Empire Center for Public Policy report this spring found that 340B revenue for New York's well-endowed hospital systems has ballooned—846% for Mount Sinai between 2019 and 2024. This has driven "up drug costs for employer-sponsored health plans, including taxpayer-funded plans offered by state and local governments," the report says.

If Republicans in Congress want to reduce healthcare costs, they'll use their next budget reconciliation bill to curb this 340B abuse—say, by requiring

hospitals and pharmacies to pass along the discount money to patients. This is government grift at its worst.

Appeared in the May 8, 2026, print edition as 'The Great 340B Healthcare Grift'.

The Editorial Board speaks for free markets and free people, the principles, if you will, marked in the watershed year of 1776 by Thomas Jefferson's Declaration of Independence and Adam Smith's "Wealth of Nations." So over the past century and into the next, the Journal stands for free trade and...



Further Reading

Purdue Pharma to Pay \$225 Million to Justice Department

Albertsons Swings to a Loss on Charge From Opioid Settlement

Bayer Net Loss Widens on Weedkiller Litigation Charges

Moderna to Pay \$950 Million to Settle Patent Cases From Arbutus, Genevant

Videos

The Columbus Dispatch

Not all is golden with drug pricing program expansion plan. Caution is needed

*"In short, employers should be asking:
Are we expanding a program that helps — or one that hurts?"*



Guest Columnist

Ryan Augsburger

CEO, Ohio Manufacturers' Association

Central Ohio native Ryan Augsburger serves as president for the Ohio Manufacturers' Association and its more than 1,300 member companies across Ohio.

For many Ohio businesses, the word “expansion” typically signals growth, opportunity and new jobs.

But when it comes to the federal [340B Drug Pricing Program](#), recent legislative efforts to expand it — through [House Bill 276](#) and [Senate Bill 198](#) — may actually mean higher costs for employers and fewer benefits for the patients the program was originally designed to help.

Why do we have the 340B program?

The 340B program was created to help uninsured and low-income patients access life-saving medications at reduced costs.

However, over time, the program has grown far beyond its original scope. Large hospital systems, pharmacy benefit managers and other entities have increasingly used the program in ways that don't necessarily benefit patients — and may be driving up costs for Ohio's businesses and working families.

A recent report from the [Congressional Budget Office](#) found no evidence that savings from the 340B program are passed on to patients. Instead, the program may be encouraging behaviors that increase federal spending and raise prices for taxpayers.

[Another study by IQVIA](#), a health industry consulting firm, revealed that Ohio employers are paying an additional \$275 million annually due to the program's current structure.

For small and mid-sized businesses on Main Street, these hidden costs can be significant. Rising health care expenses affect everything from employee benefits to bottom-line profitability.

Lawmakers must make informed decisions about the 340B program

That's why the Ohio Manufacturers' Association is urging lawmakers to pause and reconsider before expanding the 340B program further.

Instead of expansion, our association advocates for transparency and accountability. Indiana recently passed legislation requiring more visibility into how 340B dollars are spent — a model Ohio could follow.

While Ohio has taken initial steps toward transparency in its biennial budget, more data is needed to truly understand how the program operates and whether it's serving its intended purpose.

Before implementing sweeping changes like those proposed in HB 276 or SB 198, Ohio should gather the facts.

That means understanding where the money goes, who benefits and how businesses are impacted. Only then can lawmakers make informed decisions that protect both vulnerable patients and the economic health of Ohio's business community.

In short, employers should be asking: Are we expanding a program that helps — or one that hurts?

Let's replace expansion with understanding and ensure that every dollar spent serves Ohioans wisely.

#

TO: OMA Government Affairs Committee
FROM: Jacob Sargent
RE: Safety & Workers' Compensation Public Policy Report
DATE: June 4, 2026

Overview

Ohio's safety and workers' compensation landscape continues to evolve across the legislative, regulatory, and judicial fronts. While legislative activity in this space remains limited, several significant court decisions are shaping employer obligations and financial exposure (particularly for self-insured employers). At the same time, recently enacted marijuana reforms are now fully in effect following the failure of a referendum effort, introducing new considerations for workplace safety policies.

Taken together, these developments highlight a shifting environment in which major policy changes are increasingly made outside the legislative process. Recent court rulings and regulatory actions are creating both opportunities and challenges for manufacturers, often introducing uncertainty and complicating long-term planning in the workers' compensation system.

Dillon Supreme Court Case to Save Employers on TTD Overpayment

The Ohio Supreme Court's Dillon decision fundamentally alters the termination date for Temporary Total Disability (TTD) benefits, significantly impacting employers. Previously, TTD benefits could be terminated on the date of the Industrial Commission hearing officer's decision, resulting in an unfair extension of TTD/comp payments. However, with Dillon, benefits can now be terminated on the date of Maximum Medical Improvement (MMI) as determined by any physician, including those hired by the employer, resulting in earlier termination. This change is anticipated to result in a surge of overpayments declared in Ohio, affecting self-insured employers' bottom lines.

On March 12, 2026, the 10th District Court of Appeals released a decision in *State ex rel. Kurtz v. Indus. Comm* addressing the application of the Ohio Supreme Court's recent decision in *Dillon* to workers' compensation claims involving the recoupment of overpaid temporary total compensation after an injured worker has been found at maximum medical improvement ("MMI"). In sum, the court's ruling has two parts: First, the court affirmed that the MMI date is the date of the doctor's examination, not the date of the Industrial Commission hearing. Second, the court held that R.C. 4123.511(K), as written, does not permit a self-insured employer or the BWC to recoup the overpayment of compensation from the injured worker upon a finding of MMI. The first part of the court's decision is unfavorable to employers and the BWC because it incentivizes injured workers to prolong their Industrial Commission hearings as long as possible, thereby continuing to receive compensation until a hearing officer issues a decision terminating it. The second part of the ruling is also unfavorable to employers and the BWC. The existence of an overpayment for temporary total compensation is of little value to the employer or the BWC if the employer and the BWC do not have the statutory authority to collect the overpaid compensation from the injured worker. The OMA has agreed to financially assist the employer in this case as the employer appeals to the Ohio Supreme Court.

Additionally, on April 1, 2026, the Ohio Supreme Court made a decision in *State ex rel. Kent Elastomer Prods. Inc. v. McCloud*. It requires the Ohio Bureau of Workers' Compensation (BWC) to strictly follow the statutory and regulatory requirements of its group retrospective

rating (group-retro) program, even when those rules conflict with broader policy decisions, such as issuing pandemic-era premium dividends. The Court found that the BWC could not skip the required reconciliation process for the 2018 policy year simply because it had already issued a 100% dividend, meaning the agency must still apply group-retro calculations that could result in additional refunds or assessments based on claims experience. For manufacturers, this creates both opportunity and concern: while some employers may see additional refunds, the decision introduces uncertainty and undermines predictability in the workers' compensation system. By effectively layering retroactive adjustments on top of an unprecedented dividend, the ruling distorts the intended risk-reward structure of group-retro programs and complicates financial planning for manufacturers that depend on stable and predictable workers' compensation costs.

Senate Bill 56: Recreational Marijuana Reforms

After years of infighting, republican state legislators have come to a deal to pass reforms to adult use cannabis and intoxicating hemp products, following the passage of a 2023 ballot initiative to legalize marijuana.

Key elements include expungement for certain past possession offenses, consolidation of adult-use and medical marijuana statutes, retention of the 10% excise tax, restrictions on packaging and advertising appealing to minors, clarified OVI rules, and limits on THC potency. The bill also allocates 36% of excise tax revenue to host communities with dispensaries and grants the Division of Cannabis Control expanded regulatory authority.

SB 56 aligns state law with recent federal changes by prohibiting intoxicating hemp products outside licensed dispensaries and creating a temporary, regulated market for drinkable cannabinoid products through 2026, allowing sales in grocery stores, bars, and other retailers with clear THC labeling.

The legislature passed SB 56 in late December 2025, and Governor DeWine promptly approved the measure.

Despite the OMA's opposition to cannabis legalization over workplace safety concerns, the bill protects some of the strongest drug-free workplace protections in the nation—mirroring provisions the OMA helped craft in 2016 when medical cannabis was legalized.

Marijuana activists failed to gather the necessary signatures to have a referendum appear on the ballot. SB 56 recently took effect and is the law of the land.

Safety & Workers' Compensation Legislation and Rules

New OMA Bill to Address Workers' Comp and TPS Issue

Senator George Lang will soon introduce a bill to address the workers' comp-TPS issue we discussed at last quarter's meeting. In short, there was a growing number of cases involving immigrants with legal work statuses receiving workers' compensation and then going back to their home country after their legal status expires. The Industrial Commission ruled that WC claims must still be paid to these individuals.

OMA's bill will add a section that makes compensation not payable to claimants or dependents unless they possess a legal status to be in or work in the United States. A more thorough explanation of this legislation can be found in your materials.

Senate Bill 347: Regards the BWC drug-free workplace program

Introduced on February 2, 2026, S.B. 347 would require the Ohio Bureau of Workers' Compensation to establish a Drug-Free Workplace Program with premium discounts set in statute rather than supported by actuarial analysis, raising concerns about the long-term integrity of the Workers' Compensation Fund and setting a precedent for legislatively mandated, financially unvetted incentives.

The bill recreates the bureau's prior program and allows employers to receive premium discounts of 5, 10, or 15 percent, depending on participation level. To qualify for the 15 percent "advanced" discount, employers could not terminate an employee after a first positive drug test if the employee discloses a substance abuse problem and agrees to an assessment.

The OMA has serious concerns about both the fiscal soundness of the mandated discounts and the legal and operational risks this policy would impose on employers. SB 347 received its first hearing on Tuesday June 2nd.

Senate Bill 241: Penalties for Public Employers Challenging Claims

Introduced July 30, 2025, S.B. 241 would amend R.C. 4123.512 to impose a \$50,000 penalty on any employer that loses an appeal for a workers' compensation award related to firefighter cancer claims under R.C. 4123.68(X), with the penalty paid directly to the claimant. The bill had its first hearing before the Senate Financial Institutions, Insurance, and Technology Committee on November 18th, 2025. OMA is concerned that this measure sets a troubling precedent by penalizing employers for exercising their right to appeal, potentially exposing private employers to similar risks in the future and disrupting the balance of Ohio's workers' compensation system.

OMA Advocacy Prevents Major PTSD Shift in Workers' Compensation Bill

The Ohio Manufacturers' Association and other statewide business groups successfully pushed to remove a provision in House Bill 338 that would have allowed corrections officers to file workers' compensation claims for post-traumatic stress disorder without a related physical injury.

In a letter to House Judiciary Chair Jim Thomas, R-Jackson Twp., the coalition warned that allowing "mental-only" claims would upend more than a century of workers' compensation precedent and significantly increase costs and liability for employers. OMA said it supports Ohio's corrections officers and did not oppose the bill as originally drafted. But the association urged lawmakers to remove the provision and conduct a full review before advancing what it called a major change to state law.

The groups noted that Ohio's existing Post-Traumatic Stress Fund already provides a targeted way to assist affected officers without destabilizing the broader workers' compensation system. The letter can be found in today's materials.

HB 338 has passed the House and received a single hearing in the Senate Judiciary Committee

Ohio Board of Pharmacy Kratom Restrictions

The Ohio Board of Pharmacy adopted a permanent rule that makes it illegal to sell or possess certain kratom derivatives, including highly concentrated products containing 7-hydroxymitragynine, while permanent regulations are developed.

Having taken effect Friday, Dec. 12, all forms of kratom-related products are illegal to sell, possess, or distribute in the state. The only exception is products composed solely of

mitragynine. The action comes after Ohio Gov. Mike DeWine called on the Ohio Board of Pharmacy to classify kratom as a Schedule I drug earlier this year. He cited it as an "imminent public health risk" due to its potential dangers, particularly for teenagers and babies. Ohio is the first state to take such strong action against Kratom.

Kratom is derived from a tropical plant and can have stimulant effects at low doses and opioid-like effects at higher doses. Safety experts warn that concentrated forms may impair judgment, reaction time, and motor skills. Standard workplace drug tests typically do not detect kratom, creating potential challenges for employers in safety-sensitive environments.

OSHA Heat Rule Once Again Debated

US Senate Republicans are pushing legislation to block the OSHA proposed heat-specific workplace standard, an issue that has generated major concern among OMA members in the past.

In 2024, OSHA unveiled its first-ever national heat safety rule aimed at reducing heat-related illnesses by requiring employers to implement comprehensive safety measures. This rule would impact manufacturers and employers by necessitating changes to workplace safety protocols, including regular heat risk assessments, hydration, and rest breaks. The rule also introduces new responsibilities such as training, acclimatization programs, and emergency planning, which could increase operational costs and necessitate updates to existing safety procedures.

Without the rule being finalized and without a dedicated heat standard, OSHA has continued to rely largely on the General Duty Clause to pursue heat-related citations, which can create uncertainty for employers trying to understand their obligations. That is a major concern for manufacturers because no two facilities are exactly alike. A foundry, a fabrication shop and a climate-controlled plant can face very different conditions, yet a one-size-fits-all federal standard could treat them the same.

Supporters of the Senate legislation argue OSHA's proposed rule would impose broad federal requirements on employers that are already managing heat risk through site-specific safety programs, training, ventilation, hydration policies and operational controls.

OSHA Walkaround Rule

Last year, Federal regulators finalized a proposed rule to give designated union representatives, or virtually any non-expert third-party individual, the right to accompany OSHA inspectors during facility "walkarounds" or inspections- regardless of whether the representative is an employee of the facility. The rule took effect on May 31, 2024. In May, the National Association of Manufacturers (NAM) joined a coalition of national business associations challenging the rule.

The OMA made public comments to OSHA opposing the rule on the grounds that allowing virtually anyone to join the OSHA inspection process transforms a safety-focused endeavor into a tool for union organizing, a tactic for attorneys in litigation, a threat to trade secrets, and a means of harassing employers.

You can find OMA's comments in today's meeting materials. In follow-up advocacy efforts, the OMA sent a letter to Ohio's congressional delegation, with nearly 200 of our member companies signing on, urging legislative action against the rule. That letter can also be found in today's meeting materials.

This rule is likely to be reconsidered by the Trump administration.

OSHA Proposes Ladder Rule Change

OSHA is proposing to eliminate the Nov. 18, 2036 deadline for employers to retrofit existing fixed ladders taller than 24 feet with personal fall arrest or ladder safety systems. Under the proposal, employers would still need to install those systems when ladders are replaced, but not by a fixed nationwide deadline. New fixed ladders installed on or after Nov. 19, 2018, would still be required to include modern fall protection.

OSHA said the change would give employers more flexibility to time upgrades with the end of a ladder's service life while reducing compliance costs. The proposal would revise part of the agency's 2016 Walking-Working Surfaces rule.

This proposal would let facilities align upgrades with real-world maintenance cycles instead of an arbitrary deadline

Safety & Workers' Compensation News

[Click here for Safety & Workers' Compensation Community articles from previous Leadership Briefings.](#)

Workers' Compensation Legislation
Prepared by: The Ohio Manufacturers' Association
Report created on June 1, 2026

- HB80** **INDUSTRIAL COMMISSION BUDGET (STEWART B)** To make appropriations for the Industrial Commission for the biennium beginning July 1, 2025, and ending June 30, 2027, and to provide authorization and conditions for the operation of Commission programs.
Current Status: 6/27/2025 - **SIGNED BY GOVERNOR**; eff. immediately
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-80>
- HB81** **BWC BUDGET (STEWART B)** To make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2025, and ending June 30, 2027, to provide authorization and conditions for the operation of the Bureau's programs, and to make changes to the Workers' Compensation Law.
Current Status: 6/27/2025 - **SIGNED BY GOVERNOR**; eff. immediately
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-81>
- HB160** **REVISE LIQUOR CONTROL, HEMP, MARIJUANA LAWS (STEWART B)** To revise specified provisions of the liquor control, hemp, and adult-use marijuana laws and to levy taxes on marijuana.
Current Status: 5/7/2025 - House Judiciary, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-160>
- HB395** **TRACK JOB INTERVIEW ATTENDANCE (LORENZ B, GROSS J)** To require the Director of Job and Family Services to establish an online process for employers to report individuals who fail to appear for a scheduled job interview.
Current Status: 3/17/2026 - House Government Oversight, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-395>
- HB709** **MENTAL TELEHEALTH COVERAGE REQUIREMENTS (BROWNLEE K, CRAIG M)** To require private insurers to cover telehealth services for mental health services the same as for in-person mental health services.
Current Status: 6/2/2026 - House Insurance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-709>
- SB56** **LAW CHANGES-MARIJUANA, LIQUOR, HEMP (HUFFMAN S)** To revise specified provisions of the liquor control, hemp, and adult-use marijuana laws, and to make an appropriation, and to amend section 4506.01 of the Revised Code effective December 31, 2026, to revise the law governing commercial driver's licenses.
Current Status: 12/19/2025 - **SIGNED BY GOVERNOR**; eff. immediately
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-56>
- SB86** **REGULATE HEMP, CANNABINOID PRODUCTS (HUFFMAN S, WILKIN S)** To generally prohibit the sale of intoxicating hemp products, except for sales at licensed dispensaries; to

regulate drinkable cannabinoid products, and to levy taxes on drinkable cannabinoid products and other intoxicating hemp products that may be sold.

Current Status: 5/7/2025 - Referred to Committee House General Government

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-86>

SB241 **FINE EMPLOYER-LOST WORKERS' COMP APPEAL (PATTON T)** To impose a fine against an employer who appeals specified awards of workers' compensation related to cancer incurred while performing official duties as a firefighter if the employer loses the appeal.

Current Status: 6/2/2026 - Senate Financial Institutions, Insurance and Technology, (Second Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-241>

SB347 **REGARDING BWC DRUG-FREE WORKPLACE PROGRAM (JOHNSON T, BRENNER A)** Regarding the Bureau of Workers' Compensation drug free workplace program.

Current Status: 6/2/2026 - Senate Financial Institutions, Insurance and Technology, (First Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-347>

SB400 **DEW DESIGNATION-YOUTH DEVELOPMENT PROGRAMS (MANCHESTER S)** To provide for the designation of high-quality youth development programs by the Director of Education and Workforce.

Current Status: 5/19/2026 - Senate Education, (Third Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-400>



Oct. 8, 2025

FOR IMMEDIATE RELEASE

OMA Applauds Gov. DeWine's Action to Protect Ohioans from Intoxicating Hemp Products

COLUMBUS, Ohio – The Ohio Manufacturers' Association (OMA) today applauded Gov. DeWine's action to protect Ohioans from unregulated, intoxicating hemp products that threaten public health and workplace safety.

"Manufacturers across Ohio are deeply concerned about the spread of intoxicating hemp products and their impact on workplace safety," said OMA President Ryan Augsburger. "These products have created real challenges for employers seeking to maintain safe, drug-free workplaces. The governor's action reinforces the importance of clear, consistent rules that protect workers and ensure Ohio remains a safe state to do business.

"Ohio manufacturers are committed to fostering safe, productive environments for their employees and communities," Augsburger said. "By prioritizing public safety and regulatory clarity, Gov. DeWine is helping strengthen the foundation for a safer, more responsible business climate in Ohio."

###

The Ohio Manufacturers' Association is Ohio's largest statewide business association comprised solely of manufacturers. Established in 1910, the OMA's mission is to protect and grow Ohio manufacturing. It represents manufacturers of all sizes in every subsector of the industry. Manufacturing is Ohio's largest economic sector, employing approximately 690,000 Ohioans and contributing more than \$133 billion annually to the economy. Visit ohiomfg.com, or follow us on [LinkedIn](#), [X](#), [Facebook](#) and [YouTube](#).

Dave O'Neil
Director, Communications and Marketing
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Workers' Compensation TPS Issue Overview

How the situation typically unfolds

1. Work injury and allowed claim: An individual is injured on the job in Ohio and the claim is allowed.
2. Wage-replacement begins: The person is taken off work or placed on restrictions and begins receiving wage-replacement benefits (often TTD), supported by ongoing medical documentation.
3. TPS expires: Over time, the person's Temporary Protected Status (TPS) and/or related work authorization lapses.
4. Departure from the U.S.: After TPS expires, the individual leaves the country (or otherwise exits the Ohio labor market), making them effectively unavailable to return to their job or accept other suitable work in Ohio.
5. Payments continue: Despite the departure

Why benefits can continue (in practice)

Ohio's wage-replacement benefits are often administered through a medical/claims-file process: if the file continues to contain current disability certification, benefits can remain in pay status unless a formal event interrupts them.

In addition, the Industrial Commission is compelling payments citing that because employers are not offering light duty, claimants are entitled to receive benefits.

Premium / Cost Impact

If wage-replacement benefits continue paying on these claims after the worker's TPS expires and they leave the country, the additional payments can increase the claim's total cost. In Ohio, higher claim costs can flow into an employer's experience-based rating (often through an experience modifier), which can raise future premiums for employers whose rates are impacted by their claims history.

Typically, in Ohio about every \$1 spent on claims raises an employer's premiums by around \$4, resulting in this oversight having a significant financial impact.

Suggested Changes to R.C. 4123.54

Add a section that makes compensation not payable to claimants or dependents unless they possess a legal status to be in or work in the United States.



**OHIO CHAMBER
OF COMMERCE**

November 19, 2025

The Honorable Jim Thomas
Chair, House Judiciary Committee
77 South High Street, 11th Floor
Columbus, OH 43215

Chair Thomas:

Our organizations, on behalf of our members, are writing you today in opposition to portions of amendment 1215-1 that were accepted during last week's committee hearing on House Bill 338. This amendment includes language that would allow corrections officers to receive Bureau of Workers' Compensation (BWC) benefits for post-traumatic stress disorder (PTSD) without an accompanying physical injury. The adoption of a mental-only diagnosis would create a significant departure to longstanding and clear precedent in Ohio workers' compensation system law.

While we recognize the importance of protecting our corrections officers and have no opposition to the as-introduced version of the legislation, a provision as consequential as allowing mental-only injuries – for the first time in the more than 110 year history of the state's workers' compensation system – needs to be fully vetted instead of being amended into a bill that is already moving. This language is much broader than previous legislation that would allow first responders to receive PTSD coverage and allows individuals to file a claim if they simply learned of a coworker's injury. Also, Ohio allows private companies to operate prisons, so this would apply to any privately employed corrections officers.

As an alternative solution, we support using the State Post-Traumatic Stress Fund to fund these claims. This fund was established with the enactment of House Bill 308 in the 133rd Ohio General Assembly and is currently held in the Office of Budget and Management.

We respectfully ask that the House Judiciary Committee delay voting on House Bill 338 until the PTSD provision is removed.

NFIB Ohio
Ohio Manufacturer's Association
Ohio Chamber of Commerce
Ohio Council of Retail Merchants
Ohio Business Roundtable



October 17, 2023

VIA Electronic Submission (<http://www.regulations.gov>)

Attn: Mr. Douglas L Parker
Assistant Secretary of Labor for OSHA
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

**Re: Public Comment – Worker Walkaround Representative Designation
Process – Docket No. OSHA–2023–0008 / RIN 1218-AD45**

The Ohio Manufacturers' Association (OMA) is providing the Department of Labor's Occupational Safety and Health Administration (OSHA) with written comments on RIN 1218-AD45, the agency's proposed rulemaking that seeks to redefine the worker walkaround representative designation process.

The OMA is dedicated to protecting and growing manufacturing in Ohio by representing over 1,300 manufacturers where safety and health are paramount to their operations. For more than 100 years, the OMA has supported reasonable and necessary regulations that promote the safety and health of employees who work for OMA member companies. RIN 1218-AD45 is neither reasonable nor necessary to promote safety or health at work.

History of OSHA's Walkaround Representative Policy

Under current federal OSHA regulations, outside union officials and other third parties who do not work at the site are not automatically entitled to accompany an OSHA inspector during an OSHA inspection, often referred to as a "walkaround."

Per current regulation, a third party is permitted to attend an inspection only if OSHA believes "good cause has been shown why accompaniment by a third party who is not an employee of the employer (such as an industrial hygienist or a safety engineer) is reasonably necessary to the conduct of an effective and thorough physical inspection of the workplace." CFR § 1903.8(c).

On February 21, 2013, OSHA issued a letter of interpretation authored by then Obama-era OSHA Deputy Assistant Secretary Richard Fairfax (the Fairfax Memo) in response to questions posed by the United Steelworkers of America union. The Fairfax Memo unilaterally permitted union representatives or other third parties to accompany OSHA inspectors during onsite inspections even if the worksite was non-union and the "representative" was not an employee of the employer. This interpretation expanded who could accompany an OSHA inspector on a walkaround from "industrial hygienist or safety engineer" as defined by the

OSH Act, to unions, community organizations, and virtually anyone else acting on behalf of employees.

The National Federation of Independent Businesses sued OSHA in federal district court alleging that the Fairfax Memo's interpretation of the OSH Act amounted to a legislative rule adopted without notice and comment as required by the Administrative Procedures Act of 1946.

OSHA moved to dismiss the lawsuit, but the court found that the NFIB had stated a claim upon which relief could be granted. Before resolution of the lawsuit, however, President Trump was sworn into office, and on April 25, 2017, the Trump administration formally rescinded the guidance set forth in the Fairfax Memo, and the NFIB withdrew its lawsuit.

President Biden, who has repeatedly said, "I intend to be the most pro-union president leading the most pro-union administration in American history," has, through RIN 1218-AD45, resurrected *and expanded* the Fairfax Memo's ideologies.

Proposed Changes to OSHA's Walkaround Representative Policy

The Executive Summary of RIN 1218-AD45 concedes, "a district court concluded that [the Fairfax Memo's] interpretation was not consistent with the regulation." OSHA is now using the rulemaking procedure to legitimize its position that unions and other third-party representatives may accompany employees during OSHA inspections. This rule seeks to make two significant and unnecessary changes to the law.

First, the current regulation states: "[t]he representative(s) authorized by employees **shall be an employee** of the employer." (emphasis added) The proposal rule would change this language to: "The representative(s) authorized by employees **may be an employee** of the employer **or a third party**."

Second, the current regulation allows a non-employee "such as an industrial hygienist or a safety engineer" only if it "is reasonably necessary to the conduct of an effective and thorough physical inspection of the workplace." In practice, only those with technical expertise and credentials, or perhaps a unique language interpreter, have been permitted to accompany an OSHA inspector on an inspection.

The proposed rule eliminates the requisite technical credentials when stating that a third-party representative may be "reasonably necessary" simply because of "relevant knowledge, skills, or experience with hazards or conditions in the workplace or similar workplaces, or language skills."

These changes do not make the workplace safer or healthier. They simply remove any qualifying barriers to who can traipse through a worksite. The Notice of Proposed Rulemaking admits this, too, when it states:

There are a multitude of third parties who might serve as representatives authorized by employees for purposes of the OSHA walkaround inspection, [including] worker advocacy organizations, labor organization representatives, consultants, or attorneys who are

experienced in interacting with government officials or have relevant cultural competencies may be authorized by employees to represent them on walkaround inspections.

Permitting just about anyone to accompany an OSHA inspection would convert the inspection from being focused on workplace safety to being an organizing tactic for unions, a litigation strategy for attorneys, and an opportunity to harass employers.

The Impact of the Proposed Changes to OSHA's Walkaround Representative Policy

Union Organizing

The OSH Act has always allowed an employee who is represented by a union to accompany OSHA inspectors conducting onsite inspections. But the proposed rule would allow union representatives access inside non-union workplaces.

This would give unions unprecedented leverage in union organizing campaigns by granting them the unfettered ability to communicate directly with non-union employees during an OSHA inspection while those employees are at work. Pro-union employees could file OSHA complaints and select a union representative to accompany the CSHO on the walkaround. Unions would also be incentivized to monitor OSHA complaint filings, contact employees, and attempt to receive authorization to attend walkarounds. Unions could then take credit for any subsequent OSHA citations in a thinly veiled attempt at demonstrating their value to non-union workers. Moreover, since anyone can file an OSHA complaint, a strong argument could be made that if the union files the OSHA complaint, the union is automatically an interested party and entitled to accompany the CSHO on the walkaround.

Expansion of Inspection

CSHOs are only permitted to inspect allegations in the complaint or anything they see in plain view. This is called the "plain view doctrine." The proposed rule would expand the plain view doctrine by allowing union officials, community organizers, or others to physically walk with the CSHO but constantly scan other parts of the employer's facility to find potential violations of the OSH Act while the OSHA inspector is focused on inspecting the allegations of the complaint.

These additional sets of eyes could nefariously bring attention to unrelated parts of the facility necessitating a detour of the inspection. That detour would not only delay the conclusion of the inspection, but it could effectively convert a targeted inspection based on a complaint to an unnecessarily comprehensive and time-consuming "wall-to-wall" inspection. OSHA has neither the personnel nor budget for this effect.

Bilingual

The Notice of Proposed Rulemaking permits CSHOs to allow bilingual community organizers or advocates with no relevant safety experience access to employees and the work site during an inspection solely because of their language skills. This is a big departure from the current rule that permits bilingual individuals if they have the requisite technical credentials.

If communicating with non-English speaking workers is a goal of OSHA, then OSHA could send one of its inspectors who speak the same language as the employee. Or OSHA could retain the services of an accredited translator. But that is obviously not the goal of the proposed rule. Instead, the rule is focused on allowing anyone employees desire to accompany them on the inspection and walk throughout the private parts of an employer's property.

Trade Secrets

The proposed rule effectively permits anyone to accompany a CSHO during a walkaround inspection. This unfettered access to an employer's private property does not make the workplace safer or healthier. Alternatively, it exposes the employer's trade secrets and proprietary information to the public who has no legitimate right to access the private property or know the proprietary information.

Employers may be able to restrict third-party access to areas containing proprietary information, according to the proposed rule. But there is neither a guarantee that the restriction will be followed by the CSHO, that through the expansion of the plain view doctrine the third-party would not discover proprietary information in an area not within the scope of the initial inspection, or that the employer, CSHO, and third-party would not agree on whether the inspection will reveal proprietary information.

From a practical perspective, employers will declare the entire property is rife with proprietary information and deny any third-party access to it. This will result in delayed investigations, search warrants, and litigation over whether the third-party is entitled to accompany the CSHO and the parameters of that entitlement.

Attorneys Litigating against the Company

Another potential abuse of this unnecessary extension of law is attorneys for injured or deceased workers who are preparing to sue an employer or are in the middle of a lawsuit against the employer. These unscrupulous attorneys could gain access to the inner workings of a company and discover things that are beyond the scope of the discovery process and the attorney would otherwise never have learned. Litigation has strict discovery procedures. The proposed rule would effectively make many of those procedures moot.

CSHO has Complete Discretion

The participation of non-employees during an OSHA walkaround would not need the employer's approval. With only an inspector's permission, a community activist or a union's safety expert could participate in the inspection of a non-union manufacturer.

This authority is given to CSHOs without any oversight. CSHOs have the "authority to resolve all disputes as to who the representative is authorized by the employer and employees for the purpose of this section" 29 CFR 1903.8(b).

Nothing guides the CSHOs' decisions to ensure they follow the law. As drafted, the new rule will leave employers with no recourse, short of refusing an inspection, if a CSHO selects someone to accompany him or her on the inspection that the employer objects to joining the inspection.

Although the proposed regulation *currently* requires a CSHO to determine that the presence of a third party is "reasonably necessary," OSHA's request for public comments suggests it may scrap that requirement. OSHA has asked whether it should "defer to the employees' selection of a representative" without consideration of whether that representative would aid in the conduct of the inspection. This complete abscondence of a check and balance of who has access to a private company's property is absurd.

If finalized, the proposed rule will insert instability and unpredictability into the inspection process. It will open an unprecedented avenue for union organizing. And it will cause delay and increased expense to everyone involved in the OSHA inspection process.

The OMA appreciates the opportunity to provide these comments. If OSHA has any questions regarding the foregoing, please do not hesitate to contact me at (614) 224-5111.

Sincerely,



James Lee
Director of Public Policy
Ohio Manufacturers' Association

cc: Matt Shurte, Committee Chair

Comp program must follow group-retro rules: Ohio high court

by Louise Esola

[Apr 1, 2026](#)

The Ohio Supreme Court on Wednesday ruled that the state Bureau of Workers' Compensation must administer its group retrospective rating program for the 2018 policy year, despite having issued full premium refunds to employers during the COVID-19 pandemic.

In *State ex rel. Kent Elastomer Prods., Inc. v. McCloud*, the court affirmed a lower court's decision granting a limited writ of mandamus directing the bureau to apply its administrative rules and determine whether additional refunds or assessments are owed.

The dispute arose after Kent Elastomer Products Inc., a manufacturer participating in the bureau's group-retrospective-rating program, sought a refund tied to its group's claims performance for the 2018 policy year. The program allows employers to receive refunds or incur additional assessments based on collective loss experience.

However, in 2020, the bureau issued a one-time COVID-19 dividend equal to 100% of employers' 2018 premiums to provide financial relief during the pandemic. The agency then declined to conduct group-retro calculations for that year, asserting that the dividend effectively replaced any potential refunds.

The court rejected that position, holding that while the bureau had authority to issue the dividend, it lacked authority to suspend its obligations under existing administrative rules governing the group-retro program.

"Administrative agencies are bound by their own rules," the court said, emphasizing that regulations have the force of law and cannot be disregarded without formal rulemaking.

The justices also found that the bureau could not offset potential group-retro refunds by the amount of the COVID dividend, noting that the governing rule explicitly prohibits reducing premiums by dividends when calculating refunds.

New Ohio cannabis law takes effect, bringing new rules on use, transport and sales

Author: Hunter Bertram

Published: 12:20 AM EDT March 20, 2026



CLEVELAND — A [new Ohio law](#) taking effect Friday will change how cannabis can be used, transported, and sold — with some of the biggest impacts happening after customers leave the dispensary.

Advocates had tried to [delay the law and put it before voters](#), but that effort fell short of the signatures needed to qualify for the ballot, Now, industry leaders say the changes under [Senate Bill 56](#) can be difficult to follow.

"I'm the CEO of a cannabis company, and it's confusing to me," said Jared Maloof of Standard Wellness in Gibonsburg. "So for instance, you have to keep the marijuana in its original packaging, and you have to place it in your trunk."

Additionally, bringing marijuana across state lines (even if purchased legally) is both federally illegal and now prohibited under Ohio law.

One of the most noticeable changes affects where cannabis can be used. Smoking, vaping, or consuming cannabis in public places is now prohibited, and could result in a misdemeanor.

The law also lowers THC limits for certain products and restricts the sale of intoxicating hemp-derived items, such as THC seltzers, to licensed dispensaries.

Some in the industry say the changes are meant to improve safety.

"This legislation did do a whole heck of a lot to make sure that consumers are safe in the state of Ohio," said AJ Caraballo of Amplify Dispenseries.

Others, including cannabis advocates, say the restrictions could push some users toward illegal products.

"Practice with due diligence and, you know, with your own safety in mind," said Tim Johnson of Cannabis Safety First.



Permanent ban on synthetic kratom sales in Ohio to go into effect in May

The Statehouse News Bureau | By [Karen Kasler](#)

Published April 14, 2026 at 12:17 PM EDT



A ban on synthetically modified versions of the Asian botanical herb kratom will take effect May 14, replacing a temporary ban set to expire in June. A panel of lawmakers approved the permanent ban on synthetic kratom, which is regulated as a dietary supplement and sold at specialty shops, convenience stores and gas stations.

The Joint Committee on Agency Rule Review approved naming synthetic kratom as a Schedule 1 controlled substance in Ohio. Among those who spoke for the ban was Susie and Roger Bullard of Tipp City, whose 27-year-old son Philip died in November 2024.

"His brain was hijacked from kratom," Susie Bullard told JCARR. "He was shackled and bound to a toxic substance that children, adults, youth can purchase at a gas station and vape shops."

She noted that a letter from Gov. Mike DeWine to the Ohio Board of Pharmacy said there were at least 200 Ohioans who died from kratom between 2019 to 2024.

"That's my son in that number," Bullard said. "If it's so good and so safe, that number should be zero."

Roger Bullard added: "Due to kratom's easy accessibility at thousands of gas stations, vape shops and convenience stores, and to the legality to sell, purchase and possess it makes it all the more easy for Ohioans to be misled by its addictive and deadly powers."

Retailers and supporters of natural kratom have said it treats pain and increases focus and energy with few side effects. And they stress that synthetic versions such as 7-OH aren't the same thing. Some advocates spoke for natural kratom at [a hearing](#) last month on [Senate Bill 299](#), which would ban synthetic kratom and sales of natural kratom to minors.

"Kratom is a botanical in the coffee family that has been safely used for centuries in Southeast Asia," Sheldon Bradshaw, an FDA regulatory attorney with the lobbying group Botanicals for Better Health and Wellness told the Senate General Government Committee. "Bad actors are exposing one of the 50 alkaloids in kratom to harsh, toxic agents and creating 7-OH. It's not kratom. It's not natural. It's not a plant. It's a synthetic drug."

A temporary ban on Ohio kratom sales was created by an [executive order](#) from DeWine in December and was set to expire in June. The Ohio Board of Pharmacy is still considering whether to ban natural kratom.

The Food and Drug Administration (FDA) [said in July](#) it would move to schedule 7-OH, which is being sold at corner stores and gas stations in various forms, from tablets to edibles to drinks. Federal efforts to schedule kratom have failed before, though the FDA has not greenlit consuming it or using it medically.

TO: OMA Government Affairs Committee
FROM: Jacob Sargent
SUBJECT: Tax and Finance Public Policy Report
DATE: June 4, 2026

Overview

Last year, the Ohio General Assembly passed property tax reforms to curb the ongoing push to abolish property taxes via a constitutional amendment that could be voted on as early as November 2026. Despite the Governor's vetoes for property tax changes in the 2025 biennium budget, the legislature overrode one and passed a few standalone bills to overhaul the system.

Going into 2026, Ohio Senate Ways and Means Chair Louis Blessing said that lawmakers are unlikely to pursue major tax policy changes this year, pointing instead to a year focused on smaller, procedural measures rather than sweeping reforms. That appears to continue to remain true as we are about halfway through the second year of the General Assembly with little to no tax bills advancing.

The State of Property Taxes in Ohio

The campaign to abolish property has continued to try to gather support and signatures to have the question appear on the November 2026 ballot. As speculation on the size of their support continues, state and local officials are expressing concerns and offering alternatives to abolition.

On February 4, the Director of the Ohio Office of Budget and Management, Kimberly Murnieks, issued a memo to Governor DeWine titled "Consequences of Local Property Tax Abolishment." In the memo, she highlighted the catastrophic impacts on essential local services and the challenges of replacing the substantial revenue loss should the tax be abolished. She also highlighted specific challenges local schools and jurisdictions would face.

The legislature overturned one of Governor DeWine's vetoes in the State's Operating Budget concerning property taxes. Veto number 66 was successfully overturned and would eliminate the authority for political subdivisions to levy replacement property tax levies and the authority for school districts to levy fixed-sum emergency, substitute emergency levies, and combined school district income tax and fixed-sum property tax levies. The Governor vetoed three other property tax-related measures that have not been overridden. The legislature has until December 31st of this year to decide whether to do so.

In addition to overriding the veto, the legislature also passed several property tax-related bills, all signed by Governor DeWine in December of 2025. HB 124 would modify the process for property tax sales-assessment ratio studies. HB 129 would limit the ability to reallocate certain school property tax millage. HB 186 would regard school district property taxes and the school funding formula. HB 309 regards budget commissions, property taxes, and certain funds. Lastly, HB 335 regards county budget commissions, property and sales tax, and funds.

The deadline to submit the required 415,000 signatures is July 1st in order to appear on November's ballot. As of May 2026, the Ax the Tax campaign reported only collecting 305,000 signatures which is well below what an issue campaign needs to be successful. The campaign has the option to not file this July and try to make next year's ballot. OMA is watching what they do carefully and has agreed to be helpful to a campaign to oppose the measure should it ever make the ballot.

Tax & Finance Legislation

R&D Tax Updates

SB 9 was passed and signed by Governor Dewin in March of this year, despite some difficulties in the House. The bill would conform Ohio's tax code to federal tax changes enacted by President Trump's "One Big Beautiful Bill."

OMA presented proponent testimony for SB 9, provided by Sycamore Growth Group President Rick Kleban. OMA specifically advocated for the restoration of immediate expensing under Section 174 for research and experimental (R&E) expenditures, also known as "specified Research or Experimental (SRE) expenditures found in the 'One Big Beautiful Bill,'" highlighting its benefits at the federal level and explaining how it would operate within Ohio.

In March of this year HB 756 was introduced by Representatives Jack Daniels and David Thomas. The bill would create a new R&D tax credit that can be applied to offset a business's income taxes. The structure mimics the R&D credit that can be applied to the CAT.

OMA typically opposes any changes to the CAT, and while this bill references the CAT, it does not affect it. We are currently exploring if this creates an inequity within the business community that we should be concerned about since the bill specifically prohibits a business from applying the credit to their income taxes if they already used the R&D credit for their CAT. We see possible inequity when a small corporation no longer has to pay CAT and could soon use a beneficial credit that CAT payers can use.

Senate Joint Resolution 9: Constitutional Food and Beverage Tax Question

Senate Joint Resolution 9, sponsored by Senator Louis Blessing (R-Colerain Township), proposes to repeal Section 13 of Article XII of the Ohio Constitution, the provision that currently prohibits the state from imposing a wholesale excise tax on food and nonalcoholic beverages. If adopted by the General Assembly, the question would go before Ohio voters; the introduced version sets a statewide vote in November 2027, with repeal taking effect January 1, 2028 if approved.

For food and beverage manufacturers, this is among the most consequential items on the table. Ohio's constitutional language has long-shielded food and nonalcoholic beverages from wholesale excise taxation, and removing it would open the door to new taxes on the sale of those products. The resolution is pending in the Senate General Government Committee. The OMA will be monitoring its progress closely, as any move toward taxing food and beverage sales would carry direct cost and competitiveness consequences for manufacturers and their customers.

HB 376: Reduce the maximum number of weeks an individual may receive unemployment
H.B. 376 reduces the maximum number of weeks an individual may receive unemployment compensation from 26 to 20.

Under current law, an individual is entitled to receive benefits for 20 weeks for the first 20 qualifying weeks of employment in the individual's base period. The individual may receive one additional benefit week for each qualifying week over 20 weeks, up to a maximum of 26 total benefit weeks.

Ohio's unemployment compensation system has struggled with solvency for decades and remains structurally vulnerable during economic downturns. The system has repeatedly been placed under financial strain when unemployment rises, leaving the state at risk of insolvency when economic conditions deteriorate.

HB 376 would not, by any means, fix the solvency issue with the unemployment compensation system, but it is a step in the right direction, and OMA provided proponent testimony in support of the measure.

MEPs Funding and Future

The Trump administration reduced funding for the Manufacturing Extension Partnership (MEP) program nationwide, citing concerns about potential fraud and calling for a formal investigation. The Ohio Department of Development also paused state funding for the program pending the outcome of that investigation.

The OMA has led a coalition of industry partners to push back against the administration's decision to mirror the federal suspension, arguing that withholding these funds created the worst possible outcome for Ohio's industrial base. The OMA is currently working with state lawmakers to secure a long-term, stable funding solution that insulates these vital services from an increasingly adversarial federal bureaucracy. On the federal level, U.S. Senators Jon Husted and Bernie Moreno deserve significant credit for their aggressive efforts to challenge the Department of Commerce and release the held funds following the issuance of the final report. OMA's advocacy efforts are reflected in today's materials.

U.S. Senator Jon Husted has publicly advocated for restoring funding for the program, citing its importance to Ohio's manufacturing sector.

HB 288: Prompt Pay Defeated in Lame Duck, Expected to Resurface

Prompt Pay Legislation has resurfaced this general assembly with the recent reintroduction of HB 288. The legislation sets stringent payment terms in construction contracts and effectively eliminates an owner's right to contract negotiations by requiring all projects to be paid within 30 days. Additionally, HB 288 imposes a penalizing 18% interest rate on payments not made within the state-mandated "prompt pay" period.

Last year, the OMA's advocacy efforts successfully stopped the bill in the final days of the General Assembly, despite a strong last-minute push by contractor unions to quietly advance it through the Senate. This year, the bill advanced out of committee and was rumored to be put on the House floor for a vote. Through OMA's advocacy, the bill was halted and never reached a vote. HB 288 has not moved since.

HB 332: Create the small defense business-linked deposit program

HB 332 would expand access to low-interest loans for Ohio's small defense manufacturers and agricultural producers by leveraging existing state treasury resources through linked deposit programs. The proposal aims to help businesses lower borrowing costs and invest in growth without directly utilizing taxpayer dollars in the state's general revenue fund.

This bill was recently passed by the House after receiving four hearings in the House Small Business Committee and received its first hearing in the Senate Financial Institutions, Insurance, and Technology Committee in May 2026.

HB 574: Proposal to Consolidate Taxing Districts

HB 574 would pay cities, villages, and townships that voluntarily merge, aiming to streamline local government, reduce overhead, and modernize long-standing tax boundaries. If passed, \$25 million would be appropriated to the program and administered by the Ohio Secretary of State. The plan also includes a cash payment mandate tied to mergers with a max payment of \$2.5 million.

OMA supports consolidating taxing districts, noting that fewer overlapping jurisdictions can improve efficiency and create a more predictable environment for manufacturers. The bill is currently awaiting its first hearing in the House Local Government Committee.

Supreme Court Decision on CAT Tax Refund

The Ohio Supreme Court rejected an argument by the Ohio Tax Commissioner asserting that shipping labels and bills of lading identifying Ohio as the delivery location are not in themselves determinative, and the taxpayer may produce other evidence regarding where the purchaser receives the goods "after all transportation is complete."

Ultimately, the Court held that products shipped to an in-state distribution center for subsequent shipment to the purchaser's retail locations inside and outside of Ohio were properly situated to Ohio for CAT Tax purposes because the taxpayer did not establish where the purchaser received the property after all transportation was complete.

It is important for manufacturers in similar situations to obtain and manage data directly related to the shipment of goods that generate receipts subject to CAT.

Tax and Finance News

[Click here for Tax and Finance Community articles from previous Leadership Briefings.](#)

Taxation Legislation
Prepared by: The Ohio Manufacturers' Association
Report created on June 1, 2026

- HB14** **INCORPORATE FEDERAL TAX CHANGES** (ROEMER B, WORKMAN H) To expressly incorporate changes in the Internal Revenue Code since March 15, 2023, into Ohio law and to declare an emergency.
Current Status: 3/7/2025 - **SIGNED BY GOVERNOR**; eff. immediately
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-14>
- HB28** **ELIMINATE REPLACEMENT PROPERTY TAX LEVY AUTHORITY** (MATHEWS A, HALL T) To eliminate the authority to levy replacement property tax levies.
Current Status: 4/8/2025 - Senate Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-28>
- HB30** **PHASE DOWN INCOME TAX-2.75%** (MATHEWS A, LAMPTON B) To phase-down the state income tax to a flat rate of 2.75% over two years.
Current Status: 3/26/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-30>
- HB39** **TAX DEDUCTION-OVERTIME WAGES** (FISCHER T, SANTUCCI N) To allow a state income tax deduction for overtime wages.
Current Status: 4/2/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-39>
- HB48** **TAX CHANGES-529, ABLE CONTRIBUTIONS** (MATHEWS A, SANTUCCI N) To modify the income tax deductions for contributions to 529 plans and ABLE accounts.
Current Status: 10/21/2025 - Senate Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-48>
- HB61** **MODIFY HOMESTEAD EXEMPTION, OWNER-OCCUPANCY CREDIT** (THOMAS D, DANIELS J) To modify the amount of the homestead exemptions and owner-occupancy property tax credit.
Current Status: 2/19/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-61>
- HB69** **TAX DEDUCTION CHANGES** (PETERSON B, CLAGGETT T) To allow taxpayers to deduct in a single year the full bonus depreciation and enhanced expensing allowances the taxpayer deducts for federal income tax purposes.
Current Status: 3/19/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-69>
- HB87** **TAX SUPPORT-CHILDREN, CHILD CARE** (CLICK G, KLOPFENSTEIN R) To authorize tax incentives for conceived children and certain child care items and to name this act the Strategic Tax Opportunities for Raising Kids (STORK) Act.
Current Status: 2/4/2026 - **BILL AMENDED**, House Ways and Means, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-87>

- HB89** **TEMPORARY PROPERTY TAX REDUCTION** (SCHMIDT J) To authorize a temporary property tax reduction.
Current Status: 5/21/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-89>
- HB159** **CREATE MANUFACTURING TECHNOLOGY ASSISTANCE GRANTS** (SANTUCCI N, DEMETRIOU S) To create the manufacturing technologies assistance grant program and to make an appropriation.
Current Status: 11/18/2025 - House Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-159>
- HB231** **EMPLOYER TAX CREDIT-PAID PARENTAL LEAVE** (WILLIAMS J, MILLER M) To create an income tax credit for employers that provide paid parental leave and to name this act the Paid Parental Leave Act.
Current Status: 10/29/2025 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-231>
- HB288** **TIMELY PAY REQUIREMENT-PRIVATE CONSTRUCTION** (ROEMER B, SWEENEY B) To require owners of private construction projects to timely pay contractors.
Current Status: 6/17/2025 - **REPORTED OUT**, House Small Business, (Fourth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-288>
- HB376** **REDUCTION-UNEMPLOYMENT BENEFITS TIMEFRAME** (TESKA M) To reduce the maximum weeks an individual may receive unemployment benefits from 26 to 20 weeks.
Current Status: 3/18/2026 - House Public Insurance and Pensions, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-376>
- HB395** **TRACK JOB INTERVIEW ATTENDANCE** (LORENZ B, GROSS J) To require the Director of Job and Family Services to establish an online process for employers to report individuals who fail to appear for a scheduled job interview.
Current Status: 3/17/2026 - House Government Oversight, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-395>
- HB574** **CREATE PILOT PROGRAM-SUBDIVISION CONSOLIDATION GRANTS** (DANIELS J, DOVILLA M) To create the Political Subdivision Consolidation Incentive Grant Pilot Program and to make an appropriation.
Current Status: 2/18/2026 - House Local Government, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-574>
- HB617** **INCOME TAXATION EXEMPTION-CAPITAL GAINS** (YOUNG T) To exempt capital gains from state and municipal income taxation and to name this act the Ohio Capital Gains Tax Repeal Act.
Current Status: 3/18/2026 - House Ways and Means, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-617>

- HB665 ALGORITHM PRICING REGULATION** (COCKLEY C, FISCHER T) To regulate the use of pricing algorithms.
Current Status: 3/11/2026 - House Technology and Innovation, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-665>
- HB688 EMPLOYMENT APPLICATION PROHIBITION-CRIMINAL BACKGROUND QUESTION** (TIMS D, BRENT J) To prohibit private employers from including on an employment application any question concerning the criminal background of the applicant.
Current Status: 2/18/2026 - Referred to Committee House Commerce and Labor
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-688>
- HB756 EXPAND R&D CREDIT-INCOME TAX** (DANIELS J, THOMAS J) To expand a research and development tax credit to apply to the income tax.
Current Status: 3/25/2026 - House Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-756>
- HB762 TAX EXEMPTION-VENDING MACHINES** (LEAR B, THOMAS D) To exempt certain vending machine food purchases from sales and use tax.
Current Status: 6/3/2026 - House Ways and Means, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-762>
- HB819 MODIFY TAXES-OIL, NATURAL GAS** (RADER T, SYNENBERG E) To modify the rate and revenue allocation of the severance tax on oil and natural gas, to create an electric bill credit, and to make an appropriation.
Current Status: 5/13/2026 - Referred to Committee House Ways and Means
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-819>
- HB844 AUTHORIZE BUSINESS TAX CREDIT-TECHNOLOGY INVESTMENT** (CLICK G, MATHEWS T) To authorize an income tax credit for businesses that make qualifying technology investments.
Current Status: 5/13/2026 - Referred to Committee House Ways and Means
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-844>
- HB957 PROHIBIT NEW DATA CENTER SALES TAX EXEMPTIONS** (RADER T) To prohibit new data center sales tax exemptions from being granted.
Current Status: 5/27/2026 - Introduced
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HB-957>
- HCR8 URGE CONGRESS-TAX CUTS, JOBS ACT** (WILLIAMS J) To urge the Congress of the United States to make the 2017 Tax Cuts and Jobs Act permanent and protect prosperity.
Current Status: 6/18/2025 - Referred to Committee Senate Government Oversight and Reform
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-HCR-8>

- SB3 PHASE DOWN OHIO INCOME TAX** (LANG G, HUFFMAN S) To phase-down the state income tax to a flat rate of 2.75% over two years.
Current Status: 1/29/2025 - Referred to Committee Senate Ways and Means
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-3>
- SB9 INCORPORATE INTERNAL REVENUE CODE CHANGES** (BLESSING III L) To expressly incorporate changes in the Internal Revenue Code since March 7, 2025, into Ohio law and to declare an emergency.
Current Status: 3/5/2026 - **SIGNED BY GOVERNOR**; eff. immediately
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-9>
- SB42 AUTHORIZE LOCAL GOVT.-RESIDENTIAL STABILITY ZONES** (REYNOLDS M, CRAIG H) To authorize local governments to create residential stability zones where homeowners may qualify for a partial property tax exemption.
Current Status: 3/10/2026 - Senate Local Government, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-42>
- SB43 REPEAL SPECIAL COUNTY LODGING TAX** (O'BRIEN S, LANG G) To repeal the authorization of a special county lodging tax.
Current Status: 3/4/2025 - Senate Ways and Means, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-43>
- SB81 AUTHORIZE PROPERTY TAX FREEZE-OWNER-OCCUPIED HOMES** (PATTON T) To authorize a property tax freeze for certain owner-occupied homes.
Current Status: 2/18/2025 - Senate Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-81>
- SB86 REGULATE HEMP, CANNABINOID PRODUCTS** (HUFFMAN S, WILKIN S) To generally prohibit the sale of intoxicating hemp products, except for sales at licensed dispensaries; to regulate drinkable cannabinoid products, and to levy taxes on drinkable cannabinoid products and other intoxicating hemp products that may be sold.
Current Status: 5/7/2025 - Referred to Committee House General Government
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-86>
- SB88 OHIO PROPERTY PROTECTION ACT** (JOHNSON T) To modify the law that prohibits certain governments, businesses, and individuals from acquiring certain real property and to name this act the Ohio Property Protection Act.
Current Status: 5/27/2025 - **BILL AMENDED**, Senate General Government, (Fourth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-88>
- SB90 ESTABLISH REGULATORY SANDBOX PROGRAM** (CUTRONA A, LANG G) To create a regulatory relief division within the common sense initiative office and to establish a universal regulatory sandbox program.
Current Status: 3/24/2026 - Senate General Government, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-90>

- SB93** **DECLARE INTENT-NEW SCHOOL FINANCING SYSTEM** (BRENNER A) To declare the General Assembly's intent to establish a new school financing system that provides a statewide per-pupil funding payment to public and chartered nonpublic schools based on a single statewide property tax and increased state sales tax.
Current Status: 10/21/2025 - Senate Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-93>
- SB129** **TAX CREDIT-EMPLOYER GROUP HEALTH PLAN PREMIUMS** (KOEHLER K) To authorize a refundable tax credit for a portion of employer group health plan premiums.
Current Status: 3/18/2025 - Senate Ways and Means, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-129>
- SB374** **PROHIBIT SALES TAX EXEMPTIONS-DATA CENTERS** (SMITH K, BLESSING III L) To prohibit new data center sales tax exemptions from being granted.
Current Status: 3/25/2026 - Referred to Committee Senate Finance
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SB-374>
- SJR9** **PROPOSE CONSTITUTIONAL CHANGE-FOOD, BEVERAGE TAXATION** (BLESSING III L) Proposing to repeal Section 13 of Article XII of the Constitution of the State of Ohio to no longer prohibit wholesale excise taxation of food and nonalcoholic beverages.
Current Status: 5/20/2026 - Senate General Government, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA136-SJR-9>



June 10, 2025

The Honorable Haraz N. Ghanbari
Ohio House of Representatives
Vern Riffe Center
77 S. High Street, 13th Floor
Columbus, Ohio 43215

Re: Opposition to HB 288 – Protecting Freedom of Contract and Ohio’s Economic Competitiveness

Dear Chairman Ghanbari,

As members of Ohio’s business community, we write to express our strong opposition to House Bill 288, also known as the Prompt Pay Act.

While we fully support the principle that all parties engaged in construction and maintenance projects should be paid in accordance with the agreed-upon terms in their contracts, HB 288 introduces sweeping mandates that will harm Ohio’s economy, undermine the freedom of contract, and disrupt the state’s business environment.

HB 288 would require private construction project owners to pay contractors within 30 days of receiving a payment application or face extreme penalties, including an 18% interest rate and liability for contractors’ legal fees. These provisions raise several serious concerns:

- 1. Erosion of Contractual Freedom:** Businesses must retain the ability to negotiate payment terms tailored to the specific needs of all parties. HB 288 imposes a one-size-fits-all mandate, undermining this foundational principle.
- 2. Deterrent to Investment in Ohio:** Punitive measures like an 18% interest rate and guaranteed legal fees for contractors could deter future investment in Ohio. Businesses may hesitate to undertake development projects in the state, fearing disproportionate penalties, potentially leading to job losses and decreased economic activity.
- 3. Encouragement of Frivolous Lawsuits with No Financial Risk to Plaintiffs:** The bill’s attorneys’ fees provision could foster unnecessary litigation, creating a cottage industry of lawsuits from bad actors over minor disputes. This would divert resources away from productive business operations.

Ohio’s business climate depends on careful, deliberate policymaking to ensure a fair, competitive, and growth-oriented regulatory framework. HB 288 has far-reaching implications that do not support these objectives. For these reasons, we respectfully urge you to reject HB 288.

Thank you for your attention to this important matter.

Sincerely,

The Ohio Manufacturers' Association
The Ohio Council of Retail Merchants
Ohio Telecom Association
Ohio's Broadband and Cable Association

CC: Members of the House Small Business Committee



**HOUSE SMALL BUSINESS COMMITTEE
REPRESENTATIVE GHANBARI, CHAIR**

**TESTIMONY OF
BROCK MISKIMEN
OF COUNSEL, BRICKER GRAYDON
JUNE 10, 2025**

Chair Ghanbari and members of the House Small Business Committee, my name is Brock Miskimen. I am an attorney at the law firm of Bricker Graydon and practice in our Construction Law Group. Our firm works with and serves as counsel to the Ohio Manufacturers' Association (OMA).

The OMA was created in 1910 to advocate for Ohio's manufacturers; today, it has nearly 1,300 members. Its mission is to protect and grow Ohio manufacturing.

Thank you for the opportunity to provide opponent testimony on House Bill 288 (HB 288). HB 288 would require that the owners of private construction projects -- including manufacturers that are building, improving, or maintaining facilities in Ohio -- to pay contractors within 30 days of receiving an application for payment from the contractor or, if there is a process of certification of a payment application by a design professional, within 30 days after the payment application has been certified, whichever is later.

HB 288 also contains provisions wherein late payments would be subject to a punitive 18% interest rate plus potential attorneys' fees and costs. These provisions will incentivize litigation and could lead to a cottage industry for attorneys to go after companies that are trying to build improvements and grow Ohio's economy.

One of the pillars of a free-market economy is freedom of contract. Virtually every private construction contract is a freely negotiated agreement that sets forth the payment terms in detail and sets agreed upon consequences for late payment or failure to pay, typically with reasonable interest rates and/or other penalties. We are not aware of systemic late payments coming from manufacturing projects, and thus do not understand the conditions for this proposed legislation.

Our members seek to have their facilities up and running as soon as possible and cannot risk the delays that come with late or missed payments to contractors. Furthermore, an owner who fails to timely pay a prime contractor risks having subcontractors walk off the job because of the inability of the prime contractor to pay them, and the prime contractor also has the ability to file a mechanic's lien against the property for failure to pay. Both of these possibilities are strong incentives for an owner to timely pay a contractor according to the terms of their negotiated agreement.

HB 288 allows the state to step in and set the terms of a contract with a potential windfall to one of the parties at the expense of the other. The provisions contained in the bill are far from industry standards negotiated today in both terms of time allowed to pay and the amount of penalties.

The OMA's members negotiate and engage in countless contracts every year. They have embedded processes to comply with the terms of each contract whether that is for the construction of a new facility or supplying manufactured parts to an OEM. HB 288 rejects the concept of freedom of contract, which has governed the majority of private transactions in this state and substitutes a state-sponsored version with terms and penalties much more punitive – and we would argue unnecessarily so -- than what exists in the marketplace.

We appreciate the opportunity to share our concerns with the bill as drafted and look forward to continuing our dialogue with the bill sponsors and the committee. Thank you. I would be happy to try to answer any questions.



March 18, 2026

The Honorable Bob Peterson
Chairman
House Public Insurance and Pensions Committee
Ohio Statehouse
1 Capitol Square
Columbus, OH 43215

RE: House Bill 376 – Written Proponent Testimony

Dear Chairman Peterson,

The Ohio Manufacturers' Association appreciates the opportunity to provide written testimony in support of HB 376, which would reduce the maximum weeks an individual may receive unemployment.

The OMA was created in 1910 to advocate for Ohio's manufacturers. Today, the OMA has approximately 1,300 members statewide. Its mission is to protect and grow Ohio's manufacturing industry.

As you may know, manufacturing is the largest of the state's 20 major industry sectors. As of Q4 2025, manufacturing contributed more than \$133 billion to Ohio's economy. According to the most recent data, nearly 700,000 Ohioans work in manufacturing, and manufacturing has the largest payroll of any Ohio economic sector, accounting for nearly one-fifth of Ohio's private industry GDP.

Many of our manufacturers remember the difficulties following the 2008 recession, when a surge in unemployment claims completely exhausted the state's unemployment insurance fund and forced Ohio to borrow nearly \$3.4 billion from the federal government. Ohio employers were the sole contributors responsible for repaying that debt, including more than \$250 million in interest payments. Employers across the state bore those costs through increased payroll taxes and special assessments for several years until the loan was repaid.

Ohio's unemployment compensation system has struggled with solvency for decades and remains structurally vulnerable during economic downturns. The system has repeatedly been placed under financial strain when unemployment rises, leaving the state at risk of insolvency when economic conditions deteriorate.

Without structural reforms, Ohio risks repeating this same cycle in future downturns: depleting the unemployment fund, borrowing billions from the federal government, and imposing higher payroll taxes on employers during the very time businesses are working to recover.

At the same time, Ohio manufacturers continue to face significant workforce shortages across many sectors. Employers throughout the state are working to fill open positions and expand production capacity. Policies that support faster reattachment to the workforce while maintaining a stable unemployment insurance system are critical to sustaining Ohio's economic growth.

OMA supports H.B. 376 because it is a sensible step toward strengthening the system's long-term stability by reducing the maximum number of weeks an individual may receive unemployment compensation from 26 to 20.

Under current law, an individual is entitled to receive benefits for 20 weeks for the first 20 qualifying weeks of employment in the individual's base period. The individual may receive one additional benefit week for each qualifying week over 20 weeks, up to a maximum of 26 total benefit weeks.

Even during the extraordinary economic conditions of the pandemic, the average Ohio claimant received unemployment benefits for approximately 14.5 weeks, well below the current 26-week maximum. Aligning benefit duration more closely with actual usage helps strengthen the solvency of the unemployment insurance fund and reduces the likelihood of sudden tax increases on employers during economic downturns.

OMA supports H.B. 376 as a step in the right direction toward achieving solvency. At a time of low unemployment and strong job creation, Ohio has an opportunity to make meaningful improvements to its unemployment compensation system. These reforms will help stabilize the unemployment insurance fund, protect employers from future tax spikes, and reduce the likelihood that Ohio will once again need to borrow billions from the federal government.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jacob Sargent', with a long, sweeping flourish extending to the right.

Jacob Sargent
Director, Public Policy Services
The Ohio Manufacturers' Association



To: Governor Mike DeWine
From: Kimberly Murnieks *KAM*
Date: February 4, 2026
Re: Consequences of Local Property Tax Abolishment

A [proposed constitutional amendment](#) would eliminate property taxes in Ohio and permanently ban them statewide, cutting off a critical source of funding for local schools, police and fire departments, emergency services, and other essential community services. This memo provides a high-level summary of the impacts of such an amendment; if the issue makes the ballot, OBM will provide a detailed analysis in accordance with [Ohio Revised Code Section 3519.04](#).

While the State of Ohio does not collect property taxes, Ohio's cities, counties, townships, and school districts have long depended on them to pay for the services residents rely on every day. Today, property taxes, including real property and public utility personal property taxes, generate about **\$24 billion each year** for local governments across the state. To put this into perspective, that's equal to the total revenue from Ohio's state income and sales taxes combined.

Eliminating property taxes would immediately destabilize local budgets and force deep cuts to essential services, reducing or eliminating funding for local law enforcement, first responders, and schools, delaying road and infrastructure repairs, and threatening services for seniors and people with disabilities.

Catastrophic Impacts on Essential Local Services: Local property taxes support approximately [65 percent of local tax revenue in Ohio](#). If eliminated, specific effects would include:

- **Public Education:** Roughly three-fifths of the local property tax revenue collected each year supports local school districts. If local property taxes were abolished, schools would be forced to lay off thousands of personnel, leading to larger class sizes school closings, and program cuts.
- **Police, Fire, and EMS:** Local safety forces rely heavily on property tax levies; repeal would lead to station closures especially in smaller communities and townships, dramatically reduced staffing, and slower emergency response times.
- **Libraries, Parks, Health and Human Services, Senior Supports:** These services, funded through local levies, would face severe cuts or elimination, reducing community quality of life. Programs for seniors and health, recovery, and developmental disabilities services would lose stable funding, increasing strain on hospitals and state systems.

Revenue Replacement Challenges: The state budget already pays a portion of homeowners' local property tax bills through the homestead exemption for seniors and residents with disabilities, and through the tax credit for residential homeowners. These state-funded [programs](#) reimburse local governments and schools more than \$2 billion each year in property taxes that would otherwise be paid by Ohio residents. Replacing another \$20 billion or more if local property tax revenue is abolished would be fiscally impractical and economically harmful.

- **If replaced by Income Tax:** After more than two decades of careful policy planning and implementation, Ohio achieved a flat state income tax of 2.75 percent in tax year 2026, the second-lowest rate of any state in the country which levies an income tax, providing a competitive economic environment. Ohio's state personal income tax generated \$10.5 billion in FY 2025. According to [analysis by the Tax Foundation](#), **income tax rates across Ohio would need to quadruple or more, reaching 11–15 percent statewide, to replace local property tax levies.** If replacement income taxes were levied locally, then the income tax rate would need to reach 27 percent in some counties. Such rates could exceed even the top brackets of states with high rates and progressive income tax structures, such as California. High tax rates would discourage future economic development, dampen investment, increase tax migration, and disproportionately burden low-income households.
- **If replaced by Sales Tax:** Ohio's statewide sales tax is a moderate 5.75 percent, and generated \$14 billion in FY 2025. Ohio is near the middle nationally for combined state and local rates. **OBM, after consulting with the Ohio Department of Taxation, estimates that replacing local property tax would require state sales tax rates approaching 15–18 percent, significantly higher than any other state.** Such astronomical increases would drive citizens and businesses to tax avoidance, pushing consumer spending out of state especially in border counties, harming small businesses and local economies. To moderate the potential rate increase, **the sales tax base could be broadened to tax food, healthcare, or other goods or services that are currently exempt.** Note that base-broadening would require statutory and, in some cases, constitutional, changes.

Additional Risks and Considerations:

- **Volatility:** Property taxes give local governments a steady, predictable source of funding that supports essential services year after year. In contrast, income and sales taxes swing sharply during economic downturns, leaving communities vulnerable to budget shortfalls when residents need public services the most.
- **Loss of Local Control:** Local property taxes empower residents to shape their communities through direct voting and accountability, ensuring that decisions about spending and priorities remain in the hands of local citizens. By approving or rejecting property tax measures, voters exercise real control over service quality, scope, and responsiveness.

- **Maintenance of Public Schools:** In addition to catastrophic impacts to operating revenue, eliminating local property taxes would strip school districts of their most stable funding source for building upkeep. Without revenues, districts would struggle to pay for essential repairs like roof replacements, HVAC systems, and safety upgrades. Deferred maintenance leads to deteriorating facilities, higher long-term costs, and unsafe learning environments.
- **Local Government Debt and Bond Ratings:** Local governments rely on property tax revenue to secure bonds for infrastructure projects, schools, and public safety facilities. If this revenue stream disappears, currently outstanding debt would likely be declared immediately in default, leading numerous bondholders to file lawsuits, and credit agencies would view municipalities as higher-risk borrowers, causing credit ratings to drop. Lower ratings mean higher interest rates on future borrowing, reducing the ability to finance school facilities, roads, water systems, and emergency services. Ultimately, taxpayers would pay more for less infrastructure as borrowing would become costlier and less accessible.
- **State of Ohio Credit Ratings:** In the past few years, the state of Ohio achieved top AAA/Aaa bond ratings from all three major credit rating agencies for the first time in history. The ripple effect of eliminating local property taxes would reach the state level. Local credit downgrades would lead to reputational risks for the state and widespread financial instability among local governments and school districts could trigger fiscal crises and calls for state intervention that would strain resources beyond capacity. Lower state credit ratings would increase borrowing costs for major projects and undermine investor confidence in Ohio’s fiscal management, jeopardizing economic development and straining the state budget.

The state of Ohio is fiscally responsible, and our current system of state and local taxation is balanced and stable. Recognizing that increased property tax burdens are a top concern for Ohioans, the legislature adopted a package of four bills in 2025, [HB 186](#), [HB 335](#), [HB 129](#), and [HB 309](#), to curb unvoted property tax increases and provide over \$3 billion in additional relief to homeowners over the next few years. These reforms cap automatic growth in school and local government taxes at the rate of inflation, tighten levy oversight, and adjust credits to favor owner-occupied homes while phasing out non-business credits. OBM recommends continued work with the legislature to implement additional [recommendations of the Property Tax Working Group](#) while maintaining our bedrock local property tax system.

As this analysis demonstrates, a constitutional amendment to abolish local property taxes, with no plan to replace the lost revenues, would quite literally “defund” the police – and fire departments, schools, libraries, senior centers, and other local government services – in our communities statewide.