

OHIO MATTERS



Ohio Chamber of Commerce
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As the state's leading business advocate and resource, the Ohio Chamber of Commerce aggressively champions free enterprise, economic competitiveness and growth **for the benefit of all Ohioans.**



Welcome to the New, Digital Ohio Matters

In an effort to be more conscious of our environmental footprint and fiscal responsibility to our members, we've decided to transition our Ohio Matters magazine to an all-online digital version.

You'll still be able to access all the past Ohio Matters magazines on our website at OhioChamber.com.

OHIO PASSES REAL PROPERTY TAX ADMINISTRATION REFORMS

Tony Long
Director, Tax & Economic Policy
Ohio Chamber of Commerce

On the third attempt to reform Ohio's out-of-step real property tax administration system, Rep. Derrick Merrin, lead sponsor of House Bill 126, achieved a goal that was at least a six-year effort. House Bill 126 reached the governor's desk last month after a legislative conference committee reached a compromise on the House and Senate passed versions of House Bill 126.

Under current law, Ohio allows any third party to file a complaint against the value of any real property parcel after the local county auditor establishes the value of that parcel for the tax year. The owner of the real property may only find out about the complaint after it is filed and a local Board of Revision (BOR) begins the process to hold a local hearing on the complaint. Ohio is one of only a few states that allow this extensive review of real property valuation by third parties.


Starting in the 132nd General Assembly (2017-2018), Rep. Merrin introduced House Bill 343, a bill that made it to the Senate floor after extensive interested party meetings and various changes to the original document. When the 133rd General Assembly began its work in

2019, Rep. Merrin introduced House Bill 75 with language from the compromised version of House Bill 343. House Bill 75 made it to the Senate and almost passed in a flurry of activity during the lame duck session in December of 2020.

The 134th General Assembly began its work in 2021, and this topic was reintroduced with House Bill 126. The original language focused on notification for real estate owners before a complaint was filed by a third party at the local BOR. After passage in the Ohio House, the Ohio Senate held hearings and amended the bill to include other changes to the process that strengthened the rights of private property owners. The final version of the bill sent to the governor included the original notification to property owners, a limitation on the complaint process for third parties, an end to the private settlement practice, and a ban on third party appeals of local BOR decisions to the state Board of Tax Appeals.

Under House Bill 126, a third party can only file a complaint after a parcel of real estate is sold, the sale price is at least an increase of 10% and the value increases \$500,000 or more from the auditor's value of the

property. The third party complaint process now ends at the local BOR. However, the bill is silent on whether a third party can be a party if the owner appeals a BOR decision to the state Board of Tax Appeals. HB 126 also ends the current practice of private settlements used by the parties to settle a case pending at the Board of Tax Appeals.

HB 126 is good news for private property owners in Ohio. This moves Ohio closer to administrative practices in neighboring states and should improve Ohio's property tax administration's D+ grade in the next publication of the Council on State Taxation scorecard. The Ohio Chamber encourages its member companies to discuss these changes with their tax advisors to evaluate the impact of HB 126 on property owned or rented by the company. The Ohio Chamber has favored these changes over the last six years and believes they will improve Ohio's business climate and spur new investment in Ohio. The Ohio Chamber thanks Representative Merrin for his relentless efforts over the last three General Assemblies and Senate President Huffman and Sen. Blessing for navigating the bill through the Ohio Senate during this General Assembly. 

OHIO CHAMBER FIGHTS BACK AGAINST FORCED UNIONIZATION PROPOSAL

Kevin Shimp
General Counsel
Ohio Chamber of Commerce

The Ohio House of Representatives is considering legislation that, if enacted, will increase the cost of refining gasoline and could lead to even higher prices at the gas pump for you and your business. The bill, House Bill 235, is disguised as a bill to increase safety, but in fact it is a veiled attempt at forcing Ohio's four oil refineries to hire union laborers.

The Ohio Chamber of Commerce is steadfastly opposed to the legislation and has been hard at work stopping the bill from advancing through the legislative process. We have testified against the bill in committee, written letters to editors, deployed grassroots efforts and spearheaded independent expenditures to make sure Ohio's lawmakers know how bad House Bill 235 is for Ohio's business climate.

We oppose the legislation because no business in Ohio should have government dictating to them who they can

and cannot hire, yet that is exactly what House Bill 235 proposes by creating hiring quotas that disproportionately favor union workers in the hiring process. In fact, newly minted graduates of union apprenticeship programs are favored over experienced workers with more than 10,000 hours of work on oil refineries. That brazen government overreach contained in this legislation is a symptom of the power organized labor has over the Ohio House, including within the Republican caucus.

The Ohio Chamber is fighting back. Through grassroots advocacy efforts that have produced thousands of phone calls to House Republicans, we are highlighting that government interference that could increase gas prices is not popular amongst Ohioans – even if the unions that fill their campaign coffers support it. The Ohio Chamber's letter to the editor co-authored by our CEO Steve Stivers has run in the hometown newspaper of one of the bill's sponsors, and

our digital campaign around the Ohio Statehouse has amped up the pressure on lawmakers and proponents of the bill.

Thankfully, many House Republicans are listening to their constituents and the Ohio Chamber, because the bill remains in a House committee. Each week without a committee vote is a victory for free enterprise, because time is of the essence as the number of session days this General Assembly is quickly dwindling.

However, the fight is not over, the Ohio Chamber will continue our efforts to inform lawmakers about the true implications of the bill and share why House Bill 235 may have been advertised as a safety bill, but in reality, is anything other than that.



HONDA UNVEILS \$124M INVESTMENT IN OHIO

Honda



This spring Honda celebrated the ribbon-cutting of its latest innovative research facility adding \$124 million dollars to its continued investment in Ohio's economy.

The Honda Automotive Laboratories of Ohio (HALO) wind tunnel inside the Transportation Research Center (TRC) in East Liberty, Ohio is the world's most advanced wind tunnel that performs testing in three areas: aerodynamics, aeroacoustics, and motor racing. Hosting HALO in Ohio will not only improve the efficiency and work-life balance of Honda researchers who previously had to travel the world to utilize this kind of advanced technology, but the facility will also be available to researchers at The Ohio State University and attract third-party customers to the region.

HALO uses a 26-foot fan to create winds of up to 193 miles per hour along with over 550 microphones that measure aeroacoustics, which are increasingly important to consumers in electric vehicles that operate much more quietly.

This year marks Honda's 40th anniversary of producing automobiles in America, which started right here in Ohio. As of 2020, Honda's total capital investment in Ohio reached 14 billion dollars, with another 7.8 billion dollars purchased from Ohio parts and material suppliers. 🏭

BUSINESS ACADEMY SCHEDULE

The Ohio Chamber has partnered with top business leaders, employment lawyers and legal experts across Ohio to deliver productive webinars and content that provide business insights and educational resources to those in the business world. Register on our website ohiochamber.com/business-academy/

MAY 26 - NOON MASTER YOUR MINDSET

Learn the basics of understanding how your mindset influences your outcomes. In this interactive workshop, we will explore the essential aspects of high-performance mindsets, as well as learn a simple but powerful technique to shift yours.

This is approved for 1 hour SHRM PDC & 1 hour HRCI.

JUNE 23 - NOON OHIO TAX REFORM ON THE HORIZON

Discuss why this is a good year for tax law changes and discuss two major tax reform efforts that are on the near horizon in Ohio: HB 234, which proposes to phase out the CAT and the potential implications and municipal funding and tax reforms, discussing options and approaches.

This is pending approval for 1 hour CPE and 1 hour CLE.

JULY 7 - NOON ATTORNEY ETHICS FOR THE BUSINESS LAWYER

Understand the ethical considerations lawyers who represent businesses must consider during the course of their representation.

This is approved for 1 hour of ethics CLE.

OHIO CHAMBER JOINS AMICUS BRIEF IN SUPPORT OF KEEPING LINE 5 OPEN

Ohio Chamber Staff

In March the Ohio Chamber of Commerce, along with five other business organizations including the U.S. Chamber of Commerce and Canadian Chamber of Commerce, filed an amicus brief in support of Enbridge's lawsuit that seeks to keep Line 5 open. The amicus brief was filed in the U.S. District Court for the Western District of Michigan in *Enbridge Energy, Limited Partnership, et al. v. Gretchen Whitmer*.

At a time when the national average for gas is over \$4.30 per gallon, we need to look for ways to increase oil production domestically and in North America. That is why the Ohio Chamber continued our legal efforts to stop Michigan's Governor from single-handedly stifling oil production in our state. The Line 5 pipeline is a critical part of reducing America's demand for Russian oil because it accounts for 43 percent of the Great Lakes' refinery capacity and transports half a million barrels of crude oil per day.

In November of 2020, Michigan's Governor Gretchen Whitmer revoked a land use agreement that enabled Enbridge to operate the Line 5 pipeline under the Straits of Mackinac. This action has been entangled in legal disputes ever since, including lawsuits in both federal and state courts.

At each stage of the litigation, Governor Whitmer has attempted to evade federal law-making decisions regarding Line 5, even though federal law makes it clear she overstepped her authority when she

sought to close down Line 5. The Ohio Chamber has now filed two amicus briefs in federal courts highlighting Governor Whitmer's significant overreach and how Line 5 is a key economic tool in Ohio and across the Great Lakes Region.

The impact of shutting down the Line 5 pipeline will have substantial consequences for Ohio companies and the state's economy. In fact, Toledo's refineries, which will be severely impacted by Line 5's closure, produce 30 percent of the gasoline and 35 percent of diesel consumed in Ohio. Likewise, limiting production at Ohio's oil refineries is estimated to drive up fuel prices approximately 10 percent in Ohio.

Stephanie Kromer, the Director of Energy and Environmental Policy for the Ohio Chamber of Commerce, testified twice last year in support of legislative resolutions urging Governor Whitmer and the Michigan Department of Natural Resources to keep Line 5 operating. Both of these resolutions, House Resolution 13 and Senate Resolution 41, were overwhelmingly adopted with strong bipartisan support.

The Ohio Chamber of Commerce will continue to push for Line 5 to remain open to bolster domestic oil production. Maintaining the operation of Line 5 is a key part of developing an all of the above energy strategy that can restore America's energy independence and drive economic growth in the Buckeye State. 🏭

2022 WOMEN IN BUSINESS SUMMIT RECAP

Lindsey Perkins
Director of Events
Ohio Chamber of Commerce

The Ohio Chamber of Commerce proudly hosted its inaugural Women in Business Summit on March 8, 2022. Our organization was honored to showcase the vast talent and success of female professionals across Ohio. Over 175 powerhouse females gathered at the Columbus Art Museum to learn, grow and be inspired by one another. It was no coincidence that our event happened to fall on International Women's Day, and we were lucky to have over 40 professional industries represented.

Our opening keynote speaker was Amy Spiller, the president of Duke Energy's utility operations in Ohio and Kentucky. Amy graced our audience with the wisdom she has gained through her illustrious career in a plethora of fields including legal publishing, defense law and eventually finding her way to Duke Energy in 2003 where she has served in several pivotal roles. Amy reminded us that power is an essential part of life - whether it comes from within, around or from a utility company. Amy inspired our attendees to think about how we use our power to uplift our communities, speak up to make a difference and go the extra mile.

After our opening keynote, our guests were able to enjoy a Powerhouse Panel with our board member Stacy Rastauskas, Vice President of Governmental Affairs at The Ohio State University, Alexandra Schimmer, Vice President and General Counsel for Denison University and Karen Ryan, Executive Director of Government Relations for the University of Cincinnati. These amazing women shared their experiences of rising to success in an often male-dominated field, their passion for the vital importance of mentorship and how they each have cultivated a skillset to serve them well in public policy.

Our guests then had the opportunity to attend breakout sessions from a talented pool of presenters. Some highlights from one session included thought-provoking conversations about how female executives are asked to do it all – run the ship at work and at home, all without losing their internal



flame. A panel of woman from diverse industries and backgrounds discussed managing the many hats they wear between work, home and beyond. Many agreed that setting expectations among colleagues and family members is key to maintaining relationships. They also reflected on how their priorities have had to shift in multiple different directions throughout the course of their careers and home obligations. All agreed that being in tune with their intuition and goals has been helpful when managing difficult situations or decisions.

Another panel session included the founders of the Ohio Women's Coalition, Ohio's first statewide voice for women-owned businesses. The panel discussed the importance of advocacy, staying relevant in a male-dominated world and gaining access to capital,



while reminding the audience that raising each other up makes us stronger together.

Our final breakout session inspired our attendees to lead inclusively from their centers. The audience members were reminded that to supercharge their teams, improve performance and grow as leaders, they must be centered to create a culture where all people feel seen, respected and heard. This starts with leaders who know how to center first and connect with intention.

After breakouts, our guests returned for a whole group session where another Powerhouse Panel was led by three of our current Ohio Chamber board members: Jackie Stewart, Director of External Affairs at Encino Energy, Jan Bans, Senior Director of Legislative & Regulatory Affairs for AT&T and Leah Pappas, partner at Calfee, Halter & Griswold LLP. These incredible women had the audience laughing and feeling inspired with their wit and wisdom. They shared their insight on the do's and don'ts of board service, the power of networking and how to "get a seat at the table." It was clear they reached both the

young professionals and seasoned veterans in the audience with their vast insight on professional success.

Our programming wrapped up with our closing keynote speaker Jenny Saunders, President of FCBank. Jenny was able to use her 35 years of experience in community banking to share her customer-centric approach with our audience, reminding them of the value of differentiating from the competition with higher-level service, properly matched solutions and community involvement.

The evening concluded with delicious hors d'oeuvres and cocktails in Derby Court, where it was clear that many new business and personal relationships were formed amongst our rejuvenated and inspired female attendees. There was a wonderful energy in the room and we are already looking forward to hosting our second annual Women in Business Summit next year! 📍



3 out of 4 Small Businesses in **Ohio** missed the opportunity to get a quote and save an average of **25%** on health premiums in 2021

Request your quote today from the Ohio Chamber Health Benefit Program and recognize your savings for 2022

The Ohio Chamber Health Benefit Program is administered by UnitedHealthcare
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OHIO SUPREME COURT AMENDS FACTORS FOR CASH BAIL AND OTHER BAIL REFORM MEASURES ONGOING AT THE OHIO STATEHOUSE

Kevin Shimp
General Counsel
Ohio Chamber of Commerce

As inmate populations have grown and jails have reached their population capacities over the last few decades, some advocates and politicians have identified reforming the cash bail system as a solution to these issues. Using cash bail is a common tactic employed by judges to secure a person's attendance at future criminal proceedings. The amount of a person's bail is determined by several factors that judges weigh, including the severity of the alleged offense, a person's ties to the community, prior criminal history, personal finances and (until recently) the danger a person poses to the community.

A recent Supreme Court of Ohio decision will have significant implications on how bail amounts are determined in Ohio, and the legislature is currently considering several differing proposals to amend the cash bail process.

DuBose v. McGuffey

In this Ohio Supreme Court decision issued in January, a four justice majority of the court determined the financial conditions of a person's bail should be limited to the amount that is reasonably necessary to ensure a defendant's appearance in court. In doing so, they rejected a trial court's decision to set a higher bail amount based upon the risk this defendant posed to the community.

The unsigned opinion written by the court upheld the reduction of the defendant's bail by \$1 million despite the fact that the defendant was charged with armed robbery and murder and was arrested in Las Vegas after fleeing Ohio following the murder. The opinion also ignored the pleas from the victim's family, who testified

they did not feel safe with the defendant out on bond. As a result of this decision, courts across Ohio are no longer able to consider the defendant's risk to public safety when setting financial conditions of bail. In fact, a Mahoning County court cited the *DuBose* decision when shrinking the bail amount for a defendant who is charged with murder and three counts of attempted murder from \$800,000 to \$150,000.

Justices O'Connor, Stewart, Brunner and Donnelly made up the four justice majority while Justices Kennedy, Fischer and DeWine dissented in separate opinions.

House Joint Resolution 2 & House Bill 607

In response to the decision in *DuBose*, lawmakers in the Ohio House introduced House Joint

Resolution 2 and House Bill 607. Under the resolution, the Ohio Constitution will be amended so that a court must consider public safety, the defendant's criminal record, the seriousness of the offense and the likelihood the person returns to court when setting financial conditions of bail.

House Bill 607 amends the Ohio Revised Code rather than the Ohio Constitution to assure

public safety is a factor when judges determine a defendant's bail amount. Likewise, it expressly declares it is the intent of the General Assembly for the legislation to supersede the Ohio Supreme Court's decision in *DuBose*.

The Ohio Chamber testified in favor of the resolution and the legislation in April to highlight why considering the risk to public safety when determining the amount of a defendant's bail assures a quality of life that benefits all Ohioans, including our business community. Both the resolution and House Bill 607 are also supported by the Ohio Prosecuting Attorneys Association.

House Joint Resolution 2 and House Bill 607 were sponsored by Representatives Jeff LaRe and DJ

Swearingin and developed in conjunction with Ohio Attorney General Dave Yost. The Resolution will come before the voters on the ballot in November if it is approved by a three-fifths majority of both the Ohio House and Ohio Senate, and the legislation is still pending in House Criminal Justice Committee.


House Bill 315 & Senate Bill 182

Legislation that would make sweeping changes to the bail procedure has been introduced in both the Ohio House and Ohio Senate. Under the companion bills House Bill 315 and Senate Bill 182, a court will be required to make a preliminary decision about pre-trial release within 24 hours of the defendant's arrest, within 48 hours most defendants must have a bond hearing where the conditions of bail are determined.

The bills also require courts to order the pre-trial release of a defendant on personal recognizance unless there is evidence that it will not reasonably assure the safety of any person or organization or assure the defendant's appearance in court. Likewise, it creates a presumption that release on personal recognizance will reasonably assure the defendant's appearance in court and provides for the safety of any person or organization.

Both bills remain in committees in their respective chambers and have had limited hearings on them to date.

In addition to these bail reform measures, the Supreme Court of Ohio amended the Ohio Rules of Criminal Procedure in 2020, so that the only factor considered when setting financial conditions of bail is to assure the defendant's future appearance in court.

The Ohio Chamber will continue to monitor bail reform procedures as they make their way through the legislature or our judiciary because a key component of a better business climate in a state is creating safe communities. 

"...BECAUSE A KEY COMPONENT OF A BETTER BUSINESS CLIMATE IN A STATE IS CREATING SAFE COMMUNITIES."

NEW CHAMBER CHAMPIONS SPRING 2022


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THE OHIO STATE UNIVERSITY

WEXNER MEDICAL CENTER


SAVION
A RENEWABLE ENERGY COMPANY

HOW OHIO LANDED INTEL

A sudden success that was a decade in the making

Senator Bob Peterson

Be prepared. It's not just the Boy Scouts' motto. It's the key to a bright future for Ohio. When Intel came calling, Ohio was prepared. Our state had begun laying the groundwork long before the deal was made. That was the key to landing the biggest private investment in state history. A "megaproject" that could well turn our state into the home of the Silicon Heartland.

How did Ohio beat 39 other states to land the historic project? The road to success really began in 2011 with the creation of JobsOhio, a bold new idea of Gov. John Kasich's. This private non-profit agency was designed to drive job creation and new capital investment in our state. Our state's lack of preparation needed to attract good jobs and big investments was proven when we lost the bid for the new Honda plant (and its 2,000 jobs) in 2006, which compelled me to run for the Ohio House in 2010.

I began introducing legislation years ago to streamline the process to attract "megaprojects" to Ohio. Letting companies know in advance what to expect would give us a clear advantage over other states. Of course, a lot of negotiation on the finer points of any deal would still be required. But any company, especially the very largest manufacturers, are going to receive incentives. Having a clear baseline of expectations built into our law would unfurl a huge welcome mat for megaprojects in Ohio.

Another key step was the "Beauty Park" legislation that I developed with then Senate President Keith Faber (R-Celina), now State Auditor, to remove barriers to "reshoring" of supply chain companies to Ohio by removing Commercial Activities Tax barriers that prevented them from locating in our state. This simple tax change brought thousands of jobs and companies back to Ohio from other states and Mexico and China.

The "Megaprojects" Bill was the final step in the journey and was sparked by discussions with Economic Development specialists, JobsOhio and Senate President Larry Obhof (R-Medina) in 2017,

specifically as Ohio was recruiting FoxConn and similar large companies. State Sen. Stephanie Kunze (R-Hilliard) and I wrote the "Megaprojects" Bill which ultimately became Senate Bill 45 and was introduced on Feb. 3, 2021. A few months later, Intel contacted JobsOhio about finding a suitable location to build two semiconductor factories. The GOP-led Senate then amended SB 45 into the state budget. Everyone involved in the Intel deal says that caused Ohio to jump to the top of the site list. "Until that passed, we weren't in the game," said Lt. Gov. Jon Husted. "It was essential to even competing."

Gov. Mike DeWine and Lt. Gov. Husted, with state and local officials, spent eight months selling Intel on Ohio's advantages, benefits, and virtues. It worked. "I want to give a lot of credit to the governor and lieutenant governor. They pursued us very aggressively," said Intel CEO Patrick Gelsinger. Intel Vice President Keyvan Esfarjan added, "We could not be more impressed by the partnership that has developed with local and state leaders."

The deal is expected to add almost \$3 billion to the state's annual gross state product and thousands of jobs with an annual average salary of \$130,000 (Amazing!). But that could be just the beginning of mushrooming tax revenues and job gains. Intel envisions turning the location into the largest semiconductor manufacturer in the world. The company hopes to invest a total of \$100 billion in the project, growing the site to eight plants with 10,000 workers. Gelsinger says each of those Intel jobs would create another 10 jobs provided by its suppliers and partners. 30 companies have already announced they will follow Intel to the area. He wants to make central Ohio "a magnet for the entire tech industry."



As a farmer, business owner and former county official, Bob Peterson has devoted much of his time and attention to solving the challenges facing our communities. He now brings that same attitude and drive to the Ohio Senate as he works to improve all of Ohio. He served as President Pro Tempore of the Ohio Senate during the 133rd, 132nd General Assembly.

Bob represents the 17th Ohio Senate District, which encompasses Clinton, Fayette, Gallia, Highland, Jackson, Pike and Ross counties as well as portions of Lawrence, Pickaway and Vinton counties.

SUB. HOUSE BILL 175 SUPPORTS REGULATORY CERTAINTY WHILE PROMOTING ENVIRONMENTAL STEWARDSHIP

Stephanie Kromer

*Director, Energy & Environmental Policy
Ohio Chamber of Commerce*

Ensuring that state environmental regulations are no more stringent than their federal counterparts is crucial to facilitating economic growth. Clear, easily implemented and legally sound permitting regulations help regulators, landowners and property developers from all industries make sound resource allocation decisions that protect the environment while encouraging business development. Substitute House Bill 175 is important to provide consistency when it comes to state regulation of ephemeral features determined to be jurisdictional by the federal government, which is why it's an Ohio Chamber priority bill and why we applaud Gov. DeWine for signing Sub. House Bill 175 and Rep. Hillyer, Sen. Peterson, Speaker Cupp and President Huffman for their leadership on this bill throughout the process.

Ephemeral streams are the smallest of streams that only flow during rainfall or snowmelt and are typically located near the upper reaches of watersheds. Most people observing an ephemeral stream would likely refer to it as an erosion gully. Ephemeral streams are typically not natural and have developed due to increased stormwater runoff that has resulted from past and historic land use changes. This increased stormwater runoff erodes the land surface to form erosion gullies and, over time, these gullies advance unabated upstream for significant distances. Thus, ephemeral streams have become the pathways that convey stormwater runoff and pollutants (e.g., nitrogen and phosphorus) rapidly downstream and increase flooding.

The Ohio Environmental Protection Agency (OEPA) estimates that there are 36,000 miles of ephemeral streams in Ohio. This value represents how severely the upper reaches of Ohio's watersheds have eroded over the past 200 years. Currently, in Ohio, impacts to ephemeral streams are regulated by the Army Corps of Engineers and by the OEPA. Sub. HB 175 will limit OEPA regulation of ephemeral streams to the extent that they are regulated by the Army Corps of Engineers. Additionally, Sub. House Bill 175

specifies mitigation for ephemeral stream impacts. These changes will provide developers with consistency when it comes to mitigation requirements. The mitigation requirements established in Sub. House Bill 175 strike the right balance between eliminating unnecessary red tape and environmental stewardship. Sub. House Bill 175 also makes important changes to the Interagency Review Team (IRT), which develops criteria that have been applied in the review and approval of mitigation plans. Sub. House Bill 175 ensures transparency by requiring minutes be taken by the state agencies that participate on the IRT. Sub. House Bill 175 also requires the Ohio EPA to follow the rule-making process before adopting mitigation procedures recommended by the IRT, which promotes transparency and stakeholder engagement when it comes to establishing compensatory mitigation guidelines.

A key ephemeral stream mitigation option now available in Sub. House Bill 175 is to increase the size of the temporary stormwater storage volume located within stormwater basins that are required by the OEPA in their Construction Activities General Permit. This temporary storage volume is referred to as the "Water Quality Volume" by the OEPA. By increasing the size of the water quality volume, stormwater runoff will be slowed down, more pollutants will be trapped in these upstream basins, downstream flooding will be decreased, and pollutants will not be conveyed rapidly downstream to other water bodies, such as Lake Erie or the Ohio River. Therefore, Sub. House Bill 175 directly supports the H2Ohio program. Additional benefits will also result from Sub. House Bill 175 such as decreased down-gradient stream channel erosion and property loss, improved in-stream and riparian habitat for fish and wildlife, and a reduction in nutrient runoff and algal blooms, which will advance the protection of drinking water for millions of Ohioans. Sub. House Bill 175 promotes environmental protection by limiting unnecessary government overreach while giving the business community the regulatory certainty they need to effectively operate.

WENDY'S ANNOUNCES NEW FRANCHISE RECRUITMENT INITIATIVE, "OWN YOUR OPPORTUNITY"

Initiative will focus on increasing restaurant ownership among underrepresented populations

The Wendy's Company



The Wendy's Company announced today a new franchise recruitment initiative, Own Your Opportunity, that will create pathways for entrepreneurs who want to grow with the Wendy's® System through franchising. The initiative creates expanded restaurant ownership opportunities for all and supports the Company's goal of increasing restaurant ownership among underrepresented populations, specifically among women and people of color.

"To be the best Wendy's we can be, we must make available opportunities for everyone who wants to grow with us," said Wendy's President and CEO Todd Penegor. "The Wendy's brand truly thrives when our System reflects the diversity of our customers and restaurant teams, and when our franchisees are highly engaged and growing together with us."

In 2021, Wendy's announced new goals to advance the Company's corporate responsibility platform, Good Done Right. Included was a goal to increase the representation of underrepresented populations among Company leadership and management, as well as the diversity of Wendy's franchisees. Wendy's believes that over time the Own Your Opportunity initiative will help advance this goal by providing more pathways for all, including for diverse franchisees who want to join the Wendy's family.

To jumpstart Own Your Opportunity, Wendy's has:

- Created more competitive liquidity and net worth requirements for all new franchise applicants
- Expanded economic opportunities for new franchisees working together with our three preferred U.S. financial lenders – City National Bank, Huntington National Bank and Wintrust Franchise Finance
- Supported First Women's Bank, the only women-founded, women-owned, and womenled

commercial bank in the U.S. with a strategic focus on serving the women's economy, by becoming a Mission Partner. This partnership underscores the Company's continued commitment to bridging the gender gap in lending and empowering women entrepreneurs.

- Created a Build-to-Suit development fund to help fuel growth in underdeveloped trade areas, where Wendy's secures and builds restaurant locations and hands over turnkey solutions to franchisees. Priority will be given to those franchisee candidates who cannot otherwise access the required capital for new restaurant development.
- Introduced new innovative restaurant formats, which can help enable ownership in the Wendy's System with a lower initial financial commitment.
- Conducted franchise surveys and held various focus group discussions and business reviews to help identify tools and resources most beneficial in helping existing franchisees thrive and grow.

"We believe that increasing diversity of thought and experience will bring new ideas and innovations to Wendy's, which will help us continue to grow together for decades to come," said Abigail Pringle, Wendy's President, International and Chief Development Officer. "When you become a Wendy's franchisee, you own more than a great restaurant – you Own Your Opportunity, with a path to prosper and the prospect to lead within a thriving and beloved restaurant brand."

Wendy's is seeking new single-unit and multi-unit experienced operators who share our vision to help us grow our restaurant presence in the U.S. and worldwide. For more information on Wendy's franchise opportunities, please visit www.wendys.com/franchising. 🇺🇸

EMPLOYERS ENCOURAGED TO USE NEW MENTAL HEALTH IN THE WORKPLACE TOOLKIT

Today's employers and employees are under unique pressure that can lead to anxiety, feelings of instability, withdrawal, and the possible need for counseling and care. Fortunately, there is a new resource available that employers can turn to for help.

The Ohio Department of Insurance recently launched a Mental Health in the Workplace Employer Toolkit that provides dynamic insights and turnkey information that employers are encouraged to utilize. The content is intended to help promote mental health wellness success, reduce the stigma associated with mental health challenges, and better understand mental health and substance use disorder insurance so employees receive covered treatment.

The department created the toolkit with input from employers across the state and also in collaboration with RecoveryOhio — Governor DeWine's initiative focused on more effective prevention, treatment, and recovery outcomes for Ohioans — and the Ohio Department of Mental Health and Addiction Services.

Employers can take advantage of the toolkit content for their own knowledge building, organizational implementation, and to distribute through employee communication channels.

In the toolkit, employers will find:

- Information to better understand mental health and substance use disorders.
- Tips for how employers can support employee mental health.
- Tools for employers to help employees engage in workplace mental health wellness programs and activities.
- Background on what insurance benefits employers are legally required to provide to employees for mental health care.
- Tips to help employees understand their mental health insurance benefits.

In addition to the toolkit, the Ohio Department of Insurance hosts interactive webinars to discuss this information and its utilization. Stay tuned to the department's website, www.insurance.ohio.gov, and Facebook and Twitter pages for dates and times and to reserve your spot.

Contact Molly Mottram, the department's mental health outreach stakeholder program coordinator, at 614-644-3354 or molly.mottram@insurance.ohio.gov with questions and to share your ideas for toolkit information and more. The department also provides direct educational services to employer leadership, human resources, and employee benefits staff. 🇺🇸

WHAT COMPANIES NEED TO KNOW ABOUT OHIO'S NEW GUN LAW

Steven M. Loewengart, Regional Managing Partner of Fisher Phillips' Columbus Office
 Nicholas G. Anhold, Associate, Cleveland
 Teresa J. Hardyman, Associate Columbus

Ohio's new gun law will take effect on June 13, permitting all qualified adults to carry concealed, non-restricted firearms without a license. The new law also expands the rights of concealed firearm holders when notifying law enforcement of the presence of a concealed handgun. But what does the new law mean for Ohio companies? There may be some misconceptions among your employees about the implications of this sweeping new legislation – this Insight will cut through the confusion and offer a plan for addressing the changes.

What Does the Law Say?

Ohio Senate Bill 215 will permit "constitutional carry" in Ohio for "qualified adults." Under Senate Bill 215, a "qualified adult" means a person who is 21 years of age or older who is not legally prohibited from possessing or receiving a firearm under federal or state law and who satisfies all of the criteria listed in Section 2923.125 (D)(1)(a) to (j), (m), (p), (q), and (s) of the Ohio Revised Code. The firearm must also not be a dangerous ordnance or otherwise restricted under Ohio law.

This legislation changes two basic tenets of Ohio's concealed firearms law.

- First, a qualified adult will no longer be required to obtain a concealed handgun license to carry a concealed handgun in the state. Under Ohio's current law, a person is required to complete minimum educational requirements that include eight hours of training with a minimum of two hours of in-person range time and live-fire training. Ohio's new law effectively gives the right of a qualifying adult to carry a concealed handgun in the same manner as if the person was a licensee and does not require training.

- Second, a qualified adult who is stopped for a law enforcement purpose and is carrying a concealed handgun does not need to promptly notify law enforcement of the presence of the firearm, although the individual must disclose that information if asked.

What About Ohio's Parking Lot Rule?

Senate Bill 215 does not address Ohio's "parking lot rule." As discussed in our previous Insight, the last change in Ohio's concealed firearms law gave an individual with a valid concealed license the right to bring a licensed firearm inside that person's privately owned motor vehicle into an employer's parking lot, provided the following conditions are met:

- when the license holder is absent from the privately owned motor vehicle, the firearm and ammunition must be locked in the trunk, glove box, or other enclosed compartment of the vehicle;
- when the license holder is present in the privately owned motor vehicle, the firearm and ammunition must remain in the vehicle; and
- the license holder's privately owned motor vehicle must be parked in a permitted location.

While Ohio's new law does not address the parking lot rule, it does explicitly provide that "regardless of whether the person has been issued a concealed handgun license...a person who is a qualifying adult may carry a concealed handgun that is not a restricted firearm anywhere in this state in which a person who has been issued a concealed handgun license may carry a concealed handgun."

What Should Ohio Companies Do Now?

For private employers, little is changing. Specifically, Senate Bill 215 states that "nothing ... shall negate or restrict a rule, policy, or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer."

Thus, consistent with our prior Insight on the last change in Ohio's concealed firearms law, you are still permitted to prohibit your employees – as well as customers and other third parties – from carrying weapons into company-owned buildings or company-owned vehicles. You should make sure your policies clearly state your position on this issue to remove any confusion.

Further, private employers still remain immune from civil liability for any injury, death, or loss to person or property that is allegedly caused by or related to their decision to permit or prohibit handguns on their premises.

However, given the way the new law coexists with the parking lot law, your policies may now not ban a person from transporting or storing a firearm or ammunition inside their privately owned motor vehicle under the conditions outlined above, regardless of whether that person has been issued a concealed handgun license or not. Therefore, you may need to revise your policies accordingly. 🗺️

About Fisher Phillips:

With the employment equation changing faster than ever, businesses must anticipate new challenges and opportunities in order to succeed. With more than 450 attorneys across the country, Fisher Phillips partners with employers to help navigate complex labor and employment issues and unprecedented workplace disruption. Our technology-driven approach, commitment to diversity and inclusion, and ability to serve as trusted business advisors enable us to provide innovative solutions to employers' most challenging workplace matters.

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- Preparing Ohioans for the careers of tomorrow

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OHIO OPIOID EDUCATIONAL ALLIANCE - BEAT THE STIGMA FACT SHEET

About the Ohio Opioid Education Alliance

The Ohio Opioid Education Alliance is a public-private partnership focused on raising awareness of the addiction crisis in Ohio. The Alliance is comprised of over 100 business, education, nonprofit, civic and government organizations. The Alliance's objective is to challenge the mindsets of Ohioans, including reframing the approach to drug misuse prevention and eliminating stigmas associated with addiction and mental illness. Alliance members work together to make a difference in each of their respective areas of influence.

Denial, OH PSA Campaign

In 2018, the Ohio Opioid Education Alliance launched its first public service announcement, an award-winning campaign set in the fictional town of Denial, OH. The research-based campaign highlighted that while prescription opioid misuse was prevalent across Ohio, many parents and caregivers did not believe it could happen to their kids. With a tongue-in-cheek tone, the campaign brought to light many of the misconceptions that parents have about prescription opioid misuse. The call-to-actions were clear — talk to your kids about opioids and dispose of your leftover pills.

The campaign reached Ohioans through television, radio, social media, earned media and grassroots activities, and had a positive impact in central Ohio. Because of seeing the ad, 57% of parents and caregivers reported talking to their kids about opioids. Further, 53% reported they were more cautious about disposing of their unneeded prescription opioids.



Expanding Beyond Opioids

While prescription and illicit opioid misuse in Ohio remains a significant problem, Ohioans are struggling with much more. The global pandemic has exacerbated substance misuse overall as well as mental health issues. Alcohol sales have surged, drug overdoses are spiking and more Ohioans are reporting deteriorating mental health. Ohioans are aware that addiction and mental illness are on the rise, and information about help is widely available. But many Ohioans are not seeking the help they need or are unwilling to talk about the struggles they are experiencing. One critical barrier to seeking help is stigma.

Stigmas are negative beliefs and attitudes about people or topics and they're unfortunately very common, especially when it comes to mental illness and addiction. Many believe that addiction and mental illness are choices, which leads people to discriminate and judge. In reality, mental illness and addiction are complex medical conditions with underlying causes. The stigma around mental illness and addiction often create shame for those struggling and keep them from seeking the help they need.

That's why we created this new campaign. We want to eliminate that shame. We want to beat the stigma of addiction and mental illness.

Research Behind Campaign

Extensive research was conducted to inform campaign development:

- Nearly 20 existing mental health and substance use campaigns across the U.S. were analyzed to understand how a new campaign could be distinctive and breakthrough.
- In addition, Ohio's mental illness and substance use disorder experts were interviewed to inform the direction of the campaign.
- Multiple focus groups were conducted in which Ohioans shared their personal experiences with mental illness and addiction and the stigma that is attached to both.
- Campaign concepts were tested with Ohio's general population and with people with lived experience.

This research confirmed that many Ohioans don't understand addiction and mental illness, which leads them to make assumptions and judgements and ostracize people when they need help the most. What Ohioans don't readily recognize is that mental illness and addiction are often the result of underlying factors like genetics and family history and traumatic experiences and abuse. Moreover, addiction and mental illness are closely related — struggling with mental illness can put you at risk for developing addiction. The creative insight at the core of the campaign is "when you see someone struggling with drug or alcohol addiction, there is always more to the story than you know."

Beat the Stigma

Set in the fictional gameshow Beat the Stigma, the Ohio Opioid Education Alliance's newest campaign asks the audience to "challenge what you know about addiction." The new campaign is aimed at helping Ohioans understand that addiction and mental illness are complex diseases — partly the result of genetics and other factors, which are largely out of a person's control, and not the result of moral failings or poor character.

The Beat the Stigma campaign will encourage Ohioans to do three things:

- Challenge what you know about addiction. When you see someone who lives with addiction, there's always more to the story than you know. Practice empathy, not judgement.
- Know your risk. If there's a history of addiction in your family, know that this increases your risk for addiction. Know your risk and talk to your loved ones about what this means so they can make informed choices.
- Take care of your mental health. Mental health challenges can put you at risk for substance misuse.

The Beat the Stigma website (beatthestigma.org) is where Ohioans can play a game to test their knowledge about mental illness and addiction, learn more about stigmas and access resources. The state of Ohio announced its commitment of \$9.75 million to the initiative in February 2021, and the launch on Nov. 10 kicked off an effort by the Opioid Alliance to raise funds from businesses and community partners in Ohio.

Learn more about the Beat the Stigma campaign at DontLiveinDenial.org/Beat-the-Stigma.





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