



## **H.B. 243**

124th General Assembly  
(As Introduced)

**Rep. Barnes**

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### **BILL SUMMARY**

- Allows counties and tax-exempt not-for-profit organizations, if consistent with federal law, to participate in federal grant programs intended for the state whenever a state agency cannot or decides that it will not participate itself.
- Declares an emergency.

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### **CONTENT AND OPERATION**

The bill requires that any state agency (see **COMMENT**) that is eligible to receive federal funds under a federal grant program and that cannot, or has decided that it will not, participate fully in the program, to promptly report both of the following to the Joint Legislative Committee on Federal Funds: (1) that the agency cannot, or has decided that it will not, participate fully in the program for specified reasons and (2) whether there is some means allowable under federal law by which counties or not-for-profit organizations (see **COMMENT**) could receive the federal funds and participate in the program as agents or grantees of the agency. (Sec. 103.33.)

If there is such a means, the agency must send to each county and each General Assembly member detailed information about the program and the means by which the counties or not-for-profit organizations can participate in the program. The information must be sent within ample time for counties or not-for-profit organizations to participate fully in the program. (Sec. 103.33.)

Any county interested in participating in the program must apply to the agency on its own behalf. Any county that is willing to be the fiscal agent for a not-for-profit organization that is interested in participating and is qualified to participate in the program, or any county that arranges with a responsible organization to be the fiscal agent for the program in the county, must (1)

advertise or otherwise inform qualified not-for-profit organizations about the program and (2) apply to the agency in conjunction with or on behalf of a qualified not-for-profit organization. The agency must (a) accept applications from counties on a first-come, first-served basis, (b) apply to the federal government for the funds, and (c) pay the federal funds to the counties when they are available. (Sec. 103.33.)

The bill's title indicates that the bill's above-described provisions enact the "Community Organizations Access Procedure Act for Unspent Federal Grants."

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## COMMENT

Existing law defines a "state agency," for purposes of Title 1 of the Revised Code (thus, including section 103.33), as every organized body, office, or agency established by Ohio law for the exercise of any function of state government (sec. 1.60, not in the bill).

The bill defines a "not-for-profit organization" as an organization, including faith-based organizations, exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code. Section 501(c)(3) concerns corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, to foster national or international amateur sports competition, or for the prevention of cruelty to children or animals.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-03-01	p. 403

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