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Sub. S. B. No. 254

Senator Uecker

**Cosponsors: Senators Hite, Jordan, Burke, Beagle, Coley, Faber, Eklund, Hackett,
Hottinger, Hughes, Oelslager, Patton**

A BILL

To amend sections 2317.56, 3701.341, and 3701.79 1
and to enact sections 3728.01, 3728.02, 3728.03, 2
3728.04, 3728.05, 3728.09, 3728.10, 3728.11, 3
3728.12, 3728.13, 3728.14, 3728.15, 3728.95, 4
3728.99, and 4717.271 of the Revised Code 5
regarding final disposition of fetal remains 6
from surgical abortions. 7

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

Section 1. That sections 2317.56, 3701.341, and 3701.79 be 8
amended and sections 3728.01, 3728.02, 3728.03, 3728.04, 9
3728.05, 3728.09, 3728.10, 3728.11, 3728.12, 3728.13, 3728.14, 10
3728.15, 3728.95, 3728.99, and 4717.271 of the Revised Code be 11
enacted to read as follows: 12

Sec. 2317.56. (A) As used in this section: 13

(1) "Medical emergency" has the same meaning as in section 14
2919.16 of the Revised Code. 15

(2) "Medical necessity" means a medical condition of a 16
pregnant woman that, in the reasonable judgment of the physician 17

who is attending the woman, so complicates the pregnancy that it 18
necessitates the immediate performance or inducement of an 19
abortion. 20

(3) "Probable gestational age of the embryo or fetus" 21
means the gestational age that, in the judgment of a physician, 22
is, with reasonable probability, the gestational age of the 23
embryo or fetus at the time that the physician informs a 24
pregnant woman pursuant to division (B) (1) (b) of this section. 25

(B) Except when there is a medical emergency or medical 26
necessity, an abortion shall be performed or induced only if all 27
of the following conditions are satisfied: 28

(1) At least twenty-four hours prior to the performance or 29
inducement of the abortion, a physician meets with the pregnant 30
woman in person in an individual, private setting and gives her 31
an adequate opportunity to ask questions about the abortion that 32
will be performed or induced. At this meeting, the physician 33
shall inform the pregnant woman, verbally or, if she is hearing 34
impaired, by other means of communication, of all of the 35
following: 36

(a) The nature and purpose of the particular abortion 37
procedure to be used and the medical risks associated with that 38
procedure; 39

(b) The probable gestational age of the embryo or fetus; 40

(c) The medical risks associated with the pregnant woman 41
carrying the pregnancy to term. 42

The meeting need not occur at the facility where the 43
abortion is to be performed or induced, and the physician 44
involved in the meeting need not be affiliated with that 45
facility or with the physician who is scheduled to perform or 46

induce the abortion. 47

(2) At least twenty-four hours prior to the performance or 48
inducement of the abortion, the physician who is to perform or 49
induce the abortion or the physician's agent does each of the 50
following in person, by telephone, by certified mail, return 51
receipt requested, or by regular mail evidenced by a certificate 52
of mailing: 53

(a) Inform the pregnant woman of the name of the physician 54
who is scheduled to perform or induce the abortion; 55

(b) Give the pregnant woman copies of the published 56
materials described in division (C) of this section; 57

(c) Inform the pregnant woman that the materials given 58
pursuant to division (B) (2) (b) of this section are published by 59
the state and that they describe the embryo or fetus and list 60
agencies that offer alternatives to abortion. The pregnant woman 61
may choose to examine or not to examine the materials. A 62
physician or an agent of a physician may choose to be 63
disassociated from the materials and may choose to comment or 64
not comment on the materials. 65

(3) If it has been determined that the unborn human 66
individual the pregnant woman is carrying has a detectable 67
heartbeat, the physician who is to perform or induce the 68
abortion shall comply with the informed consent requirements in 69
section 2919.192 of the Revised Code in addition to complying 70
with the informed consent requirements in divisions (B) (1), (2), 71
(4), and (5) of this section. 72

(4) Prior to the performance or inducement of the 73
abortion, the pregnant woman signs a form consenting to the 74
abortion and certifies ~~both~~ all of the following on that form: 75

(a) She has received the information and materials 76
described in divisions (B) (1) and (2) of this section, and her 77
questions about the abortion that will be performed or induced 78
have been answered in a satisfactory manner. 79

(b) She consents to the particular abortion voluntarily, 80
knowingly, intelligently, and without coercion by any person, 81
and she is not under the influence of any drug of abuse or 82
alcohol. 83

(c) If the abortion will be performed or induced 84
surgically and she desires to exercise the rights under section 85
3728.03 of the Revised Code, she has completed the disposition 86
determination under section 3728.04 of the Revised Code. 87

The form shall contain the name and contact information of 88
the physician who provided to the pregnant woman the information 89
described in division (B) (1) of this section. 90

(5) Prior to the performance or inducement of the 91
abortion, the physician who is scheduled to perform or induce 92
the abortion or the physician's agent receives a copy of the 93
pregnant woman's signed form on which she consents to the 94
abortion and that includes the certification required by 95
division (B) (4) of this section. 96

(C) The department of health shall publish in English and 97
in Spanish, in a typeface large enough to be clearly legible, 98
and in an easily comprehensible format, the following materials 99
on the department's web site: 100

(1) Materials that inform the pregnant woman about family 101
planning information, of publicly funded agencies that are 102
available to assist in family planning, and of public and 103
private agencies and services that are available to assist her 104

through the pregnancy, upon childbirth, and while the child is 105
dependent, including, but not limited to, adoption agencies. The 106
materials shall be geographically indexed; include a 107
comprehensive list of the available agencies, a description of 108
the services offered by the agencies, and the telephone numbers 109
and addresses of the agencies; and inform the pregnant woman 110
about available medical assistance benefits for prenatal care, 111
childbirth, and neonatal care and about the support obligations 112
of the father of a child who is born alive. The department shall 113
ensure that the materials described in division (C)(1) of this 114
section are comprehensive and do not directly or indirectly 115
promote, exclude, or discourage the use of any agency or service 116
described in this division. 117

(2) Materials that inform the pregnant woman of the 118
probable anatomical and physiological characteristics of the 119
zygote, blastocyte, embryo, or fetus at two-week gestational 120
increments for the first sixteen weeks of pregnancy and at four- 121
week gestational increments from the seventeenth week of 122
pregnancy to full term, including any relevant information 123
regarding the time at which the fetus possibly would be viable. 124
The department shall cause these materials to be published only 125
after it consults with the Ohio state medical association and 126
the Ohio section of the American college of obstetricians and 127
gynecologists relative to the probable anatomical and 128
physiological characteristics of a zygote, blastocyte, embryo, 129
or fetus at the various gestational increments. The materials 130
shall use language that is understandable by the average person 131
who is not medically trained, shall be objective and 132
nonjudgmental, and shall include only accurate scientific 133
information about the zygote, blastocyte, embryo, or fetus at 134
the various gestational increments. If the materials use a 135

pictorial, photographic, or other depiction to provide 136
information regarding the zygote, blastocyte, embryo, or fetus, 137
the materials shall include, in a conspicuous manner, a scale or 138
other explanation that is understandable by the average person 139
and that can be used to determine the actual size of the zygote, 140
blastocyte, embryo, or fetus at a particular gestational 141
increment as contrasted with the depicted size of the zygote, 142
blastocyte, embryo, or fetus at that gestational increment. 143

(D) Upon the submission of a request to the department of 144
health by any person, hospital, physician, or medical facility 145
for one copy of the materials published in accordance with 146
division (C) of this section, the department shall make the 147
requested copy of the materials available to the person, 148
hospital, physician, or medical facility that requested the 149
copy. 150

(E) If a medical emergency or medical necessity compels 151
the performance or inducement of an abortion, the physician who 152
will perform or induce the abortion, prior to its performance or 153
inducement if possible, shall inform the pregnant woman of the 154
medical indications supporting the physician's judgment that an 155
immediate abortion is necessary. Any physician who performs or 156
induces an abortion without the prior satisfaction of the 157
conditions specified in division (B) of this section because of 158
a medical emergency or medical necessity shall enter the reasons 159
for the conclusion that a medical emergency or medical necessity 160
exists in the medical record of the pregnant woman. 161

(F) If the conditions specified in division (B) of this 162
section are satisfied, consent to an abortion shall be presumed 163
to be valid and effective. 164

(G) The performance or inducement of an abortion without 165

the prior satisfaction of the conditions specified in division 166
(B) of this section does not constitute, and shall not be 167
construed as constituting, a violation of division (A) of 168
section 2919.12 of the Revised Code. The failure of a physician 169
to satisfy the conditions of division (B) of this section prior 170
to performing or inducing an abortion upon a pregnant woman may 171
be the basis of both of the following: 172

(1) A civil action for compensatory and exemplary damages 173
as described in division (H) of this section; 174

(2) Disciplinary action under section 4731.22 of the 175
Revised Code. 176

(H) (1) Subject to divisions (H) (2) and (3) of this 177
section, any physician who performs or induces an abortion with 178
actual knowledge that the conditions specified in division (B) 179
of this section have not been satisfied or with a heedless 180
indifference as to whether those conditions have been satisfied 181
is liable in compensatory and exemplary damages in a civil 182
action to any person, or the representative of the estate of any 183
person, who sustains injury, death, or loss to person or 184
property as a result of the failure to satisfy those conditions. 185
In the civil action, the court additionally may enter any 186
injunctive or other equitable relief that it considers 187
appropriate. 188

(2) The following shall be affirmative defenses in a civil 189
action authorized by division (H) (1) of this section: 190

(a) The physician performed or induced the abortion under 191
the circumstances described in division (E) of this section. 192

(b) The physician made a good faith effort to satisfy the 193
conditions specified in division (B) of this section. 194

(3) An employer or other principal is not liable in 195
damages in a civil action authorized by division (H) (1) of this 196
section on the basis of the doctrine of respondeat superior 197
unless either of the following applies: 198

(a) The employer or other principal had actual knowledge 199
or, by the exercise of reasonable diligence, should have known 200
that an employee or agent performed or induced an abortion with 201
actual knowledge that the conditions specified in division (B) 202
of this section had not been satisfied or with a heedless 203
indifference as to whether those conditions had been satisfied. 204

(b) The employer or other principal negligently failed to 205
secure the compliance of an employee or agent with division (B) 206
of this section. 207

(4) Notwithstanding division (E) of section 2919.12 of the 208
Revised Code, the civil action authorized by division (H) (1) of 209
this section shall be the exclusive civil remedy for persons, or 210
the representatives of estates of persons, who allegedly sustain 211
injury, death, or loss to person or property as a result of a 212
failure to satisfy the conditions specified in division (B) of 213
this section. 214

(I) The department of job and family services shall 215
prepare and conduct a public information program to inform women 216
of all available governmental programs and agencies that provide 217
services or assistance for family planning, prenatal care, child 218
care, or alternatives to abortion. 219

Sec. 3701.341. (A) The director of health, pursuant to 220
Chapter 119. and consistent with Chapter 3728. and section 221
2317.56 of the Revised Code, shall adopt rules relating to 222
abortions and the following subjects: 223

(1) Post-abortion procedures to protect the health of the pregnant woman;	224 225
(2) Pathological reports;	226
(3) Humane disposition of the product of human conception;	227
(4) Counseling.	228
(B) The director of health shall implement the rules and shall apply to the court of common pleas for temporary or permanent injunctions restraining a violation or threatened violation of the rules. This action is an additional remedy not dependent on the adequacy of the remedy at law.	229 230 231 232 233
Sec. 3701.79. (A) As used in this section:	234
(1) "Abortion" has the same meaning as in section 2919.11 of the Revised Code.	235 236
(2) "Abortion report" means a form completed pursuant to division (C) of this section.	237 238
(3) "Ambulatory surgical facility" has the same meaning as in section 3702.30 of the Revised Code.	239 240
(4) "Department" means the department of health.	241
(5) "Hospital" means any building, structure, institution, or place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, and medical or surgical care for three or more unrelated individuals suffering from illness, disease, injury, or deformity, and regularly making available at least clinical laboratory services, diagnostic x-ray services, treatment facilities for surgery or obstetrical care, or other definitive medical treatment. "Hospital" does not include a "home" as defined in section 3721.01 of the Revised	242 243 244 245 246 247 248 249 250

Code. 251

(6) "Physician's office" means an office or portion of an 252
office that is used to provide medical or surgical services to 253
the physician's patients. "Physician's office" does not mean an 254
ambulatory surgical facility, a hospital, or a hospital 255
emergency department. 256

(7) "Postabortion care" means care given after the uterus 257
has been evacuated by abortion. 258

(B) The department shall be responsible for collecting and 259
collating abortion data reported to the department as required 260
by this section. 261

(C) The attending physician shall complete an individual 262
abortion report for each abortion the physician performs upon a 263
woman. The report shall be confidential and shall not contain 264
the woman's name. The report shall include, but is not limited 265
to, all of the following, insofar as the patient makes the data 266
available that is not within the physician's knowledge: 267

(1) Patient number; 268

(2) The name and address of the facility in which the 269
abortion was performed, and whether the facility is a hospital, 270
ambulatory surgical facility, physician's office, or other 271
facility; 272

(3) The date of the abortion; 273

(4) If a surgical abortion, the method of final 274
disposition of the fetal remains under Chapter 3728. of the 275
Revised Code; 276

(5) All of the following regarding the woman on whom the 277
abortion was performed: 278

(a) Zip code of residence;	279
(b) Age;	280
(c) Race;	281
(d) Marital status;	282
(e) Number of previous pregnancies;	283
(f) Years of education;	284
(g) Number of living children;	285
(h) Number of previously induced abortions;	286
(i) Date of last induced abortion;	287
(j) Date of last live birth;	288
(k) Method of contraception at the time of conception;	289
(l) Date of the first day of the last menstrual period;	290
(m) Medical condition at the time of the abortion;	291
(n) Rh-type;	292
(o) The number of weeks of gestation at the time of the abortion.	293 294
(5) <u>(6)</u> The type of abortion procedure performed;	295
(6) <u>(7)</u> Complications by type;	296
(7) <u>(8)</u> Type of procedure performed after the abortion;	297
(8) <u>(9)</u> Type of family planning recommended;	298
(9) <u>(10)</u> Type of additional counseling given;	299
(10) <u>(11)</u> Signature of attending physician.	300
(D) The physician who completed the abortion report under	301

division (C) of this section shall submit the abortion report to 302
the department within fifteen days after the woman is 303
discharged. 304

(E) The appropriate vital records report or certificate 305
shall be made out after the twentieth week of gestation. 306

(F) A copy of the abortion report shall be made part of 307
the medical record of the patient of the facility in which the 308
abortion was performed. 309

(G) Each hospital shall file monthly and annual reports 310
listing the total number of women who have undergone a post- 311
twelve-week-gestation abortion and received postabortion care. 312
The annual report shall be filed following the conclusion of the 313
state's fiscal year. Each report shall be filed within thirty 314
days after the end of the applicable reporting period. 315

(H) Each case in which a physician treats a post abortion 316
complication shall be reported on a postabortion complication 317
form. The report shall be made upon a form prescribed by the 318
department, shall be signed by the attending physician, and 319
shall be confidential. 320

(I) (1) Not later than the first day of October of each 321
year, the department shall issue an annual report of the 322
abortion data reported to the department for the previous 323
calendar year as required by this section. The annual report 324
shall include at least the following information: 325

(a) The total number of induced abortions; 326

(b) The number of abortions performed on Ohio and out-of- 327
state residents; 328

(c) The number of abortions performed, sorted by each of 329

the following: 330

(i) The age of the woman on whom the abortion was 331
performed, using the following categories: under fifteen years 332
of age, fifteen to nineteen years of age, twenty to twenty-four 333
years of age, twenty-five to twenty-nine years of age, thirty to 334
thirty-four years of age, thirty-five to thirty-nine years of 335
age, forty to forty-four years of age, forty-five years of age 336
or older; 337

(ii) The race and Hispanic ethnicity of the woman on whom 338
the abortion was performed; 339

(iii) The education level of the woman on whom the 340
abortion was performed, using the following categories or their 341
equivalents: less than ninth grade, ninth through twelfth grade, 342
one or more years of college; 343

(iv) The marital status of the woman on whom the abortion 344
was performed; 345

(v) The number of living children of the woman on whom the 346
abortion was performed, using the following categories: none, 347
one, or two or more; 348

(vi) The number of weeks of gestation of the woman at the 349
time the abortion was performed, using the following categories: 350
less than nine weeks, nine to twelve weeks, thirteen to nineteen 351
weeks, or twenty weeks or more; 352

(vii) The county in which the abortion was performed; 353

(viii) The type of abortion procedure performed; 354

(ix) The number of abortions previously performed on the 355
woman on whom the abortion was performed; 356

(x) The type of facility in which the abortion was 357
performed; 358

(xi) For Ohio residents, the county of residence of the 359
woman on whom the abortion was performed. 360

(2) The report also shall indicate the number and type of 361
the abortion complications reported to the department either on 362
the abortion report required under division (C) of this section 363
or the postabortion complication report required under division 364
(H) of this section. 365

(3) In addition to the annual report required under 366
division (I)(1) of this section, the department shall make 367
available, on request, the number of abortions performed by zip 368
code of residence. 369

(J) The director of health shall implement this section 370
and shall apply to the court of common pleas for temporary or 371
permanent injunctions restraining a violation or threatened 372
violation of its requirements. This action is an additional 373
remedy not dependent on the adequacy of the remedy at law. 374

Sec. 3728.01. As used in this chapter: 375

(A) "Abortion facility" means any of the following in 376
which abortions are induced or performed: 377

(1) Ambulatory surgical facility as defined in section 378
3702.30 of the Revised Code; 379

(2) Any other facility in which abortion is legally 380
provided. 381

(B) "Cremation" has the same meaning as in section 4717.01 382
of the Revised Code. 383

(C) "Fetal remains" means the entire fetus or any of its 384
parts removed from the pregnant woman's uterus by an abortion, 385
irrespective of the duration of the pregnancy. 386

(D) "Interment" means the burial or entombment of fetal 387
remains. 388

Sec. 3728.02. (A) Final disposition of fetal remains from 389
a surgical abortion at an abortion facility shall be by 390
cremation or interment. 391

(B) The cremation of fetal remains under division (A) of 392
this section shall be in a crematory facility, in compliance 393
with Chapter 4717. of the Revised Code. 394

(C) As used in this section, "crematory facility" has the 395
same meaning as in section 4717.01 of the Revised Code. 396

Sec. 3728.03. A pregnant woman who has a surgical abortion 397
has the right to determine both of the following regarding the 398
fetal remains: 399

(A) Whether the final disposition shall be by cremation or 400
interment; 401

(B) The location for the final disposition. 402

Sec. 3728.04. (A) (1) If a pregnant woman desires to 403
exercise the rights under section 3728.03 of the Revised Code, 404
she shall make the determination in writing using a form 405
prescribed by the director of health under division (C) of 406
section 3728.14 of the Revised Code. The determination must 407
clearly indicate both of the following: 408

(a) Whether the final disposition will be by cremation or 409
interment; 410

(b) Whether the final disposition will be at a location 411
other than one provided by the abortion facility. 412

(2) If a pregnant woman does not desire to exercise the 413
rights under section 3728.03 of the Revised Code, the abortion 414
facility shall determine whether final disposition shall be by 415
cremation or interment. 416

(B) (1) A pregnant woman who is under eighteen years of 417
age, unmarried, and unemancipated shall obtain parental consent 418
from one of the person's parents, guardian, or custodian to the 419
final disposition determination she makes under division (A) (1) 420
of this section. The consent shall be made in writing using a 421
form prescribed by the director under division (B) of section 422
3728.14 of the Revised Code. 423

(2) The consent under division (B) (1) of this section is 424
not required for a pregnant woman exercising her rights under 425
section 3728.03 of the Revised Code if an order authorizing 426
consent to the abortion was issued under section 2151.85 of the 427
Revised Code. 428

Sec. 3728.05. An abortion facility may not release fetal 429
remains from a surgical abortion, or arrange for the cremation 430
or interment of such fetal remains, until it obtains a final 431
disposition determination made, and if applicable, the consent 432
made, under section 3728.04 of the Revised Code. 433

Sec. 3728.09. (A) Except as provided in division (B) of 434
this section, an abortion facility shall pay for and provide for 435
the cremation or interment of the fetal remains from a surgical 436
abortion performed at that facility. 437

(B) If the disposition determination made under division 438
(A) (1) of section 3728.04 of the Revised Code identifies a 439

location for final disposition other than one provided by the 440
abortion facility, the pregnant woman is responsible for the 441
costs related to the final disposition of the fetal remains at 442
the chosen location. 443

Sec. 3728.10. An abortion facility shall document in the 444
pregnant woman's medical record the final disposition 445
determination made, and if applicable, the consent made, under 446
section 3728.04 of the Revised Code. 447

Sec. 3728.11. An abortion facility shall maintain 448
evidentiary documentation demonstrating the date and method of 449
the disposition of fetal remains from surgical abortions 450
performed or induced in the facility. 451

Sec. 3728.12. An abortion facility shall have written 452
policies and procedures regarding cremation or interment of 453
fetal remains from surgical abortions performed or induced in 454
the facility. 455

Sec. 3728.13. An abortion facility shall develop and 456
maintain a written list of locations at which it provides or 457
arranges for the final disposition of fetal remains from 458
surgical abortions. 459

Sec. 3728.14. Not later than ninety days after the 460
effective date of this section, the director of health, in 461
accordance with Chapter 119. of the Revised Code, shall adopt 462
rules necessary to carry out sections 3728.01 to 3728.13 of the 463
Revised Code, including rules that prescribe the following: 464

(A) The method in which pregnant women who seek surgical 465
abortions are informed of the following: 466

(1) The right to determine final disposition of fetal 467
remains under section 3728.03 of the Revised Code; 468

(2) The available options for locations and methods for 469
the disposition of fetal remains. 470

(B) The notification form for final disposition 471
determinations and the consent form for purposes of section 472
3728.04 of the Revised Code. 473

(C) (1) A detachable supplemental form to the form 474
described in division (B) (4) of section 2317.56 of the Revised 475
Code that meets the following requirements: 476

(a) Indicates whether the pregnant woman has indicated a 477
preference as to the method of disposition of the fetal remains 478
and the preferred method selected; 479

(b) Indicates whether the pregnant woman has indicated a 480
preference as to the location of disposition of the fetal 481
remains; 482

(c) Provides for the signature of the physician who is to 483
perform or induce the abortion; 484

(d) Provides for a medical identification number for the 485
pregnant woman but does not provide for the pregnant woman's 486
printed name or signature. 487

(2) If a medical emergency or medical necessity prevents 488
the pregnant woman from completing the detachable supplemental 489
form, procedures to complete that form a reasonable time after 490
the medical emergency or medical necessity has ended. 491

Sec. 3728.15. Notwithstanding any conflicting provision of 492
the Revised Code or procedure of an agency or board, a person 493
who buries or cremates fetal remains from a surgical abortion is 494
not liable for or subject to damages in any civil action, 495
prosecution in any criminal proceeding, or professional 496

disciplinary action related to the disposal of fetal remains, if 497
that person does all of the following: 498

(A) Acts in good faith compliance with this chapter and, 499
if applicable, section 4717.271 of the Revised Code; 500

(B) Receives a copy of a properly executed detachable 501
supplemental form described in division (C) (1) of section 502
3728.14 of the Revised Code; 503

(C) Acts in furtherance of the final disposition of the 504
fetal remains. 505

Sec. 3728.95. A pregnant woman who has a surgical 506
abortion, the fetal remains from which are not disposed of in 507
compliance with this chapter, is not guilty of committing, 508
attempting to commit, complicity in the commission of, or 509
conspiracy in the commission of a violation of section 3728.99 510
of the Revised Code. 511

Sec. 3728.99. (A) No person shall fail to comply with 512
section 3728.02, 3728.05, 3728.10, or 3728.11 of the Revised 513
Code. 514

(B) Whoever knowingly violates division (A) of this 515
section is guilty of failure to dispose of fetal remains 516
humanely, a misdemeanor of the first degree. 517

Sec. 4717.271. The operator of a crematory facility that 518
cremates fetal remains for an abortion facility under Chapter 519
3728. of the Revised Code shall not do either of the following: 520

(A) Dispose of the cremated fetal remains anywhere other 521
than in a grave, crypt, or niche; 522

(B) Arrange for the transfer or disposal of the cremated 523
fetal remains anywhere other than in a grave, crypt, or niche. 524

Section 2. That existing sections 2317.56, 3701.341, and 525
3701.79 of the Revised Code are hereby repealed. 526

Section 3. Neither of the following shall apply until 527
rules are adopted under section 3728.14 of the Revised Code: 528

(A) The prohibition under section 3728.99 of the Revised 529
Code; 530

(B) The prohibitions under section 4717.271 of the Revised 531
Code. 532