

AN ACT

To amend sections 505.511, 505.84, and 3743.75 and to enact sections 1753.281 and 3923.651 of the Revised Code to increase the charges for responding in townships to certain security alarm system false alarms, to earmark the moneys a township so collects for police services, to allow townships to charge for fire and rescue services, to make changes in the State Fireworks Law, and to require certain insurance policies that provide coverage for 9-1-1 emergency services to pay the provider of 9-1-1 emergency services directly.

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

SECTION 1. That sections 505.511, 505.84, and 3743.75 be amended and sections 1753.281 and 3923.651 of the Revised Code be enacted to read as follows:

Sec. 505.511. (A) A board of township trustees that operates a township police department or the board of township trustees of a township police district may, after police constables, the township police, a law enforcement agency with which the township contracts for police services, and the county sheriff or the sheriff's deputy have answered a combined total of three false alarms ~~resulting from the malfunction of~~ the same commercial or residential security alarm system within the township in the same calendar year, cause the township clerk to mail the manager of the commercial establishment or the occupant, lessee, agent, or tenant of the residence; a bill ~~for twenty-five dollars~~ for each subsequent false alarm from the same alarm system during that year, to defray the costs incurred. ~~If~~ The bill's amount shall be as follows:

(1) For the fourth false alarm of that year\$50.00;

(2) For the fifth false alarm of that year\$100.00;

(3) For all false alarms in that year occurring after the fifth false alarm
.....\$150.00.

If payment of the bill is not received within thirty days, the township clerk shall send a notice by certified mail to the manager and to the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent, or tenant and to the owner, if different, of the real estate of which the residence is a part, indicating that failure to pay the bill within thirty days, or to show just cause why the bill should not be paid, will result in the assessment of a ~~twenty-five dollar~~ lien upon the real estate in the amount of the bill. If payment is not received within those thirty days or if just cause is not shown, the ~~sum of twenty-five dollars~~ amount of the bill shall be entered upon the tax duplicate, shall be a lien upon the real estate from the date of the entry, and shall be collected as other taxes and returned to the township ~~general fund~~ treasury to be earmarked for use for police services. ~~The~~

The board of township trustees shall not cause the township clerk to send a bill pursuant to this division if a bill has already been sent pursuant to division (B) of this section for the same false alarm.

(B) The county sheriff may, after the county sheriff or the sheriff's deputy, police constables, the township police, and a law enforcement agency with which the township contracts for police services have answered a combined total of three false alarms ~~resulting from the malfunction of the~~ same commercial or residential security alarm system within the unincorporated area of the county in the same calendar year, mail the manager of the commercial establishment or the occupant, lessee, agent, or tenant of the residence a bill ~~for twenty-five dollars~~ for each subsequent false alarm from the same alarm system during that year, to defray the costs incurred. ~~If~~ The bill's amount shall be as follows:

(1) For the fourth false alarm of that year\$50.00;

(2) For the fifth false alarm of that year\$100.00;

(3) For all false alarms in that year occurring after the fifth false alarm
.....\$150.00.

If payment of the bill is not received within thirty days, the sheriff shall send a notice by certified mail to the manager and to the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent, or tenant and to the owner, if different, of the real estate of which the residence is a part, indicating that ~~the~~ failure to pay the bill within thirty days, or to show just cause why the bill should not be paid, will result in the assessment of a ~~twenty-five dollar~~ lien upon the real estate in the amount of the bill. If payment is not received within those thirty days or if just cause is not shown, the ~~sum of twenty-five dollars~~ amount of the bill shall be entered upon the tax duplicate, shall be a lien upon the real

estate from the date of the entry, and shall be collected as other taxes and returned to the county treasury. ~~The~~

The sheriff shall not send a bill pursuant to this division if a bill has already been sent pursuant to division (A) of this section for the same false alarm.

(C) As used in this section, "commercial establishment" has the same meaning as in section 505.391 of the Revised Code.

Sec. 505.84. As used in this section, "authorized ~~Medicare~~ medicare reimbursement rate" means such rate established for the locality under Title XVIII of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended.

A board of township trustees may establish reasonable charges for the use of fire and rescue services, ambulance services, or emergency medical services. The board may establish different charges for township residents and nonresidents, and may ~~at~~ in its discretion, waive all or part of the charge for any resident. The charge for ambulance transportation for nonresidents shall be an amount not less than the authorized ~~Medicare~~ medicare reimbursement rate, except that, ~~if prior to the effective date of this amendment~~ September 9, 1988, the board had different charges for residents and nonresidents and the charge for nonresidents was less than the authorized ~~Medicare~~ medicare reimbursement rate, the board may charge nonresidents less than the authorized ~~Medicare~~ medicare reimbursement rate.

Charges collected under this section shall be kept in a separate fund designated as "the fire and rescue services, ambulance services, and emergency medical services fund," and shall be appropriated and administered by the board. ~~Such funds~~ The fund shall be used for the payment of the costs of the management, maintenance, and operation of fire and rescue services, ambulance services, and emergency medical services in the township. If the fire and rescue services, ambulance services, and emergency medical services are discontinued in the township, any balance remaining in the fund shall be paid into the general fund of the township.

Sec. 1753.281. (A) A health insuring corporation policy, contract, or agreement providing coverage for 9-1-1 emergency services shall provide in the policy, contract, or agreement that all payments for 9-1-1 emergency services be paid directly to a nonparticipating 9-1-1 emergency services provider or to the provider's assigned agent for billing purposes, when such a provider is used.

(B) As used in this section, "9-1-1 emergency services" includes, but is not limited to, the following services:

(1) Transportation provided by an ambulance or other vehicle providing medical service that responds to a call placed to the 9-1-1 system, as defined in section 4931.40 of the Revised Code, and transfers a person to a hospital emergency department;

(2) All services performed by an emergency room physician that are not covered under the direct payment to hospitals under section 3901.386 of the Revised Code.

(C) Section 3901.71 of the Revised Code does not apply to this section.

Sec. 3743.75. (A) During the period beginning on ~~the effective date of this section~~ June 29, 2001, and ending on December 15, ~~2005~~ 2008, the state fire marshal shall not do any of the following:

(1) Issue a license as a manufacturer of fireworks under sections 3743.02 and 3743.03 of the Revised Code to a person for a particular fireworks plant unless that person possessed such a license for that fireworks plant immediately prior to ~~the effective date of this section~~ June 29, 2001;

(2) Issue a license as a wholesaler of fireworks under sections 3743.15 and 3743.16 of the Revised Code to a person for a particular location unless that person possessed such a license for that location immediately prior to ~~the effective date of this section~~ June 29, 2001;

(3) Except as provided in division (B) of this section, approve the transfer of a license as a manufacturer or wholesaler of fireworks issued under this chapter to any location other than a location for which a license was issued under this chapter immediately prior to ~~the effective date of this section~~ June 29, 2001.

(B) Division (A)(3) of this section does not apply to a transfer that the state fire marshal approves under division (D)(2) of section 3743.17 of the Revised Code. Section 3743.59 of the Revised Code does not apply to this section.

~~(C) The department of commerce and the division of state fire marshal shall devise, by December 15, 2005, a proposal to provide for the issuance of manufacturer and wholesaler of fireworks licenses that is based upon demographics and designed to ensure the safety of the public and send a copy of the proposal to the president of the senate and speaker of the house of representatives.~~

Sec. 3923.651. (A) Every individual or group policy of sickness and accident insurance that provides coverage for 9-1-1 emergency services shall provide that reimbursement under that policy for 9-1-1 emergency services be paid directly to the provider of 9-1-1 emergency services or to the provider's assigned agent for billing purposes.

(B) As used in this section, "9-1-1 emergency services" includes, but is

not limited to, the following services:

(1) Transportation provided by an ambulance or other vehicle providing medical service that responds to a call placed to the 9-1-1 system, as defined in section 4931.40 of the Revised Code, and transfers a person to a hospital emergency department;

(2) All services performed by an emergency room physician that are not covered under the direct payment to hospitals under section 3901.386 of the Revised Code.

(C) Section 3901.71 of the Revised Code does not apply to this section.

Sub. H. B. No. 255

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SECTION 2. That existing sections 505.511, 505.84, and 3743.75 of the Revised Code are hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. H. B. No. 255

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

Director, Legislative Service Commission.

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

Secretary of State.

File No. _____ Effective Date _____