



Ohio Legislative Service Commission

Bill Analysis

Bethany Boyd

H.B. 328

130th General Assembly
(As Introduced)

Reps. Young and C. Hagan, J. Adams, Amstutz, Becker, Brenner, Hood, Roegner

BILL SUMMARY

- Limits the Controlling Board's authority to approve the expenditure of certain federal and nonfederal funds that (1) are received in excess of the amount appropriated or (2) are not anticipated in the current biennial appropriations act.

CONTENT AND OPERATION

Controlling Board authority to approve the expenditure of certain funds

The bill imposes a limitation on the Controlling Board's authority to approve the expenditure of certain federal and nonfederal funds.

Federal funds

The federal funds to which the bill applies are those received into any state fund from which transfers may be made by the Controlling Board under continuing law.¹ Currently:

(1) If the federal funds received are greater than the amount of such funds appropriated by the General Assembly for a specific purpose, the Board may authorize the expenditure of those excess funds.

(2) If the federal funds received are not anticipated in an appropriations act for the biennium in which the new revenues are received, the Board may create funds for

¹ R.C. 127.14(D), not in the bill.

those revenues and authorize expenditures from those additional funds during that biennium.²

The bill stipulates that the amount of any expenditure of excess federal funds authorized by the Board under (1), above, for a specific purpose cannot exceed an amount greater than 3½% of the GRF appropriation for such purpose, unless the Board, by an affirmative vote of all of its members, authorizes the expenditure in any amount, up to all of the amount of the excess federal funds received.³

The bill also requires that the expenditures authorized by the Board under (2), above, cannot exceed 1% of the total amount appropriated to the agency responsible for administering the additional funds, unless the Board, by an affirmative vote of all of its members, authorizes the expenditures from a fund in excess of the 1% limitation.⁴

Nonfederal funds

The nonfederal funds to which the bill applies are those received into any state fund from which transfers of cash balances in excess of needs may be made by the Controlling Board,⁵ as well as the Waterways Safety Fund and the Wildlife Fund.

Currently:

(1) If the nonfederal funds received are greater than the amount of such funds appropriated, the Board may increase and approve the amount.

(2) If the nonfederal funds received are not anticipated in an appropriations act for the biennium in which the new revenues are received, the Board may create funds for those revenues and authorize expenditures from those additional funds during that biennium.⁶

The bill stipulates that the amount of any appropriation increase authorized by the Board under (1), above, for a fund cannot exceed an amount greater than 3½% of the GRF appropriations for that fund, unless the Board, by an affirmative vote of all of its

² R.C. 131.35(A)(2) and (4).

³ R.C. 131.35(A)(2) and (D)(1).

⁴ R.C. 131.35(A)(4) and (D)(3).

⁵ R.C. 127.14(D).

⁶ R.C. 131.35(B)(2) and (3).



members, increases and approves the appropriation in any amount, up to all of the amount, of the receipts received.⁷

The bill also requires that the amount of any expenditure from a fund created by the Board under (2), above, cannot exceed 1% of the total amount appropriated to the agency responsible for administering the fund, unless the Board, by an affirmative vote of all of its members, authorizes expenditures from a fund in excess of the 1% limitation for the fund.⁸

HISTORY

ACTION	DATE
Introduced	11-05-13

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⁷ R.C. 131.35(B)(2) and (D)(2).

⁸ R.C. 131.35(B)(3) and (D)(3).

