



# Ohio Legislative Service Commission

## Bill Analysis

William Schwartz

### H.B. 211

130th General Assembly  
(As Introduced)

**Reps.** Williams, Fedor, Antonio, Mallory, Sykes, Hood, Ashford, R. Hagan

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## BILL SUMMARY

- Requires the Director of Budget and Management to annually certify to the State Lottery Commission specified amounts related to the Lottery Profits Education Fund.
- Requires the Director of the State Lottery Commission to prepare a report based on the amounts certified by the Director of Budget and Management and to submit that report to the Governor, Speaker and Minority Leader of the House of Representatives, and President and Minority Leader of the Senate and to post it on the Commission's websites.

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## CONTENT AND OPERATION

### Certification of amounts related to Lottery Profits Education Fund

The bill requires the Director of Budget and Management to certify to the State Lottery Commission, by August 1 of each year, the following amounts for the previous fiscal year related to the Lottery Profits Education Fund:

- (1) The total amounts transferred to the Fund;
- (2) The amounts appropriated from the Fund for support of elementary, secondary, vocational, and special education programs, and the state agency to which the funds are appropriated;
- (3) The amounts appropriated from the Fund for the payment of debt service on obligations issued to pay costs of capital facilities;

(4) Estimates of the per-pupil distribution amount of moneys for each public school district from the Fund;

(5) Estimates of the amount each public school district received from Fund.<sup>1</sup>

The bill directs the Department of Education to provide the Director of Budget and Management with any assistance the Director requests to enable compliance with the bill's certification requirements.<sup>2</sup>

### **Report of certified amounts by the Lottery Commission**

The bill requires the Director of the State Lottery Commission to prepare an annual report of the amounts certified by the Director of Budget and Management, as described above, and to submit that report to the Governor, Speaker and Minority Leader of the House of Representatives, and President and Minority Leader of the Senate. The report also must be posted on all of the Commission's public websites.<sup>3</sup> The bill specifies that the report must be retained and archived in accordance with the Commission's document retention policy.<sup>4</sup>

### **Background**

The Ohio Constitution authorizes the creation of a state lottery, the sale of rights, and the awarding of prizes related to that lottery, provided that the entire net proceeds are paid into a separate fund of the state treasury to be used solely for the support of elementary, secondary, vocational, and special education.<sup>5</sup> The State Lottery Commission administers and oversees the Ohio Lottery.

Generally, lottery profits have been combined with moneys appropriated from the General Revenue Fund to provide operating funding to school districts and other public schools. Rarely, and only in limited circumstances, have lottery profits been paid to schools on a per-pupil basis. For fiscal year 2014, the General Assembly has appropriated \$775.5 million of the lottery profits for foundation funding, \$100 million for the Straight A Program (competitive grants), \$7.5 million for community and STEM school facilities, and \$8.5 million for the expansion of the Educational Choice (EdChoice) Scholarship Program based on family income. For fiscal year 2015, the

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<sup>1</sup> R.C. 3770.06(B)(2)(a) to (e).

<sup>2</sup> R.C. 3770.06(B)(2)(e), second paragraph.

<sup>3</sup> R.C. 3770.06(B)(2)(e), third paragraph.

<sup>4</sup> Reference made to R.C. Chapter 149., not in the bill.

<sup>5</sup> Ohio Const. Art. XV, § 6.

General Assembly has appropriated \$853 million of lottery profits for foundation funding, \$150 million for the Straight A Program, \$7.5 million for community and STEM school facilities, and \$17 million for the EdChoice expansion.<sup>6</sup>

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## HISTORY

ACTION	DATE
Introduced	06-18-13

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<sup>6</sup> Section 263.10 of Am. Sub. H.B. 59 of the 130th General Assembly.

