

Gov. Mike DeWine to take action in coming days on flurry of lame-duck bills as constitutional clock ticks

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Cleveland.com

COLUMBUS, Ohio—Gov. Mike DeWine is planning to take action later this week on three of the most significant bills passed by state lawmakers on the final day of the 2023-2024 legislative session, according to a gubernatorial spokesman.

DeWine has limited time left to act: under the Ohio Constitution, he only has a couple days left to sign or veto the bills, or they will become law regardless of what he thinks of them.

The governor [has already said he intends to veto some of the language](#) in one of those bills that would prevent state or local medical regulators in Ohio from disciplining doctors who express unorthodox medical opinions, as the state medical board did in 2021 to a doctor who told state lawmakers that COVID-19 vaccines make their recipients magnetic.

That bill, House Bill 315, [contains a litany of other items](#) that lawmakers added to it, then passed, well after midnight on Dec. 19, including measures to require insurers to cover the cost of hearing aids for younger Ohioans, [allow universities to enter into “name, image, and likeness” deals](#) with college athletes, [create a Dolly Parton Imagination Library specialty license plate](#), and – [controversially](#) – permit police departments to charge the public up to \$75 per hour for officer bodycam footage.

The two other bills would, respectively, require hospitals to post online a list of their prices for services and items ([House Bill 173](#)) and appropriate \$15 million for a statewide vote next May on [approving \\$2.5 billion in new public infrastructure bonds](#) ([Senate Bill 54](#)).

DeWine intends to take action on each of those bills later this week, though not until after New Year’s Day on Wednesday, according to his spokesman, Dan Tierney.

In addition, Tierney said, the governor plans to take action next week on nearly 30 other bills passed by state legislators on their final marathon session day on Dec. 18. They include legislation that would:

- Create a “Parents Bill of Rights” that would require school officials to notify parents if their kids are exposed to sexually explicit instructional content or if they ask teachers to identify them by a different gender. It would also make school districts allow students, at their parents’ request, to be released from class for religious instruction time. ([House Bill 8](#))
- Expand the list of offenses for which public-school students could get a year-long suspension, including for writing threatening manifestos, social-media posts or hit lists. ([House Bill 206](#))
- Create a new crime of “grooming” a minor for sexual activity, punishable by up to 90 days in jail and a \$750 fine -- or even more severe penalties in certain cases. ([House Bill 322](#))
- Enact new, felony-caliber penalties for those convicted of “sextortion,” which generally entails using a nude or private image of someone as leverage to extort money or pressure the victim into committing a crime. ([House Bill 531](#))
- Increase penalties for drunk driving and aggravated vehicular homicide ([House Bill 37](#))
- Take new steps to prevent abusive defamation lawsuits, filed by often-wealthy plaintiffs as a way to silence critics for fear of having to pay huge legal bills. ([Senate Bill 237](#))

DeWine can reject entire legislation or, in the case of those that appropriate money, issue a line-item veto to a specific piece of the bill.

[Under the Ohio Constitution](#), DeWine usually gets 10 days to sign or veto legislation once a bill is formally sent to his desk, excluding Sundays. The constitution doesn’t give extra time for public holidays that aren’t on Sunday.

However, the constitution also states that if the legislature adjourns while the governor is deliberating over what to do with a bill, that 10-day clock resets itself.

As the legislature adjourned the two-year session on Monday, that would give DeWine 10 days from that point to sign or veto any pending legislation. As that

clause of the constitution makes no mention of excluding Sundays, that would set Thursday, Jan. 9 as the deadline.

In 2007, [the Ohio Supreme Court ruled in favor of that interpretation](#), holding that while then-Gov. Bob Taft was presented with a bill on Dec. 26, 2006, the 10-day window for the governor to take action on the legislation actually started the previous day, when the legislature adjourned.

House Bills 315 and 173, as well as Senate Bill 54, were officially presented to the governor on Dec. 23, Tierney said. Under normal circumstances, that would have given DeWine until this Friday (10 days plus one Sunday later) to sign or veto each of the bills.

The other 29 pending lame-duck bills weren't formally given to the governor until Monday, Tierney said. Normally, that would give DeWine until Friday, Jan. 10 to decide what to do about each of them.

But since the legislature adjourned before he took action on them, his deadline to act is now a day sooner than that, as next Sunday is no longer be excluded from the 10-day countdown.

A spokeswoman for Ohio Attorney General Dave Yost declined to comment for this story. A spokesman for Ohio Secretary of State Frank LaRose's office didn't directly respond to questions Tuesday about the specific timeline DeWine has to work under.

Tierney gave assurances that DeWine would take action on each of the bills before running afoul of any constitutional deadline. Asked when the specific deadlines for these bills will come, Tierney said he wasn't a lawyer and preferred to "ballpark it for folks in practical terms."

"As you might guess, there's been lots of case law on this -- which means when people sue, there are sometimes disagreeing opinions on things," he said, chuckling.