

**As Introduced  
(CORRECTED VERSION)**

**126th General Assembly  
Regular Session  
2005-2006**

**H. B. No. 239**

**Representatives Schneider, Reidelbach, Brinkman, Faber, Seitz, Kearns,  
Flowers, Hood, Aslanides, Blessing, Bubp, Buehrer, Coley, Collier, Combs,  
Daniels, DeGeeter, Distel, Dolan, Domenick, Driehaus, Fessler, Garrison,  
Gibbs, Gilb, Hagan, Hoops, Kilbane, Latta, Law, Martin, McGregor, Oelslager,  
T. Patton, Raga, Raussen, Reinhard, Schaffer, Seaver, Setzer, G. Smith,  
Taylor, Trakas, Uecker, Wagner, Wagoner, Walcher, White, Widener,  
Widowfield, Willamowski, Wolpert**

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**A B I L L**

To amend sections 124.85, 505.60, 505.601, 1343.03,	1
and 5101.55; to amend, for the purpose of adopting	2
a new section number as indicated in parentheses,	3
sections 124.85 (9.04) and 1901.313 (1901.314);	4
and to enact new section 1901.313 and sections	5
9.041, 9.901, 305.172, 306.481, 339.161, 351.081,	6
505.604, 1545.073, 1901.112, 1907.162, 3709.162,	7
and 5101.551 of the Revised Code to prohibit the	8
use of public funds or facilities for	9
nontherapeutic abortions, proscribe public	10
employees acting in the scope of their employment	11
from performing or inducing a nontherapeutic	12
abortion, and to declare that it is the public	13
policy of the state to prefer childbirth over	14
abortion to the extent that is constitutionally	15
permissible.	16

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 124.85, 505.60, 505.601, 1343.03, 17  
and 5101.55 be amended; that sections 124.85 (9.04) and 1901.313 18  
(1901.314) be amended for the purpose of adopting a new section 19  
number as indicated in parentheses; and that new section 1901.313 20  
and sections 9.041, 9.901, 305.172, 306.481, 339.161, 351.081, 21  
505.604, 1545.073, 1901.112, 1907.162, 3709.162, and 5101.551 of 22  
the Revised Code be enacted to read as follows: 23

**Sec. ~~124.85~~ 9.04.** (A) As used in this section: 24

(1) "Nontherapeutic abortion" means an abortion that is 25  
performed or induced when the life of the mother would not be 26  
endangered if the fetus were carried to term ~~or when the pregnancy~~ 27  
~~of the mother was not the result of rape or incest reported to a~~ 28  
~~law enforcement agency.~~ 29

(2) "Policy, contract, or plan" means a policy, contract, or 30  
plan of one or more insurance companies, medical care 31  
corporations, health care corporations, health maintenance 32  
organizations, preferred provider organizations, or other entities 33  
that provides health, medical, hospital, or surgical coverage, 34  
benefits, or services to elected or appointed officers or 35  
employees of the state, ~~including or any political subdivision~~ 36  
thereof. "Policy, contract, or plan" includes a plan that is 37  
associated with a self-insurance program and a policy, contract, 38  
or plan that implements a collective bargaining agreement. 39

(3) "Political subdivision" means any body corporate and 40  
politic that is responsible for governmental activities in a 41  
geographic area smaller than the state, except that "political 42  
subdivision" does not include any of the following: 43

(a) A municipal corporation; 44

(b) A school district; 45

(c) A county that has adopted a charter under Section 3 of 46  
Article X, Ohio Constitution, to the extent that it is exercising 47  
the powers of local self-government as provided in that charter 48  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 49

~~(4) "State" has the same meaning as in section 2744.01 of the~~ 50  
Revised Code means the state of Ohio, including, but not limited 51  
to, the general assembly, the supreme court, the offices of all 52  
elected state officers, and all departments, boards, offices, 53  
commissions, agencies, colleges and universities, institutions, 54  
and other instrumentalities of the state of Ohio. "State" does not 55  
include political subdivisions. 56

(B) Subject to division (C) of this section, but 57  
notwithstanding other provisions of the Revised Code that conflict 58  
with the prohibition specified in this division, funds of the 59  
state or any political subdivision thereof shall not be expended 60  
directly or indirectly to pay the costs, premiums, or charges 61  
associated with a policy, contract, or plan if the policy, 62  
contract, or plan provides coverage, benefits, or services related 63  
to a nontherapeutic abortion. 64

(C) Division (B) of this section does not preclude the state 65  
or any political subdivision thereof from expending funds to pay 66  
the costs, premiums, or charges associated with a policy, 67  
contract, or plan that includes a rider or other provision offered 68  
on an individual basis under which an elected or appointed 69  
official or employee who accepts the offer of the rider or 70  
provision may obtain coverage of a nontherapeutic abortion through 71  
the policy, contract, or plan if the individual pays for all of 72  
the costs, premiums, or charges associated with the rider or 73  
provision, including all administrative expenses related to the 74

rider or provision and any claim made for a nontherapeutic 75  
abortion. 76

(D) In addition to the laws specified in division (A) of 77  
section 4117.10 of the Revised Code that prevail over conflicting 78  
provisions of agreements between employee organizations and public 79  
employers, divisions (B) and (C) of this section shall prevail 80  
over conflicting provisions of that nature. 81

Sec. 9.041. It is the public policy of the state of Ohio to 82  
prefer childbirth over abortion to the extent that is 83  
constitutionally permissible. 84

Sec. 9.901. (A) As used in this section: 85

(1) "Policy, contract, or plan" means a policy, contract, or 86  
plan of one or more insurance companies, medical care 87  
corporations, health care corporations, health insurance 88  
corporations, health maintenance organizations, preferred provider 89  
organizations, or other entities that provide health, medical, 90  
hospital, or surgical coverage, benefits, or services to elected 91  
or appointed officers or employees of the state or a political 92  
subdivision thereof. "Policy, contract, or plan" includes a plan 93  
that is associated with a self-insurance program and a policy, 94  
contract, or plan that implements a collective bargaining 95  
agreement. 96

(2) "Political subdivision" means any body corporate and 97  
politic that is responsible for governmental activities in a 98  
geographic area smaller than the state, except that "political 99  
subdivision" does not include any of the following: 100

(a) A municipal corporation; 101

(b) A school district; 102

(c) A county that has adopted a charter under Section 3 of 103

Article X, Ohio Constitution, to the extent that it is exercising 104  
the powers of local self-government as provided in that charter 105  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 106

(B) Except as provided in division (D) of this section, any 107  
policy, contract, or plan procured, contracted for, or paid for 108  
pursuant to section 9.90 of the Revised Code shall comply with 109  
section 9.04 of the Revised Code. 110

(C) Except as provided in division (D) of this section, any 111  
policy, contract, certificate, or agreement issued by at least two 112  
health insurance corporations procured pursuant to division (A)(1) 113  
of section 9.90 of the Revised Code shall comply with section 9.04 114  
of the Revised Code. 115

(D) Divisions (B) and (C) of this section do not apply to a 116  
policy, contract, or certificate procured pursuant to division 117  
(A)(1) of section 9.90 of the Revised Code by a municipal 118  
university. 119

**Sec. 305.172. (A) As used in this section:** 120

(1) "Policy, contract, or plan" means a policy, contract, or 121  
plan of one or more insurance companies, medical care 122  
corporations, health care corporations, health insurance 123  
corporations, health maintenance organizations, preferred provider 124  
organizations, or other entities that provide health, medical, 125  
hospital, or surgical coverage, benefits, or services to elected 126  
or appointed officers or employees of the state or a political 127  
subdivision thereof. "Policy, contract, or plan" includes a plan 128  
that is associated with a self-insurance program and a policy, 129  
contract, or plan that implements a collective bargaining 130  
agreement. 131

(2) "Political subdivision" means any body corporate and 132  
politic that is responsible for governmental activities in a 133

geographic area smaller than the state, except that "political subdivision" does not include any of the following: 134  
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(a) A municipal corporation; 136

(b) A school district; 137

(c) A county that has adopted a charter under Section 3 of Article X, Ohio Constitution, to the extent that it is exercising the powers of local self-government as provided in that charter and is subject to Section 3 of Article XVIII, Ohio Constitution. 138  
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(B) Any policy, contract, or plan procured, contracted for, or paid for pursuant to section 305.171 of the Revised Code shall comply with section 9.04 of the Revised Code. 142  
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**Sec. 306.481. (A) As used in this section:** 145

(1) "Policy, contract, or plan" means a policy, contract, or plan of one or more insurance companies, medical care corporations, health care corporations, health insurance corporations, health maintenance organizations, preferred provider organizations, or other entities that provide health, medical, hospital, or surgical coverage, benefits, or services to elected or appointed officers or employees of the state or a political subdivision thereof. "Policy, contract, or plan" includes a plan that is associated with a self-insurance program and a policy, contract, or plan that implements a collective bargaining agreement. 146  
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(2) "Political subdivision" means any body corporate and politic that is responsible for governmental activities in a geographic area smaller than the state, except that "political subdivision" does not include any of the following: 157  
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(a) A municipal corporation; 161

(b) A school district; 162

(c) A county that has adopted a charter under Section 3 of Article X, Ohio Constitution, to the extent that it is exercising the powers of local self-government as provided in that charter and is subject to Section 3 of Article XVIII, Ohio Constitution. 163  
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(B) Any policy, contract, or plan procured, contracted for, or paid for pursuant to section 306.48 of the Revised Code shall comply with section 9.04 of the Revised Code. 167  
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**Sec. 339.161.** (A) As used in this section: 170

(1) "Policy, contract, or plan" means a policy, contract, or plan of one or more insurance companies, medical care corporations, health care corporations, health insurance corporations, health maintenance organizations, preferred provider organizations, or other entities that provide health, medical, hospital, or surgical coverage, benefits, or services to elected or appointed officers or employees of the state or a political subdivision thereof. "Policy, contract, or plan" includes a plan that is associated with a self-insurance program and a policy, contract, or plan that implements a collective bargaining agreement. 171  
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(2) "Political subdivision" means any body corporate and politic that is responsible for governmental activities in a geographic area smaller than the state, except that "political subdivision" does not include any of the following: 182  
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(a) A municipal corporation; 186

(b) A school district; 187

(c) A county that has adopted a charter under Section 3 of Article X, Ohio Constitution, to the extent that it is exercising the powers of local self-government as provided in that charter and is subject to Section 3 of Article XVIII, Ohio Constitution. 188  
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(B) Any policy, contract, or plan procured, contracted for, 192

or paid for pursuant to section 339.16 of the Revised Code shall 193  
comply with section 9.04 of the Revised Code. 194

**Sec. 351.081.** (A) As used in this section: 195

(1) "Policy, contract, or plan" means a policy, contract, or 196  
plan of one or more insurance companies, medical care 197  
corporations, health care corporations, health insurance 198  
corporations, health maintenance organizations, preferred provider 199  
organizations, or other entities that provide health, medical, 200  
hospital, or surgical coverage, benefits, or services to elected 201  
or appointed officers or employees of the state or a political 202  
subdivision thereof. "Policy, contract, or plan" includes a plan 203  
that is associated with a self-insurance program and a policy, 204  
contract, or plan that implements a collective bargaining 205  
agreement. 206

(2) "Political subdivision" means any body corporate and 207  
politic that is responsible for governmental activities in a 208  
geographic area smaller than the state, except that "political 209  
subdivision" does not include any of the following: 210

(a) A municipal corporation; 211

(b) A school district; 212

(c) A county that has adopted a charter under Section 3 of 213  
Article X, Ohio Constitution, to the extent that it is exercising 214  
the powers of local self-government as provided in that charter 215  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 216

(B) Any policy, contract, or plan procured, contracted for, 217  
or paid for pursuant to section 351.08 of the Revised Code shall 218  
comply with section 9.04 of the Revised Code. 219

**Sec. 505.60.** (A) As provided in this section and section 220  
505.601 of the Revised Code, the board of township trustees of any 221



township may procure and pay all or any part of the cost of 222  
insurance policies that may provide benefits for hospitalization, 223  
surgical care, major medical care, disability, dental care, eye 224  
care, medical care, hearing aids, prescription drugs, or sickness 225  
and accident insurance, or a combination of any of the foregoing 226  
types of insurance for township officers and employees. The board 227  
of township trustees of any township may negotiate and contract 228  
for the purchase of a policy of long-term care insurance for 229  
township officers and employees pursuant to section 124.841 of the 230  
Revised Code. 231

(B) If the board procures any insurance policies under this 232  
section, the board shall provide uniform coverage under these 233  
policies for township officers and full-time township employees 234  
and their immediate dependents, and may provide coverage under 235  
these policies for part-time township employees and their 236  
immediate dependents, from the funds or budgets from which the 237  
officers or employees are compensated for services, such policies 238  
to be issued by an insurance company duly authorized to do 239  
business in this state. Any township officer or employee may 240  
refuse to accept the insurance coverage without affecting the 241  
availability of such insurance coverage to other township officers 242  
and employees. 243

The board may also contract for group health care services 244  
with health insuring corporations holding certificates of 245  
authority under Chapter 1751. of the Revised Code for township 246  
officers and employees. If the board so contracts, it shall 247  
provide uniform coverage under any such contracts for township 248  
officers and full-time township employees and their immediate 249  
dependents and may provide coverage under such contracts for 250  
part-time township employees and their immediate dependents, 251  
provided that each officer and employee so covered is permitted 252  
to: 253

(1) Choose between a plan offered by an insurance company and 254  
a plan offered by a health insuring corporation, and provided 255  
further that the officer or employee pays any amount by which the 256  
cost of the plan chosen exceeds the cost of the plan offered by 257  
the board under this section; 258

(2) Change the choice made under division (B) of this section 259  
at a time each year as determined in advance by the board. 260

An addition of a class or change of definition of coverage to 261  
the plan offered by the board may be made at any time that it is 262  
determined by the board to be in the best interest of the 263  
township. If the total cost to the township of the revised plan 264  
for any trustee's coverage does not exceed that cost under the 265  
plan in effect during the prior policy year, the revision of the 266  
plan does not cause an increase in that trustee's compensation. 267

(C) If any township officer or employee is denied coverage 268  
under a health care plan procured under division (B) of this 269  
section or if any township officer or employee elects not to 270  
participate in the township's health care plan, the township may 271  
reimburse the officer or employee for each out-of-pocket premium 272  
that the officer or employee incurs for insurance policies 273  
described in division (A) of this section that the officer or 274  
employee otherwise obtains, but less any premium amounts paid for 275  
or attributable to coverage for nontherapeutic abortion. The 276  
reimbursement shall not ~~to~~ exceed an amount equal to the average 277  
premium paid by the township for its officers and employees under 278  
policies it procures under division (B) of this section. 279

(D) The board may provide the benefits authorized under this 280  
section, without competitive bidding, by contributing to a health 281  
and welfare trust fund administered through or in conjunction with 282  
a collective bargaining representative of the township employees. 283

The board may also provide the benefits described in this 284

section through an individual self-insurance program or a joint 285  
self-insurance program as provided in section 9.833 of the Revised 286  
Code. 287

(E) If a board of township trustees fails to pay one or more 288  
premiums for a policy, contract, or plan of insurance or health 289  
care services authorized by division (A) or (B) of this section 290  
and the failure causes a lapse, cancellation, or other termination 291  
of coverage under the policy, contract, or plan, it may reimburse 292  
a township officer or employee for, or pay on behalf of the 293  
officer or employee, any expenses incurred that would have been 294  
covered under the policy, contract, or plan. 295

(F) As used in this section and section 505.601 of the 296  
Revised Code: 297

(1) "Nontherapeutic abortion" means an abortion that is 298  
performed or induced when the life of the mother would not be 299  
endangered if the fetus were carried to term. 300

(2) "Part-time township employee" means a township employee 301  
who is hired with the expectation that the employee will work not 302  
more than one thousand five hundred hours in any year. 303

~~(2)~~(3) "Premium" does not include any deductible or health 304  
care costs paid directly by a township officer or employee. 305

**Sec. 505.601.** (A) If a board of township trustees does not 306  
procure an insurance policy or group health care services as 307  
provided in section 505.60 of the Revised Code, the board of 308  
township trustees may reimburse any township officer or employee 309  
for each out-of-pocket premium that the officer or employee incurs 310  
for insurance policies described in division (A) of section 505.60 311  
of the Revised Code that the officer or employee otherwise 312  
obtains, if all of the following conditions are met: 313

~~(A)~~(1) The board of township trustees adopts a resolution 314

that states that the township has chosen not to procure a health 315  
care plan under section 505.60 of the Revised Code and has chosen 316  
instead to reimburse its officers and employees for each 317  
out-of-pocket premium that they incur for insurance policies 318  
described in division (A) of section 505.60 of the Revised Code 319  
that they otherwise obtain. 320

~~(B)~~(2) That resolution provides for a uniform maximum monthly 321  
or yearly payment amount for each officer or employee, beyond 322  
which the township will not reimburse the officer or employee. 323

~~(C)~~(3) That resolution states the specific benefits listed in 324  
division (A) of section 505.60 of the Revised Code for which the 325  
township will reimburse all officers and employees of the 326  
township. The 327

(B) The township may not reimburse officers and employees for 328  
benefits other than those listed in division (A) of section 505.60 329  
of the Revised Code. 330

(C) The reimbursement amount shall equal the premium paid for 331  
insurance policies authorized in division (A) of section 505.06 of 332  
the Revised Code, less any premium amounts paid for or 333  
attributable to coverage for nontherapeutic abortion. 334

**Sec. 505.604.** (A) As used in this section: 335

(1) "Policy, contract, or plan" means a policy, contract, or 336  
plan of one or more insurance companies, medical care 337  
corporations, health care corporations, health insurance 338  
corporations, health maintenance organizations, preferred provider 339  
organizations, or other entities that provide health, medical, 340  
hospital, or surgical coverage, benefits, or services to elected 341  
or appointed officers or employees of the state or a political 342  
subdivision thereof. "Policy, contract, or plan" includes a plan 343  
that is associated with a self-insurance program and a policy, 344

contract, or plan that implements a collective bargaining agreement.

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(2) "Political subdivision" means any body corporate and politic that is responsible for governmental activities in a geographic area smaller than the state, except that "political subdivision" does not include any of the following:

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(a) A municipal corporation;

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(b) A school district;

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(c) A county that has adopted a charter under Section 3 of Article X, Ohio Constitution, to the extent that it is exercising the powers of local self-government as provided in that charter and is subject to Section 3 of Article XVIII, Ohio Constitution.

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(B) Any policy, contract, or plan procured, contracted for, or paid for pursuant to section 505.60 of the Revised Code shall comply with section 9.04 of the Revised Code.

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**Sec. 1343.03.** (A) In cases other than those provided for in sections 1343.01 and 1343.02 of the Revised Code, when money becomes due and payable upon any bond, bill, note, or other instrument of writing, upon any book account, upon any settlement between parties, upon all verbal contracts entered into, and upon all judgments, decrees, and orders of any judicial tribunal for the payment of money arising out of tortious conduct or a contract or other transaction, the creditor is entitled to interest at the rate per annum determined pursuant to section 5703.47 of the Revised Code, unless a written contract provides a different rate of interest in relation to the money that becomes due and payable, in which case the creditor is entitled to interest at the rate provided in that contract. Notification of the interest rate per annum shall be provided pursuant to sections 319.19, ~~1901.313~~ 1901.314, 1907.202, 2303.25, and 5703.47 of the Revised Code.

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(B) Except as provided in divisions (C) and (D) of this section and subject to section 2325.18 of the Revised Code, interest on a judgment, decree, or order for the payment of money rendered in a civil action based on tortious conduct or a contract or other transaction, including, but not limited to a civil action based on tortious conduct or a contract or other transaction that has been settled by agreement of the parties, shall be computed from the date the judgment, decree, or order is rendered to the date on which the money is paid and shall be at the rate determined pursuant to section 5703.47 of the Revised Code that is in effect on the date the judgment, decree, or order is rendered. That rate shall remain in effect until the judgment, decree, or order is satisfied.

(C)(1) If, upon motion of any party to a civil action that is based on tortious conduct, that has not been settled by agreement of the parties, and in which the court has rendered a judgment, decree, or order for the payment of money, the court determines at a hearing held subsequent to the verdict or decision in the action that the party required to pay the money failed to make a good faith effort to settle the case and that the party to whom the money is to be paid did not fail to make a good faith effort to settle the case, interest on the judgment, decree, or order shall be computed as follows:

(a) In an action in which the party required to pay the money has admitted liability in a pleading, from the date the cause of action accrued to the date on which the order, judgment, or decree was rendered;

(b) In an action in which the party required to pay the money engaged in the conduct resulting in liability with the deliberate purpose of causing harm to the party to whom the money is to be paid, from the date the cause of action accrued to the date on which the order, judgment, or decree was rendered;

(c) In all other actions, for the longer of the following 407  
periods: 408

(i) From the date on which the party to whom the money is to 409  
be paid gave the first notice described in division (C)(1)(c)(i) 410  
of this section to the date on which the judgment, order, or 411  
decree was rendered. The period described in division (C)(1)(c)(i) 412  
of this section shall apply only if the party to whom the money is 413  
to be paid made a reasonable attempt to determine if the party 414  
required to pay had insurance coverage for liability for the 415  
tortious conduct and gave to the party required to pay and to any 416  
identified insurer, as nearly simultaneously as practicable, 417  
written notice in person or by certified mail that the cause of 418  
action had accrued. 419

(ii) From the date on which the party to whom the money is to 420  
be paid filed the pleading on which the judgment, decree, or order 421  
was based to the date on which the judgment, decree, or order was 422  
rendered. 423

(2) No court shall award interest under division (C)(1) of 424  
this section on future damages, as defined in section 2323.56 of 425  
the Revised Code, that are found by the trier of fact. 426

(D) Division (B) of this section does not apply to a 427  
judgment, decree, or order rendered in a civil action based on 428  
tortious conduct or a contract or other transaction, and division 429  
(C) of this section does not apply to a judgment, decree, or order 430  
rendered in a civil action based on tortious conduct, if a 431  
different period for computing interest on it is specified by law, 432  
or if it is rendered in an action against the state in the court 433  
of claims, or in an action under Chapter 4123. of the Revised 434  
Code. 435

**Sec. 1545.073.** (A) As used in this section: 436

(1) "Policy, contract, or plan" means a policy, contract, or 437  
plan of one or more insurance companies, medical care 438  
corporations, health care corporations, health insurance 439  
corporations, health maintenance organizations, preferred provider 440  
organizations, or other entities that provide health, medical, 441  
hospital, or surgical coverage, benefits, or services to elected 442  
or appointed officers or employees of the state or a political 443  
subdivision thereof. "Policy, contract, or plan" includes a plan 444  
that is associated with a self-insurance program and a policy, 445  
contract, or plan that implements a collective bargaining 446  
agreement. 447

(2) "Political subdivision" means any body corporate and 448  
politic that is responsible for governmental activities in a 449  
geographic area smaller than the state, except that "political 450  
subdivision" does not include any of the following: 451

(a) A municipal corporation; 452

(b) A school district; 453

(c) A county that has adopted a charter under Section 3 of 454  
Article X, Ohio Constitution, to the extent that it is exercising 455  
the powers of local self-government as provided in that charter 456  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 457

(B) Any policy, contract, or plan procured, contracted for, 458  
or paid for pursuant to section 1545.071 of the Revised Code shall 459  
comply with section 9.04 of the Revised Code. 460

**Sec. 1901.112. (A) As used in this section:** 461

(1) "Policy, contract, or plan" means a policy, contract, or 462  
plan of one or more insurance companies, medical care 463  
corporations, health care corporations, health insurance 464  
corporations, health maintenance organizations, preferred provider 465  
organizations, or other entities that provide health, medical, 466



hospital, or surgical coverage, benefits, or services to elected 467  
or appointed officers or employees of the state or a political 468  
subdivision thereof. "Policy, contract, or plan" includes a plan 469  
that is associated with a self-insurance program and a policy, 470  
contract, or plan that implements a collective bargaining 471  
agreement. 472

(2) "Political subdivision" means any body corporate and 473  
politic that is responsible for governmental activities in a 474  
geographic area smaller than the state, except that "political 475  
subdivision" does not include any of the following: 476

(a) A municipal corporation; 477

(b) A school district; 478

(c) A county that has adopted a charter under Section 3 of 479  
Article X, Ohio Constitution, to the extent that it is exercising 480  
the powers of local self-government as provided in that charter 481  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 482

(B) Any policy, contract, or plan procured, contracted for, 483  
or paid for pursuant to section 1901.111 of the Revised Code shall 484  
comply with section 9.04 of the Revised Code. 485

**Sec. 1901.313.** (A) As used in this section: 486

(1) "Policy, contract, or plan" means a policy, contract, or 487  
plan of one or more insurance companies, medical care 488  
corporations, health care corporations, health insurance 489  
corporations, health maintenance organizations, preferred provider 490  
organizations, or other entities that provide health, medical, 491  
hospital, or surgical coverage, benefits, or services to elected 492  
or appointed officers or employees of the state or a political 493  
subdivision thereof. "Policy, contract, or plan" includes a plan 494  
that is associated with a self-insurance program and a policy, 495  
contract, or plan that implements a collective bargaining 496

<u>agreement.</u>	497
<u>(2) "Political subdivision" means any body corporate and</u>	498
<u>politic that is responsible for governmental activities in a</u>	499
<u>geographic area smaller than the state, except that "political</u>	500
<u>subdivision" does not include any of the following:</u>	501
<u>(a) A municipal corporation;</u>	502
<u>(b) A school district;</u>	503
<u>(c) A county that has adopted a charter under Section 3 of</u>	504
<u>Article X, Ohio Constitution, to the extent that it is exercising</u>	505
<u>the powers of local self-government as provided in that charter</u>	506
<u>and is subject to Section 3 of Article XVIII, Ohio Constitution.</u>	507
<u>(B) Any policy, contract, or plan procured, contracted for,</u>	508
<u>or paid for pursuant to section 1901.312 of the Revised Code shall</u>	509
<u>comply with section 9.04 of the Revised Code.</u>	510
<b>Sec. <del>1901.313</del> 1901.314.</b> Upon receiving the notification of	511
the interest rate per annum from the county auditor pursuant to	512
section 319.19 of the Revised Code, the clerk of a municipal court	513
shall post or cause to be posted notice of that interest rate per	514
annum in a conspicuous and public location in or near the office	515
of the clerk of the court in the courthouse or building in which	516
the municipal court is located.	517
<b><u>Sec. 1907.162.</u></b> (A) <u>As used in this section:</u>	518
<u>(1) "Policy, contract, or plan" means a policy, contract, or</u>	519
<u>plan of one or more insurance companies, medical care</u>	520
<u>corporations, health care corporations, health insurance</u>	521
<u>corporations, health maintenance organizations, preferred provider</u>	522
<u>organizations, or other entities that provide health, medical,</u>	523
<u>hospital, or surgical coverage, benefits, or services to elected</u>	524
<u>or appointed officers or employees of the state or a political</u>	525

subdivision thereof. "Policy, contract, or plan" includes a plan 526  
that is associated with a self-insurance program and a policy, 527  
contract, or plan that implements a collective bargaining 528  
agreement. 529

(2) "Political subdivision" means any body corporate and 530  
politic that is responsible for governmental activities in a 531  
geographic area smaller than the state, except that "political 532  
subdivision" does not include any of the following: 533

(a) A municipal corporation; 534

(b) A school district; 535

(c) A county that has adopted a charter under Section 3 of 536  
Article X, Ohio Constitution, to the extent that it is exercising 537  
the powers of local self-government as provided in that charter 538  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 539

(B) Any policy, contract, or plan procured, contracted for, 540  
or paid for pursuant to section 1907.161 of the Revised Code shall 541  
comply with section 9.04 of the Revised Code. 542

**Sec. 3709.162. (A) As used in this section:** 543

(1) "Policy, contract, or plan" means a policy, contract, or 544  
plan of one or more insurance companies, medical care 545  
corporations, health care corporations, health insurance 546  
corporations, health maintenance organizations, preferred provider 547  
organizations, or other entities that provide health, medical, 548  
hospital, or surgical coverage, benefits, or services to elected 549  
or appointed officers or employees of the state or a political 550  
subdivision thereof. "Policy, contract, or plan" includes a plan 551  
that is associated with a self-insurance program and a policy, 552  
contract, or plan that implements a collective bargaining 553  
agreement. 554

(2) "Political subdivision" means any body corporate and 555

politic that is responsible for governmental activities in a 556  
geographic area smaller than the state, except that "political 557  
subdivision" does not include any of the following: 558

(a) A municipal corporation; 559

(b) A school district; 560

(c) A county that has adopted a charter under Section 3 of 561  
Article X, Ohio Constitution, to the extent that it is exercising 562  
the powers of local self-government as provided in that charter 563  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 564

(B) Any policy, contract, or plan procured, contracted for, 565  
or paid for pursuant to section 3709.16 of the Revised Code shall 566  
comply with section 9.04 of the Revised Code. 567

**Sec. 5101.55.** (A) No person shall be ordered by a public 568  
agency or any person to submit to an abortion. 569

(B) The refusal of any person to submit to an abortion or to 570  
give consent therefor shall not result in the loss of public 571  
assistance benefits or any other rights or privileges. 572

(C) ~~State~~ Except as provided in division (D) of this section, 573  
state or local public funds shall not be used to subsidize an 574  
abortion, unless the abortion is necessary to preserve the life ~~or~~ 575  
~~physical or mental health~~ of the pregnant woman and this fact is 576  
certified in writing by the performing physician to the state or 577  
local agency providing the funds. 578

(D) State or local public funds may be used to subsidize an 579  
abortion if all of the following apply: 580

(1) The pregnancy is the result of rape or incest. 581

(2) The federal government requires funding for the abortion 582  
as a requirement for participation in a federal program. 583

(3) Federal funds are provided for part of the cost of the 584

abortion. 585

(4) Unless enforcement of this requirement would adversely 586  
affect eligibility for federal funding, one of the following is 587  
the case: 588

(a) The pregnant woman, her legal guardian, or the person who 589  
reported the rape or incest to the law enforcement agency provides 590  
written certification to the entity providing the funding that a 591  
report of the rape or incest was filed before performance of the 592  
abortion with a law enforcement agency having jurisdiction. 593

(b) The physician performing the abortion provides written 594  
certification to the entity providing the funding that the 595  
pregnant woman was physically unable to comply with division 596  
(D)(4)(a) of this section. 597

**Sec. 5101.551.** (A) As used in this section: 598

(1) "Political subdivision" means any body corporate and 599  
politic that is responsible for governmental activities in a 600  
geographic area smaller than the state, except that "political 601  
subdivision" does not include either of the following: 602

(a) A municipal corporation; 603

(b) A county that has adopted a charter under Section 3 of 604  
Article X, Ohio Constitution, to the extent that it is exercising 605  
the powers of local self-government as provided in that charter 606  
and is subject to Section 3 of Article XVIII, Ohio Constitution. 607

(2) "Public employee" means any person employed by this state 608  
or any agency, institution, instrumentality, or political 609  
subdivision thereof. "Public employee" includes an employee of any 610  
state university, state medical college, health district, joint 611  
hospital, or public hospital agency. 612

(3) "Public facility" means any institution, structure, 613

equipment, or physical asset that is owned, leased, or controlled 614  
by this state or any agency, institution, instrumentality, or 615  
political subdivision thereof. "Public facility" includes any 616  
state university, state medical college, health district, joint 617  
hospital, or public hospital agency. 618

(B) No public facility shall be used for the purpose of 619  
performing or inducing an abortion, unless the abortion is 620  
necessary to preserve the life of the pregnant woman. 621

(C) No public employee within the scope of employment shall 622  
perform or induce an abortion, unless the abortion is necessary to 623  
preserve the life of the pregnant woman. 624

**Section 2.** That existing sections 124.85, 505.60, 505.601, 625  
1343.03, 1901.313, and 5101.55 of the Revised Code are hereby 626  
repealed. 627

**Section 3.** The amendments to sections 124.85 (9.04), 505.60, 628  
and 505.601 of the Revised Code and the enactment of new section 629  
1901.313 and sections 9.901, 305.172, 306.481, 339.161, 351.081, 630  
505.604, 1545.073, 1901.112, 1907.162, and 3709.162 of the Revised 631  
Code apply to policies, contracts, and plans that are issued, 632  
established, renewed, modified, or subject to a period of open 633  
enrollment on or after the effective date of this act. 634