



H.B. 471

123rd General Assembly
(As Passed by the General Assembly)

Reps. Harris, Thomas, Evans, Metzger, Goodman, Tiberi, Callender, Cates
Sens. Gardner, Ray, Johnson, Kearns, Watts, White, Spada, Mumper, Drake,
Horn, Finan, Armbruster, Blessing

Effective date: *

ACT SUMMARY

- Serves as a companion act to Am. Sub. H.B. 470, which, in part, renames the Director and Department of Human Services as the Director and Department of Job and Family Services, renames the county directors and departments of human services as the county directors and departments of job and family services, and transfers the functions and employees of the Bureau of Employment Services to the Department of Job and Family Services and the Department of Commerce.
- Replaces statutory references as follows: to the Director or Department of Human Services with the Director or Department of Job and Family Services; to the Administrator or Bureau of Employment Services with the Director or Department of Job and Family Services or the Director or Department of Commerce; to the district or county director or county department of human services with the district or county director or county department of job and family services; to human services planning committees with family services planning committees; and to the Bureau of Employment Service's Ohio State Employment Service Division with the Director of Job and Family Services.
- Changes the name of the Human Services Stabilization Fund to the Family Services Stabilization Fund.

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

- Makes other technical changes to ensure that the replacing of references described above does not have a substantive impact on the law governing the business reply form pilot project, the Family Services Stabilization Fund, unemployment compensation hearings, or the sale of real estate by the Director of Job and Family Services.

CONTENT AND OPERATION

Relation of this act to Am. Sub. H.B. 470

This act makes technical changes to the Revised Code to reflect substantive changes made in Am. Sub. H.B. 470.

Reference changes

Am. Sub. H.B. 470, in part, renames the Director and Department of Human Services (ODHS) as the Director and Department of Job and Family Services (ODJFS), renames the county directors and departments of human services as the county directors and county departments of job and family services, and transfers the functions and employees of the Ohio Bureau of Employment Services (OBES) to other departments. Am. Sub. H.B. 470 transfers the majority of OBES functions to ODJFS; however, OBES's responsibilities regarding the employment of minors, minimum wage, prevailing wage, and the Public Employment Risk Reduction Program are transferred to the Department of Commerce.

This act changes references in the Revised Code as follows: from the Director and Department of Human Services, the Administrator and Bureau of Employment Services, the county director and department of human services, and the human services planning committee to the Director or Department of Job and Family Services, the Director or Department of Commerce, the county director or department of job and family services, and the family services planning committee, as appropriate. It also changes references to district directors of human services to district directors of job and family services. Because Am. Sub. H.B. 470 transfers OBES's responsibilities regarding minimum wage standards, which are located in Chapter 4111. of the Revised Code, to the Department of Commerce, while OBES's responsibilities regarding the Apprenticeship Council are transferred to ODJFS, H.B. 471 moves sections 4111.25 to 4111.30 of the Revised Code, which deal with the Apprenticeship Council, to a new chapter, Chapter 4139.

Am. Sub. H.B. 470 also eliminates the Ohio State Employment Service Division within OBES. This act replaces a reference to that Division with the Director of Job and Family Services.

Appointment of unclassified positions by agency and department heads

(sec. 124.11)

Former law permitted the Director of Human Services and the Administrator of OBES to each appoint up to five unclassified positions that the Director or Administrator determine to be involved in policy development and implementation. The act permits the Director of Job and Family Services to appoint up to five such positions. Although this appears to eliminate five positions, Am. Sub. H.B. 470 permits the Director of Job and Family Services to appoint up to five additional unclassified positions that expire June 30, 2002. (See analysis of Am. Sub. H.B. 470.)

Business reply form pilot program

(sec. 125.30)

Under continuing law, the Department of Administrative Services (DAS) is to operate a two-year pilot program ending on January 21, 2001, that requires DAS to create a business reply form, which must be capable of electronic filing, for private businesses to use when sharing information with state agencies. The Director of DAS is to establish procedures by which the agencies can share the information collected on the business reply form. Former law required OBES to participate in the pilot program. The act clarifies that ODJFS is only required to participate in the program with respect to duties performed by OBES under prior law.

Family Services Stabilization Fund

(sec. 131.41)

The Human Services Stabilization Fund consists of money deposited into it pursuant to acts of the General Assembly. Under continuing law, the Director of Budget and Management, with advice from the Director of Human Services, is authorized to transfer money from the fund to the General Revenue Fund for ODHS. After exhausting options for transfer of funds within ODHS, money may be transferred to meet identified shortfalls, such as higher caseloads, federal funding changes, and unforeseen costs resulting from significant state policy changes. An appropriation would be required to spend the transferred money. The act renames the Human Services Stabilization Fund the Family Services Stabilization Fund and clarifies that the fund is to be used only for family services activities.

Unemployment compensation hearings

(sec. 4141.07)

Under prior law, employers and individuals claiming benefits could represent themselves personally or be represented by an attorney or non-attorney in any proceeding before the Administrator of OBES, the Unemployment Compensation Review Commission, or a hearing officer. The act clarifies that individuals and employers may represent themselves personally or be represented by an attorney or non-attorney in any proceeding *relating to unemployment compensation* before the Director of ODJFS, the Unemployment Compensation Review Commission, or a hearing officer.

Sale of real estate

(sec. 4141.131)

Former law permitted the Administrator of OBES to sell real estate no longer needed for OBES's operation. Costs relating to the sale were required to be paid from the Unemployment Compensation Special Administrative Fund. Earnest money from the sale was to be deposited into OBES's Building Consolidation Fund, and later transferred into OBES's Building Enhancement Fund, into which the balance of the purchase price had to be deposited. The Revised Code specified permissible uses of the Building Enhancement Fund. The act limits the authority of the Director of Job and Family Services to sell real estate no longer needed by ODJFS to real estate that is not needed for ODJFS operations *under Title 41* (those operations formerly performed by OBES).

Effective date

(Section 12)

Although the act itself takes effect on the 91st day after it is filed with the Secretary of State, the specific changes made by the act are not effective until July 1, 2000.

HISTORY

| ACTION | DATE | JOURNAL ENTRY |
|-----------------------|----------|---------------|
| Introduced | 10-08-99 | pp. 1237-1239 |
| Passed House (89-6) | 10-19-99 | pp. 1283-1286 |
| Passed Senate (23-10) | 10-20-99 | pp. 1105-1107 |

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