



Am. H.B. 435
127th General Assembly
(As Passed by the General Assembly)

Reps. White and DeBose, Goodwin, Jones, Mecklenborg, Uecker, Schindel, Slesnick, Boyd, Fende, Yuko, B. Williams, Letson, Strahorn, Brown, Hottinger, Adams, Bacon, Batchelder, Beatty, Bolon, Brinkman, Budish, Celeste, Collier, Combs, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Flowers, Garrison, Gerberry, Gibbs, Goyal, J. Hagan, Harwood, Heard, Hughes, Luckie, Lundy, Mallory, Mandel, J. McGregor, Patton, Sayre, Schlichter, Schneider, D. Stewart, J. Stewart, Sykes, Szollosi, S. Williams, Wolpert, Yates

Sens. Cates, Seitz, Roberts, Amstutz, Buehrer, Fedor, Harris, Kearney, R. Miller, Padgett, Wilson, D. Miller, Wagoner, Stivers, Austria, Patton

Effective date: *

ACT SUMMARY

- Modifies the duties of the Governor's Office of Faith-based and Community Initiatives.
- Allows the Governor to appoint an executive director and specifies the executive director's duties.
- Changes the membership and duties of the Advisory Board of the Governor's Office of Faith-based and Community Initiatives.

* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.

CONTENT AND OPERATION

Governor's Office of Faith-based and Community Initiatives

(R.C. 107.12)

Continuing law establishes, within the office of the Governor, the Governor's Office of Faith-based and Community Initiatives. The office serves as a clearinghouse of information on federal, state, and local funding for charitable services performed by organizations; encourages organizations to seek public funding for their charitable services; and formerly acted as a liaison between state agencies and organizations.¹ The office also advises the Governor, General Assembly, and the Advisory Board of the Governor's Office of Faith-based and Community Initiatives on the barriers that exist to collaboration between organizations and governmental entities and on ways to remove the barriers. Law amended by the act, required the Governor to appoint an executive assistant to manage the office and perform or oversee the performance of the duties of the office.

Advisory board

Continuing law establishes the Advisory Board of the Governor's Office of Faith-based and Community Initiatives. The board provides direction, guidance, and oversight to the office. Advisory board members serve one-year terms and are not compensated for their service. Any vacancy that occurs on the board is filled in the same manner as the original appointment. Under prior law, the board consisted of the following members:

- (1) One employee from each of the Departments of Aging, Alcohol and Drug Addiction Services, Rehabilitation and Correction, Health, Job and Family Services, Mental Health, and Youth Services, as designated by the department's director;
- (2) Two members of the House of Representatives appointed by the Speaker, each from a different political party;
- (3) Two members of the Senate appointed by the President, each from a different political party; and
- (4) Nine representatives of the nonprofit, faith-based and other nonprofit community, three each appointed by the Governor, Speaker, and President.

¹ "Organization" means a faith-based or other organization that provides charitable services to needy Ohio residents and that is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code.

At least one of the members appointed by the Speaker under (2) above must be a member of the legislative Black Caucus.

Under prior law, the advisory board, at its initial meeting, elected as chairperson a member who is also a member of the House of Representatives. The advisory board is required to publish an annual report of its activities, on or before August 1 of each year, and to deliver a copy of the report to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate.

Under continuing law, advisory board members and any organizations that advisory board members are affiliated or involved with are ineligible to receive any grant the office administers or assists in administering.

The act

Governor's Office of Faith-based and Community Initiatives

(R.C. 107.12)

The act removes from the office the duty of acting as a liaison between state agencies and organizations and instead requires the office to assist local, state, and federal agencies in coordinating their activities to secure maximum use of funds and efforts that benefit people receiving charitable services from organizations.

Instead of an executive assistant, the act requires the Governor to appoint an executive director and such other staff as may be necessary to manage the office and perform or oversee the performance of its duties. The act requires the executive director to distribute a strategic plan to the advisory board for review within 60 days after being appointed and yearly thereafter. The executive director also must report quarterly to the advisory board on proposed initiatives and policies, and must include in the report the condition of the budget and finances of the office.

Advisory board

(R.C. 107.12; Section 3)

Instead of the Directors of Aging, Alcohol and Drug Addiction Services, Rehabilitation and Correction, Health, Job and Family Services, Mental Health, and Youth Services each appointing a department employee to the advisory board, the act places the directors, or their designees, on the advisory board. The act also adds the Director of Mental Retardation and Developmental Disabilities, or the director's designee, to the advisory board.

In addition to the chairperson, the act requires the advisory board also to be presided over by a vice-chairperson who also is a member of the House of Representatives or Senate. Beginning on January 1, 2009, the chairpersonship and vice-chairpersonship alternate between the members of the House of Representatives and Senate. The chairperson and vice-chairperson who are holding office on the effective date of the act continue to hold office until January 1, 2009.

As under former law, board members are not to be compensated for their service, but the act specifies that the members appointed by the Governor, Speaker, and President who are representatives of the nonprofit, faith-based and other nonprofit community must be reimbursed for their actual and necessary expenses incurred in relation to board meetings.

In addition to providing direction, guidance, and oversight to the office as under continuing law, the act requires the advisory board also to do all of the following: (1) assist in the dissemination of information about, and in the stimulation of public awareness of, the service programs supported by the office, (2) review the budget and finances of the office, proposed initiatives and policies, and the executive director's annual strategic plan at advisory board meetings, and (3) provide feedback for, and proposed modifications of, the executive director's strategic plan. Within 45 days after submitting a strategic plan, the executive director is required to contact each advisory board member to obtain feedback. With the approval of the chairperson, the executive director must lead a strategic plan discussion at the first advisory board meeting following the distribution of the strategic plan.

The act requires that the board also include its accomplishments in its annual report.

HISTORY

ACTION	DATE
Introduced	01-15-08
Reported, H. Health	04-29-08
Passed House (96-0)	05-29-08
Reported, S. State & Local Gov't & Veterans Affairs	12-09-08
Passed Senate (32-0)	12-17-08
House concurred in Senate amendments (92-2)	12-17-08

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