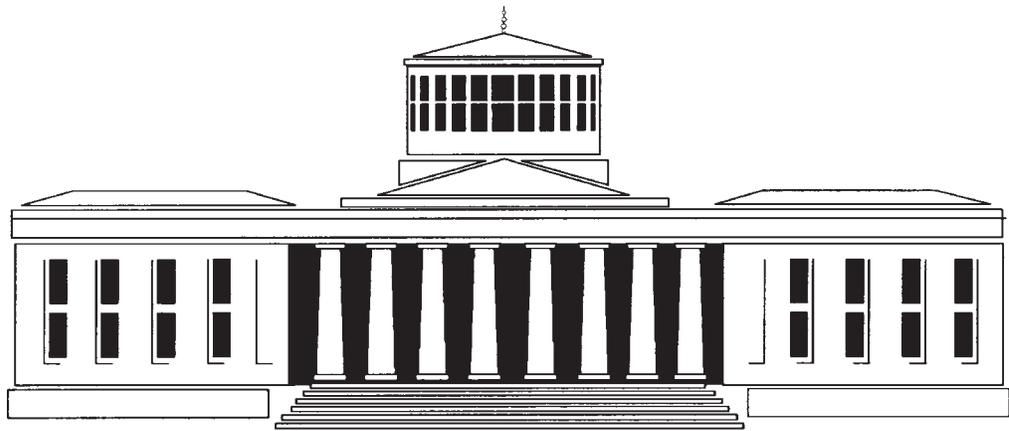


# **DIGEST OF ENACTMENTS 2007**

127th General Assembly (2007-2008)



**Ohio Legislative Service Commission**  
Columbus, Ohio

May 2008

# **DIGEST OF ENACTMENTS 2007**

127th General Assembly (2007-2008)

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May 2008

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## AGRICULTURE

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**Sens.** Schuring, Amstutz, Buehrer, Faber, Grendell, Harris, Kearney, Morano, Mumper, Niehaus, Roberts, Seitz, Fedor, Wilson

**Effective date:** March 24, 2008; Sections 3 and 4 effective December 21, 2007

Provides that continuing law governing the establishment and operation of agricultural commodity marketing programs does not apply, unless specified otherwise, to the establishment and operation of a grain marketing program, defines "grain" to include wheat, barley, rye, or oats, and establishes a separate grain marketing program.

Requires the Director of Agriculture to hold elections to determine who will serve as the nine members of a grain marketing program operating committee.

Establishes the duties and authority of the operating committee regarding the administration of the grain marketing program, and requires the Director to monitor the activities of the operating committee and to adopt rules that are necessary to carry out the act's purposes.

Requires the operating committee to levy on producers and, under specified circumstances, handlers assessments in the amount of one-half of 1% of the per-bushel price of each type of grain at the first point of sale.

Establishes procedures under which a producer may request and receive a refund of assessments that have been collected from him.

Specifies that assessments collected under the act must be used only for defraying the costs of administration of the grain marketing program and for carrying out the act.

Prohibits a person from knowingly failing or refusing to withhold or remit an assessment levied under the act, and establishes the penalty for violating the prohibition as a fourth degree misdemeanor.

Authorizes the Director to institute an action at law or in equity that appears necessary to enforce compliance with the act, rules, or the grain marketing program.



Requires the operating committee to publish an annual activity and financial report and to make the report available to each producer who pays the assessment levied under the act or otherwise contributes to the program and to other interested persons, and also requires it to submit financial statements to the Director.

Specifies that the grain marketing program may be suspended or terminated in the same manner in which other marketing programs are suspended or terminated under continuing law.

Provides that the Director of Agriculture has exclusive authority to regulate the provision of food nutrition information at food service operations, authorizes the Director to adopt rules for that purpose, and states that such rules constitute a comprehensive plan for the regulation of the provision of food nutrition information at food service operations.

Prohibits political subdivisions from enacting, adopting, or continuing in effect local legislation relating to the provision of food nutrition information at food service operations.

Provides financial incentives for bioproducts innovation in the Ohio polymer industry.



## APPROPRIATIONS

### **Am. Sub. H.B. 67**

*(For details of fiscal provisions of the act, see LSC FINAL FISCAL ANALYSIS)*

**Reps. Patton, Webster, Hottinger, Evans, Flowers, Schlichter, Strahorn, Aslanides, Batchelder, Bolon, Brown, Carmichael, Collier, Daniels, DeBose, Dolan, Domenick, Fende, Garrison, Gibbs, J. Hagan, R. Hagan, J. McGregor, Miller, Okey, Otterman, Uecker, B. Williams**

**Sens. Clancy, Padgett, Austria, Buehrer, Cafaro, Carey, Fedor, Grendell, Harris, Kearney, Mason, D. Miller, R. Miller, Morano, Mumper, Roberts, Sawyer, Schaffer, Spada, Smith, Amstutz, Gardner**

**Effective date: June 30, 2007; certain Sections effective March 31, 2007; contains item vetoes**

Makes temporary changes to the motor fuel excise tax shrinkage and evaporation discount and refund amounts.

Eliminates the possibility of triggered upward adjustments in the commercial activity tax rate when CAT revenue falls more than 10% below revenue targets during each of three test periods, FY 2006-2007, FY 2009, and FY 2011, while retaining the possibility of downward rate adjustments for any test period when revenue exceeds the target by more than 10%.

Redirects into the Highway Operating Fund the \$0.21 that the Registrar of Motor Vehicles receives for a motor vehicle, off-highway motorcycle, or all-purpose vehicle certificate of title that previously was paid into the General Revenue Fund.

Requires the Department of Transportation to construct the major new construction projects selected by the Transportation Review Advisory Council on December 20, 2006, as Tier I projects for construction in FY 2007 through FY 2013, and allows the Council to recommend additional major new projects in accordance with the promulgated policies, but prohibits new Tier I projects from being given priority over Tier I projects recommended on December 20, 2006.

Creates in the Office of the Inspector General the position of Deputy Inspector General for the Department of Transportation.

Permits fuel tax revenues to be used to pay the interest, principal, and charges on Grant Anticipation Revenue Vehicles, which are bonds issued by the Treasurer of State on behalf of the Ohio Department of Transportation (ODOT) for highway construction

projects approved by the United States Department of Transportation and are secured by federal transportation funds allocated to Ohio.

Permits the Director of Transportation to enter into agreements with an agency of the United States government for the purpose of dedicating staff to the review of environmentally related documents submitted by ODOT that are necessary for the approval of federal permits, and requires the Director to submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the federal agency, and the circumstances giving rise to the agreement.

Generally conforms Ohio law governing advertising devices along interstates and highways on the primary system with Federal Highway Administration provisions by updating definitions to reflect current procedures for determining highway status.

Directs the Director of Public Safety to request an extension of time to meet the requirements of the federal REAL ID Act of 2005.

Makes the Department of Transportation, rather than a board of county commissioners, responsible for major maintenance and repair of all bridges, not just lift bridges, that are located on the state highway system within a municipal corporation.

Requires the Director of Transportation, upon petition from the appropriate local legislative authorities, to maintain and restore more than one additional detour route if the Director finds that traffic from a closed highway, bridge, or culvert caused damage to the additional detour routes that are the subject of the petition.

Establishes that a motor vehicle leasing dealer or motor vehicle renting dealer who receives a ticket for an alleged traffic law violation detected by a traffic law photo-monitoring device is not liable for a ticket issued for a vehicle that was in the care, custody, or control of a lessee or renter, but must notify the issuer of the ticket of the lessee's or renter's name and address.

Allows any person to conduct not more than two auctions of classic motor vehicles, those over 26 years old, per year without being licensed by the Registrar of Motor Vehicles to sell or auction motor vehicles, and establishes the conditions for such an auction, including the use of a licensed auction firm.

Allows a motor vehicle auction owner licensed under the Motor Vehicle Dealer Law to conduct an auction of classic motor vehicles at the motor vehicle auction owner's place of business and auction vehicles at that location to any person and to conduct an auction at a motor vehicle dealer's place of business and auction vehicles at that location to any person, and also specifies that an auction owner is exempt from licensing requirements under the Auctioneers' Law only if the auction owner exclusively sells motor vehicles to a licensed motor vehicle dealer.

Requires that at least 50% of an adult remedial driving course be taken in person.

Allows the use of a driver's license number or state identification number when applying for a vehicle registration as options that may be provided in lieu of a person's social security number.

Permits advanced practice nurses to write a prescription certifying that a person is eligible to be issued a removable windshield disability placard or special disability license plates because the person has a disability that limits or impairs the ability to walk.

Effective in 2007, establishes an annual license tax of \$750 for commercial cargo aircraft rather than \$15 per seat, and allows a taxpayer who has already filed in 2007 to obtain a refund if the change in the tax structure results in a reduction of the aircraft license tax due in 2007.

Authorizes projects between transportation improvement districts (TIDs) and governmental agencies, including local governments, for the financing of a street, highway, interchange, or other transportation project pursuant to an agreement entered into on or before December 31, 2007, and, in connection with those joint projects, authorizes a TID to purchase securities issued by the governmental agency for the agency's portion of the project cost.

Establishes 97 feet as the maximum allowable length for drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations operated on an interstate highway, United States route, or state route.

Removes language, enacted when the Division of Homeland Security was created in 2003, declaring the intent of the General Assembly that the creation of the Division "not result in an increase of funding appropriated to the department."

Requires the Director of Public Safety to use money credited to the Family Violence Prevention Fund to operate the Division of Criminal Justice Services as well as to provide grants to family violence shelters in Ohio.

Creates the Federal Justice Grants Fund to consist of money from federal grants that is received by the Division of Criminal Justice Services for criminal justice programs and that is not required to be credited to an interest-bearing fund or account.

Creates the Justice Program Services Fund to consist of money collected by the Division of Criminal Justice Services for nonfederal purposes that is not required to be credited to some other fund and to be used to pay costs of administering the operations of the Division.

Prohibits school bus or motor van owners from permitting any person to drive the bus or van for seven years following any six-point traffic violation.

Requires each school bus or motor van owner: (1) within 30 days after the act's effective date, to obtain the seven-year driving record for each of the owner's bus or van drivers, (2) to obtain a person's seven-year driving record before allowing him or her to operate a bus or van for the first time, and (3) to obtain annual driving records thereafter.

Would have permitted community schools to transport their students with or without entering into an agreement with the students' school district (VETOED).

Would have specified that the transportation that a community school provides or arranges for be comparable to the transportation that the school district provides or arranges for students of the same grade level and distance from the school (VETOED).

Would have required the Department of Education to pay community schools that transport their students without entering into an agreement with the district the per pupil amount that would otherwise be paid to the student's school district for transportation (VETOED).

Permits a county engineer to create a school zone at the location of a "special elementary school."

Extends the immunity from liability that private property owners or lessees have concerning recreational use of their property with permission and without paying a charge to the operation of a four-wheel drive motor vehicle.

Allows the Ohio Turnpike Commission to adopt rules governing the use of special engine brakes on the Ohio Turnpike.

Authorizes municipal corporations to enter into contracts with port authorities to obtain or share police resources, and permits municipal police departments to provide police protection to port authorities without a contract.

Authorizes the Director of Agriculture to establish a motor fuel quality testing program in rules adopted in accordance with the Administrative Procedure Act.

Revises the brake requirements for watercraft trailers that are manufactured or assembled on or after January 1, 2008.

Requires the Ohio Turnpike Commission to study noise mitigation and conduct a pilot project using funds transferred from the Highway Operating Fund to the Community Resolution Fund, which is created as a limited-life custodial fund of the Treasurer of State.

Extends through June 30, 2009, an uncodified law allowing the Director of Transportation or a local authority to issue special permits for transporting three or fewer steel coils in a single load on a state or local highway so long as the gross vehicle weight of the transport vehicle, including the coils, does not exceed 92,000 pounds.

Modifies the membership of the Ohio Transportation Task Force to add a member from the Ohio Contractors Association jointly appointed by the Speaker of the House of Representatives and the President of the Senate from a list of three individuals submitted by the Association.

Creates a State Highway Patrol Funding Task Force consisting of members appointed by the Governor to study and make a report by July 1, 2008, with a recommendation for a dedicated and stable long-term funding source for the State Highway Patrol.

Authorizes the South Point Board of Education to convey specified real estate in Lawrence County to the State Highway Patrol.



## **Am. Sub. H.B. 100**

*(For details of fiscal provisions of the act, see LSC FINAL FISCAL ANALYSIS)*

**Reps. Brinkman, Adams, Bacon, Batchelder, Blessing, Boyd, Bubp, Chandler, Coley, Combs, Flowers, Gibbs, Goodwin, Hottinger, Huffman, Hughes, Otterman, Patton, Uecker, Widowfield, S. Williams, Zehringer**

**Sens. D. Miller, Kearney, Faber, Stivers, Clancy, Schaffer, Cates, Amstutz, Buehrer, Fedor, Goodman, Harris, Mason, R. Miller, Mumper, Padgett, Roberts, Sawyer, Schuring, Smith, Spada, Wilson, Gardner**

**Effective date: September 10, 2007; certain provisions effective June 11, 2007; certain other provisions effective August 10, 2007**

### **Workers' compensation**

Abolishes the Workers' Compensation Oversight Commission, the Services Committee of the Workers' Compensation System, and the Internal Security Committee.

Creates the Bureau of Workers' Compensation Board of Directors and three working committees: the Workers' Compensation Audit Committee, the Workers' Compensation Actuarial Committee, and the Workers' Compensation Investment Committee.

Transfers the powers and the duties of the Oversight Commission to the Board and the working committees.

Requires the Board, in addition to the Administrator of Workers' Compensation, to safeguard and maintain the solvency of the State Insurance Fund.

Creates the Workers' Compensation Council, and specifies the Council's duties.

Requires the Investment Committee to develop, and the Board to approve, the investment policy for the investment of the funds specified in the Workers' Compensation Law.

Requires the Governor and the Board to meet annually to evaluate the Administrator's performance.

Requires the Board, based on recommendations of the Actuarial Committee, to specify the policy for the procedures of the Adjudicating Committee created in continuing law.

Allows the Board to create additional committees as the Board determines necessary.

Specifies additional duties for the Board and the working committees.

Creates the Office of the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission in the Office of the Inspector General, and requires the Deputy Inspector General to conduct investigations regarding the conduct of Bureau of Workers' Compensation and Industrial Commission officers and employees.

Requires the Administrator, by June 30, 2008, to transition from using the Micro Insurance Reserve Analysis System to a different system or different version of that system that is transparent in nature to determine the reserves used in establishing premium rates.

Allows the Administrator, under specified conditions, to discontinue an employer's workers' compensation coverage if the employer fails to pay the employer's premium or other obligations when due.

Requires the Administrator to charge an employer's account for the payment of compensation and medical benefits after the employer waives or exhausts the employer's administrative appeals.

Specifies that the payment of medical benefits, in addition to compensation under continuing law, cannot be stayed pending an appeal of an Industrial Commission or designated staff hearing officer's order or the filing of any court action.

Modifies continuing law regarding the payment of compensation for subsequent periods of total disability during the pendency of an appeal to specify that an appeal or court filing described above does not stay the payment for subsequent periods of total disability or medical benefits during the pendency of an appeal.

Requires the Administrator to use the same procedures that the Administrator uses to obtain payments from private employers when collecting payments from certain public employers.

Allows organizations that sponsor more than one group plan to submit a single application that supplies all the information necessary for each group that the organization sponsors.

Requires the Administrator, if a group rated employer's premium rate changed from the previous calculation of premium rates, to send a copy of the invoice with the rate revision to the third party administrator that administers the group plan for that employer's group.

Increases the threshold for the Medical-Only Claim Program from \$5,000 to \$15,000, and specifies, in statute, additional requirements that employers participating in the Program must satisfy.

Requires the Administrator to employ an actuary.

### **Long-term care partnership program**

Creates the state long-term care partnership program in conformity to certain federal tax code requirements.

Adds consumer protection requirements for long-term care insurance, including disclosures, inflation protection, nonforfeiture benefits, and restrictions on rescinding a contract or denying a claim.

Requires agents who are selling, soliciting, or negotiating long-term care insurance after September 1, 2008, to complete training and continuing education requirements specific to the state long-term care partnership program.

Grants the Superintendent of Insurance authority to adopt rules concerning the state long-term care partnership program.



## Am. Sub. H.B. 119

(For details of fiscal provisions of the act, see LSC FINAL FISCAL ANALYSIS)

**Reps.** Dolan, Peterson, R. McGregor, Hottinger, Bacon, Evans, Hite, Budish, Strahorn, Yates, Chandler, D. Stewart, Boyd, R. Hagan, Skindell, Brown, Bolon, Adams, Aslanides, Barrett, Beatty, Blessing Bulp, Celeste, Collier, Combs, DeBose, DeGeeter, Domenick, Fende, Flowers, Gibbs, Goodwin, Goyal, J. Hagan, Harwood, Healy, Heard, Jones, Koziura, Letson, Luckie, Mallory, Miller, Otterman, Patton, Redfern, Schindel, Schlichter, Setzer, Szollosi, Uecker, Ujvagi, Wagoner, White, B. Williams, S. Williams, Zehringer

**Sens.** Carey, Niehaus, Clancy, D. Miller, Roberts, Padgett, Austria, Boccieri, Cates, Goodman, Harris, Jacobson, R. Miller, Spada, Stivers, Mumper, Faber, Wilson, Mason, Fedor, Smith, Sawyer, Schaffer, Cafaro, Amstutz, Grendell, Gardner

**Effective date: June 30, 2007; certain provisions effective September 29, 2007; certain provisions effective on other dates; contains item vetoes**

This *Digest* entry is arranged by state agency, beginning with the Department of Administrative Services and continuing in alphabetical order. An item that does not directly involve an agency is located under the agency that has regulatory authority over the item or otherwise deals with the subject matter of the item. The *Digest* entry includes a Local Government category and concludes with a Miscellaneous category.

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## **DEPARTMENT OF ADMINISTRATIVE SERVICES**

Eliminates authority of the state to self-insure for the purpose of insuring the state through the fidelity bonding of state officers and agents who are required by law to be covered by a fidelity bond, and requires the Department of Administrative Services to establish one or more insurance plans that provide for purchase of insurance for that purpose.

Eliminates the Vehicle Liability Fund, and combines the Vehicle Liability Program within the continuing risk Management Reserve Fund.

Creates new Schedules E-1 and E-2 rates of salaries and wages to be paid to exempt employees for pay periods including July 1, 2007, and July 1, 2008, providing a 3½% pay increase.

Authorizes the Department of Administrative Services, but no other state agency, to provide printing or office reproduction services for political subdivisions.

Eliminates the Department's duties with respect to the central management of agency forms.

Authorizes the Director of Administrative Services to contract with the Office of Energy Efficiency in the Department of Development, rather than with an energy services company, contractor, architect, professional engineer, or other experienced person as under prior law, for an analysis and recommendations pertaining to energy conservation measures in state buildings.

Permits the Director of Administrative Services, upon request, to contract for analyses and recommendations pertaining to energy conservation measures for buildings owned by state institutions of higher education.

Transfers to the Department the printing office of the Office of Information Technology.

Transfers to the Department the Mail and Fulfillment Services Office of the Department of Job and Family Services.

Authorizes the temporary assignment of the duties of a higher classification to exempt employees with commensurate pay.

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## **COMMISSION ON AFRICAN AMERICAN MALES**

Requires the Ohio State University African American and African Studies Community Extension Center to establish the overall policy and plans of, and to direct, manage, and oversee, the Commission on African-American Males.

Reduces the membership of the Commission from a maximum of 41 members to a maximum of 23 members, and eliminates the Ohio Civil Rights Commission as fiscal agent for the Commission.

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## **DEPARTMENT OF AGING**

Modifies the duty of the Director of Aging to disseminate Alzheimer's disease training materials for health and social service professionals.

Expands the scope of the Alzheimer's Disease Task Force to include related disorders, and renames it the Alzheimer's Disease and Related Disorders Task Force.

Makes permanent a budget provision under which an individual who is admitted to a nursing facility while on a waiting list for the PASSPORT program can be placed in the

program if it is determined that PASSPORT is appropriate and the individual would rather participate in PASSPORT than reside in the nursing facility.

Requires the Department of Job and Family Services to apply for a federal waiver authorizing additional enrollments in PASSPORT under the newly permanent provision.

Requires the Director to adopt rules certifying living facilities for Residential State Supplement (RSS) program participants.

Permits the Director to adopt rules giving priority on the RSS waiting list to certain individuals who receive Supplemental Security Income benefits.

Provides for an individual who is admitted to a nursing facility while on a waiting list for RSS to participate in that program if it is determined that the program is appropriate for the individual and the individual would rather participate in it than continue to reside in the nursing facility.

Authorizes the Director to adopt rules giving certain recipients of Supplemental Security Income priority on the RSS waiting list.

Increases by 3% the amount provided for each RSS program participant.

Creates the Unified Long-Term Care Budget Workgroup.

Authorizes the Director of Budget and Management to create new funds, transfer funds to and between appropriation items with Controlling Board approval, and take other actions in support of the Workgroup's proposals.

Specifies that before a proposal for a unified long-term care budget can be implemented, the Joint Legislative Committee on Medicaid Technology and Reform must approve implementation of the proposal and submit its approval to the Governor.

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## **DEPARTMENT OF AGRICULTURE**

Includes natural spring water in the agricultural goods that the Department of Agriculture may promote through the Ohio Proud Program.

Authorizes the Director of Agriculture, in conducting investigations, inquiries, or hearings, to assess the party to an action that is brought before the Department of Agriculture pursuant to the Administrative Procedure Act specified costs incurred by the Department under certain circumstances, and provides that the assessment of costs may be appealed.

Extends through June 30, 2009, the extra 2¢ earmark of wine tax revenue credited to the Ohio Grape Industries Fund.

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## **OHIO AIR QUALITY DEVELOPMENT AUTHORITY**

Authorizes the Ohio Air Quality Development Authority to use commodity contracts in connection with the acquisition or construction of air quality facilities, and defines "commodity contract" to mean a contract or series of contracts entered into in connection with the acquisition or construction of air quality facilities for the purchase or sale of a commodity that is eligible for prepayment with the proceeds of federally tax exempt bonds under the Internal Revenue Code and regulations adopted under it.

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## **DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES**

Requires the Director of Alcohol and Drug Addiction Services to consult with the Director of Budget and Management and representatives of local and county alcohol and drug addiction services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices.

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## **STATE BOARD OF EXAMINERS OF ARCHITECTS**

Requires the State Board of Examiners of Architects to create an architecture education assistance program to pay the enrollment fees of applicants for the internship program that is required for potential architects in order to receive their licenses.

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## **ATTORNEY GENERAL**

Allows the Superintendent of the Bureau of Criminal Identification and Investigation to pay the Federal Bureau of Investigation for criminal records checks without the Controlling Board's prior approval of a waiver of competitive selection requirements.

Creates in statute the Bureau of Criminal Identification and Investigation Asset Forfeiture and Cost Reimbursement Fund.

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## **AUDITOR OF STATE**

Requires the Auditor of State to complete a performance audit of the Rehabilitation Services Commission and to submit a report of the audit's findings to the Governor, President of the Senate, Speaker of the House of Representatives, and Board of the Rehabilitation Services Commission.

Would have required the Auditor of State to complete a performance audit of the Department of Alcohol and Drug Addiction Services and to submit a report of the findings of the audit to the Governor, President of the Senate, Speaker of the House of Representatives, and Director of Alcohol and Drug Addiction Services (VETOED).

Would have required the Auditor of State to complete a performance audit of the Department of Mental Health and to submit a report of the findings of the audit to the Governor, President of the Senate, Speaker of the House of Representatives, and Director of Mental Health (VETOED).

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## **OFFICE OF BUDGET AND MANAGEMENT**

Moves specified custodial funds into the state treasury.

Makes the chief administrative officer of a state agency, rather than the Director of Budget and Management, responsible for preauditing and approving a state agency's expenditures and other accounting transactions.

Makes the chief administrative officer responsible for ensuring that state agency purchases in which a state credit card is used are made in accordance with the Office of Budget and Management guidelines and do not exceed the available balance in the appropriation to be charged.

Specifically authorizes the Office of Budget and Management to approve, disapprove, void, or invalidate encumbrances or financial transactions of state agencies, maintain and periodically audit the financial records of and submission of vouchers by state agencies, and provide assistance in the analysis of the financial position of state agencies.

Creates the OAKS Support Organization Fund in the state treasury to pay the operating expenses of Ohio's enterprise resource planning system.

Creates the Forgery Recovery Fund in the state treasury to receive moneys collected by the Attorney General in cases of fraud or forgery involving state warrants.

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## DEPARTMENT OF COMMERCE

Extends from December 15, 2008, to December 15, 2011, the moratorium on the issuance of a fireworks manufacturer license to a person for a particular fireworks plant or a fireworks wholesaler license to a person for a particular wholesale location unless the person possessed such a license for that plant or location immediately prior to June 29, 2001.

Extends from December 15, 2008, to December 15, 2011, the moratorium on the geographic transfer of a fireworks manufacturer or wholesaler license to any location other than the location for which the license was issued immediately prior to June 29, 2001.

Would have removed as one of the requirements for the transfer of a fireworks wholesaler license a requirement that the licensee request the transfer because an existing facility posed an immediate hazard to the public (VETOED).

Would have exempted a licensed fireworks manufacturer, wholesaler, or exhibitor who conducted sales only on the basis of defused representative samples in closed and covered displays within a fireworks showroom from the requirement to have an interlinked fire detection, fire suppression, smoke exhaust, and smoke evacuation system (VETOED).

Would have clarified that a fireworks storage area had to be separated from a public fireworks sale area by an appropriately rated fire barrier wall (VETOED).

Removes the prohibition against the Ohio Real Estate Commission adopting standards for continuing education courses of study for real estate brokers and salespersons that require successful passage of an examination as a condition for the successful completion of a course of study.

Creates the B-2a liquor permit, authorizes the permit to be issued to certain manufacturers and certain brand owners and importers of wine located inside and outside of Ohio, and establishes a \$25 permit fee.

Authorizes a B-2a permit holder to sell wine to retail permit holders if the B-2a permit holder produces less than 150,000 gallons of wine per year.

Creates the S liquor permit, authorizes the permit to be issued to certain manufacturers and certain brand owners and importers of wine located inside and outside of Ohio, and establishes a \$25 permit fee.

Allows an S permit holder to ship wine directly to personal consumers in accordance with specified procedures and requirements.

Prohibits a family household from purchasing more than 24 cases of nine-liter bottles of wine annually.

Eliminates former authority for A-2 liquor permit holders, i.e. wine manufacturers, to sell wine and wine products for home use and to retail permit holders, but authorizes those permit holders to sell wine and wine products in sealed containers for consumption off the premises where manufactured.

Lowers the permit fee for an A-2 liquor permit from \$126 to \$76.

Clarifies that the Liquor Control and Liquor Permits Laws do not prevent the manufacture, sale, and transport of ethanol or ethyl alcohol for use as fuel.

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## **OFFICE OF CONSUMERS' COUNSEL**

Repeals the provision that prohibited the Consumers' Counsel from operating a telephone call center for consumer complaints and required the Counsel to forward telephoned complaints against utilities to the Public Utilities Commission.

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## **STATE DENTAL BOARD**

Requires the State Dental Board, not later than 180 days after the act's effective date, to determine whether basic life-support training that is certified by the American Safety and Health Institute meets national standards.

Requires the Board to accept training that is certified by the American Safety and Health Institute as meeting requirements for training of dental hygienists if the Board determines that the Institute's training meets national standards and is equivalent to the training that is certified by the American Red Cross and the American Heart Association.

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## **DEPARTMENT OF DEVELOPMENT**

Creates the International Trade Cooperative Projects Fund.

Creates the Travel and Tourism Cooperative Projects Fund consisting of all grants, gifts, and contributions made to the Director of Development for marketing and promotion of travel and tourism within Ohio.

Creates the Energy Projects Fund consisting of nonfederal revenue remitted to the Director for the purpose of energy projects, and requires the Department of Development to use the money in the Fund for energy projects and to pay the costs incurred in administering the projects.

Consolidates separate tax incentive administrative fee funds into a single Tax Incentive Programs Operating Fund consisting of continuing fees charged under the job creation, job retention, community reinvestment area, and enterprise zone programs.

Amends the definition of "full-time employee" for purposes of the Tax Credit Authority's job creation grant program to include persons who are employed full time, but are on family or medical leave under the federal Family and Medical Leave Act of 1993.

Authorizes the Ohio Capital Access Loan Program to continue to make loans after the June 30, 2007, deadline in prior law.

Specifies that if a district public works integrating committee receives only one application in any given year regarding a grant or loan from the Clean Ohio Fund for a brownfield cleanup project, the chair of the integrating committee or the chair of the executive committee of the integrating committee, as applicable, may forward that application to the Clean Ohio Council as the district's top priority project for that year without a vote of the full integrating committee or executive committee, as applicable.

Specifies that emergency shelter care programs for unaccompanied youth ages 17 and under are eligible to receive Ohio Housing Trust Fund grants, loan guarantees, and loan subsidies.

Requires the Director of Development to convene a task force to study local, regional, and state economic development incentives, to submit a report to the Speaker of the House of Representatives and the President of the Senate on the findings of the task force, and to make recommendations for improvements to the incentives.

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## DEPARTMENT OF EDUCATION

### School funding

#### Base-cost funding

Prescribes the per pupil base-cost formula amount as \$5,565 for FY 2008 and \$5,732 for FY 2009.

Eliminates the cost-of-doing-business factor from the base-cost formula.

Increases by 3% each year the hourly rate that is used to calculate the base funding supplement for academic intervention.

Retains in both fiscal years the 75% phase-in percentage for the base funding supplement for professional development.

Eliminates the base-cost funding guarantee, which specified that a district's state base-cost payment would not be lower than the lesser of its FY 2005 state aggregate base-cost payment or its FY 2005 per pupil base-cost payment.

Specifies that a district's state base-cost payment includes not only the base-cost calculation after the 23-mill local share, i.e. charge-off, is deducted, but also the district's state poverty-based assistance and parity aid.

### **State share percentage**

Adds state poverty-based assistance and parity aid payments to the calculation of each school district's state share percentage, which is used to calculate some of the district's categorical funding amounts such as special education and vocational education funding.

### **Parity aid**

Changes the calculation of state parity aid to equalize 8 mills in the 410 lowest-wealth districts in FY 2008 and 8.5 mills in the 367 lowest-wealth districts in FY 2009.

### **Poverty-based assistance**

Eliminates the guarantee that every school district would receive at least the same amount of poverty-based assistance that it received in FY 2005.

Adds a new poverty-based assistance subsidy for FY 2008 and FY 2009 for assistance in closing the achievement gap in districts that have an academic distress percentage equaling or exceeding the statewide academic distress percentage.

Retains the 70% phase-in percentage in both fiscal years for the subsidy for services to limited-English proficient students, and continues basing the subsidy on the number of such students reported for the 2002-2003 school year.

Requires each district that receives more than \$10,000 in poverty-based assistance to annually report to the Department of Education how it deployed the funds.

Requires the Department of Education to make recommendations to a school district for deploying poverty-based assistance funds in a more effective manner if the district does not meet adequate progress standards as defined by the Department.

Revises the spending requirements for poverty-based assistance.

### **Special education funding**

Continues, in both years, to apply the 90% phase-in to the six prescribed special education weights, which has been applied since FY 2005.

Increases the catastrophic threshold amount for special education and related services from \$26,500 to \$27,375 for categories two through five and from \$31,800 to \$32,850 for category six.

### **Transportation funding**

Specifies a 1% across-the-board increase in each school district's payment for regular student transportation in FY 2008 and FY 2009.

### **Transitional aid**

Provides additional state transitional aid in FY 2008 and FY 2009 to prevent any school district's state funding for the current fiscal year from being less than it was in the previous fiscal year.

### **Other school funding provisions**

Formally specifies that a district's formula average daily membership (ADM) is the final number verified by the Superintendent of Public Instruction based on the number reported by the district, and formally authorizes the Superintendent to adjust a district's formula ADM to correct errors.

Removes from the revenue that is considered to be received by a school district, for purposes of calculating the state charge-off supplement, i.e. gap aid, the amount that the district receives from the Tangible Personal Property Tax Replacement Fund or the General Revenue Fund for current expense taxes lost because of the phase-out of the tangible personal property tax.

Eliminates the reappraisal guarantee that paid an additional subsidy to prevent a school district from losing state funds in the first year after the county auditor reappraised or updated the valuation of taxable property.

Allows a joint vocational school district that exceeds the permitted number of calamity days in the 2006-2007 school year to receive state funding in FY 2008, if the excess calamity days equals the number of days that the district's career center was closed for fire damage in May 2007.

Revises the base for recalculating a school district's payments if necessary due to tax refunds paid to certain taxpayers, reductions to valuation or assessment complaints, or the creation of new tax exemptions.

Specifies that payment to a school district based on a state aid recalculation be made between June 1 of the current fiscal year and July 31 of the following fiscal year as determined by the Director of Budget and Management instead of on or before July 31 of the following fiscal year.

Includes the Office of Budget and Management as a recipient of school district tax information that the Tax Commissioner and the Department of Development provide to the Department of Education.

Requires the Department of Education to submit an annual report to the General Assembly of each school district's aggregate employee salary and benefits expenditures.

Establishes the Biodiesel School Bus Program under which the Department of Development awards grants to offset the incremental costs incurred by school districts using biodiesel instead of petroleum diesel for pupil transportation.

### **Community schools**

#### **Moratorium**

Permits the establishment of a start-up community school after June 30, 2007, only if the school's governing authority contracts with an operator that manages other schools in the United States that perform at a level higher than academic watch.

Limits an operator to managing one start-up community school established after June 30, 2007, for each school that it manages nationwide that performs at a level higher than academic watch.

Permits an early college high school run by a Big-Eight school district in partnership with a private university to become a start-up community school in the 2007-2008 school year if: (1) the school's governing authority and sponsor adopt and sign a contract by July 9, 2007, (2) the governing authority contracts with the private university to be the school's operator, and (3) the school continues to provide the same educational program.

Permits the governing authority of a start-up community school that is not managed by an operator to open another community school in the 2007-2008 school year if: (1) the governing authority filed a copy of its contract with the new school's sponsor with the Superintendent of Public Instruction prior to March 15, 2006, and (2) the current school has been open for at least four years, is rated excellent or effective, and made adequate yearly progress for the previous school year.

Permits the governing authority of a start-up community school that is not managed by an operator to contract with the same sponsor to open a K to 6 community school in the same school district in the 2008-2009 school year if: (1) the governing authority files a copy of the sponsor contract with the Superintendent of Public Instruction by March 15, 2008, and (2) the current school has been open at least five years, made adequate yearly progress for the four school years prior to the 2006-2007 school year, and was rated excellent or effective and named a School of Promise for three of those school years.

Prohibits a community school that opened for operation after May 1, 2005, from operating from a residential facility that receives and cares for children until July 1, 2009.

### **Sponsors**

Limits an educational service center (ESC) to sponsoring community schools that are located in a county within the ESC's territory or in a contiguous county, but allows an ESC that sponsors schools outside of that geographic area on the provision's effective date to continue to sponsor those schools.

Requires that for an entity that sponsors or operates out-of-state schools to be approved to sponsor community schools in Ohio, at least one of those out-of-state schools must perform as well as Ohio schools in continuous improvement rather than academic watch as under prior law.

Requires the sponsor of each community school to provide annual assurances to the Department of Education regarding the school's compliance with certain laws and the preparedness of the school's staff and facilities for the upcoming school year.

### **Unauditable community schools**

Requires the Auditor of State to provide notification of a finding that a community school is unauditable to the school, its sponsor, and the Department of Education and to post the notification on the Auditor of State's web site.

Prohibits the sponsor of an unauditable community school from entering into contracts with additional community schools until the Auditor of State completes a financial audit of the school.

Requires the sponsor of an unauditable community school to provide the Auditor of State with a description of: (1) the process that the sponsor will use to understand the circumstances that led to the school becoming unauditable, (2) a plan for providing the Auditor of State with the necessary documentation to complete financial audits, and (3) the actions that the sponsor will take to implement that plan.

Specifies that if a community school fails to make progress in bringing its records into auditable condition within 90 days after being declared unauditable, the Department of Education must cease all state payments to the school until an audit is completed.

### **Transportation**

Permits a community school to transport its students with or without entering into a bilateral agreement with each student's resident school district.

Requires the resident school district to consent to the community school's assumption of the transportation responsibility if the community school previously unilaterally assumed the responsibility and later relinquished it.

Requires a community school that assumes the transportation responsibility to provide transportation for students of the same grade level and distance from school as would be eligible for transportation under the school district's transportation policy.

Requires the Department of Education to pay community schools that unilaterally assume the transportation responsibility the per pupil amount that otherwise would be paid to the student's resident school district for transportation.

### **Other community school provisions**

Requires community schools to conduct criminal records checks of their governing authority members.

Bases the full-time equivalency of a community school student, for state funding calculations, on the percentage of the community school's total learning opportunities that were offered to the student rather than the percentage of 920 hours of learning opportunities that were provided to the student as under prior law.

Would have prohibited the Department of Education from withholding state payments to a community school for a particular student, on the basis of a school district's challenge, unless the school district provided evidence that the student should not be included in the community school's enrollment (VETOED).

Permits a community school student to enroll in a career-technical program offered by the student's resident city, exempted village, or local school district, and proportions state funding for that student between the community school and the resident district based on the time that the student attends each school.

Specifies that, when a community school permanently closes, any funds remaining after payment of debts must be paid to the Department of Education for redistribution to the resident school districts of the community school's students.

### **Science, Technology, Engineering, and Mathematics (STEM) schools and STEM Programs of Excellence**

#### **STEM Subcommittee**

Establishes the STEM Subcommittee of the Partnership for Continued Learning.

Authorizes the STEM Subcommittee to issue a request for proposals for the establishment of public STEM schools and to approve the establishment of and award

grants to up to five STEM schools that will serve any of grades 6 to 12 to open for instruction in FY 2009.

Authorizes partnerships of public and private entities that include a school district, higher education entities, and business organizations to submit proposals to establish STEM schools.

Authorizes the STEM Subcommittee to award grants to STEM Programs of Excellence operated by school districts and community schools for any of grades K to 8.

Requires the Partnership for Continued Learning, through the STEM Subcommittee, to work with an Ohio nonprofit enterprise selected by the Subcommittee to support the strategic and operational coordination of public and private STEM education.

#### **STEM school governance**

Requires each STEM school to be under the oversight of a governing body that is responsible for hiring and setting the compensation of the school's administrative officers, teachers, and nonteaching employees.

#### **STEM school employees**

Requires STEM school teachers to be highly qualified, but allows individuals who do not hold an educator license, but have at least a bachelor's degree or five years of work experience in the subject being taught to teach in a STEM school for up to 40 hours per week.

Requires the State Board of Education to issue a two-year provisional and a professional educator license for teaching science, technology, engineering, or math in grades 6 to 12 in a STEM school.

Authorizes the Partnership for Continued Learning, through the STEM Subcommittee, to make recommendations to the General Assembly and the Governor for training of STEM educators.

Specifies that the state Civil Service Law does not apply to STEM schools.

Specifies that teachers and nonteaching employees of STEM schools retain their collective bargaining rights.

Requires STEM schools and their employees to participate in the State Teachers Retirement System and the School Employees Retirement System.

**STEM school compliance with laws**

Applies to STEM schools numerous state laws governing school districts.

Requires each STEM school governing body to provide annual assurances to the Department of Education regarding the school's compliance with certain laws and its preparedness for the upcoming school year.

**STEM school academic accountability**

Requires the Department of Education to issue annual report cards for each STEM school in the same manner as other public schools.

Requires each STEM school to comply with the state academic accountability system as it applies to public school buildings.

**STEM school financial accountability**

Requires each STEM school to have a treasurer licensed by the State Board of Education.

Requires the Auditor of State to audit each STEM school annually.

**Other STEM school provisions**

Prohibits STEM schools from enrolling students who are not Ohio residents or establishing admission standards based on ability or achievement.

Provides operational funding of STEM schools by counting their students in the enrollments of their resident school districts and then deducting and transferring per pupil funding to the STEM schools.

Prohibits STEM schools from charging tuition, and specifies that they may not levy taxes or issue bonds backed by tax revenues.

Requires school districts to transport STEM school students in the same manner required by law for private school students if the STEM school's proposal does not provide for student transportation.

Requires that STEM school students be permitted to participate in extracurricular activities offered by the schools of their resident school districts.

## Other education provisions

### Scholarship programs

Retains the Educational Choice Scholarship Pilot Program, the Cleveland Scholarship Program, and the Autism Scholarship Program.

Would have created the Special Education Scholarship Pilot Program to provide scholarships for disabled children in grades K to 12 to attend alternative public or private special education programs in FY 2009 through FY 2014 (VETOED).

### Early childhood education

Establishes the Early Learning Initiative, paid for with Title IV-A (TANF) funds and jointly administered by the Department of Education and the Department of Job and Family Services, to provide early learning services to TANF-eligible children.

Continues for the 2008-2009 biennium a GRF-funded program to support early childhood education programs offered by school districts and educational service centers to serve preschool children whose families earn up to 200% of the federal poverty guidelines.

Eliminates the prohibition against a school district establishing a preschool program unless the district was eligible for poverty-based assistance and showed that other child care programs were not meeting its preschool needs.

Postpones, from FY 2008 to FY 2010, the requirement that all teachers in state-funded early childhood education programs established prior to FY 2007 have associate degrees.

Sets the following new deadlines for state-funded early childhood education programs established during or after FY 2007: (1) by FY 2012, all teachers must have associate degrees, and (2) by FY 2013, half of the teachers must have bachelor's degrees.

### Academic distress commissions

Requires that the two members of an academic distress commission appointed by the president of the school district board of education be residents of the district.

Requires each member of an academic distress commission to file financial disclosure statements with the Ohio Ethics Commission.

Adds several procedural specifications for the operation of an academic distress commission.

Requires each academic distress commission to adopt an academic recovery plan approved by the Superintendent of Public Instruction.

### **Data and testing**

Repeals the requirement that the Department of Education immediately withhold payments from school districts and community schools that failed to properly report data to the Education Management Information System (EMIS), and replaces it with a series of sequential actions, including withholding payments, against a school district, community school, educational service center, or other educational entity that fails to properly report EMIS data.

Permits the Department to release some funds that are withheld from an entity if the entity corrects its EMIS data reporting problems.

Allows the Department to arrange for an audit of an entity's data reporting practices any time that the Department believes the entity has not made a good faith effort to properly report EMIS data.

Limits the highest performance rating that a school district or building may receive based on the percentage of its students who do not take all required achievement tests, with an exception for community schools that are operating dropout recovery and prevention programs.

Allows school districts that mistakenly reported a 0% graduation rate for the 2005-2006 school year to correct that data for purposes of the August 2007 district and building report cards.

Requires foreign exchange students to pass the Ohio Graduation Test in social studies to qualify for the alternative conditions for a high school diploma.

Revises the deadline for school districts to submit achievement tests to the scoring company.

Requires, upon the release of the elementary achievement tests as public records, that the Department of Education inform school districts of the state academic content standard and corresponding benchmark to which each redacted test question relates, except for field test questions.

### **Physical education standards**

Requires the State Board of Education, by December 31, 2007, to adopt the standards for physical education in grades K to 12 developed by the National Association for Sport and Physical Education or to adopt its own physical education standards in those grades.

Eliminates the requirement that state physical education standards and model curricula were subject to approval by concurrent resolution of both houses of the General Assembly.

Requires the Department of Education to hire a full-time physical education coordinator by October 31, 2007.

Requires each school district, community school, and chartered nonpublic school to report to the Department of Education by October 31, 2007, the number of minutes and classes per week of physical education provided to students in each of grades K to 8 in the 2006-2007 school year and scheduled to be provided in 2007-2008.

### **Chartered nonpublic schools**

Requires the governing authority of a chartered nonpublic school to provide notice before closing the school.

Requires the chief administrator of a closed chartered nonpublic school to deposit the school's records with either its accrediting association or the school district that received state auxiliary services funds on behalf of the school's students.

Permits the school district receiving the records of a closed chartered nonpublic school to deduct from state auxiliary services funds a one-time payment for the cost of storing the records.

Requires a school district to label equipment or materials that it purchases or leases with state auxiliary services funds for loan to a chartered nonpublic school unless the district determines that they are consumable or have a value of less than \$200.

Adds social work to the list of services that may be provided to students of chartered nonpublic schools with state auxiliary services funds.

Increases from \$275 to \$300 the per pupil cap on reimbursement payments to chartered nonpublic schools for mandated administrative expenses.

### **Other provisions**

Updates statutory language regarding the provision of special education and related services for children with disabilities to align with federal law.

Qualifies all public and chartered nonpublic school teachers who hold a valid teaching certification issued by the National Board for Professional Teaching Standards for an annual \$2,500 stipend.

Requires that each school district board of education specify the manner and deadline for a parent or student to notify the board of intent to appeal the student's suspension or expulsion from school.

Requires the Chancellor of the Board of Regents, in collaboration with the Department of Education, to identify which adult career-technical education programs to move from the Department to the Board of Regents, and to move those programs by January 1, 2009.

Requires the Superintendent of Public Instruction to appoint a Director of Agricultural Education who is responsible for disseminating information on agricultural education to school districts.

Requires the Department of Education to maintain an appropriate number of employees focusing on agricultural education, at least three of whom are program consultants who provide regional assistance to school districts where one may coordinate local Future Farmers of America activities.

Changes the biology requirement in the Ohio Core curriculum to life sciences.

Requires the Department of Education, by December 31, 2008, to report to the General Assembly recommendations for enhancing regional collaboration in pupil transportation.

Permits a school district to transport a student who does not reside in the district to a nonpublic school if: (1) the student's resident district is not required to transport the student, and (2) the parent agrees to reimburse the nonresident district for costs that exceed the amount that the district receives from the state.

Authorizes the Department of Education to determine that a school district other than the one named in a juvenile court's initial order, when removing a child from the child's home or when placing the child with someone other than the child's parent, is responsible for paying the cost of educating the child rather than merely to recommend such a change to the juvenile court.

Permits real property owners within a portion of a school district in which no voters reside to petition for the State Board of Education to transfer that portion to an adjoining school district.

Until February 29, 2008, permits a countywide local school district to dispose of real property by private sale to a community action agency that operates an early childhood education program within the district, in lieu of selling the property at public auction or to a community school or another government entity, if certain conditions are satisfied.

Implements, with substantial changes, the provisions in Am. Sub. H.B. 66 of the 126th General Assembly, the biennial operating budget act, relative to health care plans for public school employee personnel.

Permits a council of governments that is comprised mainly of city, local, or exempted village school districts and approved as an information technology center within the Ohio Education Computer Network to issue special obligation securities for the purpose of acquiring, constructing, or improving real or personal property for the use of the council or one or more of its members.

Would have granted authority to boards of education of two or more city, local, or exempted village school districts to create, by agreement, a student special services district to fund special education services and behavioral health services for persons with special needs for the students enrolled in those districts and their immediate family members (VETOED).

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## **STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

Corrects reinstatement fee references under the Embalmer, Funeral Director, and Crematory Licensing Law.

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## **ENVIRONMENTAL PROTECTION AGENCY**

Authorizes the Director of Environmental Protection to issue air pollution control operating permits with periods of validity of up to ten years rather than up to five years as in prior law.

Would have extended the sunset of the operation of the enhanced motor vehicle inspection and maintenance program (E-Check) from December 31, 2007, to December 31, 2009, in those counties where the program was in operation on January 3, 2006 (VETOED).

Would have repealed the law governing the E-Check program, stated that it was the intent of the General Assembly that the E-Check program not be extended beyond December 31, 2007, and authorized the Governor, if the Governor determined that the extension of a transportation-based ozone reduction program in the currently affected counties was necessary to comply with federal law, to extend Ohio's compliance efforts for one year by executive order, through a public bidding process, using the most cost effective, least costly, consumer accommodating, and decentralized available technology and approaches that met federal performance standards (VETOED).

Would have authorized the Governor, if the Governor determined that continuation of the enhanced motor vehicle inspection and maintenance program was necessary to comply with federal law, to extend that program by executive order for an additional year or as otherwise required to comply with applicable law (VETOED).

Would have stated that it was the intent of the General Assembly that a tailpipe motor vehicle inspection and maintenance program not be implemented in any county in Ohio and that, if a motor vehicle-based ozone testing program was mandated by federal law for counties in the northeastern portion of Ohio, a tailpipe motor vehicle inspection and maintenance program not be implemented and an onboard diagnostic inspection and gas-cap testing program be utilized to satisfy any federal requirements for vehicle emissions testing (VETOED).

Would have specified that if any motor vehicle testing program was established, the Director of Environmental Protection would have had to ensure that motor vehicles four years old or newer were exempt from the program (VETOED).

Would have required the Director to annually request the United States Environmental Protection Agency to provide a list of alternative approaches to meet federal performance standards through program changes that Ohio could have employed to comply with the federal Clean Air Act in lieu of the implementation of a motor vehicle inspection and maintenance program, and would have required the Director to prepare a report concerning those alternative approaches and submit it to the General Assembly (VETOED).

Extends from June 30, 2008, to June 30, 2010, the expiration date of the continuing state fees on the disposal of solid wastes that are used to fund the Environmental Protection Agency's solid, infectious, and hazardous waste and construction and demolition debris management programs and to pay the Agency's costs associated with administering and enforcing environmental protection programs.

States that the Director of Environmental Protection has and retains jurisdiction to modify, amend, revise, renew, or revoke a permit, rule, order, or other action that has been appealed to the Environmental Review Appeals Commission, and applies that provision to any action of the Director that is the subject of an appeal to the Commission that is pending on the provision's effective date.

Provides that a party to an appeal before the Commission is deemed to have appealed the applicable modification, amendment, revision, renewal, or revocation upon filing with the Commission and serving on all parties an objection, and prohibits the Commission from charging a fee for the filing of such an objection.

Extends all of the following for two years:

- The sunset of the annual emissions fees for synthetic minor facilities;
- The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works under the Water Pollution Control Law;
- The sunset of the annual discharge fees for holders of NPDES permits issued under the Water Pollution Control Law;
- The sunset of license fees for public water system licenses issued under the Safe Drinking Water Law;
- A higher cap on the total fee due for plan approval for a public water supply system under the Safe Drinking Water Law and the decrease of that cap at the end of the two years;
- The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law;
- The levying of higher fees, and the decrease of those fees at the end of the two years, for applications and examinations for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law or the Water Pollution Control Law, as applicable; and
- The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Law.

Creates the Water Quality Protection Fund consisting of federal grants, including those made pursuant to the Federal Water Pollution Control Act, and contributions, and requires the Director to use the money in the Fund for water quality protection and restoration.

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### **eTECH OHIO COMMISSION**

Would have added the President of the Ohio Alliance for Public Telecommunications as a voting member of the eTech Ohio Commission (VETOED).

Would have required the chairperson of the Commission to be one of the public representatives (VETOED).

Would have required advisory groups of the Commission to provide guidance about educational television and radio and radio reading services in addition to educational technology as in continuing law (VETOED).

Eliminates the requirement that the Commission approve the provision of financial and other assistance to educational technology organizations for the acquisition and utilization of educational technology.

Requires the Commission to establish and maintain a clearinghouse of distance learning courses delivered by school districts via a computer-based method for sharing with other school districts or community schools for a fee.

Authorizes conveyance of eTech Ohio-owned real estate on which eTech Ohio towers are located to the Office of Information Technology.

Authorizes substitution of the Office of Information Technology as lessee in eTech Ohio leases of property on which eTech Ohio towers are located.

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## OFFICE OF THE GOVERNOR

Provides that the Governor's Residence Advisory Commission's powers and duties relating to the Governor's Residence do not affect the obligation of the Department of Administrative Services to provide for and adopt policies and procedures regarding the use, general maintenance, and operating expenses of the Residence.

Authorizes the Commission to accept any payment for use of the Governor's Residence.

Prohibits the Commission from accepting any donation, gift, bequest, or devise for the benefit of the Governor's Residence or its garden from a person, individual, or member of an individual's immediate family if the person or individual is receiving payments under a contract with the state or a state agency for the purchase of supplies, services, or equipment or for the construction, reconstruction, improvement, enlargement, alteration, repair, painting, or decoration of a public improvement, excluding payments received under an employment contract or a collective bargaining agreement.

Provides that no member of the Advisory Board of the Governor's Office of Faith-Based and Community Initiatives, and no organization with which a member is affiliated or involved, is eligible for a grant that the Office administers or assists in administering.

Removes the requirement that the Speaker of the House of Representatives consult with the Legislative Black Caucus in appointing a member of the Caucus to the Advisory Board of the Governor's Office of Faith-Based and Community Initiatives.

Requires, by not later than July 1, 2008, that the Governor's Office of Faith-Based and Community Initiatives, with the assistance of the Advisory Board of the Office, conduct a study of and make recommendations about the feasibility and advisability of the Office becoming a private nonprofit entity rather than remaining a part of the Governor's office.

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## DEPARTMENT OF HEALTH

Extends, from July 1, 2007, until June 30, 2009, the termination of the moratorium on review of applications for approval of long-term care beds under the Certificate of Need (CON) Program.

Permits approval of a CON application to relocate long-term care beds to an existing facility within the same county when the facility has life safety code deficiencies, state fire code violations, or state building code violations if the project identified in the application proposes to correct the facility's deficiencies or violations.

Clarifies that the CON moratorium provisions are applicable under all of the statutes governing the CON Program.

Modifies the procedures to be used by the Director of Health in reviewing CON applications and granting or denying CONs by: (1) specifying that a proposed project must meet all applicable CON criteria for approval, (2) increasing from 15 to 30 the number of days within which the Director must initially respond to a CON application, (3) reducing from 90 to 60 the number of days within which the Director must grant or deny a CON when no objections to a project have been received, and (4) specifying that the Director may grant a CON with conditions that must be met by the holder.

Allows the Certificate of Need Fund, which consists of CON application fees, to be used not only for paying the costs of administering the CON Program, but also for paying the costs of administering Department of Health programs for: (1) monitoring providers of certain health care services for compliance with safety and quality-of-care standards, and (2) licensing ambulatory surgical facilities and other freestanding health care facilities.

Allows the Office of Vital Statistics to support its operations through fees.

Permits the Department of Health to enter into an agreement with the state's primary care association to promote the establishment of new federally qualified health centers (FQHCs) and FQHC look-alikes.

Permits the Department and the state's primary care association to assist local communities and community health centers by providing grants and grant writing assistance to establish health centers.

Extends participation in the Medical Liability Insurance Reimbursement Program to FQCH look-alikes.

Permits the Department to establish a pilot program to place two FQHCs within or adjacent to hospital emergency departments.

Requires the Director to conduct a pilot program in FY 2009 for the purpose of awarding grants to up to four institutions of higher education to establish and operate offices that provide support to students who are pregnant or are the parents or legal guardians of one or more minors.

Establishes in the Department the Autism Diagnosis Education Pilot Program, and requires the Director to contract with a statewide association representing pediatricians to conduct or administer the Program.

Provides that a patient who wishes to examine or obtain a copy of the patient's medical record must submit a written request dated not more than one year, instead of 60 days, before the date on which the request is submitted to the entity holding the record.

Would have required the Department, through the Healthy Ohio Program, to develop an assessment template for the Department and other specified agencies to use to assess current practices and offer recommendations for improvement in specified areas (VETOED).

Would have required the Department and each of the other specified agencies to conduct an assessment of itself using the template and submit the assessment results to the Healthy Ohio Program not later than January 1, 2008 (VETOED).

Would have required the Department to organize and produce a summary report of the assessments and submit the report to the Governor, Speaker and Minority Leader of the House of Representatives, and President and Minority Leader of the Senate not later than February 1, 2008 (VETOED).

Would have required the Department, through the Healthy Ohio Program, to initiate pilot programs throughout the state to provide financial support to entities providing care coordination services to individuals at risk for catastrophic and expensive health conditions (VETOED).

Suspends the operation of most of the provisions of the Household and Small Flow On-Site Sewage Treatment Systems Law that was enacted by Sub. H.B. 231 of the 125th General Assembly until July 1, 2009, generally restores the law related to

household sewage disposal systems that existed prior to that Law's enactment until July 1, 2009, and states that effective July 2, 2007, the rules adopted by the Public Health Council under that Law are not valid.

Requires the Director of Health, not later than July 2, 2007, to adopt rules related to household sewage disposal systems that were in effect prior to January 1, 2007, and requires the Director to rescind those rules at the same time that the Public Health Council adopts rules related to household sewage disposal systems within 30 days after the provision's effective date as required by the act.

Requires the Public Health Council to rescind rules related to sewage treatment systems, to reinstate the rules related to household sewage disposal systems that were in effect prior to January 1, 2007, with specified exceptions and pursuant to specified requirements, and to adopt new rules following the expiration of the suspension of the above Law.

Establishes requirements, to be effective until the effective date of the new rules to be adopted by the Public Health Council, governing the duties of boards of health to approve or deny the use of sewage treatment systems and to inspect systems, establishing a \$25 application fee for an installation permit to be used in part for grants for new technology pilot projects, and providing for training for the staffs of boards of health regarding best practices in the use of sewage treatment systems.

Prohibits the Director of Health and the Public Health Council from adopting rules prior to July 1, 2009, that modify or change the requirements established by the act concerning household sewage and small flow on-site sewage treatment systems.

Revises the membership of, appointment procedures for, and duties of the Sewage Treatment System Technical Advisory Committee.

Creates the Household Sewage and Small Flow On-Site Sewage Treatment System Study Commission to recommend standards concerning household sewage treatment systems and small flow on-site sewage treatment systems.

Requires the Director of Health to prepare a report for the Study Commission containing recommendations regarding standards for household sewage treatment systems and small flow on-site sewage treatment systems, and requires the Director to survey boards of health concerning household sewage treatment system operations and the failure rates of those systems and issue a report concerning the survey to the Study Commission.

Makes other changes in the law governing household sewage treatment systems and small flow on-site sewage treatment systems.

Would have removed a limitation under which the Director of Health was to enter into a contract to make hospital performance information available on a web site only to the extent that the General Assembly made an appropriation (VETOED).

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## **OFFICE OF THE INSPECTOR GENERAL**

Allows the Inspector General to employ and fix the compensation of employees of the Office of the Inspector General.

Requires the Inspector General to certify to the Director of Budget and Management the costs that the Inspector General expects the deputy inspector general for the Department of Transportation to incur during the fiscal year or lesser period, and requires that the transfers made by the Director of Budget and Management of the amounts certified to the deputy inspector general for ODOT Fund be in accordance with a schedule that is considered appropriate by the Inspector General subject to specified restrictions.

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## **DEPARTMENT OF INSURANCE**

Extends the exemption from the 5% foreign insurers premium tax to any type of insurance procured by an entity in which the majority of its business involves pharmaceutical products.

Requires both group and individual policies of sickness and accident insurance to provide coverage for the diagnosis and treatment of biologically based mental illnesses on the same terms and conditions, and with the same benefits provided, as the treatment of all other physical disorders covered by that policy with certain exceptions.

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## **DEPARTMENT OF JOB AND FAMILY SERVICES**

### **General**

#### **Grant agreements**

Requires boards of county commissioners to enter into grant agreements with the Director of the Department of Job and Family Services (ODJFS) rather than permitting the boards to enter into fiscal agreements with the Director.

Prohibits, effective July 1, 2008, the ODJFS Director from making a grant of federal financial assistance regarding family services duties, i.e. services performed by a

county department of job and family services, public children services agency (PCSA), or child support enforcement agency (CSEA), through any means other than a grant agreement rather than permitting a board of county commissioners to select which family services duties to include in a fiscal agreement.

Requires a county children services board and a county elected official performing the duties of a CSEA to jointly enter into a grant agreement with the board of county commissioners and ODJFS Director rather than requiring a children services board or county elected official to jointly enter into a fiscal agreement only if the fiscal agreement included family services duties of a PCSA or CSEA.

Provides that ODJFS may take specified actions directly against a PCSA regarding certain problems with family services duties only if a children services board serves as the PCSA, may take such actions directly against a CSEA only if a county elected official performs the duties of the CSEA, and otherwise is to take the action against the board of county commissioners.

Provides that ODJFS may no longer take specified actions directly against a county department of job and family services regarding certain problems with family services duties, but must instead take the action against the board of county commissioners.

#### **Individual development account program**

Increases income eligibility for the individual development account program.

Increases the amount that fiduciary organizations may deposit into individual development accounts.

#### **Food Stamp Program Fund**

Creates the Food Stamp Program Fund.

#### **Military Injury Relief Fund**

Authorizes incentive grants that have been authorized by the federal Jobs for Veterans Act to be contributed to the Military Injury Relief Fund.

Specifies that an individual diagnosed with post-traumatic stress disorder who has served in Operation Iraqi Freedom or Operation Enduring Freedom is eligible for a grant from the Military Injury Relief Fund.

### **Disability Medical Assistance Program**

Permits the ODJFS Director to adopt rules that establish or specify limits on the number and types of providers that are eligible to be reimbursed for services provided to individuals who are enrolled in the Disability Medical Assistance Program.

### **Kinship Permanency Incentive Program**

Increases from 200% to 300% of the federal poverty guidelines the income eligibility limit for participation in the Kinship Permanency Incentive Program.

Removes a special needs determination requirement for the Program, and makes changes to eligibility based on custody or guardianship.

### **Workforce Investment**

Requires the ODJFS Director and the Director of Development jointly to prepare a plan to utilize the funds that Ohio receives to administer the federal Workforce Investment Act of 1998 to train workers within Ohio.

Requires ODJFS to provide guidance to local workforce policy boards to encourage the broadest participation by training providers, including proprietary schools, who demonstrate effectiveness in providing training opportunities under the Workforce Investment Act of 1998.

### **Child welfare and adoption**

Requires ODJFS to implement and oversee the use of a Child Placement Level of Care Tool on a pilot basis and, through competitive bidding, provide for an independent evaluation of the pilot program.

Requires the Department of Mental Health to conduct a study of the children who are placed using the Child Placement Level of Care Tool and send a copy of the results of the study to the independent evaluator of the Child Placement Level of Care Tool, who must then send a copy of the study and evaluation to ODJFS.

Allows ODJFS to also use a portion of the 3% of the Title IV-E funds that are withheld from public children services agencies for efforts supporting organizational excellence, including voluntary activities to be accredited by a nationally recognized accreditation organization.

### **Child care and child support enforcement**

Requires the ODJFS Director to adopt rules to implement a program to collect child support arrearages from insurance claims, settlements, awards, and payments.

Specifies that any insurer providing information under the program to collect child support arrearages from insurance claims, settlements, awards, and payments is immune from any civil liability for providing that information.

Requires ODJFS to annually claim \$25 from the processing charge that is imposed on an obligor in certain Title IV-D child support cases, beginning not later than March 31, 2008.

Requires the ODJFS Director to adopt rules to implement collection of the annual fee.

Alters how a court or CSEA makes health care determinations with respect to child support orders.

Makes conforming changes to the child support computation worksheets.

Requires ODJFS to contract with a third party to conduct a child care market rate survey by October 1 in each even-numbered year, instead of conducting it annually, and requires the third party to compile and report the information to ODJFS by December 1 of that year.

Requires that rules that the ODJFS Director must adopt regarding reimbursement ceilings for providers of publicly funded child care be adopted no later than July 1 in each odd-numbered year.

Requires ODJFS to use a portion of the funds that are available under the federal Child Care and Development Block Grant Act to establish a voluntary child care quality-rating program (Step Up to Quality), and requires the ODJFS Director to adopt rules to implement the program.

Permits child day-care centers participating in Step Up to Quality to be eligible for grants, technical assistance, training, or other assistance, and, if a center maintains a quality rating, permits the center to be eligible for unrestricted monetary awards.

### **Unemployment compensation**

Eliminates the Trade Benefit Account under the Unemployment Compensation Law, and requires the ODJFS Director to deposit the federal funds in that account into the Trade Act Training and Administration Account under the Unemployment Compensation Law.

Specifies that the State Treasurer, under the direction of the ODJFS Director, may transfer funds from the Trade Act Training and Administration Account to the Unemployment Compensation Benefit Account for the purpose of making specified payments directly to claimants in accordance with specified federal acts.

## Ohio Works First

Requires that the maximum amount of cash assistance that an assistance group may receive under the Ohio Works First (OWF) program be increased on January 1, 2009, and the first day of each January thereafter by the cost-of-living adjustment made for Social Security benefits.

Eliminates a requirement that an OWF application include, if there were at least two telephone numbers available for contacting members of an assistance group, at least those two telephone numbers.

Provides that the first step in determining whether an assistance group meets the income eligibility requirements for the OWF program is to determine whether the assistance group's gross income, less certain disregards, exceeds 50% of the federal poverty guidelines rather than the higher of 50% of the guidelines and the gross income maximum for initial eligibility as in effect on September 28, 2005.

Prohibits a county department of job and family services from delaying an eligibility determination for OWF on the basis that a self-sufficiency contract has not been completed.

Provides for an OWF sanction to last one month, three months, or six months depending on the number of previous violations rather than the longer of that period of time or when the violation ceased.

Requires the ODJFS Director to establish standards for the determination of good cause for a violation of a self-sufficiency contract rather than having each county department of job and family services establish such standards.

Eliminates a requirement that good cause for a violation regarding work requirements include specific statutorily prescribed situations such as a county department's failure to place an individual in an activity.

Stipulates that a minor head of household's participation in the Learning, Earning, and Parenting (LEAP) program counts in determining whether a county department of job and family services is complying with requirements regarding work participation rates.

Exempts a minor head of household who is participating in the LEAP program from the requirement to enter into a self-sufficiency contract, and prohibits a self-sufficiency contract from including provisions regarding the LEAP program.

Provides that a county department is not to appraise a minor head of household who is participating in the LEAP program for the purpose of work participation activities or assign such a minor head of household to a work activity or developmental activity.

Provides that a fugitive felon and an individual who is violating a condition of probation, a community control sanction, parole, or a post-release control sanction is ineligible for assistance under OWF rather than ineligible to participate in OWF.

Requires a county department of job and family services to: (1) identify assistance group members applying for or participating in OWF who have been subjected to domestic violence by utilizing a domestic violence screening process to be established in rules, (2) refer a member who has been subjected to domestic violence to counseling and supportive services, and (3) make a determination of whether a member participating in OWF should be issued a waiver that exempts the member from an OWF requirement.

### **Medicaid**

Requires the Governor to create an administration to manage all Medicaid policies and functions and promote the efficient and effective delivery of health care, and specifies that the responsibilities of that body must include implementation of most of the recommendations of the Ohio Medicaid Administrative Study Council.

Specifies that the requirement that the Governor create an executive Medicaid administration does not authorize the Governor to replace ODJFS as the single state agency to supervise the administration of the Medicaid program.

Requires that at least one of the doctor members of the Pharmacy and Therapeutics Committee in ODJFS be a psychiatrist.

Requires that a Medicaid provider agreement expire three years from its effective date, requires the adoption of rules for the use of time-limited provider agreements, and provides for the conversion of existing provider agreements that are not time-limited.

Eliminates the five-year limit for termination of a provider agreement based on an action brought by the Attorney General.

Authorizes the denial or termination of a provider agreement for any reason that is permitted or required by federal law.

Requires the suspension of a provider agreement that is held by a noninstitutional health care provider based on an indictment.

Authorizes the exclusion of an individual, provider, or entity from participation in the Medicaid program for any reason that is permitted or required by federal law.

Modifies the circumstances under which ODJFS is not required to conduct an adjudication when imposing sanctions relative to a provider agreement, including sanctions imposed for failing to obtain or maintain a required certification.

Permits ODJFS to require that Medicaid providers and provider applicants submit to criminal records checks as a condition of obtaining or retaining a provider agreement.

Permits ODJFS to require, through a Medicaid provider, that a person submit to a criminal records check as a condition of becoming or continuing to be employed with the provider or becoming or continuing to be an owner, officer, or board member of the provider.

Specifies the offenses that disqualify a person from being a Medicaid provider or an employee, owner, officer, or board member of a provider.

Prohibits a Medicaid provider from employing a person who has been excluded from participation in Medicaid, Medicare, or any other federal health care program.

Modifies the procedures used to obtain the criminal records checks that are required as a condition of: (1) employment in a position that involves providing home and community-based services through a Medicaid waiver program to a person with disabilities, and (2) receiving a Medicaid provider agreement as an independent provider of such services.

Increases the number of disqualifying offenses, including such offenses as soliciting, identity fraud, disorderly conduct, falsification, and engaging in a pattern of corrupt activity.

Prohibits a person from being employed or receiving a Medicaid provider agreement if the person has been found eligible for intervention in lieu of conviction for any of the disqualifying offenses.

Would have required, effective July 1, 2009, and to the extent permitted by federal law: (1) Medicaid applications to be submitted through the Internet or by other electronic means, and (2) county departments of job and family services that accept documents related to Medicaid applications to convert such documents to an electronic format and store them electronically (VETOED).

Requires a health care provider or medical records company to provide one free copy of a patient's medical record to a county department of job and family services.

Eliminates the scheduled reduction to \$1 in the nursing home and hospital franchise permit fee, thereby retaining the \$6.25 per bed per day fee.

Provides for the Nursing Facility Stabilization Fund to continue to get 84% of the money that is generated by the nursing home and hospital franchise permit fee in FY 2008 and thereafter.

Authorizes ODJFS, when a nursing facility, hospital, or intermediate care facility for the mentally retarded (ICF/MR) fails to pay the full amount of a franchise permit fee installment when due, to offset from a Medicaid payment that is due the facility or hospital an amount less than or equal to the installment and a penalty assessed because of the failure as an alternative to withholding an amount equal to the installment and penalty until the installment and penalty are paid.

Authorizes ODJFS to both make the offset and terminate the Medicaid provider agreement of the nursing facility, hospital, or ICF/MR or take just one of those actions.

Provides that the definition of "date of licensure" in ongoing law governing Medicaid reimbursement rates for nursing facilities and ICFs/MR applies in determinations of Medicaid rates for nursing facilities and ICFs/MR, but does not apply in determining their franchise permit fees.

Would have established statutory provisions for the appointment of the Medical Care Advisory Council, consisting of 11 members, to advise ODJFS about health and medical care services for purposes of the Medicaid program, and would have required ODJFS to permit the Council to participate in Medicaid policy development and program administration (VETOED).

Makes changes that are required by the federal Deficit Reduction Act of 2005 by clarifying the specific entities that are considered third parties against which ODJFS can assert its right to recover the cost of medical assistance paid on behalf of public assistance recipients or participants, requiring third parties to cooperate with ODJFS and accept its right of recovery and assignment of public assistance recipients' and participants' rights, and imposing certain requirements on third parties with respect to providing ODJFS with coverage, eligibility, and claims data needed to identify liable third parties.

In accordance with a U.S. Supreme Court holding issued in May 2006, repeals the law that specified that the entire amount of a payment, settlement, or compromise of a tort action or claim against a third party was subject to ODJFS's or a county department of job and family services' right of recovery, and replaces it with a provision that any payment, settlement, or compromise of an action or claim, or any court award or judgment, is subject to the right of recovery.

Requires disclosure of the identity of any third party against whom a public assistance recipient or participant has or may have a right of recovery to be in writing and to include the address of the third party.

Extends the liability to reimburse ODJFS and the appropriate county department that applies when appropriate disclosure is not given to a recipient's or participant's attorney if there is one.

Enacts into Ohio law provisions of federal Medicaid law that prohibit a third party from taking an individual's Medicaid status into account in enrollment or payment decisions.

Permits a governmental entity that is responsible for issuing a license, certificate of authority, registration, or approval that authorizes the third party to do business in Ohio to, in accordance with the Administrative Procedure Act, deny, revoke, or terminate the third party's license, certificate, registration, or approval, or to impose a fine, as determined appropriate by the governmental entity if the third party fails to comply with the requirements imposed on third parties by the act with respect to providing ODJFS with certain data or the prohibition on taking an individual's medical assistance status into account in enrollment or payment decisions.

Establishes the Children's Health Insurance (CHIP) Part III Program, which authorizes ODJFS to request a federal waiver to provide health assistance to individuals with family incomes above 200%, but not exceeding 300% of the federal poverty guidelines.

Requires ODJFS to charge premiums for CHIP III participation.

Requires the ODJFS Director to amend the state Medicaid plan to implement, beginning January 1, 2008, a federal option under which an individual under age 21 qualifies for Medicaid if the individual: (1) was in foster care under the responsibility of the state on the individual's 18th birthday, (2) received Title IV-E foster care maintenance payments or independent living services before turning age 18, and (3) meets all other applicable eligibility requirements.

Requires the ODJFS Director to establish the Children's Buy-In Program for individuals under age 19 who have countable income exceeding 300% of the federal poverty guidelines, have not had creditable health insurance for at least six months, and meet other eligibility requirements.

Requires the ODJFS Director to seek federal matching funds for the Children's Buy-In Program under Medicaid or CHIP, but requires the Director to implement the Program with state funds only if federal matching funds are denied.

Establishes premium requirements for the Program.

Permits the ODJFS Director to establish co-payment requirements for the Program.

Requires that the ODJFS Director submit an amendment to the state Medicaid plan to increase from 150% to 200% of the federal poverty guidelines the family income that a pregnant woman may have and remain eligible for Medicaid.

Specifies that the expansion of Medicaid eligibility for pregnant women is to begin not earlier than January 1, 2008.

Eliminates the two-year limit on parents' Medicaid eligibility.

Requires ODJFS to adopt rules establishing methods designed to provide information about the Healthcheck program.

Requires that the ODJFS Director seek federal approval to establish the Medicaid Buy-In for Workers with Disabilities Program.

Requires that an individual whose income exceeds 150% of the federal poverty guidelines pay an annual premium as a condition of qualifying for the Program.

Permits an individual participating in the Program on the basis of being an employed individual with a medically improved disability to continue to participate for up to six months after ceasing to be employed.

Provides that no individual is to be denied eligibility for the Program due to receiving home or community-based services under a Medicaid waiver.

Exempts an individual receiving services under a Medicaid home or community-based services waiver from paying any cost-sharing expenses that are otherwise applicable under the Medicaid waiver for any period during which the individual also participates in the Medicaid Buy-In for Workers with Disabilities Program.

Provides that no individual is to have waiver component services reduced or disrupted on the basis of participating in the Medicaid Buy-In for Workers with Disabilities Program even if the individual's income or assets increase above the limit allowed under the waiver.

Creates the Medicaid Buy-In Advisory Council.

Requires ODJFS to seek adjustment or recovery against certain individuals under the Medicaid Estate Recovery Program.

Requires the person who is responsible for the estate of a spouse of a decedent subject to Medicaid estate recovery to submit a properly completed Medicaid estate recovery reporting form to the administrator of the Medicaid Estate Recovery Program.

Requires the administrator of the Medicaid Estate Recovery Program to prescribe forms for the beneficiary of a transfer on death deed, the surviving tenant under a survivorship tenancy, or the representative of such a beneficiary or surviving tenant to indicate whether the deceased owner of the real property was a decedent subject to the

Medicaid Estate Recovery Program or the spouse of such a decedent and whether the real property was part of the estate of such a decedent.

Requires a county recorder to obtain the completed form and send a copy to the administrator of the Medicaid Estate Recovery Program before recording a transfer of real property under a transfer on death deed or registering title in the surviving tenants.

Eliminates a provision specifying the number of hours that mental health services could be provided daily under Medicaid partial hospitalization provisions for community mental health facilities.

Would have provided that a drug used for treatment of a mental illness or disorder could be subjected to a prior authorization requirement, preferred drug list, or generic substitution requirement under the Medicaid program, including its managed care components, only if the drug was a brand name drug with a generic equivalent (VETOED).

Requires the Medicaid program to cover occupational therapy services provided by a licensed occupational therapist, and permits any licensed occupational therapist to enter into a provider agreement with ODJFS.

Requires the ODJFS Director to expand Medicaid cost-sharing requirements.

Requires the ODJFS Director, no later than August 31, 2007, to submit a report to the General Assembly on the costs and potential three-year cost savings associated with participation in the federal Public Assistance Reporting Information System (PARIS) and, no later than October 1, 2007, to enter into any necessary agreements with the United States Department of Health and Human Services and neighboring states to join and participate as an active member in PARIS if cost savings are indicated in the report.

Permits ODJFS to disclose information relating to public assistance participants to the extent necessary to participate in PARIS.

Requires the ODJFS Director, no later than January 1, 2008, to submit a report to the General Assembly on the Primary Alternative Care Treatment (PACT) program and the average cost of participants before and after participation in the program.

Requires the ODJFS Director, no later than January 1, 2009, to submit an additional report on the total cost savings achieved through PACT.

Requires the ODJFS Director, no later than one year after the effective date of the provision, to submit a report to the General Assembly on the effect of Medicare Part D and the care management system on the Supplemental Drug Rebate Program, including an evaluation of the changing price of pharmaceuticals in the Program resulting from

Medicare Part D and the managed care system and cost savings from increased use of generic drugs.

Revises provisions of continuing law requiring providers of Medicaid services to provide information about the prevention and detection of fraud, waste, and abuse in federal health care programs to their employees, contractors, and agents.

Prohibits a provision of Ohio law that incorporates a provision of federal Medicaid law, or requires state compliance with the federal provision, from being construed as creating a cause of action to enforce the Ohio law that differs from the causes of action available under the federal law.

Repeals law establishing the Medicaid Care Management Working Group.

Eliminates a requirement that performance-based financial incentives be implemented in Medicaid managed care contracts.

Would have required ODJFS to use actuarially sound capitation rates, in accordance with federal law, for purposes of its Medicaid managed care contracts with health insuring corporations (HICs) (VETOED).

Would have required ODJFS to develop a risk-adjusted rate structure for use in making payments to Medicaid managed care organizations for serving persons in the Covered Families and Children category (VETOED).

Would have required ODJFS, beginning not later than December 1, 2007, to provide monthly electronic reports to Medicaid managed care organizations regarding the individuals whose Medicaid eligibility was ending (VETOED).

Requires health care providers that do not participate in Medicaid to accept the Medicaid fee-for-service payment rate for emergency services furnished to a Medicaid recipient who is enrolled in a Medicaid managed care organization in the same manner that the fee-for-service payment rate applies to Medicaid-participating providers that are not under contract with the managed care organization.

Allows a Medicaid-participating HIC to implement a pharmacy utilization management program under which a Medicaid recipient must: (1) receive prior authorization to obtain a controlled substance, and (2) if the person is at high risk for fraud or abuse involving controlled substances, have prescriptions for those drugs filled by a designated pharmacy, medical provider, or health care facility.

Requires the ODJFS Director to analyze the fiscal impact that federal upper limits (FULs) affecting reimbursement rates for generic drugs, as amended by the Deficit Reduction Act of 2005 (DRA), will have on pharmacists in FY 2008 and FY 2009.

Notwithstanding continuing law governing dispensing fees, requires the ODJFS Director, not later than ten days after completing the fiscal impact analysis, to increase the dispensing fee that is paid to each pharmacist with a valid Medicaid provider agreement for dispensing a generic drug to a Medicaid recipient in FY 2008 or 2009.

Requires that the amount of the increases in the dispensing fee be determined in a manner that compensates pharmacists for the loss of revenue the ODJFS Director projects that pharmacists, on average, will incur as a result of the changes to FULs by the DRA.

Prohibits the total amount that the ODJFS Director expends to pay the increase in the dispensing fee in FY 2008 or 2009 from exceeding the total amount that the Medicaid program is projected to save in those fiscal years as a result of the changes to FULs by the DRA.

Expands eligibility for the Medicaid Assisted Living Program.

Requires an individual admitted to a nursing facility who is eligible for Medicaid to be provided with information about applying for the Assisted Living Program.

Prohibits the ODJFS Director from applying for a Section 1115 Medicaid waiver unless the Director provides the Speaker of the House of Representatives and President of the Senate written notice of the waiver request at least ten days before the date on which the Director submits the request to the federal government.

Provides that the Director of Budget and Management, subject to Controlling Board approval, may create new funds, transfer funds among affected agencies, and take other actions in support of any home and community-based services waiver program.

Requires the Rehabilitation Services Commission and ODJFS to work together to reduce duplication of activities performed by each agency regarding mutual clients.

For FY 2008 and FY 2009 only, requires the ODJFS Director to pay the full cost, 100%, of Medicaid cost outlier claims for inpatient admissions at children's hospitals that are less than \$443,463, adjusted annually for inflation, rather than just 85% of the cost, but specifies that paying the full cost of such claims must cease and revert back to 85% of the estimated cost when the difference between the total amount that the Director has paid at full cost for the outlier claims and the total amount that the Director would have paid for such claims at the 85% level exceeds the sum of the state funds earmarked for the additional cost outlier payments in each fiscal year and the corresponding federal match.

For FY 2008 and FY 2009 only, requires the ODJFS Director to make supplemental Medicaid payments to children's hospitals for inpatient services under a program modeled after the program that ODJFS was required to create under Am. Sub. H.B. 66 of the 126th General Assembly for supplemental payments to children's hospitals

when the difference between the total amount that the Director has paid at full cost for Medicaid outlier claims and the total amount that the Director would have paid at the 85% level for the claims does not require the expenditure of all state and federal funds earmarked for the additional cost outlier payments in the applicable fiscal year.

Prohibits the ODJFS Director from adopting, amending, or rescinding any rules that would result in decreasing the amount that is paid to children's hospitals for cost outlier claims.

Adjusts the formula that is used to calculate nursing facilities' Medicaid reimbursement rates for FY 2008 by: (1) increasing the cost per case mix-unit, rate for ancillary and support costs, rate for capital costs, and rate for tax costs as calculated under the formula by 2%, then by another 2%, and then by 1%, (2) increasing the mean payment that is used in the calculation of the quality incentive payment to \$3.03 per Medicaid day, (3) limiting the total rate to not more than 102.75% and not less than 100% of a nursing facility's FY 2007 total rate, and (4) reducing, if the federal government requires that the nursing facility franchise permit fee be reduced or eliminated, the payments as necessary to reflect the loss of revenue and federal financial participation generated by the fee.

Adjusts the formula that is used to calculate nursing facilities' Medicaid reimbursement rates for FY 2009 by: (1) increasing the cost per case mix-unit, rate for ancillary and support costs, rate for capital costs, and rate for tax costs as calculated under the formula by 2%, then by another 2%, then by 1%, (2) increasing the mean payment that is used in the calculation of the quality incentive payment to \$3.03 per Medicaid day, (3) limiting the total rate to not more than 102.75% and not less than 100% of a nursing facility's FY 2007 total rate, and (4) reducing, if the federal government requires that the nursing facility franchise permit fee be reduced or eliminated, the payments as necessary to reflect the loss of revenue and federal financial participation generated by the fee.

Provides for qualifying nursing facilities to receive additional quarterly payments during FY 2008 and FY 2009.

Provides that nursing facilities that qualify for the payments are: (1) certain nursing facilities that are new as of FY 2006, 2007, or 2008, (2) certain nursing facilities that completed a capital project before June 30, 2008, (3) certain nursing facilities that completed an activity for which a certificate of need is not needed before June 20, 2008, and (4) certain nursing facilities that completed a renovation before June 30, 2008.

Creates formulas to be used to determine the amount of the payments.

Terminates all nursing facilities' eligibility for the payments at the earlier of July 1, 2009, or the date on which the total amount of the payments equals \$7 million.

Adds offsite day programming to the costs that are included in the direct care costs of ICFs/MR for the purpose of Medicaid reimbursement.

Requires ODJFS to reduce the FY 2008 Medicaid rates for ICFs/MR if the mean total per diem rate for all ICFs/MR weighted by May, 2007 Medicaid days and calculated as of July 1, 2007, exceeds \$266.14.

Requires ODJFS to reduce the FY 2009 Medicaid rates for ICFs/MR if the mean total per diem rate for all ICFs/MR weighted by May, 2008 Medicaid days and calculated as of July 1, 2008, exceeds \$271.46.

Prohibits, for the remainder of a fiscal year, further adjustments otherwise authorized by law governing Medicaid payments to ICFs/MR following a reduction in the Medicaid rates for ICFs/MR.

Increases the Medicaid reimbursement rates for PASSPORT and Choices services provided during FY 2008 by 3% and the reimbursement rate for PASSPORT and Choices services provided during FY 2009 by another 3%.

Requires the Medicaid Program to cover chiropractic services for adult Medicaid recipients for the period January 1, 2008, to June 30, 2009.

### **Hospital Care Assurance Program**

Delays the termination of the Hospital Care Assurance Program to October 16, 2009.

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## **LEGAL RIGHTS SERVICE**

Limits access by the Legal Rights Service (LRS) to records that are held by community residential facilities and records of contract agencies of county boards of mental retardation and developmental disabilities and boards of alcohol, drug addiction, and mental health services to when consent to that access has been granted or certain circumstances apply.

Provides that individuals who are represented by LRS are its clients.

Requires LRS to maintain information confidentially unless requested by an authorized person, and provides that communications between LRS personnel and agents and LRS clients are privileged.

Authorizes LRS to apply to the Franklin County Court of Common Pleas to compel the production or authentication of requested documents on the refusal of any person to produce or authenticate any requested documents.

Requires the Administrator of LRS to be an attorney who has been admitted to practice law in Ohio.

Creates the Program Income Fund in the state treasury for the support of LRS programs.

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## LEGISLATIVE SERVICE COMMISSION

Requires the staff of the Legislative Service Commission to study the feasibility and potential results of establishing state incentives for local entities to assume control of state historical sites and to report the findings to the Commission not later than six months after the provision's effective date.

Repeals the requirement that the Legislative Service Commission submit to the General Assembly, in each even-numbered year, a report, commonly known as the S.B. 30 report, estimating the costs to school districts of each education law and administrative rule that became effective during the preceding two years.

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## LOCAL GOVERNMENT

Provides civil immunity to a political subdivision and its employees in connection with services that are performed on behalf of another political subdivision.

Authorizes counties with a population exceeding 1.2 million, or exceeding 400,000 wherein the population of the largest city comprises more than one-third of the population in the counties, to purchase, lease, construct, enlarge, improve, rebuild, equip, or furnish a convention center by various specified means.

Clarifies that sales tax revenue bonds are not general obligation bonds supported by general taxing powers.

Increases the threshold for expenditures of a joint fire and ambulance district, other than for employee salaries, above which competitive bidding procedures apply from \$25,000 to \$50,000.

Requires boards of township trustees to use competitive bidding when purchasing more than \$50,000 of equipment or property for a fire department that is not part of a fire district.

Permits a township to agree to grant or lend township general fund money to a political subdivision that is supplying water, sanitary sewerage, or storm water drainage within the township.

Permits townships to use the proceeds from selling cemetery lots to maintain and beautify cemetery grounds.

Requires the approval of the United States Secretary of Defense before territory lying within the boundaries of any United States military base may be annexed to or merged with a municipal corporation under any annexation or merger procedure.

Clarifies that law enforcement officers from one jurisdiction may enforce state traffic laws on all portions of a street or highway that is located in an adjoining jurisdiction when the portion of the street or highway is located immediately adjacent to the boundaries of the two jurisdictions, provides that all fines collected from persons who are charged by law enforcement officers from the adjoining jurisdiction with violations of state traffic laws on such a street or highway are to be paid to the adjoining jurisdiction, and defines "portion of any street or highway" for purposes of the arrest law.

Increases from three to five the number of board members of a regional arts and cultural district created by the exclusive action of a county with a population of 500,000 or more.

Allows a parent who is subject to an order allocating parental rights and responsibilities, or in relation to whom an action to allocate parental rights and responsibilities is pending, to apply to the court for a hearing to expedite an allocation or modification proceeding if either parent is ordered to active military service in the uniformed services.

Increases the maximum repayment period from 10 to 30 semiannual installments that a board of county commissioners may allow landowners for payment of an assessment under the Single County Ditch Law, and increases the maximum repayment period from 16 to 30 semiannual installments for bonds that are sold for an improvement under that Law.

Requires notification of the maintenance assessment of the Muskingum Watershed Conservancy District that is scheduled to begin collection in 2008 to be provided to persons who own property within the territorial boundaries of the District that is a commercial or industrial parcel subject to assessment.

Authorizes the by-laws of a regional council of governments the members of which include at least eight counties to allow proxy attendance and voting at council meetings.

Creates a new category of public nuisance, public nuisance in subsidized housing.

Defines "subsidized housing" as a property with more than four units that is subsidized by one of specified federal housing programs.

Requires a judge to apply federal standards and federal interpretations of those standards when determining whether subsidized housing is a public nuisance.

Prohibits a judge from ordering the sale of subsidized housing that is a public nuisance unless all federal contracts and procedures are followed and the purchaser agrees to continue to operate the property as subsidized housing.

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## **LOTTERY COMMISSION**

Allows the State Lottery Commission to adopt rules governing the display of advertising and celebrity images on lottery tickets and on other items used in the conduct of, or to promote, the statewide lottery and statewide joint lottery games.

Would have prohibited Commission rules from: (1) authorizing Sunday drawings on any lottery game unless the rule was approved by an executive order of the Governor, and (2) setting a price that exceeded \$20 to purchase an individual lottery ticket (VETOED).

Eliminates the requirement that the Office of Budget and Management (OBM) transfer to the School Building Program Bond Service Fund the first \$10 million of any money transferred to the Lottery Profits Education Fund from the State Lottery Fund in a fiscal year.

Requires the State Treasurer, within 60 days after the end of each fiscal year, to certify to OBM whether the actuarial amount of the Deferred Prizes Trust Fund is sufficient for continued funding, throughout the Fund's life, of all remaining deferred prize liabilities.

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## **STATE MEDICAL BOARD**

Authorizes the State Medical Board to adopt rules specifying an acceptable examination and establishing the minimum score on that examination that demonstrates proficiency in spoken English for foreign medical graduates wishing to receive a certificate to practice medicine and surgery or osteopathic medicine and surgery in Ohio.

Increases the time in which the Board must issue a final adjudicative order regarding a summary suspension from 60 to 75 days after the completion of its hearing.

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## MEDICAL TRANSPORTATION BOARD

Eliminates the Ohio Medical Transportation Fund.

Requires the Ohio Medical Transportation Board to submit an annual report to the Governor and the General Assembly that provides information on the Board's operations for that fiscal year, including the number of licenses and permits issued and renewed, fees collected, complaints received, and investigations conducted.

Requires the Board to post the report on its web site and make it available to the public on request.

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## DEPARTMENT OF MENTAL HEALTH

Removes provisions effective July 1, 2007, permitting the Department of Mental Health to certify community mental health services only for services for disorders that are mental disorders according to the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders.

Requires the Director of Mental Health to consult with the Director of Budget and Management and representatives of local and county mental health services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices.

Would have required certain county boards of alcohol, drug addiction, and mental health services, community mental health boards, and alcohol and drug addiction services boards, along with the Departments of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services, to select from among the county boards one large, one mid-size, and one small county to participate in a behavioral health pilot program with the local boards that comprise the Heartland East Collaborative (VETOED).

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## DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

### **Responsibility for nonfederal share of Medicaid expenditures**

Revises the law governing when a county board of mental retardation and developmental disabilities (county MR/DD board) and the Department of Mental Retardation and Developmental Disabilities (ODMR/DD) are required to pay the nonfederal share of Medicaid expenditures for home and community-based services that are provided under an ODMR/DD-administered Medicaid waiver program.

Revises the law governing the funds that a county MR/DD board may use to pay the nonfederal share of such Medicaid expenditures.

Specifies a minimum amount of funds that ODMR/DD must expend, subject to available appropriations, in FY 2009 and thereafter to: (1) pay for the nonfederal share of such Medicaid expenditures that ODMR/DD is required to pay, and (2) assist county MR/DD boards in paying the nonfederal share of such expenditures that the county MR/DD boards are required to pay.

**Minimum county enrollment in waiver services**

Specifies the minimum number of persons that county MR/DD boards must ensure are enrolled in ODMR/DD-administered Medicaid waiver programs.

**Appropriation item for Martin settlement**

Requires that funds appropriated for purposes of fulfilling the state's obligations under the *Martin* settlement be in an appropriation item that authorizes expenditures only for purposes of fulfilling those state obligations.

**County MR/DD board three-year plan**

Revises the law governing a plan that a county MR/DD board must submit to ODMR/DD for approval to maintain complete Medicaid local administrative authority.

**Gallipolis developmental center pilot program**

Requires the Director of ODMR/DD to establish, as part of the Individual Options (IO) Medicaid waiver program, a one-year pilot program under which the Gallipolis Developmental Center provides home and community-based services under IO to not more than ten individuals who volunteer to participate.

**Home and community-based services**

Provides that a person or government entity must be certified to provide supported living or licensed as a residential facility, rather than certified to provide home and community-based services or licensed as a residential facility, to be eligible to receive payment for providing home and community-based services.

Eliminates the law governing certification of home and community-based services providers.

Establishes a new certification process for supported living.

### **Residential facility licensure**

Requires the Director of MR/DD to send a copy of a letter regarding the initiation of license revocation proceedings against a residential facility to the county MR/DD board and the county MR/DD board to send a copy of the letter to each resident who receives services from the residential facility.

Requires a hearing examiner to file a report and recommendations regarding the revocation of a residential facility license not later than ten days after the last of: (1) the close of the hearing, (2) if a transcript of the proceedings is ordered, the date on which the hearing examiner receives the transcript, or (3) if post-hearing briefs are timely filed, the date on which the hearing examiner receives the briefs.

### **Waiting period for certificate and license holders**

Provides that an applicant for a supported living certificate or residential facility license, the holder of a certificate or license, or a related party of any of them cannot be granted a certificate or license or renewal for one year after the Director of MR/DD refuses to issue or renew the certificate or license.

Prohibits for five years a supported living certificate holder or residential facility license holder whose certificate or license is revoked from reapplying for the certificate or license, and applies the prohibition to related parties.

### **Program Fee Fund**

Provides for the fees that ODMR/DD collects in certifying providers of supported living, licensing residential facilities, and certifying and registering employees of county MR/DD boards to be deposited into a new fund called the Program Fee Fund.

### **Notice of disciplinary action**

Specifies when certain individuals and entities are deemed to have received notice of disciplinary action that ODMR/DD intends to take.

### **Notice of change of address**

Requires that individuals seeking or holding certain licenses, certificates, or evidences of registration from ODMR/DD notify ODMR/DD of a change of address.

### **Residential and respite care**

Eliminates ODMR/DD's authority to enter into a contract to: (1) provide residential services in an intermediate care facility for the mentally retarded (ICF/MR) to an individual who met the criteria for admission to such a facility, but was ineligible for

Medicaid due to unliquidated assets subject to final probation, (2) provide respite care services in an ICF/MR, (3) provide residential services in a facility that applied for, but did not receive, certification as an ICF/MR if a good faith effort was being made to bring the facility into compliance with the certification requirements, or (4) reimburse an ICF/MR for costs not otherwise reimbursed under the Medicaid program for clothing for individuals with MR/DD.

**Nonfederal share of additional ICF/MR beds**

Requires ODMR/DD to transfer funds to the Department of Job and Family Services to pay the nonfederal share of Medicaid costs for beds that obtain certification as an ICF/MR on or after July 1, 2007.

**County MR/DD board subsidies**

Removes from the Revised Code the requirement that ODMR/DD make a general purpose subsidy and subsidies for service and support administration and supported living to county MR/DD boards.

Includes an appropriation earmark in uncodified law for FY 2008 and FY 2009 that requires ODMR/DD to use certain funds appropriated to ODMR/DD to pay each county MR/DD board an amount that is equal to the amount that the boards received in FY 2007 under the general purpose, service and support administration, and supported living subsidies.

**County MR/DD boards arranging supported living**

Requires the Director of MR/DD to adopt rules that establish the extent to which a county MR/DD board may provide supported living.

**County MR/DD board service contracts**

Repeals law governing service contracts between a county MR/DD board and a service provider, including the law governing mediation and arbitration procedures regarding service contracts.

Eliminates a county MR/DD board's authority to contract with providers of Medicaid home and community-based services.

**Priority waiting lists for home and community-based services**

Authorizes a county MR/DD board, through the next biennium, to give priority for services to no more than 400 individuals under age 22 who have service needs of an unusual scope or intensity due to a mental or physical condition.

Authorizes a county MR/DD board to continue to use, until December 31, 2009, criteria specified in rules to determine, when two or more individuals qualify for priority on a waiting list for home and community-based services, the order in which the individuals will be given priority.

**County MR/DD board reporting requirements**

Changes the date on which a county MR/DD board must submit an itemized report of income and operating expenditures from March 13 to April 13.

Eliminates a county MR/DD board requirement to submit a report on the total annual cost per enrollee for operation of programs and services operated by the county in the preceding year.

**Targeted case management services**

Requires county MR/DD boards to pay the nonfederal portion of targeted case management costs to ODMR/DD.

Permits ODMR/DD and the Department of Job and Family Services to enter into an interagency agreement requiring ODMR/DD to pay the Department of Job and Family Services the nonfederal portion of the cost of targeted case management services paid by county MR/DD boards and the Department of Job and Family Services to pay the total cost of targeted case management claims.

**MR/DD Futures Study Committee**

Creates the MR/DD Futures Study Committee, and requires the Committee, not later than March 30, 2008, to submit a report to the Governor and General Assembly on the Committee's recommendations regarding the funding design of services provided by county MR/DD boards.

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**MOTOR VEHICLE COLLISION REPAIR  
REGISTRATION BOARD**

Eliminates the Motor Vehicle Collision Repair Registration Fund.

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**DEPARTMENT OF NATURAL RESOURCES**

Requires all moneys that the Division of Forestry receives from federal grants, payments, and reimbursements to be credited to the continuing State Forest Fund.



Requires the Director of Natural Resources, rather than the Chief of the Division of Water in the Department of Natural Resources, to administer the law governing coastal erosion and to issue permits for the construction of shore structures.

Eliminates the requirements that the Division of Real Estate and Land Management in the Department administer the coastal management program, lakefront property lease program, and submerged lands preserves program, thus providing for the Director's direct administration of those programs.

Decreases the maximum amount of the fine imposed for a violation of the law governing coastal erosion from \$1,000 to \$500 for each offense, and retains the stipulation that each day of violation constitutes a separate offense.

Relocates certain statutes governing coastal erosion, and makes related technical changes.

Clarifies that a person who held, immediately prior to April 6, 2007, a valid permit issued under the Coal Surface Mining Law must provide performance security in accordance with continuing law rather than in accordance with that Law as it existed prior to that date.

Revises the eligibility requirements for an applicant or person holding a valid coal mining and reclamation permit to provide performance security together with reliance on the Reclamation Forfeiture Fund through payment of an additional tax on the severance of coal.

Eliminates a provision that prohibited money from the Reclamation Forfeiture Fund from being used for coal preparation plants or coal refuse disposal areas not located within a permitted area of a mine if the performance security was provided together with reliance on the Reclamation Forfeiture Fund, and prohibits the use of money from the Fund to supplement the performance security of an applicant or permittee that has provided performance security without reliance on the Fund.

Specifies that the determination of the rate of the additional severance tax on coal at the end of a fiscal biennium that is based on the balance of the Reclamation Forfeiture Fund begins July 1, 2007, and that the requirement that the Chief of the Division of Mineral Resources Management certify the balance of the Fund to the Tax Commissioner at the end of a fiscal biennium begins July 1, 2009.

Removes from the definition of "lime mining wastes" in the Industrial Minerals Mining Law references to residual solid or semisolid materials generated from lime or limestone mining and processing operations, instead adds residual solid or semisolid materials generated from lime calcining, lime processing, or lime manufacturing

operations, and also removes other references to limestone and limestone mining in the definition.

Removes a restriction in the definition of "beneficial use" in the Industrial Minerals Mining Law that specified that lime mining wastes had to be used within a lime mining and reclamation area.

Authorizes the Chief of the Division of Wildlife, with the approval of the Director, to engage in campaigns and special events that promote wildlife conservation by selling or donating wildlife-related materials, memberships, and other items of promotional value.

Authorizes not more than \$200,000 of the annual expenditures from the continuing Wildlife Boater Angler Fund to be used to pay for equipment and personnel costs involved with boating access construction, improvements, and maintenance on lakes on which the operation of gasoline-powered watercraft is permissible.

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## **OHIO BOARD OF NURSING**

Allows nursing students to practice in Ohio while participating in a component of a prelicensure program located in another jurisdiction.

Extends the date by which the Board of Nursing must issue a report on its evaluation of the Medication Aide Pilot Program to a date that is not later than the 181st day after the Board issues its 75th medication aide certificate.

Extends the date on which the Pilot Program ends, which is also the date on which any nursing home or residential care facility is authorized to use certified medication aides, to the 31st day after the Board issues its report evaluating the Pilot Program.

Requires the Board to request from each nursing home and residential care facility participating in the Pilot Program, on the 91st day after the day on which the Board issues a medication aide certificate to the 75th individual, the data that the Board requires participating homes and facilities to report under rules, and requires that homes and facilities comply with that request not later than the 31st day after the day on which the Board makes its request.

Requires the Board to notify legislative leaders of the Senate and House of Representatives when the Board denies an application from a nursing home or residential care facility for participation in the Pilot Program and the reasons for the denial.

Provides that a nursing home is eligible to participate in the Pilot Program if it has been found free from deficiencies in medication administration in its most recent

Department of Health survey or inspection rather than in its two most recent surveys or inspections.

Requires an individual seeking to be certified as a medication aide to ask that information from the Federal Bureau of Investigation be included as part of the individual's criminal records check only if the individual has not lived in Ohio for at least five years.

Establishes the Nursing Education Study Committee composed of members of the General Assembly, nursing educators, and representatives of nursing associations, hospitals, and the Ohio Board of Regents.

Requires the Committee to study and report, not later than December 31, 2008, on strategies to produce more nursing faculty and ways to address the issue of insufficient clinical placement opportunities.

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### **OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD**

Requires that all fines collected by the appropriate section of the Ohio Occupational Therapist, Physical Therapist, and Athletic Trainers Board except for those collected for specified violations of the law be deposited in the Occupational Licensing and Regulatory Fund.

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### **PUBLIC DEFENDER COMMISSION**

Requires the county auditor, in a county that pays counsel to represent indigent persons instead of using a county or joint county public defender to represent them, to report periodically to the State Public Defender instead of the Ohio Public Defender Commission the amounts paid out to appointed counsel for indigent persons.

Allows the county auditor, with permission from and notice to the board of county commissioners, to certify the county auditor's report to the State Public Defender for reimbursement of the amounts paid out to appointed counsel for indigent persons.

Provides that the State Public Defender may pay the requested reimbursement only if it is accompanied by a financial disclosure form and affidavit of indigency or if a court has certified by electronic signature that a financial disclosure form and affidavit of indigency have been completed by the indigent person and are available for inspection.

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## **DEPARTMENT OF PUBLIC SAFETY**

Requires the Registrar of Motor Vehicles, commencing with deputy registrar contract awards that have a start date of July 1, 2008, to incorporate in the review process a score for whether or not a proposer states that the proposer will accept payment by means of a financial transaction device for all Department of Public Safety transactions conducted at that deputy registrar location.

Permits a county auditor that is designated a deputy registrar to choose to accept payment by means of a financial transaction device for all such transactions conducted at the auditor's office.

Allows the use of license plates that do not designate a vehicle as state-owned, known as cover plates, when a motor vehicle is used to assist a crime victim and a state agency determines that the situation warrants the use of cover plates.

Prohibits a law enforcement officer from issuing a ticket for specifically defined secondary traffic offenses at a motor vehicle checkpoint or safety inspection unless the officer either makes an arrest or issues a ticket for a violation other than a secondary traffic offense, and prohibits a law enforcement agency that conducts a motor vehicle checkpoint expressly related to a secondary traffic offense from issuing tickets for a secondary offense, but allows the agency to distribute information at such a checkpoint.

Clarifies the law by providing that a motor vehicle dealer may contract for and receive a documentary service charge for all retail and wholesale motor vehicle sales and leases, including those involving a retail installment sale and those not involving a retail installment sale, including leases, cash transactions, and transactions in which consumers obtain their own financing.

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## **PUBLIC UTILITIES COMMISSION**

Authorizes the Public Utilities Commission (PUCO) to adopt rules providing for the enforcement of federal consumer protection provisions related to the delivery and transportation of household goods in interstate commerce.

Codifies the Commercial Vehicle Information Systems and Networks Fund, and renames it the Federal Commercial Vehicle Transportation Systems Fund.

Requires the PUCO to establish a study mechanism to make recommendations for a funding program for the Telecommunications Relay Service and submit the recommendations to the General Assembly by January 1, 2009.

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## **PUBLIC WORKS COMMISSION**

Implements of Section 2p(B)(1), Article VIII of the Ohio Constitution regarding the issuance of general obligation bonds for local government capital improvement projects.

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## **RACING COMMISSION**

Requires the entire ½ of 1% of all moneys wagered on wagering pools other than win, place, and show that is retained by horse-racing permit holders to be paid as a tax to the Tax Commissioner and deposited into the State Racing Commission Operating Fund.

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## **BOARD OF REGENTS**

### **Ohio Innovation Partnership**

Directs the Chancellor of the Board of Regents to establish and administer the Ohio Innovation Partnership.

Includes in the Ohio Innovation Partnership the Choose Ohio First Scholarship Program to competitively assign scholarships among four-year Ohio institutions for initiatives to recruit Ohio residents as students in the fields of science, technology, engineering, math, and medicine or science, technology, engineering, math, or medical education.

Sets the minimum Choose Ohio First scholarship as \$1,500 and the maximum scholarship as one-half of the highest in-state undergraduate tuition charged by all state universities.

Includes in the Ohio Innovation Partnership the Ohio Research Scholars Program to award state funds to recruit scientists to the faculties of state universities and the Northeastern Ohio Universities College of Medicine.

Requires the Chancellor to make competitive awards, subject to approval by the Controlling Board, based on the programs' common goals of enhancing regional educational and economic strengths and meeting the needs of the state's regional economies.

### **Financial assistance programs**

Disqualifies from Ohio College Opportunity Grants: (1) students entering most for-profit proprietary schools after the 2007-2008 academic year, and (2) students entering education programs after 2007-2008 the sponsors of which do not have certificates of authorization from the Board of Regents.

Requires the Chancellor to review applications from proprietary schools for certificates of authorization within 22 weeks.

Eliminates the Student Workforce Development Grant.

Permanently directs the Chancellor to allocate up to \$165,000 in each fiscal year to provide scholarships for the Washington Center internship program if the Chancellor determines that sufficient funds are available.

### **Co-located technical colleges**

Allows technical colleges that are co-located with state university branches to offer baccalaureate-oriented associate degree programs subject to approval from the Chancellor.

Specifies that new or expanded programs offered at co-located campuses must be approved by the Chancellor.

### **Other provisions**

Would have created the Higher Education Statewide Purchasing Consortium to be administered by the Inter-University Council of Ohio, and would have required all state institutions of higher education to enter into price agreements offered by the Consortium (VETOED).

Beginning in the 2008-2009 academic year, requires each state institution of higher education to provide students with an itemized list of fees and charges owed by the student.

Requires the Chancellor to develop a critical needs rapid response system to address critical workforce shortages in emerging growth industries.

Directs the Chancellor to design and implement a three-year pilot project in the vicinity of Clark, Greene, and Montgomery counties to test how a public-private collaborative may enhance P-16 education and workforce development in the field of health information and imaging technology.

Creates the Commission on the Future of Health Care Education and Physician Retention in NW OH.

Revises the investment authority of state institutions of higher education.

Changes the deadline for the Chancellor's report, required under Sub. H.B. 2 of the 127th General Assembly, for improvements in higher education from September 28, 2007, to March 31, 2008.

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## **DEPARTMENT OF REHABILITATION AND CORRECTION**

Creates the Lima Correctional Institution Study Committee to procure an independent study of the highest and best use for the Lima Correctional Institution.

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## **REHABILITATION SERVICES COMMISSION**

Requires the Administrator of the Rehabilitation Services Commission to consult with the Director of Budget and Management and representatives of local rehabilitation services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices.

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## **SCHOOL FACILITIES COMMISSION**

Adds a school district's net gain in interdistrict open enrollment students to its valuation per pupil for determining its eligibility ranking and local share for the Classroom Facilities Assistance Program (CFAP) if the gain is at least 10% of the district's formula ADM.

Would have prevented a school district from being raised to a higher percentile for purposes of scheduling assistance under CFAP after: (1) the district entered the Expedited Local Partnership Program, and (2) the district's voters approved a bond issue to pay the district's portion of the basic project cost (VETOED).

Revises the statutory debt limit for a school district that has already undertaken a classroom facilities project under the Exceptional Needs Program and that, within two years of the provision's effective date, will proceed with another project under that Program.

Permits a school district undertaking a state-funded school facilities project to use the interest earned on district moneys in the project construction fund, not the interest earned on the state moneys in the fund, to pay the cost of facilities not included in the project.

Permits a school district, at the end of its state-funded school facilities project, to transfer interest earned on district moneys remaining in the project construction fund to the district's permanent improvement fund or to leave that interest in the project construction fund as alternatives to transferring it to the district's maintenance fund.

Eliminates the Career-Technical School Building Loan Program.

Requires that existing money in the repealed Career-Technical School Building Assistance Fund be transferred into the Public School Building Fund, that is, school facilities cash fund, and that remaining loan repayments under the repealed loan program be deposited into the Public School Building Fund.

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## SECRETARY OF STATE

Removes the exclusion that prohibited boards of elections from participating in state purchase contracts, and establishes a process for boards of elections to participate in those contracts.

Includes in the list of expenses to be divided between subdivisions conducting elections the cost of pollbooks and the costs for additional election expenses, including expenses for intermittent election employees, supplies for printing voter verified paper audit trails, and voting machine contractors, and defines a "subdivision" that must be charged for the costs of conducting an election as any board of county commissioners, board of township trustees, legislative authority of a municipal corporation, board of education, or any other board, commission, district, or authority that is empowered to levy taxes or permitted to receive a tax levy's proceeds.

Permits a board of county commissioners, at the request of the board of elections, to establish an elections revenue fund for the purpose of accumulating revenue withheld by or paid to the county for the conduct of elections, and permits the board of county commissioners to transfer money into that fund from any other fund of the political subdivision from which such payments lawfully may be made.

Requires the Secretary of State to contract for the publication of election notices for statewide ballot issues at the direction of the Ohio Ballot Board, and requires the Ballot Board to reimburse the Secretary of State for the publication costs.

Requires the Secretary of State to disseminate information regarding each statewide ballot issue as directed by the Ohio Ballot Board in order to inform the voters as fully as possible regarding each proposed constitutional amendment, proposed law, or referendum.

Requires the Secretary of State to adopt rules permitting boards of elections, designated agencies, and other entities that conduct voter registration activities to electronically transmit name and address changes for voter registration records and rules to improve the speed of processing new voter registrations.

Permits an elector whose minor child is confined in a hospital as a result of an accident or unforeseeable medical emergency occurring before the election to vote by absent voter's ballot.

Permits a board of elections to report the outcome of election investigations to either the prosecuting attorney or the Secretary of State instead of requiring the outcome to be reported to the prosecuting attorney only.

Requires a person who is subpoenaed under the Election Law to personally appear before the grand jury, court, board, or officer to assert the protection of the person's constitutional rights in order to avoid criminal prosecution for refusing to answer questions or produce required materials in response to the subpoena.

Requires the Secretary of State to establish and maintain, instead of just establish, the statewide voter registration database and an online archive of prior directives and advisories.

Requires the Secretary of State to conduct voter education outlining absent voter's ballot, provisional ballot, and other voting requirements.

Eliminates references to clerks of elections.

Changes from overnight delivery service to certified mail the process by which a board of elections must transmit a paper copy of a campaign finance statement to the Secretary of State when the board receives a paper filing from a campaign committee of a candidate for the office of member of the General Assembly or a candidate for the office of judge of a court of appeals.

Specifies that the Campaign Finance Law prohibition against soliciting public contractors only prohibits the holder of the public office with ultimate responsibility for the award of a contract from soliciting the recipients of contracts awarded by that officeholder.

Requires the Secretary of State to adopt rules that determine what constitutes a contract for the purchase of goods or services for the purpose of the public contractor

solicitation restrictions, and specifies that nothing in those rulemaking requirements exempts the holder of a public office from the solicitation ban prior to the adoption of those rules.

Increases from \$500 to \$10,000 the minimum cost of a contract awarded by a political subdivision that subjects the contractors to the public contractor contribution limits.

Prohibits a fine from being imposed or a contract from being rescinded for a violation of the public contractor contribution limits if a contribution that violates the limits is made after the contract is awarded and it is refunded within specified time periods.

Requires the Secretary of State to adopt rules that determine what constitutes a contract for the purchase of goods or services for the purpose of the public contractor contribution limits, and specifies that nothing in those rulemaking requirements exempts the holder of a public office from the contribution limits prior to the adoption of those rules.

Permits the certification that a contractor is in compliance with the public contractor contribution limits to be made by the contractor on an annual basis or to be included in the contract.

Includes a federal political committee that is registered with the Secretary of State in the list of political action committees that may be affiliated with a public contractor for the purpose of the public contractor contribution limits.

Specifies that a political action committee is affiliated with a public contractor if more than 50% of the political action committee's contributions are received from any combination of the persons who are responsible for the contracting entity.

Changes from two calendar years to 24 months the period prior to the award of a public contract in which a proposed contractor must not have made contributions in excess of specified limits in order for that contractor to be eligible to be awarded the contract.

Specifies that the provisions of the Campaign Finance Law that restrict public contracting based on political contributions that were enacted in Am. Sub. H.B. 694 of the 126th General Assembly apply only to contributions made on or after April 4, 2007, and repeals provisions of that act specifying that only certain contributions made on or after April 4, 2007, were exempt from its provisions.

Specifies that the above provisions are intended to clarify the General Assembly's original intent in enacting Am. Sub. H.B. 694 of the 126th General Assembly, are

remedial in nature, and apply to contracts awarded on or after the effective date of that act.

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## DEPARTMENT OF TAXATION

Eliminates the Local Government Revenue Assistance Fund (LGRAF), effective January 1, 2008.

Requires that tax revenues previously credited to the Local Government Fund (LGF), LGRAF, and Library and Local Government Support Fund (LLGSF) instead be credited to the General Revenue Fund (GRF).

Requires the Director of Budget and Management to transfer 3.68% of GRF tax revenue to the LGF and 2.22% of GRF tax revenue to the LLGSF for distribution to local governments.

Requires LLGSF moneys to be distributed to local governments in accordance with the formula prescribed under continuing law.

Distributes LGF money among counties, and among municipal corporations levying an income tax, on the basis of each county's or municipal corporation's 2007 LGF and LGRAF distributions up to the total 2007 LGF and LGRAF distributions for all counties and municipal corporations.

Distributes any additional moneys available in the LGF among counties on the basis of their respective populations.

Requires LGF moneys to be distributed to county local government funds and disbursed from them to local governments in each county in accordance with the continuing alternative or statutory formulas.

Requires that, in the final six months of calendar year 2007, the LGF, LGRAF, and LLGSF be credited amounts equal to the amount that each fund was credited in the same month in 2006.

Requires that monthly distributions from those funds to the respective county funds and to municipal corporations for each month in the second half of 2007 be based on each county's or municipal corporation's share of the total amount of distribution received in the same month in 2006.

Expands eligibility for the job retention tax credit by allowing third parties' payments to count toward the taxpayer's required investment so long as the third parties'

payments are a result of leasing the project site and the site has more than one of four specified uses.

Requires pass-through entities desiring pass-through treatment of job creation and job retention tax credits to specifically elect that treatment.

Requires construction activities to be included in the cost and benefit analysis that must be conducted in connection with continuing law's tax credit for rehabilitating historic buildings.

Authorizes a county with a population of between 65,000 and 70,000 to increase lodging taxes by up to 1% to pay the expenses of a convention and visitors' bureau in promoting travel and tourism if the county last increased its tax rate to the maximum 3% in November 1984 and was still levying that maximum rate on December 31, 2006.

Provides that the resolution that the board of county commissioners adopts to levy the lodging tax increase is subject to referendum.

Clarifies that a lodging tax for certain arena or convention center projects and other purposes is subject to referendum if the board decides not to submit the resolution to prior voter approval.

Authorizes counties with a population of less than 250,000 to extend lodging taxes for up to 15 years to continue to pay the costs of a municipal educational and cultural facility or a port authority educational and cultural performing arts facility.

Changes the statutory criteria governing which counties may undertake, finance, operate, and maintain, and issue securities to pay the costs of, an arena or convention center supported by lodging taxes.

Authorizes a charter county to levy an additional 1% lodging tax for up to ten years to pay for the construction and operation of a convention center.

Increases the percentage of property tax collections credited to the county real estate assessment funds.

Expands eligibility for the homestead exemption by making it available to elderly or disabled homeowners regardless of income.

Increases the taxable value reduction, but computes the tax bill reduction on the basis of effective tax rates rather than voted tax rates.

Prevents new homestead exemption computation from reducing the tax reduction of current recipients.



Reimburses taxing districts for the resulting property tax revenue loss.

Requires the Tax Commissioner and Treasurer of State to adopt policies and procedures enabling payments to be deposited or credited within 30 days of initial receipt.

Reduces the kilowatt-hour tax rate levied on the total price of electricity received by a self-assessing commercial or industrial electricity purchaser from 4% to 3.5% beginning with the meter reading period that includes July 1, 2008.

Requires the Tax Commissioner to review that total price tax rate every biennium during budget deliberations and to consider electricity price fluctuations over the most recent two fiscal years and other factors influencing Ohio's economy.

Modifies the sales and use tax remittance and reporting requirements for persons who are required to remit taxes by electronic funds transfer.

Extends the \$1-per-ton tax credit for electric companies burning Ohio coal.

Provides additional utility property tax replacement payments to any taxing district that has a nuclear power plant located within its territory if the taxing district experiences a reduction of more than 10% in the assessed value of electric company tangible personal property between 2005 and 2006.

Authorizes retail vendors with annual Ohio delivery sales of less than \$500,000 to continue using origin-based sourcing rules for determining the appropriate sales tax jurisdiction in which a sale is taxable.

Authorizes all retail vendors currently using origin-based sourcing to continue to do so if the Tax Commissioner determines that the Streamlined Sales and Use Tax Agreement does not allow origin-based sourcing by retail vendors with annual Ohio delivery sales of less than \$500,000.

Authorizes out-of-state sellers with annual Ohio delivery sales of less than \$500,000 to collect Ohio use taxes at a single uniform rate if the Commissioner makes that determination.

Provides for the distribution of use tax collected at a single uniform rate to counties and transit authorities.

Denies the sales tax vendor discount to a vendor using a certified service provider that receives a monetary allowance for performing the vendor's sales and use tax functions in Ohio.

Narrows the nonresident vehicle sales tax exemption to those sales where the nonresident's state provides a similar exemption to Ohio residents.

Exempts from the sales tax the sale of a motor vehicle to a nonresident if the nonresident's state does not provide a credit for sales or use tax paid to Ohio or if it does not impose a sales, use, or similar excise tax on the ownership or use of motor vehicles.

For taxable motor vehicles sales to nonresidents, provides in part that the tax due equals the lesser of the amount that would be collected under Ohio law if the total rate were 6% or the tax that would be due to the nonresident's state if the sale occurred there (certain portions VETOED).

Distributes the revenue arising from ½% of the applicable tax rate on those sales to the county where the sale occurs.

Raises the fee collected by the state for administration of taxes on public utility personal property and tangible personal property.

Removes the six-day limit on sales-tax-exempt sales made by school- or student-related organizations.

Modifies the definition of "authorized recipient of tobacco products" for purposes of the prohibition against shipping cigarettes to any person other than an authorized recipient of tobacco products.

Repeals the \$300-per-year exemption from the cigarette excise tax and the use tax for cigarettes brought into Ohio for purposes other than resale.

Reduces the penalty for possession of unstamped cigarette packs if the number of cigarettes is 1,200 or fewer.

Clarifies that "other tobacco product" has the same meaning as "tobacco product" under the tobacco tax law.

Authorizes public disclosure of the list of cigarette manufacturers and importers, licensed cigarette wholesalers, and registered manufacturers, importers, and brokers of other tobacco products.

In 2008 and 2009, authorizes nonrefundable corporation franchise tax and income tax credits for retail service station dealers that sell and dispense E85 blend fuel and blended biodiesel through metered pumps at the rate of 15¢ per gallon in 2008 and 13¢ per gallon in 2009.

Permits taxpayers to claim an income tax deduction of up to \$10,000 for expenses incurred in making an organ donation while alive.

Authorizes school boards to levy a dual-purpose income tax.

Authorizes school boards to reduce income taxes without voter approval.

Dedicates 70% of post-FY 2018 commercial activity tax (CAT) revenue to school funding.

Requires the Department of Education to consult with the Office of Budget and Management in determining the state education aid offset against business property tax replacement payments and for both to agree on the determination.

Accelerates the deadline for determining the state education aid offset by 16 days.

Expressly requires that if, after direct replacement payments to school districts are made, there is not enough CAT revenue left to also compensate the GRF for state education aid offsets, the shortfall must be made up by later transfers to the GRF.

Extends from 2008 to 2009 the time during which a new school district created between 2000 and 2004 will receive 100% of its utility property tax replacement payments for current fixed-rate levy losses.

Requires excess public utility property tax replacement funds that are not needed to make tax replacement payments and not needed to assist school districts with maintenance of School Facility Commission-subsidized building projects to be transferred to the GRF.

Ensures that a county's share of excess kilowatt-hour/KWH and natural gas volume/MCF excise tax revenue that is not needed to make utility property tax replacement payments to local governments, and therefore required to be apportioned among them, is allocated among the various county levies and levy purposes instead of entirely to the county general fund.

Provides that any local taxing unit's share of such excess payments must be retained in the county undivided income tax fund if the amount to be distributed is less than \$5, and must be added to the next distribution amount.

Prevents compensation for public utility property tax-related administrative fees from exceeding the compensation paid in 2006.

Corrects a reference to the term "consumer" by changing it to "customer" in the law regarding municipal income tax on electric companies.

Requires the Tax Commissioner to notify a municipal corporation if the reapportionment of an electric or telephone company's income affects the tax owed to the municipal corporation by more than \$500.

Requires the state to reimburse municipal corporations for the 1.5% fee that is charged for administration of the municipal tax on electric and telephone companies if a refund is owed to the taxpayer.

Exempts from municipal income taxes the compensation of a person who is employed within the boundaries of United States Air Force bases unless the person resides in the municipal corporation.

Expressly authorizes municipal corporations to permit their tax administrators to publish income tax-related statistics in a manner that does not disclose information about particular taxpayers.

Prohibits municipal corporations from requiring persons paying sickness or accident disability payments to withhold municipal income taxes from such payments.

Specifies the assessment rate of tangible personal property that is leased to a telecommunications company, other than in a sale and leaseback transaction, during the phase-out of the taxation of that property.

Clarifies that the tangible personal property of telecommunications companies is to be valued in the same manner as other public utility property.

Specifies that the \$10,000 exemption for personal property does not apply to personal property valued under the public utility property valuation law.

Continues temporary law requiring telecommunications property to be listed and assessed in the same manner as business tangible personal property, but to continue to be apportioned among taxing units.

Authorizes the Office of Information Technology to acquire for the Department of Taxation the State Taxation Accounting and Revenue System, STARS, an integrated tax collection and audit system that will administer all of the state's taxes.

Temporarily authorizes a county with a population that exceeds 1.2 million to use up to \$3 million in its delinquent tax and assessment collection fund for foreclosure prevention and abating nuisances in the form of deteriorated residential buildings in foreclosure.

Authorizes a board of township trustees of a limited home rule township to adopt a resolution declaring prior resolutions relating to tax increment financing to have had an immediate effective date.

Converts the temporary 0.90% discount for retail fuel dealers into a discount for the motor fuel dealers that are liable for the fuel excise tax.

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## DEPARTMENT OF TRANSPORTATION

Authorizes the Director of Transportation to conduct a 12-month pilot project for energy price risk management by entering into a contract with a qualified provider for services that may include rate analysis, negotiation services, market and regulatory analysis, budget and financial analysis, and mitigation strategies for volatile energy sources, but not energy procurement.

Clarifies the Transportation Review Advisory Council project selection provisions of Am. Sub. H.B. 67 of the 127th General Assembly by declaring that the requirement to construct projects selected as Tier I projects on December 20, 2006, does not require previously selected Tier I projects to be reduced in priority.

Names a portion of State Route 118 the "Earl Baltes Highway."

Designates the portion of State Route 2, located within the city of Willoughby only, as the "Brian Montgomery Memorial Highway."

Designates a portion of State Route 44 within Lake County as the "LCpl Andy Nowacki Memorial Highway."

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## OHIO TURNPIKE COMMISSION

Authorizes the Turnpike Commission to participate in a multi-jurisdiction electronic toll collection agreement, including collecting and remitting revenue between other participating entities and agencies and setting fees or charges by rule; allows the Commission to adopt rules establishing owner or operator civil liability for failure to comply with toll collection rules; and allows the Commission to retain revenue from a civil violation of toll collection rules.

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## VETERANS HOME

Creates the Medicare Services Fund to support the operations of veterans' homes.

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## DEPARTMENT OF YOUTH SERVICES

Limits the balance in a county's Felony Delinquent Care and Custody Fund at the end of each fiscal year beginning in FY 2008, and authorizes the Department of Youth Services to withhold and reallocate excess funds.



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## MISCELLANEOUS

Repeals: (1) the Tobacco Master Settlement Agreement Fund and the schedule for transferring moneys in the Fund to various other trust funds, (2) the Education Facilities Endowment Fund, and (3) the statute that created a legislative committee to periodically reexamine the use of Tobacco Master Settlement Agreement money.

Allows the Tobacco Use Prevention and Control Foundation to create a nonprofit corporation to raise money to help the Foundation conduct its tobacco use prevention duties.

Removes a prohibition on the appropriation or transfer of GRF money for use by the Southern Ohio Agricultural and Community Development Foundation.

Creates the Buckeye Tobacco Settlement Financing Authority for the purpose of purchasing and receiving any assignment of the tobacco settlement receipts and issuing obligations that are not general obligations of the state.

Permits the state to assign and sell to the Buckeye Tobacco Settlement Financing Authority all or a portion of the amounts to be received by the state under the Tobacco Master Settlement Agreement.

Requires the Auditor of State to annually audit the Buckeye Tobacco Settlement Financing Authority in accordance with Ohio's public office auditing law, and permits the Auditor to hire an independent certified public accountant to conduct the audit.

Requires the Buckeye Tobacco Settlement Financing Authority to prepare an annual operating and financial statement.

Specifies that obligations that the Authority issues are to be issued to pay the costs of capital facilities for a system of common schools throughout the state and state-supported or state-assisted institutions of higher education.

Requires the Buckeye Tobacco Settlement Financing Authority to make quarterly reports to the General Assembly regarding the amounts in, and the activities of, each improvement fund receiving securitization proceeds, including subfund amounts and activity.

Would have provided that bonds that were not issued due to capital improvements being paid for with the proceeds of the tobacco securitization were still to be considered as issued for purposes of calculating the 5% cap on the issuance of state bonds (VETOED).

Regarding trust agreements between Ohio and a corporate trustee to secure obligations for various state-issued bonds, replaces the requirement that the trustee's principal place of business be in Ohio with a requirement that the trustee have a place of business in Ohio.

Establishes distinct procedures for giving secondary notice in adjudications under the Administrative Procedure Act depending on whether there has been refusal of delivery or failure of delivery of the primary notice.

Specifies that, in an adjudication under the Administrative Procedure Act, an employee or agent of the agency may personally deliver notice at any time.

Provides that any public contract in which a public official, a member of the public official's family, or any of the public official's business associates has an interest in violation of any of the prohibitions constituting the offense of having an unlawful interest in a public contract, or any contract securing the investment of public funds in which a public official, a member of the public official's family, or any of the public official's business associates has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees and that was entered into in violation of the prohibition against having an unlawful interest in a public contract, is void and unenforceable.

Provides that any contract that is let by a regional airport authority in which a member of the authority's board of trustees is directly or indirectly interested is void and unenforceable.

Requires the county auditor to provide an owner of residential rental property located in a county that has a population of more than 200,000 according to the most recent decennial census with notice of the requirement to file or update certain specified information about the residential rental property within 60 days after receiving the notice.

Removes the criminal penalty, a minor misdemeanor, for failing to comply with the continuing requirement of filing or updating information related to residential rental property or from failing to satisfy the designation of agent requirement or the filing of the appropriate designation of agent document requirement, instead allows the county auditor to impose on a person who violates any of those requirements a special assessment on the residential rental property that is the subject of the violation that is not less than \$50 or more than \$150, and provides that the special assessment may be appealed to the county board of revision.

Designates May as Nutrition and Physical Fitness Month to increase awareness of the paramount roles that nutrition and physical fitness play in promoting a healthy lifestyle for all Ohioans.

Authorizes the conveyance of state-owned real estate in Franklin County to the city of Columbus for a police heliport.

Authorizes the conveyance to the city of Celina of the state's right of reverter in specified real estate in Mercer County for the mutual benefit accruing to the state and to the city of Celina from the reconfiguration of the entrance to the city park that is located on the land.

Authorizes releasing to the Dairy Barn Southeastern Ohio's Cultural Arts Center, Inc., the state's reversionary interests in land conveyed in Am. H.B. 552 of the 113th General Assembly and in Am. H.B. 385 of the 116th General Assembly for the purpose of removing impediments to financing of improvements to continue cultural arts programs.



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## CODE REVISION

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### Am. Sub. H.B. 53

- Reps.** Peterson, Yuko, Skindell, Ujvagi, Setzer, Dodd, Bacon, Collier, Fende, Chandler, Strahorn, White, R. Hagan, Wachtmann, B. Williams, Boyd, Brown, DeBose, Flowers, Goodwin, Hottinger, Huffman, Jones, Oelslager, Otterman, Raussen, Uecker, Webster, Adams, Aslanides, Batchelder, Beatty, Bolon, Book, Brady, Bubb, Budish, Carano, Celeste, Combs, DeGeeter, Distel, Dolan, Domenick, Driehaus, Dyer, Evans, Foley, Garrison, Gibbs, Goyal, Harwood, Heard, Hite, Hughes, Latta, Letson, Luckie, Lundy, Mallory, Mandel, R. McGregor, Miller, Okey, Patton, Sayre, Schindel, Schneider, Stebelton, D. Stewart, J. Stewart, Sykes, Wagoner, S. Williams, Yates
- Sens.** D. Miller, Cafaro, Morano, Padgett, Clancy, Spada, Amstutz, Austria, Boccieri, Buehrer, Faber, Carey, Coughlin, Fedor, Gardner, Grendell, Harris, Jacobson, Kearney, Mason, Sawyer, Schaffer, Schuler, Schuring, Smith, Wilson, Mumper, R. Miller

**Effective date:** August 7, 2007

Replaces outdated terms in the Revised Code that refer to persons with certain conditions with "incompetent person."



## COURTS AND CIVIL LAW

### Sub. H.B. 56

**Reps.** Uecker, J. McGregor, Seitz, Evans, Fende, Wagoner, Setzer, Combs, Adams, Wolpert, Flowers, Gibbs, Bubb, Distel, Blessing, Harwood, Okey, Dyer, Coley, Latta, Batchelder, Bolon, Chandler, Collier, Dodd, Domenick, Driehaus, Hughes, Letson, Luckie, Lundy, Otterman, Sayre, Wachtmann, Yuko

**Sens.** Sawyer, Harris, Niehaus

**Effective date:** October 18, 2007

Authorizes eviction (forcible entry and detainer) proceedings against a manufactured home park resident, or the estate of a manufactured home park resident, who, as a result of death or otherwise, has been absent from the manufactured home park for 30 consecutive days prior to the commencement of the action and whose manufactured home, mobile home, or recreational vehicle has been left unoccupied for that 30-day period without notice to the park operator and without payment of rent due under the rental agreement with the park operator.

Authorizes landlords who have one or two manufactured homes, mobile homes, or recreational vehicles on their property to proceed against tenants under the Forcible Entry and Detainer Law.

Provides a specific procedure for service of notice and process on deceased tenants or their estates under the Forcible Entry and Detainer Law.

Specifically authorizes the disposal of personal property abandoned on the residential premises of a manufactured home park when a deceased resident or resident's estate is evicted from a manufactured home park, and provides for the retrieval of that property by the owner prior to the sale.

Authorizes the clerk of a court to require a manufactured home park operator to pay an advance deposit sufficient to secure payment of the appraisal and the advertisement of the sale of an abandoned manufactured or mobile home or recreational vehicle, and provides for reimbursement of the deposit from the proceeds of the sale.

Requires the court clerk to give notice of the possible destruction, sale, or transfer of title of a manufactured or mobile home or recreational vehicle pursuant to a writ of execution on a judgment of restitution issued under the Forcible Entry and Detainer Law to the auditor and treasurer of the county in which the court is located.

Prohibits the removal from a manufactured home park and the storage of a manufactured or mobile home or recreational vehicle that is the subject of a writ of execution on a judgment of restitution issued under the Forcible Entry and Detainer Law if the holder of any outstanding lien, right, title, or interest in the home or vehicle meets certain conditions.

Requires that the sheriff, police officer, constable, or bailiff (officer) conducting a sale of an abandoned manufactured or mobile home or recreational vehicle pursuant to a writ of execution on a judgment of restitution issued under the Forcible Entry and Detainer Law give written notice of the date, time, and place of the sale to the auditor and treasurer of the county in which the court that issued the writ of execution is located in addition to giving as required by continuing law such notice to persons listed on the writ as having any outstanding right, title, or interest in any personal property to be sold.

Provides that the purchaser of a manufactured or mobile home or recreational vehicle that was sold pursuant to a writ of execution has no right to maintain the home or vehicle in a manufactured home park without the park operator's consent and that the officer conducting the sale must notify all prospective purchasers of that fact before commencing the sale.

Authorizes an officer who sells a manufactured or mobile home or recreational vehicle pursuant to a writ of execution on a judgment of restitution issued under the Forcible Entry and Detainer Law to have the home or vehicle destroyed if it is abandoned and worth less than \$3,000 if there is no person other than the titled owner who has an outstanding right, title, or interest in the home or vehicle or to have title to it transferred to the plaintiff if no one other than the titled owner has an outstanding right, title, or interest in it or if a lienholder who does have an outstanding right, title, or interest in it consents in writing to the transfer.

Allows the holder of any outstanding lien, right, title, or interest in a manufactured or mobile home or recreational vehicle that is to be sold pursuant to a writ of execution on a judgment of restitution issued under the Forcible Entry and Detainer Law, other than the titled owner of the home or vehicle, to stop a sale of the home or vehicle by commencing a proceeding to repossess it and by paying to the park operator all monthly rental payments for the lot on which the home or vehicle is located from the time of the issuance of the writ of execution until the time that the home or vehicle is sold following repossession.

Makes aspects of the sale of a manufactured home, mobile home, or recreational vehicle of a deceased resident pursuant to a writ of execution and the distribution of the proceeds of the sale subject to control of the property by the probate court and the Medicaid Estate Recovery Program.

Clarifies that when an abandoned manufactured home, mobile home, or recreational vehicle is being disposed of pursuant to a writ of execution, the levying officer must present the writ to a court of common pleas in order to get a certificate transferring title to the property.

Expands the scope of immunity of officers and park operators from civil liability for damage to manufactured homes, mobile homes, or recreational vehicles and abandoned property removed from or stored on the premises of a manufactured home park.

Creates a lien on a manufactured home, mobile home, or recreational vehicle for the removal and storage of personal property in conjunction with the removal and storage of an abandoned home or vehicle.

Authorizes a manufactured home park operator to make rental renewal offers by regular mail or personal delivery.

Defines "personal property" for purposes of the Forcible Entry and Detainer Law, defines "tenant" to include a manufactured home park resident for purposes of eviction proceedings and for obtaining restitution based on drug offenses committed on the leased premises, and makes various nonsubstantive changes to continuing law.



## **Am. H.B. 89**

**Reps.** Coley, Wachtmann, Garrison, Fessler, J. McGregor, Healy, Evans, Wagner, Seitz, Stebelton, Setzer, Latta, Combs, Adams, Hite, Webster, Blessing, Harwood, Aslanides, Bacon, Boyd, Chandler, Collier, Core, DeBose, Dolan, Domenick, Gibbs, J. Hagan, Hottinger, Huffman, Hughes, Jones, Koziura, Mallory, Mandel, R. McGregor, Otterman, Patton, Sayre, Schindel, Schneider, Strahorn, Uecker, Wagoner, White, Wolpert, Zehringer

**Sens.** Goodman, Buehrer, Amstutz, Kearney, Mason, Sawyer, Carey, Cates, Harris, Spada, Schuring, Schuler, Padgett, Niehaus, Clancy, Wilson, Roberts, Schaffer, Faber, Stivers

**Effective date: October 18, 2007**

Grants immunity from civil liability to a person who in good faith donates consumer goods to an agency for distribution to individuals in need if the person prior to the donation determines that the consumer goods will be fit for use at the time of the donation and the person does not make that determination in a manner that constitutes gross negligence or willful or wanton misconduct.

Modifies continuing law's grant of immunity from civil liability to a person who in good faith donates perishable food to an agency for distribution to individuals in need so that it applies if the person does not make the determination that the perishable food will be fit for human consumption at the time of its donation in a manner that constitutes gross negligence, instead of simple negligence, or willful or wanton misconduct.

Grants to certain nonprofit or charitable nonprofit agencies that in good faith distribute consumer goods or perishable food to individuals in need qualified civil immunity for harm that allegedly arises because the consumer goods are not fit for use or the perishable food is not fit for human consumption if, prior to the distribution of the consumer goods or perishable food to the individual, an agency determines that the goods will be fit for use or the food will be fit for human consumption at the time of distribution and the agency does not make that determination in a manner that constitutes gross negligence or willful or wanton misconduct.



## **H.B. 134**

**Reps.** Seitz, J. McGregor, Zehringer, Collier, Blessing, Combs, Bacon, Uecker, Harwood, Hughes, Flowers, Latta, White, Huffman, Wagoner, Adams, Letson, Wolpert, Batchelder, Coley, Dolan, Seitz, Budish, Dyer, Foley, Okey, Aslanides, Bolon, Book, Brown, Bubp, Daniels, Domenick, Evans, Fende, Fessler, Garrison, Gibbs, Goodwin, J. Hagan, R. Hagan, Hite, Jones, Luckie, Lundy, Mallory, Oelslager, Otterman, Patton, Raussen, Schindel, Schneider, Setzer, Stebelton, Wachtmann, Webster, Yates, Yuko

**Sens.** Goodman, Kearney, Mason, Sawyer, Boccieri, Carey, Buehrer, Harris, Schuring

**Effective date:** October 18, 2007; certain provisions effective January 1, 2008

Authorizes alternative standards for the election of directors of business corporations.

Requires that conversions of domestic corporations into other business entities and conversions of other business entities into domestic corporations be permitted by the Revised Code chapter or by the laws under which the converting entities will exist.

Allows a limited liability company to provide in its operating agreement or its articles of organization for the exercise of the rights of a member who dies or becomes incompetent for the purpose of settling the member's estate or administering the member's property.

Extends the shield of a partner of a registered limited liability partnership from personal liability for the obligations of the partnership.

Validates meetings and votes of nonprofit corporations held by authorized telecommunications equipment on and after August 19, 2005.



## **Am. Sub. S.B. 155**

**Sens. Faber, Schuler, Grendell, Spada, Kearney, Austria, Boccieri, Buehrer, Cates, Harris**

**Reps. Blessing, Wagoner, Coley, Latta, Gerberry, Bacon, Batchelder, Seitz, Bolon, Brady, Budish, DeBose, Dodd, Domenick, Driehaus, Dyer, Flowers, Harwood, Hughes, Letson, Luckie, Mallory, R. McGregor, Mecklenborg, Schindel, Skindell, Strahorn, Yuko, Zehringer**

**Effective date: Emergency, December 21, 2007**

Specifies the rate of compensation of a member of the current or previous General Assembly who is appointed to judicial office.

Changes the judgeship of the Upper Sandusky Municipal Court from part-time to full-time as of January 1, 2008.

Makes the Drug Court Judge of the Hamilton County Court of Common Pleas permanent.

Adds one judge to the Court of Common Pleas of Champaign County to be elected in 2008 as a judge of the Domestic Relations-Juvenile-Probate Division for a term to begin February 10, 2009.

Creates a Domestic Relations-Juvenile-Probate Division for the Champaign County Court of Common Pleas, and gives the Division jurisdiction over all juvenile and domestic relations matters and, on and after February 9, 2009, jurisdiction over all probate matters.

Requires the state to pay for special elections to fill vacancies in the office of representative to Congress, and appropriates money to reimburse county boards of elections for the cost of any such election in 2008.

Extends the deadline by which the report of the Joint Committee to Study Court Costs and Filing Fees is due.



## CRIMES, CORRECTIONS, AND LAW ENFORCEMENT

### Sub. H.B. 120

**Reps.** Latta, Chandler, Combs, Hughes, Otterman

**Sens.** Grendell, Harris

**Effective date:** Emergency, June 30, 2007; Sections 1 and 2 effective July 1, 2007

Removes unnecessary and inconsistent language mistakenly retained by Sub. H.B. 241 of the 126th General Assembly.

Adds references to the Department of Taxation and its Enforcement Division and related funds in the appropriate places in R.C. Chapter 2981., the Forfeiture Law, as enacted in Sub. H.B. 241, to retain their preexisting authority to obtain forfeiture and use the property or the proceeds that, due to an oversight, were not included in Sub. H.B. 241.



### Am. Sub. H.B. 142

**Reps.** Batchelder, Bacon, B. Williams, Combs, Chandler, Bulp, Fessler, Latta, Harwood, Fende, Adams, Wachtmann, White, Collier, Aslanides, Domenick, Boyd, DeBose, Distel, Dyer, Flowers, Gibbs, J. Hagan, Healy, Hite, Hughes, Mallory, Mandel, Oelslager, Otterman, Patton, Peterson, Schindel, Wagoner, Webster, Yuko, Zehringer

**Sens.** Grendell, Schaffer, Faber, Cates, Harris, Niehaus, Padgett, Spada

**Effective date:** March 24, 2008

Eliminates the separate categories of penalties previously provided for the offense of inducing panic if the violation involves the initiating or circulating of a report or warning of an alleged or impending fire, explosion, crime, or other catastrophe when the offender knows the report or warning is false and the public place involved in the violation is a school, formerly a second, third, or fourth degree felony, and instead provides that inducing panic always is a second degree felony under those circumstances.

Provides that inducing panic is a second degree felony if the violation involves the initiating or circulating of a report or warning of an alleged or impending fire, explosion, crime, or other catastrophe when the offender knows the report or warning is false and the public place involved in the violation is an institution of higher education.

Authorizes school districts to make up excess calamity days for specified reasons other than bomb threats by increasing the length of one or more other school days.



### **Am. Sub. H.B. 177**

**Reps. Blessing, Adams, Yuko, Webster**

**Sens. Jacobson, Harris, Amstutz**

**Effective date: Emergency, October 25, 2007**

Allows the same person, association, trust, or corporation to own or operate two separate race tracks in Ohio, and generally eliminates the prohibition against the same person, association, trust, or corporation from being issued more than one horse-racing permit in Ohio.

Modifies the definitions of "slot machine" and "skill-based amusement machine" for purposes of the Gambling Law.

Creates a limit on the redemption value of prizes associated with skill-based amusement machines.

Prohibits certain items from being given in exchange for playing or winning on a skill-based amusement machine.

Clarifies regulatory authority pertaining to skill-based amusement machines.



### **Am. Sub. S.B. 10**

**Sens. Austria, Carey, Clancy, Faber, Gardner, Goodman, Grendell, Harris, Kearney, Mumper, Niehaus, Padgett, Schaffer, Schuler, Spada, Stivers, Wilson, Cates, Buehrer, Fedor, R. Miller, Schuring, Mason, Jacobson**

**Reps. Jones, Bulp, Hughes, Widowfield, Barrett, Latta, Yuko, Dyer, Aslanides, Bacon, Batchelder, Bolon, Boyd, Brady, Combs, Core, DeGeeter, Distel, Dodd, Dolan, Domenick, Driehaus, Evans, Fende, Flowers, Gerberry, Gibbs, Goyal, J. Hagan, R. Hagan, Harwood, Healy, Heard, Hottinger, Letson, Luckie, Mallory, J. McGregor, Miller, Otterman, Patton, Schindel, Schlichter, Setzer, Stebelton, D. Stewart, Strahorn, Szollosi, Uecker, Wagoner, Webster, White, B. Williams, Zehringer**

**Effective date: Emergency, June 30, 2007; Sections 1 to 3 effective July 1, 2007; certain other provisions effective July 1, 2007, and January 1, 2008**

Defines "public registry-qualified juvenile offender registrant" as a delinquent child upon whom a juvenile court has imposed a serious youthful offender designation and to whom all of the following apply: (1) the person is adjudicated a delinquent child for committing, attempting to commit, conspiracy to commit, or complicity in committing rape, sexual battery if the victim was less than 12 years of age, or the act's new gross sexual imposition violation (discussed below), (2) the person was 14, 15, 16, or 17 years of age at the time of the act, and (3) a juvenile court judge classifies the person as a juvenile offender registrant, specifies that the person has a duty to comply with the Sex Offender Registration and Notification Law (SORN Law), and classifies the person as a public registry-qualified juvenile offender registrant and that classification has not been terminated.

Requires offenders and delinquent children who are required to register under the SORN Law to register immediately after a sentencing or dispositional hearing held on or after January 1, 2008, requires an offender or child to register a residence address not later than three days after coming into a county to reside or be temporarily domiciled for more than three days, and removes the restrictions against the registration duties applying to registration-exempt sexually oriented offenses.

Requires Ohio resident offenders and public registry-qualified juvenile offender registrants who are required to register under the SORN Law to register in the county of employment if the offender or public registry-qualified juvenile offender registrant has been employed in that county for more than three days or for an aggregate period of 14 or more days in that calendar year, and requires such offenders and public registry-qualified juvenile offender registrants who are not Ohio residents to register if the offender or registrant has been employed at any location in Ohio within those time periods.

Requires offenders and public registry-qualified juvenile offender registrants to register in another state upon being employed in that other state for more than three days or for an aggregate period of 14 or more days in that calendar year.

Requires public registry-qualified juvenile offender registrants, in the same manner as offenders, to register immediately upon coming into a county in which the registrant attends a school or institution of higher education.

Expands the required content of a SORN Law registration form to additionally require the form to include: (1) any aliases used by the offender or delinquent child, (2) the offender's or child's Social Security number and date of birth, including any alternate Social Security numbers or dates of birth used by the offender or child, (3) if applicable, a statement that the offender or child is serving a term of confinement or is confined in a secure facility, (4) the name of the school, institution of higher education, or place of

employment the address of which the offender or public registry-qualified juvenile offender registrant is registering, (5) the license plate number issued by Ohio or any other state of each vehicle that the offender or child owns, has registered, operates as a part of employment, or regularly has available to operate, a description of where each vehicle that is habitually parked, stored, docked, or otherwise kept, and, if required by the Bureau of Criminal Identification and Investigation in the Attorney General's office (BCII), a photograph of each of those vehicles, (6) the number of the offender's or child's driver's or commercial driver's license or permit or state identification card issued by Ohio or any other state, (7) if the offense resulting in the registration duty was committed in another jurisdiction, a DNA specimen from the offender or child, a citation for and the name of the offense resulting in the duty, and a certified copy of a document describing the text of that offense, (8) any other employment information such as the general area where the offender or child is employed, (9) copies of travel and immigration documents, (10) a description of each professional and occupational license, permit, or registration that is held by the offender or child, and (11) any e-mail addresses, internet identifiers, or telephone numbers that are registered to or used by the offender or child.

Requires the Department of Rehabilitation and Correction (DRC), the Adult Parole Authority, and the Department of Youth Services (DYS), by January 1, 2008, to adopt rules to require parole officers to verify within three days of an offender's release that the offender or delinquent child has registered under the SORN Law.

Changes some of the time frames within which a registered offender or public registry-qualified juvenile offender registrant must comply with the SORN Law's change of address provisions to: (1) require an offender or public registry-qualified juvenile offender registrant to provide written notice of a change of a registered place of employment address not later than three days after the change, (2) require an offender or public registry-qualified juvenile offender registrant to register a new place of employment address not later than three days after the change, and (3) specify that a notice of a change of address of a school, institution of higher education, or placement of employment must include the name of the new school, institution of higher education, or place of employment.

Requires an offender or public registry-qualified juvenile offender registrant who is required to register under the SORN Law to provide written notice, within three days, of any change in vehicle information, e-mail addresses, internet identifiers, or telephone numbers that are registered to or used by the offender or registrant, and requires the sheriff who receives that information to promptly forward the information to BCII.

Defines new SORN Law terms "tier I sex offender/child-victim offender," "tier II sex offender/child-victim offender," and "tier III sex offender/child-victim offender" in such a manner that an offender or delinquent child who is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing a sexually oriented offense or child-victim oriented offense automatically is included within one of those categories for

purposes of that Law based on the offense that was committed without the need for any additional hearing or proceeding.

Permits the Attorney General to inspect sealed records for the purpose of determining an offender's or juvenile offender registrant's tier classification.

Changes the frequency with which a registered offender or delinquent child must verify the registered address to: (1) require an offender or child who is a tier I sex offender/child-victim offender to verify a registered address on each anniversary of the initial registration date, (2) require a tier II sex offender/child-victim offender to verify a registered address every 180 days after the initial registration date, and (3) require a tier III sex offender/child-victim offender to verify a registered address every 90 days after the initial registration date.

Provides a transition period that specifies when an offender or child who registered under the SORN Law prior to the act's effective date initially must register under the act's provisions.

Provides that an offender's duties under the SORN Law continue for the following periods of time: (1) until the offender's death if the offender is a tier III sex offender/child-victim offender, (2) for 25 years if the offender is a tier II sex offender/child-victim offender, or (3) for 15 years, subject to possible removal of the duties by a judge, if the offender is a tier I sex offender/child-victim offender.

Specifies that the duties of a delinquent child who is subject to the SORN Law continue for the following periods: (1) until the child's death if the delinquent child is a tier III sex offender/child-victim offender or a public registry-qualified juvenile offender registrant, subject to possible reclassification as a tier II or tier I sex offender/child-victim offender if the child is not a public registry-qualified juvenile offender registrant, (2) 20 years if the delinquent child is a tier II sex offender/child-victim offender, subject to possible reclassification as a tier I sex offender/child-victim offender if the child is not a public registry-qualified juvenile offender registrant, or (3) ten years if the delinquent child is a tier I sex offender/child-victim offender, subject to possible termination if the child is not a public registry-qualified juvenile offender registrant.

Provides that if an offender or delinquent child had a duty to register under the SORN Law prior to January 1, 2008, the registration period of time described above applies to that offender or delinquent child and automatically replaces the period of time for which the offender or delinquent child had a duty to register prior to January 1, 2008.

Conforms the continuing SORN Law provisions regarding notice to an offender or delinquent child of the offender's or child's duties under that Law to the changes described above.

Applies the amended SORN Law and the new offense tiers that it enacts to offenders and delinquent children who previously have registered under the SORN Law and to offenders and juvenile offender registrants who committed a sexually oriented offense or a child-victim oriented offense and will be confined on or after December 1, 2007, requires those offenders and children to be notified by a specified official of their duties and new tier classification under the amended SORN Law, generally, as determined by the Attorney General, and, in most cases, gives them a right to a court hearing to contest the application of the amended SORN Law to them.

Provides that if, on or before July 1, 2007, an offender or delinquent child has a duty to comply with the SORN Law and the offender's or child's duty to comply with that Law is scheduled to terminate on or after July 1, 2007, and prior to January 1, 2008, under the former version of that Law, notwithstanding that scheduled termination of that duty, the offender's or child's duty to comply with the SORN Law does not terminate as scheduled and remains in effect for the following period of time: (1) if the offender or child requests a hearing to contest his or her reclassification described above, the duty continues at least until the court issues its decision on the request at or subsequent to the hearing, and, unless the court's decision terminates the duty or provides a different duration for the duty, it continues subsequent to the decision in accordance with, and for the duration specified in, the reclassification notice, (2) if the offender or child does not request a hearing to contest his or her reclassification, the duty continues in accordance with, and for the duration specified in, the reclassification notice, or (3) if the offender or child does not receive a reclassification notice that is required under the act, notwithstanding the failure of the offender or child to receive the notice, the offender's or child's duty to comply with the SORN Law continues in accordance with, and for the duration specified in, the SORN Law as it exists under the act's changes.

Specifies that the above provisions only apply to a delinquent child if the person is adjudicated a delinquent child for committing a sexually oriented offense or child-victim oriented offense prior to January 1, 2008, and who, under the version of the SORN Law that is scheduled to take effect on that date, will be a public registry-qualified juvenile offender registrant.

Authorizes a court, upon the request of an offender who is a tier I sex offender/child-victim offender or a child who is a public registry-qualified juvenile offender registrant, upon the expiration of a specified period of time and the making of specified findings, to terminate the offender's or child's duty to comply with the SORN Law's requirements.

Modifies the categories of offenders and delinquent children who are subject to the SORN Law's victim notification and community notification provisions so that, except as discussed below, the provisions apply regardless of when the offense in question was committed regarding: (1) an offender who is a tier III sex offender/child-victim offender, (2) a delinquent child who is a public registry-qualified juvenile offender registrant, and

the child's duty to comply with the SORN Law has not been removed by a juvenile judge, (3) a delinquent child who is a tier III sex offender/child-victim offender and is not a public-registry qualified juvenile offender registrant if the child prior to the act's effective date is subjected to the notification provisions and the child's duty to comply with the SORN Law has not been removed by a juvenile judge, and (4) a delinquent child who is a tier III sex offender/child-victim offender and is not a public registry-qualified juvenile offender registrant if the child was classified a juvenile offender registrant on or after the act's effective date, the court imposed a requirement subjecting the delinquent child to the notification provisions, and the child's duty to comply with the SORN Law has not been removed by a juvenile judge.

Specifies that the community notification provisions, but not the victim notification provisions, described above do not apply to an offender or delinquent child if a court finds at a hearing, after considering specified factors, that the notification provisions do not apply.

Expands the SORN Law's community notification provisions to additionally: (1) require a sheriff to provide notification of the registration of an offender or delinquent child who is subject to community notification under the SORN Law as described above to volunteer organizations in which contact with minors or other vulnerable individuals might occur or any organization, company, or individual who requests notification, (2) require each sheriff to allow a volunteer organization or other organization, company, or individual who wishes to receive such a notice regarding a specific offender or delinquent child or all offenders or delinquent children who are located in the notification area to notify the sheriff by electronic mail or through the sheriff's web site of that election, (3) require the Attorney General to maintain a list of the requests, and (4) provide a qualified immunity to persons who request and receive the notification.

Expands the SORN Law's community notification provisions to also require the sheriff to provide notification of a public registry-qualified juvenile offender registrant's school, institution of higher education, or place of employment address or addresses.

Requires the Attorney General to include in the State Registry of Sex Offenders and Child-Victim Offenders any notice of an order issued under the act that terminates or modifies an offender's or delinquent child's duty to comply with the SORN Law and, for each offender or delinquent child who is listed in the Registry: (1) a citation for, the name of, and the text, at the time of commission, of all of the person's sexually oriented offenses or child-victim oriented offenses that resulted in a registration duty and the date on which they were committed, (2) a statement as to whether the person is a tier I sex offender/child-victim offender, a tier II sex offender/child-victim offender, or a tier III sex offender/child-victim offender for the offense described in item (1), (3) the community supervision status of the person, (4) the offense and delinquency history of the person, (5) to the extent applicable and available, the BCII tracking number assigned to the person, the FBI number assigned to the person, and any other state identification

number assigned to the person, (6) fingerprints and palmprints of the person, (7) a DNA specimen from the person, (8) whether the person has any outstanding arrest warrants, and (9) whether the person is in compliance with SORN Law duties.

States that the State Registry of Sex Offenders and Child-victim Offenders is not open to inspection by the public or any person other than a specified law enforcement officer, a BCII employee, or the Registrar or an employee of the Registrar of Motor Vehicles.

Expands the scope of the Internet Sex Offender and Child-Victim Offender Database to also contain information and material regarding public registry-qualified juvenile offender registrants.

Specifies that the Internet Database cannot include a victim's identity, any offender's or public registry-qualified juvenile offender registrant's Social Security number, the name of any school or institution of higher education attended by, or of the place of employment of, the offender or public registry-qualified juvenile offender registrant, any tracking or identification number assigned to the offender or registrant, or the offender's or public registry-qualified juvenile offender registrant's driver's or commercial driver's license or permit number or state identification card number issued by Ohio or another state.

Requires the Internet Database to include the following information relative to an offender or public registry-qualified juvenile offender registrant: (1) a citation for, the name of, and the text, at the time of commission, of all of a person's sexually oriented offenses or child-victim oriented offenses that resulted in a registration duty and the date on which they were committed, (2) a statement as to whether the person is a tier I, II, or III sex offender/child-victim offender for the offenses described in item (1), (3) community supervision status, (4) the registered address of a school, institution of higher education, or place of employment, (5) the license plate number of each vehicle that a registered offender or public registry-qualified juvenile offender registrant owns, has registered, operates as a part of employment, or regularly has available to operate, a description of where each vehicle is habitually parked, stored, docked, or otherwise kept, and, if required by BCII, a photograph of each of those vehicles, (6) a chart describing which sexually oriented offenses or child-victim oriented offenses are included in the definitions of tier I sex offenders/child-victim offenders, tier II sex offenders/child-victim offenders, and tier III sex offenders/child-victim offenders, (7) fingerprints and palmprints and a DNA specimen, (8) the offender's or public registry-qualified juvenile offender registrant's name and photograph, (9) any outstanding arrest warrants, and (10) SORN Law compliance status.

Requires the Attorney General to develop software for sheriffs to establish on the Internet a sex offender and child-victim offender database for the public dissemination of information and materials that are public records, are not otherwise prohibited from

inclusion, and pertain to registered offenders and public registry-qualified juvenile offender registrants.

Expands the information that the Attorney General must include on the Internet Database that the Attorney General operates that enables local law enforcement representatives to remotely search by electronic means the State Registry of Sex Offenders and Child-victim Offenders to also include all of the information and materials that the act requires to be on the State Registry and must include a registered offender's or delinquent child's aliases, name and address of any place of employment, school, institution of higher education, and license plate number of each vehicle that the offender or child operates as part of employment or regularly has available for his or her operation.

Requires the Attorney General to establish and operate a system for the immediate electronic notice of appropriate officials in other states when an offender or delinquent child who is required to register in the other state registers an address in Ohio or provides a notice in Ohio of a change of address.

Provides that if, on or after the effective date of the act, the U.S. Attorney General adopts any regulation, guideline, or standard that interprets or applies the Adam Walsh Act to require additional sex offender registration and notification than otherwise required by the SORN Law, as amended by the act, or notifies Ohio's Attorney General that the act is not in substantial compliance with the Adam Walsh Act, the Attorney General is required to adopt rules to require additional sex offender registration or notification so that Ohio's SORN Law requirements are consistent with, and not less stringent than, the Adam Walsh Act.

Requires a sheriff who establishes an Internet sex offender and child-victim offender database to include in the Internet Database a chart describing which offenses are included in the definitions of tier I, II, and III sex offenders/child-victim offenders and a statement identifying the tier in which each registered offender or child is classified.

Requires DRC, prior to releasing an offender who was convicted of or pleaded guilty to a sexually oriented offense or child-victim oriented offense, and DYS, prior to releasing a juvenile offender registrant, to provide BCII a physical description of the person and the terms and conditions of release.

Requires DRC and DYS, by July 1, 2008, to adopt rules pertaining to the certification of sex offender treatment programs, which rules must require the Departments to maintain a list of certified programs that is open to public inspection.

Specifies that, if a juvenile court judge classifies a delinquent child a juvenile offender registrant for purposes of the SORN Law and if the delinquent child is a tier III sex offender/child-victim offender who is not a public registry-qualified juvenile offender

registrant, the judge may impose a requirement subjecting the child to the SORN Law's victim and community notification provisions.

Enacts a mechanism pursuant to which a juvenile court that classifies a delinquent child a juvenile offender registrant determines in a hearing the tier classification of the child unless the court is required to classify the child as both a juvenile offender registrant and a public registry-qualified juvenile offender registrant.

Unless a juvenile offender registrant is a public registry-qualified juvenile offender registrant, retains the authority of a juvenile court to determine that the child no longer is a juvenile offender registrant, i.e. declassify the child, and grants a juvenile court the authority to determine that a child whom the court previously has classified in a particular tier no longer is in that category.

Requires a juvenile court that adjudicates a child a delinquent child for committing a sexually oriented offense to classify the child a juvenile offender registrant, specify that the child has a duty to comply with the SORN Law, and classify the child a public registry-qualified juvenile offender registrant if the child is within the scope of the act's definition of that term.

Requires a court to reclassify a previously classified juvenile offender registrant as a public-registry qualified juvenile offender registrant if the child is within the scope of the act's definition of that term, and generally permits a child whose delinquent act was committed prior to January 1, 2008, to request a hearing to contest the reclassification.

Prohibits a person who is or has been convicted of or pleaded guilty to a sexually oriented offense or child-victim oriented offense from living within 1,000 feet of preschool or child day-care center premises in the same manner as such a person is prohibited under continuing law from living within 1,000 feet of school premises.

Permits a landlord to terminate the rental agreement of, and to evict, a tenant who violates the prohibition against living within 1,000 feet of any preschool premises or child day-care center premises in the same manner as is provided under continuing law for the prohibition against residing within 1,000 feet of any school premises.

If a person violates the prohibition against living within 1,000 feet of preschool or child day-care center premises, permits an owner or lessee of real property located within 1,000 feet of those premises or the appropriate chief legal officer of the county, municipal corporation, or township in which those premises are located to bring an action for injunctive relief against the person.

Repeals the terms "sexual predator," "habitual sex offender," "child-victim predator," and "habitual child-victim offender" and the mechanism for determining whether an offender or child was in any of those categories, removes them from in the

SORN Law provisions that used those terms and subjected persons within those categories to more stringent and additional duties and restrictions, and generally replaces those terms with references to tier III sex offender/child-victim offenders.

Eliminates references in the SORN Law and related provisions to registration-exempt sexually oriented offense, presumptive registration-exempt sexually oriented offense, and aggravated sexually oriented offense, which the act repeals.

Modifies numerous miscellaneous continuing provisions that relate to various aspects of the SORN Law to conform the provisions to the changes described above.

Prohibits a person from engaging in the offense of menacing by stalking, abduction, unlawful restraint, or criminal child enticement with a sexual motivation.

Makes kidnapping of a victim under 13 years of age a first degree felony in all cases if the offender also is convicted of or pleads guilty to a sexual motivation specification, and requires that the offender be sentenced to an indefinite prison term of 15 years to life imprisonment or, if the victim is released in a safe place unharmed, ten years to life imprisonment, to be served under the Sexually Violent Predator Sentencing Law.

Requires a court to sentence an offender to an indefinite prison term of 30 years to life to be served under the Sexually Violent Predator Sentencing Law for aggravated murder when the victim is less than 13 years of age, the offender is convicted of or pleads guilty to a sexual motivation specification, the offender is not sentenced to death or a term of life imprisonment without parole, and the offender is not otherwise required to be sentenced under that Law as a sexually violent predator.

Requires a court to sentence an offender to an indefinite prison term of 30 years to life to be served under the Sexually Violent Predator Sentencing Law for murder when the victim is less than 13 years of age, the offender is convicted of or pleads guilty to a sexual motivation specification, and the offender is not otherwise required to be sentenced under that Law.

Expands the offense of gross sexual imposition to prohibit a person from knowingly touching the genitalia of another who is less than 12 years of age, whether or not the offender knows the age of that person, when the touching is not through clothing and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desires of any person.

Provides that the new gross sexual imposition prohibition described above is a third degree felony with generally a presumption for a prison term, but a mandatory prison term in specified circumstances.

Modifies the definition of "harmful to juveniles" as used in the Sex Offenses Law to include any material or performance that, when considered as a whole, appeals to the prurient interest of juveniles in sex.



## **Sub. S.B. 16**

**By initiative**

**Sen. Amstutz**

**Reps. Batchelder, Bulp, Domenick, J. Hagan, Hottinger, Huffman, Wagner**

**Effective date: September 4, 2007; became law without Governor's signature**

Prohibits a sexually oriented business from being open for business between midnight and 6 a.m., except that a sexually oriented business that holds a liquor permit may remain open until the hour specified in the permit if it does not conduct, offer, or allow any sexually oriented entertainment activity in which the performers appear nude.

Prohibits a patron of a sexually oriented business who is not a member of the employee's immediate family from knowingly touching any employee of the business while that employee is nude or seminude or touching the clothing of any employee while that employee is nude or seminude.

Prohibits an employee who regularly appears nude or seminude on the premises of a sexually oriented business, while on the premises and while nude or seminude, from knowingly touching a patron who is not a member of the employee's immediate family or another employee who is not a member of the employee's immediate family or the clothing of a patron who is not a member of the employee's immediate family or another employee who is not a member of the employee's immediate family or allowing a patron who is not a member of the employee's immediate family or another employee who is not a member of the employee's immediate family to touch the employee or the employee's clothing.

Authorizes the legislative authority of a municipal corporation to request the Attorney General's guidance and assistance in drafting an ordinance regulating adult entertainment establishments, and requires the Attorney General to provide that guidance upon request.

Requires the state to indemnify a township, the trustees of a township, a municipal corporation, and the legislative authority of a municipal corporation that adopts a resolution or ordinance regulating adult entertainment establishments in accordance with

the Attorney General's legal guidance from liability incurred in the enforcement of the resolution or ordinance if the court finds the resolution or ordinance unconstitutional or otherwise legally defective, but prohibits the state from providing such indemnification for any part of a judgment or settlement covered by insurance, resulting from acts manifestly outside the scope of an officer's or employee's responsibilities or from malicious purpose, bad faith, or wanton or reckless behavior or that is for punitive damages or any part of a consent judgment or settlement that is unreasonable.



### **Am. S.B. 18**

**Sens.** Clancy, Stivers, Cates, Schaffer, Austria, Grendell, Coughlin, Harris, Mason, Mumper, Padgett, Faber, Goodman, Carey, Spada, Wilson, Jacobson

**Reps.** Bubb, Widowfield, Adams, Bacon, Barrett, Batchelder, Blessing, Budish, Collier, Combs, Core, Dolan, Domenick, Dyer, Evans, Flowers, Gibbs, J. Hagan, Healy, Hottinger, Huffman, Hughes, Jones, Luckie, Lundy, Mandel, J. McGregor, Oelslager, Patton, Raussen, Sayre, Schindel, Setzer, D. Stewart, Uecker, Wagoner, Yuko, Zehringer

**Effective date: October 10, 2007**

Expands the list of convictions and bail forfeitures to which the continuing criminal conviction and bail forfeiture record-sealing mechanism does not apply to include the following: (1) convictions on or after the act's effective date of the offense of importuning or a substantially similar municipal ordinance, and (2) convictions on or after the act's effective date of the offenses of voyeurism, public indecency, compelling prostitution, promoting prostitution, procuring, disseminating matter harmful to juveniles, displaying matter harmful to juveniles, pandering obscenity, or deception to obtain matter harmful to juveniles when the victim of the offense was under 18 years of age.



### **Am. Sub. S.B. 97**

**Sens.** Stivers, Schaffer, Faber, Clancy, Bocchieri, Mumper, Austria, Goodman, Harris, Padgett, Spada, Wilson, Cates

**Reps.** Latta, Jones, Bubb, Blessing, Hughes, Bacon, Barrett, Batchelder, Beatty, Bolon, Boyd, Brady, Carmichael, Combs, Core, DeBose, DeGeeter, Domenick, Dyer, Evans, Flowers, Gerberry, Gibbs, J. Hagan, Healy, Heard, Hottinger, Luckie, Lundy, Mandel, Oelslager, Otterman, Patton, Sayre, Schindel, Setzer, Stebelton, Szollosi, Uecker, Wagoner, Webster, B. Williams, Yuko, Zehringer

**Effective date: Emergency, June 30, 2007; Sections 1 to 3 effective July 1, 2007; certain other provisions effective July 1, 2007, August 15, 2007, September 4, 2007, and January 1, 2008**

Modifies the penalties for a violation of any prohibition in the Sex Offender Registration and Notification Law that prohibits a person from failing to comply with the Law's address registration, notice of intent to reside, change of address, and address verification so that: (1) subject to item (2) below, (a) if the most serious offense that was the basis of the requirement violated is aggravated murder or murder, the offender is guilty of a first degree felony, (b) if the most serious offense is a first, second, third, or fourth degree felony, the offender is guilty of a felony of the same degree as the most serious offense that was the basis of the requirement violated, and (c) if the most serious offense is a fifth degree felony or a misdemeanor, the offender is guilty of a fourth degree felony, and (2) if the offender previously has been convicted of or pleaded guilty to or been adjudicated delinquent for violating any of the prohibitions: (a) if the most serious offense that was the basis of the requirement violated is aggravated murder or murder, the offender is guilty of a first degree felony, (b) if the most serious offense is a first, second, or third degree felony, the offender is guilty of a felony of the same degree as the most serious offense that was the basis of the requirement violated and, in addition to any other sanction imposed, the court must impose a definite prison term of no less than three years, (c) if the most serious offense that was the basis of the requirement violated is a fourth or fifth degree felony, the offender is guilty of a third degree felony and, in addition to any other sanction imposed, the court must impose a definite prison term of no less than three years, and (d) if the most serious offense that was the basis of the requirement violated is a misdemeanor, the offender is guilty of a fourth degree felony.

Provides that, by January 1, 2008, the Bureau of Criminal Identification and Investigation (BCII), in the Attorney General's office, with the assistance of the Office of Criminal Justice Services, must include on BCII's Internet Sex Offender and Child-victim Offender Database a link to educational information for the public on current research about sex offenders and child-victim offenders and that each sheriff who has established on the Internet a sex offender and child-victim offender database may include on the database a link of that nature.

Provides that, by January 1, 2008, BCII's Internet Sex Offender and Child-victim Offender Database and each sheriff's Internet sex offender and child-victim offender database is required to inform offenders and public registry-qualified juvenile offender registrants that they may contact the sheriff of the county in which the offender or delinquent child registered an address if the offender or delinquent child believes that information contained on the Internet Sex Offender and Child-victim Offender Database or sheriff's Internet sex offender and child-victim offender database is incorrect.

Modifies the definition of "sexually oriented business" as enacted in Sub. S.B. 16 of the 127th General Assembly.



Gives townships the authority, by resolution, to restrict the residency of sex offenders and child-victim offenders in the same manner as municipal corporations.

Directs the Superintendent of BCII to establish and maintain a Retained Applicant Fingerprint Database comprised of fingerprints of individuals on whom BCII has conducted criminal records checks for the purpose of determining eligibility for employment with or licensure by a public office.

Prohibits a superintendent of a school district, educational service center, community school, or public or private employer from permitting the operation of a vehicle used for pupil transportation within Ohio by an individual unless certain information about that driver has been submitted to the Department of Education and a criminal records check by BCII, including information from the FBI, has been completed and received by the superintendent or public or private employer.

Prohibits the owner of a school bus or van from permitting a person to operate the bus or van for six years after the date on which the person pleads guilty to or is convicted of state OVI (operating a motor vehicle while under the influence) or state OVUAC (operating a motor vehicle after underage alcohol consumption) or a substantially equivalent municipal ordinance.



## ECONOMIC DEVELOPMENT

### Sub. H.B. 233

- Reps.** Reinhard, Bupp, Collier, DeWine, Evans, Fende, Goodwin, Goyal, Huffman, Latta, J. McGregor, Schlichter, Seitz, Setzer, Webster, Zehringer, Wolpert, J. Hagan, R. Hagan, Schindel, Wagner, Heard, B. Williams, DeBose, Chandler, Lundy, Celeste, Stebelton, Otterman, Mallory, Adams, Aslanides, Bacon, Batchelder, Blessing, Bolon, Brown, Budish, Carmichael, Core, Daniels, Dodd, Domenick, Dyer, Flowers, Garrison, Gibbs, Harwood, Healy, Hite, Hughes, Koziura, Letson, Luckie, Mandel, Miller, Oelslager, Okey, Patton, Sayre, Schneider, Uecker, Ujvagi, Wachtmann, Wagoner, Widener
- Sens.** Faber, Carey, Schuring, Mumper, Amstutz, Boccieri, Buehrer, Cafaro, Cates, Grendell, Harris, Kearney, D. Miller, Morano, Niehaus, Padgett, Roberts, Sawyer, Schuler, Schaffer, Spada, Seitz, Smith, Stivers, Wilson, Mason, Gardner

**Effective date: February 14, 2008; Sections 5 and 6 and certain other provisions effective November 15, 2007**

Permanently revives the Rural Industrial Parks Loan Program that was administered by the Director of Development and expired on July 1, 2007.

Revises the funding mechanism for the Local Government Services Collaboration Grant Program.

Eliminates the requirement that the Director of Budget and Management, in determining tax revenues credited to the General Revenue Fund in December 2007, disregard transfers made from the General Revenue Fund to the Local Government Fund, Local Government Revenue Assistance Fund, and Library and Local Government Support Fund.

Creates the Ohio Agriculture to Chemicals, Polymers, and Advanced Materials Task Force.

Requires the Task Force to submit a report to the General Assembly and the Governor not later than four months after the act's effective date that provides an overview of the agriculture industry and the specialty chemicals and polymer industry in Ohio, a description of the conditions of and trends in those industries in Ohio, an identification and description of potential alignments between the agricultural industry and the specialty chemicals and polymer industry in Ohio, and recommendations for expanding the agriculture industry and the specialty chemicals and polymer industry in Ohio and for providing methods to increase alignments between those industries.



## Sub. S.B. 24

**Sens. Carey, Niehaus, Grendell, Spada, Harris, Padgett, Mumper, Buehrer, Schaffer, Clancy, Roberts, D. Miller, Kearney, Cates, Goodman, Sawyer, Cafaro, Faber, Wilson, Morano, Fedor, Stivers**

**Reps. Collier, Celeste, Zehringer, R. Hagan, Wolpert, Mallory, J. Hagan, Reinhard, Schindel, Otterman, Heard, Combs, B. Williams, DeBose, Lundy, J. McGregor, Ujvagi, Chandler, Stebelton, Aslanides, Blessing, Daniels, Domenick, Fende, Flowers, Garrison, Harwood, Hottinger, Hughes, Letson, Luckie, Patton, Raussen, Sayre, Schlichter, Seitz, Setzer, Szollosi, Uecker, Wagoner, Webster, Yates, Yuko**

**Effective date: September 29, 2007**

Requires the Director of Development to adopt rules under the Administrative Procedure Act to administer the Job Ready Site Program's annual competitive process for obtaining grants.

Bars the administrative rules from having the effect of excluding grant applicants from any county.

Requires that the forwarding of prioritized applications to the Director, project progress reports, the recovery of costs incurred in conducting the Program, and the Director's annual report comply with the rules.

Increases from \$500,000 to \$750,000 the maximum amount that may be granted to an eligible county under the Industrial Site Improvement Program.

## EDUCATION

### Sub. H.B. 2

- Reps.** Webster, Garrison, Luckie, Lundy, Dyer, Heard, Brady, Celeste, Adams, B. Williams, Sykes, Okey, Bacon, Beatty, Blessing, Bolon, Book, Boyd, Brown, Budish, Carano, Combs, DeBose, DeGeeter, Distel, Domenick, Driehaus, Fende, Flowers, Foley, Gibbs, R. Hagan, Harwood, Hughes, Koziura, Letson, Mallory, J. McGregor, Miller, Oelslager, Otterman, Sayre, Schindel, D. Stewart, Uecker, Ujvagi, White, S. Williams, Wolpert, Yates, Yuko
- Sens.** Padgett, Roberts, Morano, Sawyer, Jacobson, Mumper, Gardner, Cates, Cafaro, Carey, Clancy, Fedor, Kearney, Mason, D. Miller, Spada, Goodman, Stivers, Bocchieri, Wilson, R. Miller, Schaffer, Grendell, Harris, Smith, Schuring

**Effective date:** Emergency, May 15, 2007

Makes the Chancellor of the Ohio Board of Regents an appointee of the Governor, with the advice and consent of the Senate, with a five-year term.

Makes the Board of Regents an advisory board to the Chancellor.

Transfers the powers and duties of the Board of Regents to the Chancellor, and authorizes the Governor to prescribe additional duties for the Chancellor.

Assigns the following new duties of the Chancellor: (1) adopting rules prescribing procedures for the Chancellor to follow when taking actions associated with the Chancellor's duties and responsibilities, (2) adopting rules prescribing the advisory duties of the Board of Regents, (3) requesting the Board to hold a public hearing on whether to recommend the elimination of a graduate program at a public institution of higher education prior to the Chancellor issuing a final recommendation, and (4) responding to requests for information about higher education from the General Assembly.

Shortens the terms of members of the Board of Regents to six years.

Requires the Board of Regents to submit an annual report to the Governor and the General Assembly on the condition of higher education in Ohio and the performance of the Chancellor.

Requires the Chancellor to make recommendations to the General Assembly and the Governor for improvements in higher education.



## Sub. H.B. 190

- Reps.** Hite, Bubb, Wagner, J. McGregor, Combs, Adams, Goodwin, Wagoner, Stebelton, Webster, Letson, Hottinger, Peterson, Latta, Huffman, Otterman, Okey, Setzer, Dyer, Patton, Lundy, Luckie, Garrison, Evans, Celeste, Heard, Collier, Schlichter, Brady, Aslanides, Bacon, Bolon, Boyd, Budish, Core, DeBose, Domenick, Fende, Fessler, Flowers, Gibbs, Goyal, J. Hagan, Harwood, Healy, Hughes, Koziura, Mallory, Mandel, Oelslager, Sayre, Schindel, D. Stewart, Sykes, Szollosi, B. Williams, Yuko, Zehringer
- Sens.** Roberts, Morano, Sawyer, Jacobson, Mumper, Padgett, Boccieri, Buehrer, Faber, Fedor, Gardner, Grendell, Harris, Kearney, Niehaus, Schaffer, Schuler, Schuring, Spada, Stivers, Wilson, Goodman, R. Miller, D. Miller, Smith, Cafaro, Mason

**Effective date:** Emergency, November 14, 2007

### **Achievement testing**

Revises the scheduling of the spring administration of the elementary achievement tests from no earlier than the week containing May 1, as under former law, to no earlier than the week containing April 24.

Provides for the elementary achievement tests to be administered over a two-week period instead of consecutive days.

### **Tuition and instructional fees**

Permits school districts that are not eligible for state payments for all-day kindergarten to charge tuition on a sliding scale for all-day kindergarten classes.

Requires the Department of Education to issue an annual report on tuition that is charged by school districts for all-day kindergarten.

Requires the Department of Education, by April 30, 2008, to issue a report on fees that are charged by school districts for: (1) classes or programs that are offered during the regular school day or after school and for which students earn credit or are assigned grades, (2) instructional materials, and (3) summer school.

### **Educator misconduct**

Requires school districts, educational service centers, community schools, STEM (science, technology, engineering, and mathematics) schools, and chartered nonpublic schools to request criminal records checks for all job applicants and employees, not merely those whose duties entail the care of children.

Requires private contractors that are hired by those employers to request criminal records checks for job applicants and employees who will work in schools.

Requires subsequent criminal records checks every five years for school employees who are not subject to periodic post-employment records checks under other laws.

Requires that the initial and periodic criminal records checks of school employees, including State Board of Education licensees, include checks of FBI records as well as state records.

Permits the State Board of Education to revoke an expired educator license for misconduct.

Requires the Educator Standards Board to make recommendations for a code of conduct for educators.

Directs the Department of Education, by December 31, 2007, to recommend penalties for failure to report to the Department or the State Board of Education information about educators who have committed an act unbecoming to the teaching profession or that makes them a threat to students' safety.

### **Other provisions**

Permits the Superintendent of Public Instruction to waive the minimum number of school days in the 2006-2007 school year for a joint vocational school district that experienced delays in a state-assisted construction project.

Extends to July 1, 2008, the deadline for issuance of recommendations by the public-private collaborative commission studying the promotion of student success in conjunction with the Ohio Core curriculum.

Removes the Directors of Natural Resources and Job and Family Services from the Ohio Community Service Council, and adds two members to the number appointed by the Governor.



## ENVIRONMENT AND NATURAL RESOURCES

### H.B. 153

- Reps.** Latta, Setzer, Flowers, Combs, J. McGregor, Evans, Ujvagi, Bacon, Seitz, Okey, Gibbs, Stebelton, Yuko, Aslanides, Wagner, Core, Distel, Domenick, Goodwin, Harwood, Hite, Huffman, Luckie, Reinhard, Sayre, Zehringer, Batchelder, Blessing, Bolon, Book, Brady, Bubp, Budish, Collier, Dodd, Dolan, Driehaus, Dyer, Fende, Garrison, J. Hagan, Hughes, Oelslager, Otterman, Patton, Schlichter, Schneider, J. Stewart, Uecker, Wagoner, Webster, Widener, Yates
- Sens.** Spada, Morano, D. Miller, Mason, Boccieri, Buehrer, Carey, Cates, Faber, Grendell, Harris, Niehaus, Roberts, Sawyer, Schaffer, Wilson

**Effective date: October 18, 2007**

Authorizes the Chief of the Division of Wildlife in the Department of Natural Resources to enter into a memorandum of understanding, agreement, or mutual aid compact with an entity of another state, a federal entity, or a foreign entity that employs a law enforcement officer to enable wildlife officers and the specified law enforcement officers to assist each other.

Specifies that employees of the Division of Wildlife who are serving under the terms of such a document must be considered as performing services within their regular employment for purposes of employment rights and benefits and retain personal immunity from civil liability together with all rights of indemnification and representation incident to regular employment.

Requires the Chief to adopt rules to enter into a reciprocal agreement called the Wildlife Violators Compact with participating states for the enhancement of compliance with hunting, fishing, and other wildlife laws.



### Am. H.B. 238

- Reps.** Latta and J. Stewart, J. McGregor, Bubp, Evans, Ujvagi, Koziura, Zehringer, Bolon, Okey, Miller, Aslanides, Distel, Goodwin, Huffman, Sayre, Hite, Luckie, Adams, Batchelder, Book, Chandler, DeBose, Domenick, Dyer, Gibbs, Goyal, J. Hagan, Hughes, Letson, Mallory, Otterman, Patton, Schlichter, Uecker, Wachtmann, Wagoner, Webster, Widener, Yates

**Sens. Grendell, Mumper, Schaffer, Niehaus, D. Miller, Buehrer, Cates, Gardener, Harris, Kearney, Spada, Wilson, Faber**

**Effective date: March 4, 2008**

Retains continuing law authorizing the Chief of the Division of Wildlife in the Department of Natural Resources or his authorized representative to bring a civil action to recover possession of or the value of any wild animal that is unlawfully held, taken, or possessed, but eliminates the Chief's authority to bring a civil action against a person who unlawfully exercised control over a wild animal.

Adds authority to bring a civil action to recover possession of or the restitution value of any wild animal that is unlawfully bought or sold.

Eliminates amounts established in former law for the restitution value of specified wild animals, and instead requires the minimum restitution value to the state for wild animals that are unlawfully held, taken, bought, sold, or possessed to be established in Division rule.

Specifies that in addition to any restitution value established in Division rule, a person who is convicted of unlawfully holding, taking, buying, selling, or possessing an antlered white-tailed deer with a gross score of more than 125 inches also must pay an additional restitution value that is calculated using a formula established in the act, and defines "gross score" as the number derived by calculating the measurements of the antlers of a white-tailed deer in accordance with the act.

Requires the Chief, upon the conviction of a person for the illegal holding, taking, buying, selling, or possessing of a wild animal, to revoke all hunting and fishing licenses, permits, and stamps issued to the person until restitution payment is made.

Authorizes a court, rather than requires a court as in former law, upon the conviction of or plea of guilty by a person for the illegal holding, taking, buying, selling, or possession of a wild animal, to require the person to make restitution for the minimum value of the wild animal.



## **Am. Sub. S.B. 77**

**Sens. Grendell, Spada, Mumper, Harris, D. Miller, Niehaus, Roberts, Sawyer, Schaffer, Schuler, Smith, Buehrer, Morano, Padgett, R. Miller, Wilson, Mason, Faber**

**Reps. Aslanides, Distel, Blessing, Bulp, Collier, Evans, J. Hagan, Mandel, J. McGregor, Patton, Schindel, Seitz**

**Effective date: October 10, 2007**

Revises the requirements for application for a new commercial fishing license and renewal of a commercial fishing license and for application for a permit to handle commercial fish or other fish bought or sold at wholesale, including the addition of a requirement that an applicant cannot have a prior conviction of or guilty plea to a felony on or after the act's effective date concerning commercial fishing activities for a violation of state or federal law.

Revokes permanently by operation of law all commercial fishing licenses and all permits to handle fish at wholesale issued under the Hunting and Fishing Law to a person when the person is convicted of or pleads guilty on or after the act's effective date to a felony related to commercial fishing activities for a violation of state or federal law.

Replaces certain former provisions related to suspension and revocation of a commercial fishing license or a permit to handle fish at wholesale with new suspension and revocation requirements for such licenses and permits, and consolidates them in one statute.

Requires the clerk of the court before which a person is convicted of or pleads guilty to specified violations to send notice of the conviction or plea to the Chief of the Division of Wildlife in the Department of Natural Resources.

Establishes additional conditions for the transfer of a commercial fishing license issued under Ohio law.

Prohibits a commercial fishing licensee, on and after March 1, 2008, from using or engaging in fishing with commercial gear unless the licensee uses vessel and catch monitoring devices in accordance with requirements and procedures established by the Chief, requires the Chief to establish by rule requirements and procedures for such devices, and requires a commercial fishing licensee to pay the costs of purchasing, installing, and maintaining the devices.

Requires a commercial fishing licensee to record daily catch data on a daily report form rather than on a monthly report form as in prior law.

Removes mullet from the types of fish that may be taken with a seine.

Eliminates the legal length limits for buffalo fish, suckers, and cohos.

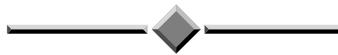
Eliminates the annual fee for a license for a commercial fishing dip net.

In establishing the quota management system to manage the Lake Erie fishery resources, eliminates the requirements that the Chief and the Wildlife Council consider the proportional taking of a species between the sport and commercial interests and within the commercial industry during the immediately preceding five years.

Codifies in statutory law several provisions and concepts established in rules that have been adopted by the Chief and govern commercial fishing.

With respect to any proposed adoption of or change to a rule that regulates commercial fishing, requires the Chief to provide, by certified mail, notification of the proposal to each holder of a valid commercial fishing license.

Creates the Ohio Lake Erie Fishing Regulatory Reform Task Force to evaluate certain fisheries management practices with respect to Lake Erie and to make recommendations to the General Assembly and the Division of Wildlife regarding statutory, rulemaking, and regulatory changes.



## HEALTH

### Sub. H.B. 149

- Reps.** Daniels and Strahorn, J. Stewart, Driehaus, Aslanides, Bolon, J. McGregor, Wolpert, Luckie, Gibbs, R. Hagan, Combs, Flowers, Healy, Setzer, J. Hagan, Lundy, S. Williams, Heard, Sykes, Widener, Hughes, Adams, Garrison, Uecker, Huffman, DeBose, Fessler, Distel, Blessing, Patton, Domenick, Fende, Bulp, Beatty, Collier, Peterson, Okey, D. Stewart, Foley, Boyd, Carmichael, Reinhard, Hite, Brown, Gerberry, Koziura, Miller, Sayre, Seitz, Ujvagi, Wachtmann, Webster, Zehringer
- Sens.** Coughlin, Gardner, D. Miller, Morano, Mumper, Seitz, Austria, Cates, Fedor, Grendell, Harris, Niehaus, Padgett, Roberts, Sawyer, Schaffer, Schuler, Schuring, Spada, Stivers, Wilson, Faber, Carey

**Effective date:** March 24, 2008

Modifies the scope of practice of an optometrist holding a therapeutic pharmaceutical agents certificate by doing all of the following: (1) eliminating the statutory specifications of the particular drugs and dosages that may be administered or prescribed, (2) specifying the classifications of oral drugs that may be used in the practice of optometry, with limitations on the use of analgesics and anti-inflammatories, (3) eliminating the provision that limited the use of drug treatment to conditions involving the anterior segment of the eye, (4) authorizing the use of any topical drug that pertains to the practice of optometry, (5) permitting the administration of epinephrine by injection in emergency situations, (6) allowing the use of glucose-monitoring devices, and (7) authorizing the prescription and dispensing of vision-correcting devices that also deliver drugs.

Requires the State Board of Optometry to adopt rules governing the use of Schedule III controlled substances in the practice of optometry.

Permits an optometrist who holds a topical ocular pharmaceutical agents certificate to use any topical drug or dangerous drug for evaluative purposes.

Prescribes the manner in which the Board may share information with other investigating boards and agencies.

Increases the requirement for annual continuing optometric education in pharmacology from five to ten hours, and applies it to all optometrists.

Modifies the licensing exemption that applies to optometry students by permitting students from optometry schools in other states to participate in an optometry training program in Ohio.

Provides that prescriptions for contact lenses must contain all information that is required by federal law, including an expiration date.

Expressly requires the Ohio Optical Dispensers Board to regulate the dispensing of contact lenses regardless of whether they address visual function, and expressly requires that all contact lenses, including cosmetic contact lenses, be dispensed pursuant to a valid prescription.



## **Am. S.B. 144**

**Sens.** Stivers, Goodman, D. Miller, Schuler, Gardner, Schuring, Padgett, Morano, Austria, Boccieri, Clancy, Faber, Fedor, Harris, Kearney, Mason, R. Miller, Mumper, Niehaus, Roberts, Sawyer, Schaffer, Spada, Wilson, Cafaro, Buehrer

**Reps.** Schindel, Flowers, Yuko, R. Hagan, DeBose, Otterman, Letson, Boyd, Fende, Brown, B. Williams, Uecker, Raussen, Jones, Beatty, Blessing, Bolon, Brady, Budish, Celeste, Chandler, Collier, Combs, DeGeeter, Distel, Domenick, Dyer, Evans, J. Hagan, Harwood, Healy, Heard, Hite, Hottinger, Huffman, Hughes, Luckie, Lundy, J. McGregor, Mecklenborg, Oelslager, Peterson, Sayre, Schlichter, Schneider, Setzer, Skindell, D. Stewart, Strahorn, Szollosi, Wachtmann, Wagoner, White, Zehringer

**Effective date: February 29, 2008**

Requires the Director of Health to establish the Shaken Baby Syndrome Education Program to distribute educational materials about the syndrome.

Requires the Director to create a work group to provide assistance in creating the educational materials.

Provides civil and criminal immunity for harm resulting from the dissemination of, or failure to disseminate, program materials to entities that are required to disseminate those materials.

Requires public children services employees to indicate whether cases of child abuse arose from shaken baby syndrome and the Department of Job and Family Services to annually report to the Director of Health the number of reported cases.



## HIGHWAYS AND TRANSPORTATION

### Sub. H.B. 9

**Reps.** Carmichael, Adams, Aslanides, Bacon, Brown, Coley, Collier, Combs, Daniels, Dodd, Evans, Fende, Fessler, Flowers, Hughes, Garrison, Gibbs, Latta, J. McGregor, Okey, Reinhard, Sayre, Schlichter, Seitz, J. Stewart, Wagoner, Webster, Bulp, Domenick, Otterman, Wachtmann, Batchelder, Bolon, Book, Chandler, Core, DeBose, Dyer, Goodwin, Goyal, J. Hagan, Harwood, Heard, Hottinger, Huffman, Letson, Luckie, Miller, Patton, Schneider, Setzer, Stebelton, Strahorn, Szollosi, Wagner, Zehringer

**Sens.** Padgett, Schuring, Amstutz, Austria, Buehrer, Carey, Clancy, Faber, Harris, Niehaus, Sawyer, Cafaro, Mason

**Effective date: October 18, 2007**

Permits a unit of farm machinery that is designed by its manufacturer to operate at a speed greater than 25 miles per hour (fast farm machinery) to travel on a public street or road faster than 25 m.p.h. so long as the unit displays both a slow moving vehicle emblem and a special speed identification symbol.

Requires the operator of a unit of fast farm machinery who wishes to travel on a public street or road faster than 25 m.p.h. to have a valid driver's or commercial driver's license.

Applies the "reasonable control" motor vehicle statute to agricultural tractors and other farm machinery when on any street or highway.



## HUMAN SERVICES

### Am. S.B. 116

- Sens.** Padgett, Coughlin, Niehaus, Stivers, Faber, Clancy, Jacobson, Goodman, Smith, D. Miller, Schuler, Grendell, Mumper, Schuring, Buehrer, Roberts, Kearney, Cates, Amstutz, Austria, Bocchieri, Cafaro, Carey, Fedor, Gardner, Harris, Mason, R. Miller, Morano, Sawyer, Schaffer, Spada, Wilson
- Reps.** Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler, Driehaus, Evans, Flowers, Garrison, R. Hagan, Hite, Hottinger, R. McGregor, Schlichter, D. Stewart, J. Stewart, Strahorn, Ujvagi, Yates, Adams, Barrett, Batchelder, Beatty, Blessing, Book, Brady, Bubp, Celeste, Collier, Combs, DeBose, DeGeeter, Distel, Dodd, Domenick, Dyer, Fende, Fessler, Foley, Gerberry, Goyal, J. Hagan, Harwood, Healy, Heard, Huffman, Hughes, Koziura, Latta, Letson, Luckie, Lundy, J. McGregor, Mecklenborg, Oelslager, Okey, Otterman, Patton, Peterson, Raussen, Sayre, Schindel, Schneider, Setzer, Stebelton, Szollosi, Uecker, Wagner, White, Widener, Widowfield, B. Williams, S. Williams, Yuko, Zehringer

**Effective date:** Emergency, November 11, 2007

Prohibits reducing a claimant's unemployment compensation benefits by the amount that the claimant concurrently receives in social security retirement benefits if the claimant contributed to social security pursuant to the Social Security Act.



## INDUSTRY, COMMERCE, AND LABOR

### S.B. 134

**Sens.** Faber, Harris, Kearney, Sawyer, Wilson, Schuler, Spada, Smith, Mason

**Reps.** Seitz, Huffman, Hughes, Oelslager, Batchelder, Blessing, Bolon, Bulp, Budish, Coley, Combs, Core, DeGeeter, Domenick, Evans, Flowers, Garrison, Gibbs, Harwood, Letson, Okey, Schindel, B. Williams, Yates, Zehringer

**Effective date:** January 17, 2008

Provides that a memorandum of trust be executed and acknowledged only by the trustee of the trust.



## LIQUOR CONTROL

### Am. Sub. S.B. 102

**Sens.** Schuler, Spada, Niehaus, D. Miller, Kearney, Clancy, Mumper

**Reps.** Seitz, Schneider, Carmichael, D. Stewart, Driehaus, Blessing, Daniels, Domenick, Dyer, Flowers, R. Hagan, Harwood, Huffman, Hughes, Letson, Luckie, Mallory, J. McGregor, Otterman, Raussen, Wagoner, Yuko

**Effective date:** Emergency, July 10, 2007

Creates an F-8 liquor permit, and authorizes the permit to be issued to certain nonprofit organizations to allow the sale of beer and intoxicating liquor at specific events that occur on public spaces that the organizations manage.

Changes the population quota governing the number of state agency liquor stores in a county, effectively authorizing more agency stores.



## LOCAL GOVERNMENT

### H.B. 50

**Reps.** Evans, J. McGregor, Stebelton, Flowers, Setzer, Combs, Seitz, Bacon, Hite, Okey, Webster, Collier, Bubb, Chandler, Batchelder, Bolon, Coley, Daniels, Dolan, Gerberry, Gibbs, R. Hagan, Hottinger, Huffman, Letson, Luckie, Mallory, Otterman, Patton, Schindel, Schneider, J. Stewart, Wagoner, Zehringer

**Sens.** Cates, Mumper, Carey, Harris, Roberts, Seitz, Niehaus

**Effective date:** March 5, 2008

Authorizes townships to remove junk motor vehicles from public and private property.

Authorizes townships to borrow money to pay for the removal of junk motor vehicles on public or private property and for the abatement, control, or removal of nuisance debris on private property when, in either case, the expenses incurred exceed \$500.



### H.B. 194

**Reps.** Zehringer, Seitz, Evans, Adams, Huffman, J. McGregor, Reinhard, Goodwin, Daniels, Flowers, Carmichael, Webster, Hite, Domenick, Batchelder, Book, Chandler, Coley, DeWine, Dolan, Hughes, Latta, Mandel, Otterman, Patton, Wagoner

**Sens.** Cates, Seitz, Carey, Niehaus, Faber, Harris, Morano, Padgett, Schaffer, Schuler, Wilson

**Effective date:** February 12, 2008

Authorizes a joint township district hospital board to hold an executive session to discuss trade secrets.

## Am. Sub. S.B. 7

**Sens.** Grendell, Harris, Faber, Schaffer, Amstutz, Coughlin, Gardner, Padgett, Schuring, Clancy, Mumper, Carey, Niehaus, Austria, Buehrer, Goodman, Jacobson, Schuler, Spada, Stivers, R. Miller, Wilson, Cates

**Reps.** Blessing, Wagoner, Coley, Bacon, Seitz, Batchelder, Adams, Aslanides, Bubb, Carmichael, Collier, Combs, Core, Daniels, Dolan, Domenick, Evans, Flowers, Gibbs, Goodwin, J. Hagan, Hite, Hottinger, Hughes, Jones, Oelslager, Peterson, Reinhard, Schindel, Setzer, Stebelton, Uecker, Wachtmann, Wagner, White, Zehringer

**Effective date: October 10, 2007**

Defines "blighted area," "slum," and "blighted parcel," and, except with regard to urban renewal projects, applies the new definitions uniformly throughout the Revised Code to replace definitions of "blighted area," "slum," "slum area," and related terms.

Prohibits any person from considering whether property could be put to a comparatively better use or could generate more tax revenue when determining whether the property is a blighted area or a blighted parcel.

Exempts agricultural land from being classified as blighted if its condition is consistent with conditions normally incident to generally accepted agricultural practices and the land is used for agricultural purposes or if the land is devoted exclusively to agricultural use.

Requires that before a public agency appropriates property for a private use based on a finding that the area is a blighted area or a slum, the agency adopt a comprehensive development plan describing and documenting the public need for the property and, if the agency is governed by a legislative body, obtain a resolution from that body affirming the public need for the property.

Prohibits an agency from appropriating property based on a finding that the parcel is a blighted parcel or that the area is a blighted area or slum by making that finding in, or in conjunction with, an emergency ordinance or resolution.

Prohibits appropriations of real property except as necessary and for a public use, lists uses that are presumed to be public, and specifies certain uses that are not public.

Authorizes the elected officials or elected individual who appointed an unelected public agency that seeks to appropriate property to veto the appropriation.

Requires an agency to provide the owner with a notice of intent to appropriate property and a good faith offer to purchase the property at least 30 days before filing an

appropriation petition, and sets forth a statutory form of the notice that includes a summary of the owner's legal rights.

Requires that an agency obtain an appraisal or summary appraisal of property to be appropriated and provide a copy of the appraisal or summary appraisal to the owner at or before making its first offer for the property.

Requires an agency that is appropriating property for a project, other than a project initiated under R.C. Title LV, Roads, Highways, and Bridges, that will disrupt traffic flow or impede access to property to make reasonable efforts to plan the project in a way that limits those effects.

Requires a park authority to obtain the approval of the county legislative authority in order to appropriate land in the county if the park authority is not located in that county.

Requires an agency to prove by a preponderance of the evidence that it has the right to make the appropriation, the parties were unable to agree, and the appropriation was necessary or for a public use.

Authorizes either party to an appropriation proceeding to request mediation as to the value of the property.

Modifies the evidentiary treatment of a resolution or ordinance declaring an appropriation to be necessary by providing that it creates a rebuttable presumption of necessity for non-blight takings rather than being prima facie evidence of necessity for all takings in the absence of proof that the agency abused its discretion, provides that a public utility's or common carrier's presentation of evidence of necessity creates a rebuttable presumption of necessity, and creates an irrebuttable presumption of necessity based on the approval by a state or federal regulatory authority of a taking by a public utility or common carrier.

Provides that when a trial is had as to the value of appropriated property, neither party has the burden of proof.

Requires the jury to award up to \$10,000 in compensation for any lost goodwill if the entire business property is appropriated and the owner cannot reasonably prevent the loss of goodwill by relocation or other measures.

Authorizes an agency, upon approval, to pay the actual reasonable expenses involved in moving or relocating an owner, a commercial tenant, or a residential tenant of whom the owner has informed the court, and that person's business or farm operation, including up to \$10,000 to reestablish a farm, nonprofit corporation, or small business at a new site and up to \$2,500 to search for a replacement business or farm, and authorizes a trial on those payments if the agency does not approve.

Permits a business owner to recover damages for actual economic loss resulting from an appropriation that forces the owner to relocate the business.

Requires the court to award the owner reasonable attorney's fees, expenses, and costs if the court decides for the owner on the matter of necessity or public use in a final, unappealable order.

Requires that when a trial is had as to the value of appropriated property, an agency must pay costs and expenses, including attorney's and appraisal fees, in most non-quick-take cases if the owner provided the agency with an appraisal, summary appraisal, or sworn statement of value at least 50 days before trial and the final award of compensation is greater than 125% of the agency's good faith or revised offer for the property or 150% in certain cases involving agricultural land, and places a cap on awards of attorney's fees and other costs and expenses, generally, with exceptions for most road and rail projects and public health exigencies and certain cases in which the parties exchange appraisals.

Authorizes a court to stay appropriation proceedings during an appeal if the owner posts a supersedeas bond, and authorizes the owner to take an immediate appeal from an adverse order regarding the right to appropriate or the necessity of an appropriation, with exceptions for quick-takes and exigencies.

Encourages the Supreme Court to adopt rules requiring expedited appeals in appropriation actions.

Grants the owner of property appropriated by an agency the right to repurchase the property if the agency decides not to use the property for the purpose stated in the appropriation petition unless the right is extinguished for specified reasons.



## **Sub. S.B. 36**

**Sens. Schuler, Clancy, Mumper, Schaffer, Cates, Wilson, Kearney**

**Reps. Combs, Chandler, Fende, Mallory, Yuko, Uecker, Wolpert, J. McGregor, Adams, Bacon, Daniels, Dodd, Domenick, Dyer, Evans, Flowers, Hughes, Koziura, Luckie, Lundy, Otterman, Sayre, Schindel, Schneider, Setzer, B. Williams, Yates**

**Effective date: February 29, 2008**

Authorizes townships with a population of at least 3,500, but less than 5,000 in the unincorporated territory of the township to adopt a limited home rule government if the

electors petition the board of township trustees for an election on the issue, the board appoints a township administrator, and the township's budget for the most recently concluded fiscal year is at least \$3.5 million.

Extends authority for transportation improvement districts and two or more governmental agencies to enter into agreements for the joint financing of projects from on or before December 31, 2007, to on or before May 1, 2008.

Clarifies that joint financing projects undertaken pursuant to H.B. 67 of the 127th General Assembly by transportation improvement districts and two or more governmental agencies are not to be considered when calculating the net indebtedness of townships.



## OCCUPATIONS AND PROFESSIONS

### Am. Sub. H.B. 104

**Reps.** Core, Setzer, Seitz, Hughes, Dodd, Flowers, Combs, Adams, White, Webster, R. McGregor, Bubb, Collier, J. McGregor, Stebelton, Blessing, Dyer, Batchelder, Bacon, Coley, Domenick, J. Hagan, Huffman, Latta, Mandel, Patton, Uecker, Wagoner

**Sens.** Seitz, Cates

**Effective date:** March 24, 2008

Requires a criminal records check of an applicant for an initial license for a registered accounting firm, certified or registered public accountant, dentist, dental hygienist, dental hygienist teacher, funeral director, embalmer, operator of a funeral home, embalming facility, and crematory facility, optometrist, dispensing optician, ocularist, pharmacist, physician assistant, physician, massage therapist, cosmetic therapist, telemedicine practitioner, podiatrist, wholesale distributor of dangerous drugs, animal shelter that uses drugs for euthanasia of animals, terminal distributor of dangerous drugs, psychologist, school psychologist, chiropractor, construction industry contractor, veterinarian, occupational therapist, occupational therapist assistant, physical therapist, physical therapist assistant, athletic trainer, counselor, professional clinical counselor, professional counselor, social worker, independent social worker, social worker assistant, marriage and family therapist, dietician, anesthesiologist assistant, respiratory care professional, acupuncturist, orthotist, prosthetist, and pedorthotist.

Requires a criminal records check of an applicant for restoration of a suspended license for a physician assistant, physician, massage therapist, cosmetic therapist, podiatrist, anesthesiologist assistant, and acupuncturist.

Modifies the requirements for reinstatement of the license of a physician assistant, physician, massage therapist, cosmetic therapist, podiatrist, anesthesiologist assistant, or acupuncturist whose license has been suspended for failure to renew the license or to pay the biennial registration fee.

Regarding the criminal records checks for license issuance or reinstatement, establishes a procedure for an applicant to request the Bureau of Criminal Identification and Investigation to conduct a check using existing forms and procedures that are used for criminal records checks required under continuing law, requires the Superintendent of the Bureau to conduct the requested checks and report the results to the applicable licensing agency, requires agencies that grant licenses for the specified occupations to adopt rules establishing administrative and procedural requirements for the checks, and

provides that the results of checks of applicants for initial licenses in the specified occupations are not public records.

Permits the Treasurer of State to require any individual who applies for employment with, or is employed by, the Treasurer of State's office to undergo a criminal records check and to request the Bureau of Criminal Identification and Investigation to conduct a criminal records check of any such individual.



### **Sub. S.B. 33**

**Sens. Schuring, Gardner, Clancy, Padgett, Mumper, Spada, Schaffer, Fedor, Cafaro, D. Miller, Morano, Buehrer, Schuler, J. Wilson**

**Reps. Flowers, Goodwin, Yuko, R. Hagan, Fende, Brown, Letson, Otterman, B. Williams, Huffman, Boyd, Wachtmann, Book, Chandler, DeBose, DeGeeter, Dodd, Evans, Harwood, Hite, Hughes, Latta, J. McGregor, Oelslager, Patton, Schneider**

**Effective date: August 22, 2007**

#### **Chiropractor--certificate to practice acupuncture**

Authorizes a chiropractor to obtain a certificate to practice acupuncture from the State Chiropractic Board.

Requires the Board to approve courses of study in acupuncture for chiropractors that consist of at least 300 hours of instruction.

Establishes procedures for issuing and renewing certificates to practice acupuncture, including procedures for imposing sanctions and taking other enforcement actions.

Permits an acupuncturist who holds a certificate from the State Medical Board to practice under the supervision of any chiropractor who makes a written referral or prescription for acupuncture.

#### **Acupuncturist consultation with physician**

Allows an acupuncturist who holds a certificate from the State Medical Board to consult with any physician, not only a supervising physician, when a patient's condition does not improve or a medical emergency exists.

### **Drug Repository Program**

Modifies the immunity from civil liability, criminal prosecution, and professional liability that applies to persons and government entities for matters related to donating, giving, accepting, or dispensing prescription drugs under the Drug Repository Program established by the State Board of Pharmacy.

### **State Medical Board hearing examiners**

Permits the State Medical Board, subject to Controlling Board approval, to enter into a personal service contract with one or more attorneys admitted to the practice of law in Ohio to serve on a temporary basis as hearing examiners.



## **Am. S.B. 58**

**Sens.** Coughlin, Mumper, Gardner, D. Miller, Clancy, Cafaro, Carey, Niehaus, Schaffer, Schuler, Spada

**Reps.** Flowers, Yuko, Fende, Brown, Letson, Otterman, DeBose, B. Williams, Uecker, Huffman, White, Aslanides, Combs, Domenick, Driehaus, Garrison, Gerberry, J. Hagan, R. Hagan, Hite, Koziura, Luckie, Mallory, J. McGregor, Okey, Patton, Sayre, Schindel, Schneider, Setzer, Strahorn, Wachtmann, Zehringer

**Effective date: August 30, 2007**

Adds immunizations for meningitis, diphtheria, and pertussis to the immunizations that pharmacists are permitted to administer to adults.

Lowers the minimum age from 18 to 14 for individuals to receive influenza immunizations from pharmacists.

Permits pharmacy interns working under the direct supervision of a pharmacist to administer influenza immunizations to adults.

Permits pharmacists to administer epinephrine and diphenhydramine to individuals in emergency situations resulting from adverse reactions to the immunizations administered by a pharmacist or pharmacy intern.

Reduces the number of votes that are needed for the State Board of Pharmacy to approve and confirm a finding or order resulting from an investigation or hearing undertaken by one or more of the Board members.



## **S.B. 143**

**Sens. Padgett, Spada, Carey, Gardner, Bocchieri, Schuler, Clancy, R. Miller, Kearney, Sawyer, Morano, Cates, D. Miller, Roberts, Schuring, Wilson, Harris, Fedor**

**Reps. Setzer, Sykes, Collier, Stebelton, Garrison, Brady, Evans, Okey, Patton, Dyer, Lundy, B. Williams, Aslanides, Bacon, Beatty, Bolon, Boyd, Celeste, Chandler, Combs, DeBose, Dodd, Domenick, Fende, Flowers, Goyal, J. Hagan, R. Hagan, Harwood, Hottinger, Hughes, Latta, Letson, Luckie, Mallory, Mandel, J. McGregor, Otterman, Peterson, D. Stewart, J. Stewart, Wagoner, Webster, White, Zehringer**

**Effective date: Emergency, June 30, 2007**

Requires the Board of Speech-Language Pathology and Audiology to issue a speech-language pathology student permit authorizing a graduate student to practice speech-language pathology under supervision.



## STATE GOVERNMENT

### Sub. H.B. 166

**Reps.** Schindel, Adams, Bulp, Combs, DeWine, Flowers, Gibbs, Seitz, Stebelton, Widener, Zehringer, Aslanides, Bacon, Batchelder, Blessing, Coley, Collier, Daniels, Dolan, Evans, Fessler, J. Hagan, Hite, Hottinger, Huffman, Hughes, R. McGregor, Patton, Schneider, Setzer, Uecker, Wachtmann, Wagner, Wagoner, Widowfield

**Sens.** Niehaus, Cates, D. Miller, Gardner, Faber, Padgett, Spada, Austria, Buehrer, Carey, Goodman, Grendell, Harris, Mumper, Roberts, Seitz, Schaffer, Schuler, Schuring, Stivers

**Effective date:** February 14, 2008

Creates the Office of Internal Auditing within the Office of Budget and Management and the position of Chief Internal Auditor.

Requires that the Office of Internal Auditing conduct the internal audits of certain state agencies according to an annual plan and report the audits' findings and recommendations.

Transfers state agency employees who perform internal audit functions to the Office of Internal Auditing.

Establishes the State Audit Committee to, among other things, review and comment on the annual internal audit plans that are prepared by the Office of Internal Auditing.



### S.B. 40

**Sens.** Schuler, Boccieri, Buehrer, Carey, Clancy, Faber, Gardner, Grendell, Kearney, D. Miller, Mumper, Schaffer, Cates, Austria, Fedor, Padgett, Roberts, Schuring, Stivers, Spada, J. Wilson, Sawyer

**Reps.** Seitz, Bacon, Batchelder, Blessing, Bolon, Book, Brinkman, Celeste, Chandler, Coley, Combs, Daniels, Dodd, Domenick, Driehaus, Dyer, Evans, Fende, Flowers, Foley, Gerberry, Goodwin, Goyal, J. Hagan, Harwood, Hite, Hottinger, Huffman, Hughes, Latta, Letson, Luckie, Mallory, J. McGregor, Mecklenborg, Otterman, Patton, Peterson, Raussen, Reinhard, Sayre, Schindel, Schlichter, Schneider, Setzer, Skindell, Stebelton, D. Stewart,

**J. Stewart, Strahorn, Szollosi, Ujvagi, Wachtmann, Wagoner, White,  
Widowfield, Yates, Yuko, Zehringer**

**Effective date: January 24, 2008**

Designates October of each year as "German Heritage Month."



## TAXATION

### Am. Sub. H.B. 24

**Reps.** Wagner, J. McGregor, Wagoner, Gibbs, Combs, Stebelton, Collier, Huffman, Blessing, Bubp, Latta, Schindel, J. Hagan, Wolpert, Adams, Aslanides, Bacon, Barrett, Batchelder, Boyd, Brown, Budish, Carmichael, Chandler, Coley, Core, Daniels, DeBose, Domenick, Dyer, Evans, Fende, Fessler, Flowers, Goodwin, Goyal, Harwood, Healy, Hite, Hottinger, Hughes, Jones, Letson, Luckie, Lundy, Mandel, Miller, Oelslager, Otterman, Patton, Raussen, Reinhard, Sayre, Schneider, Seitz, Setzer, Szollosi, Uecker, Wachtmann, Webster, S. Williams, Yuko, Zehringer

**Sens.** Amstutz, Harris, Schaffer

**Effective date:** Emergency, December 21, 2007

Gives municipal corporations the option of allowing sole proprietors to take a municipal income tax deduction for amounts that they pay for medical care insurance for themselves and their family members.

Gives municipal corporations the option of allowing individuals to take a municipal income tax deduction for cash contributions to health savings accounts.

Modifies who may file a complaint to receive payment from the Real Estate Appraiser Recovery Fund for losses incurred due to an illegal act or transaction by a real estate appraiser or real estate appraiser assistant.

Authorizes certain property owners whose property is located in a conservancy district that includes all or parts of more than 16 counties to have the Supreme Court review denials of their exceptions to an assessment so long as a notice of appeal is filed in the Supreme Court not later than 30 days after the act's effective date.

Prohibits the board of directors of a conservancy district that includes all or parts of more than 16 counties from levying or collecting an assessment, and prohibits a county treasurer from collecting an assessment levied by that conservancy district, beginning on the act's effective date and until January 1, 2009.

Declares that a parcel of land on which such an assessment is levied is not liable for such an assessment beginning on the act's effective date and until January 1, 2009.

Declares that the act's moratorium and emergency clause imply the intent that the General Assembly will evaluate specified topics related to a conservancy district that includes all or parts of more than 16 counties in order to determine whether the General



Assembly should enact legislation by June 30, 2008, to revise the statutes governing such a district.

Authorizes the Governor, by executive order, to extend the enhanced motor vehicle inspection and maintenance program through June 30, 2008, and to extend the terms of the contract that expired on December 31, 2007, with the contractor that conducted inspections under that program.

Authorizes the Governor, by executive order, to order the continuation of the enhanced motor vehicle inspection and maintenance program from July 1, 2008, through June 30, 2009, and requires the Director of Environmental Protection to select a vendor to perform inspections under the program via a competitive selection process.



### **Sub. H.B. 157**

**Reps. Hughes, Bupp, Schindel, Huffman, J. McGregor, Seitz, Combs, Miller, Collier, Fende, Evans, Widener, Latta, Setzer, Stebelton, Uecker, Yuko, Adams, Luckie, Gibbs, Aslanides, Bacon, Batchelder, Bolon, Book, Boyd, Brady, Brown, Budish, Coley, Distel, Domenick, Dyer, Flowers, Foley, Garrison, Gerberry, R. Hagan, Harwood, Lundy, Mandel, Oelslager, Otterman, Patton, Sayre, D. Stewart, Wachtmann, B. Williams, Zehringer**

**Sens. Amstutz, Spada, Schaffer, Harris, Sawyer, Faber, Austria, Fedor**

**Effective date: March 24, 2008; certain provisions effective December 21, 2007**

Directs the Tax Commissioner to include on state income tax returns a box that a taxpayer may check to authorize a paid tax preparer to speak to the Department of Taxation about certain matters concerning the return.

Authorizes a sales and use tax exemption for sales of property that is used or consumed in acquiring, formatting, editing, storing, and disseminating data or information by electronic publishing.

Incorporates into Ohio's tax laws Internal Revenue Code changes made since December 28, 2006, and permits a taxpayer whose taxable year ends after that date, but before the effective date of the incorporated changes, to elect to apply the Internal Revenue Code as it existed before that effective date.

Revises the date by which and time period for which title insurance agents or agencies must have an annual independent review made of their escrow, settlement, closing, and security deposit accounts.

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**Sub. H.B. 224**

**Reps.** Schindel, J. McGregor, Evans, Setzer, Garrison, Huffman, Seitz, Adams, Fessler, Otterman, Zehringer, Miller, Jones, Bubb, Widener, Stebelton, Webster, Wagoner, Gibbs, Bolon, Chandler, Goyal, Latta, Patton, Bacon, Batchelder, Blessing, Coley, Collier, Combs, Core, DeBose, Domenick, Dyer, Flowers, J. Hagan, Harwood, Healy, Heard, Hughes, R. McGregor, Oelslager, Peterson, Schneider, Wolpert, Yates

**Sens.** Spada, Amstutz, Sawyer, Goodman, Cates, Harris, D. Miller, Niehaus, Seitz, Schaffer, Stivers

**Effective date:** March 24, 2008

Prohibits municipal corporations from requiring a taxpayer to file the municipal income tax annual return earlier than the federal income tax filing date.

Allows return preparers to use facsimile signatures on returns.

Permits taxpayers to authorize return preparers to communicate directly with municipal income tax administrators.

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**Am. S.B. 20**

**Sens.** Clancy, Gardner, Stivers, Faber, Mumper, Padgett, Schuring, Schaffer, Kearney, D. Miller, Roberts, Coughlin, Cates, Austria, Buehrer, Cafaro, Carey, Fedor, Goodman, Grendell, Harris, Mason, R. Miller, Morano, Niehaus, Schuler, Smith, Spada, J. Wilson, Jacobson

**Reps.** Gibbs, Bubb, Blessing, Brinkman, J. Hagan, Latta, Patton, Widener, Wolpert, Bolon, Chandler, Healy, Letson, Miller, Yates, Adams, Aslanides, Bacon, Barrett, Batchelder, Beatty, Book, Brady, Brown, Budish, Celeste, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Flowers, Foley, Garrison, Goodwin, Goyal, R. Hagan, Harwood, Heard, Hottinger, Huffman, Hughes, Jones, Koziura, Luckie, Lundy, Mallory, Mandel, R. McGregor, Oelslager, Okey, Peterson, Raussen, Reinhard, Sayre, Schindel, Schlichter, Schneider, Seitz, Setzer, Skindell, Stebelton, D. Stewart, J. Stewart, Strahorn, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Wagoner, Webster, White, Widowfield, B. Williams, Yuko, Zehringer

**Effective date: August 30, 2007**

Increases from \$500 to \$1,500 the income tax credit for adoption of a minor child.

Authorizes taxpayers to carry forward any excess credit for up to two years.



## UTILITIES

### **Am. Sub. S.B. 117**

**Sens. Jacobson, R. Miller, Spada, Buehrer, Mumper, Niehaus, Stivers, Mason, Fedor, Harris, Coughlin, Wilson, Sawyer**

**Reps. Hottinger, S. Williams, Bacon, J. Hagan, Barrett, Beatty, Blessing, Boyd, Budish, Collier, Daniels, DeBose, Distel, Driehaus, Dyer, Evans, Flowers, Luckie, Mallory, Otterman, Schneider, Seitz, Wagoner, Webster, Yuko, Zehringer**

**Effective date: September 24, 2007**

Provides for a state franchising system for video service that is to be provided over wires or cables pursuant to a video service authorization (VSA) under which the Director of Commerce is the franchising authority, and generally supersedes local franchising authority, including by repeal of township cable law.

Allows existing municipal and township franchises and competitive video service agreements to continue until their scheduled expiration, prohibits the renewal or extension of those franchises or agreements, and allows a person to apply for a VSA when its current franchise or agreement expires or: (1) after another person provides or sells video service in the incumbent's area, (2) after the incumbent receives required notice that a video service provider (VSP) will begin to provide or sell service in that area, or (3) after the Federal Communications Commission determines that the incumbent is subject to effective competition in the area.

States the act's intention to provide a comprehensive legislative enactment operating uniformly throughout Ohio, setting forth police regulations, and prescribing a rule of conduct on citizens generally, and specifies a number of legislative findings concerning video service.

Specifies that a VSA confers on a person the authority, subject to the act, to: (1) provide video service in the video service area specified in its application, (2) construct and operate a video service network in, along, across, or on public rights-of-way, and (3) when necessary to provide the service, appropriate private property.

States that the Public Utilities Commission has no authority over a VSP in its offering of video service under a VSA, over a cable operator in its offering of cable or video service, or over any person in its offering of video service pursuant to a competitive video service agreement, and states that the Director of Commerce has no authority to regulate video service rates, terms, or conditions of service.

Grants the Director the authority to investigate and issue related subpoenas for any alleged violation of or failure by a VSP to comply with certain statutory provisions, and allows the Director to apply to a court of common pleas for an injunction or an order requiring compliance and enter into assurances of voluntary compliance, impose civil penalties, or revoke a VSA.

Requires a VSP to provide ten days' advance, written notice to a municipal corporation or township and to persons providing video service in the area before providing or selling video service to one or more subscribers in that area or any additional such area that it adds under an amended VSA.

Requires a VSP to meet specified customer service standards.

Prohibits a VSP that had been an incumbent cable franchisee from abandoning the video service that it provided on the act's effective date at least until that franchise would have expired if not terminated under specified circumstances allowing an incumbent to opt-in to the state franchise system.

Otherwise permits a VSP to terminate video service to its video service area after providing 90 days' advance, written notice to the Director, affected subscribers, and the respective municipal corporations or townships in which the service will be terminated.

Prohibits a VSP from denying access to video service to any group of potential residential subscribers in its video service area because of the race or income of the residents in the local area in which the group resides, and allows the VSP to make a related affirmative defense if it can demonstrate that certain access percentage requirements are met based on the income levels of the households.

Unless the Director grants a waiver or extension, if a VSP with more than one million telephone access lines in Ohio begins providing video service in an area, generally requires it to provide access to at least 25% of the households in the area within two years and 50% of the households in the area within five years, and requires it to file an annual compliance report with the Director.

Provides that not later than six months after the effective date of its VSA, a VSP must carry emergency interrupt service announcements transmitted by local television broadcasters and must transmit national, state, and local emergency interrupt service announcements as required by federal law.

On the provision of video service by a VSP, generally prohibits a political subdivision from requesting anything of value from a VSP, imposing any fee, license, or gross receipt tax, or imposing any franchise or other requirement.

Specifies the conditions under which a municipal corporation or township included in a video service area may require the VSP to provide one or more channels for public, educational, and governmental programming (PEG channels).

Establishes the number of required PEG channels for a municipal corporation or township that has programmed PEG channels as of January 1, 2007, and for those that do not have such channels as of that date.

Requires continuation of any existing institutional networks until the earlier of January 1, 2012, or the date on which the former obligation to provide those networks would have expired if not terminated under specified circumstances allowing an incumbent to opt-in to the state franchise system or, if earlier and as applicable, on the date that is specified in a municipal ordinance or township resolution.

If a municipal corporation or township requires a person to provide connectivity for PEG channels on January 1, 2007, requires that incumbent person to provide connectivity sufficient to connect its headend or video hub office to those PEG channel origination points until the earlier of January 1, 2012, or the date specified in any existing ordinance or resolution or, if earlier, at the end of the most recent such connectivity obligation of any person to the municipal corporation or township.

Allows the person to identify and collect the amount of its costs to provide that connectivity as a separate line item on the bills of its local subscribers, and specifies certain connectivity costs for which the person can charge the municipal corporation or township.

Requires a VSP to pay a quarterly fee to each municipal corporation and township in which it offers video service based on a percentage of the VSP's gross revenue.

Requires that gross revenue be computed in accordance with generally accepted accounting principles, and specifies what is included in and excluded from gross revenue.

Specifies the percentage to be applied to gross revenue depending on whether or not there are incumbent cable operators, but caps the percentage at 5%.

Permits a VSP not to pay a VSP fee if the municipal corporation or township fails to provide it written notice of the appropriate percentage within ten days of receiving requisite notice that the VSP will commence providing or selling video service in that area.

Permits a VSP that pays a VSP fee to include the fee in the regular bill of each of its video service subscribers.

Authorizes a municipal corporation or township to conduct a yearly audit to verify the accuracy of a VSP's calculation of the fees, prohibits payment of contingency

compensation for such audits, requires a VSP to pay, with interest, any amounts found to be underpaid in an audit within 30 days after notice, and allows an action regarding audit results to be brought not later than two years following the end of the quarter to which the disputed amount relates.

Permits a VSP to credit, offset, or deduct any VSP fee that it pays a municipal corporation against any public way fee that the municipal corporation may require for occupation or use of a public way in the same manner that a cable operator may offset a franchise fee.



## VETERANS

### Sub. H.B. 372

**Reps.** R. McGregor and Ujvagi, Bulp, Wachtmann, Combs, Aslanides, White, Domenick, Healy, Reinhard, Bacon, Barrett, Batchelder, Beatty, Blessing, Bolon, Book, Boyd, Brady, Brown, Budish, Carmichael, Celeste, Chandler, Coley, Collier, Daniels, DeBose, DeGeeter, DeWine, Distel, Dodd, Dolan, Driehaus, Dyer, Evans, Fende, Flowers, Foley, Garrison, Gerberry, Gibbs, Goodwin, Goyal, J. Hagan, R. Hagan, Harwood, Heard, Hite, Hottinger, Huffman, Hughes, Jones, Latta, Letson, Luckie, Lundy, Mallory, J. McGregor, Mecklenborg, Oelslager, Okey, Otterman, Patton, Peterson, Raussen, Redfern, Sayre, Schindel, Schlichter, Schneider, Setzer, Skindell, Stebelton, D. Stewart, J. Stewart, Strahorn, Sykes, Szollosi, Uecker, Wagner, Wagoner, Widener, B. Williams, S. Williams, Wolpert, Yates, Yuko, Zehringer

**Sens.** Spada, Goodman, Schaffer, Schuler, D. Miller, Austria, Buehrer, Carey, Cates, Faber, Gardner, Grendell, Niehaus, Roberts, Schuring, Wilson, Mumper, Mason, Padgett, Jacobson, Cafaro, R. Miller

**Effective date: March 24, 2008**

Exempts from certain probate fees the estate of a decedent who died while in active service as a United States armed forces or National Guard member serving in a combat zone.

Exempts from the Ohio income tax retired military personnel pay for service in the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, a reserve component thereof, or the National Guard.

Requires a state or local licensing agency to renew an expired occupational or professional license or certificate held by a member of the National Guard or the reserves that expired because of the member's service.

Allows a licensee who has been called to active duty upon the order of the Governor to have an extension of time in which to fulfill continuing education requirements.

Requires a licensing agency to consider relevant military experience in determining whether a licensee has fulfilled continuing education requirements.

Prohibits discrimination based on military status with respect to the Ohio Civil Rights Act and various other anti-discrimination laws regarding employment and work related issues, housing and real estate acquisition, health care, and insurance.

Requires the Attorney General to appoint a staff member of the Consumer Protection Division to expedite certain cases or issues raised by a person, or the person's immediate family, who is deployed on active duty.

Extends the 20% credit that is available to certain military persons on civil service examinations to any member of the National Guard or a reserve component of the United States armed forces who has completed more than 180 days of active duty service pursuant to an order of the President or an act of Congress.

Creates the Incumbent Worker Training Program to make grants to certain Ohio businesses and trainers to increase employee occupational skills.

Allows a person who was awarded a battle star for engagement in actual combat against the enemy to request the display of the combat battle star on a special combat or military license plate.

Requires the Registrar of Motor Vehicles to adopt rules to determine: (1) the specific combat or military license plates that are appropriate for the display of battle stars, and (2) the documentary evidence necessary as proof of the battle star award.

Creates Civil Air Patrol license plates that are available to members in good standing of the Civil Air Patrol.

Eliminates all fees and taxes charged for "Purple Heart" license plates, except the additional fees charged for initial reserve and personalized "Purple Heart" license plates, which are reduced by 25%.

Designates Interstate Routes 70 and 71 in Ohio as the "Purple Heart Trail."



## HISTORY OF BILLS THAT BECAME ACTS

Listed on the following pages is the legislative history of each bill enacted in 2007. The legend at the top left-hand corner of the following pages contains abbreviations for various actions taken on the bills. The committees of the House of Representatives and Senate are abbreviated as follows:

### House

ANR	Agriculture & Natural Resources
CC	Civil & Commercial Law
CRJ	Criminal Justice
ED	Education
EDE	Economic Development & Environment
FA	Finance & Appropriations
HLT	Health
INS	Insurance
ISV	Infrastructure, Homeland Security, & Veterans Affairs
JUD	Judiciary
LGR	Local & Municipal Government & Urban Revitalization
PU	Public Utilities
SGE	State Government & Elections
WM	Ways & Means

### Senate

AG	Agriculture
ED	Education
ENR	Environment & Natural Resources
EPU	Energy & Public Utilities
FIN	Finance & Financial Institutions
HHA	Health, Human Services, & Aging
HT	Highways & Transportation
ICL	Insurance, Commerce, & Labor
JCR	Judiciary – Criminal Justice
JCV	Judiciary – Civil Justice
RUL	Rules
SLG	State & Local Government & Veterans Affairs
WME	Ways & Means & Economic Development

Status Report of Legislation - 127th GA			House Action				Senate Action				Further Action			
House Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
2	Webster	Regents advisory role - Governor appoints Chancellor	02/20/07	ED	03/21/07	03/21/07	03/22/07	ED	S 05/02/07	05/02/07		05/09/07	05/15/07	05/15/07
9	Carmichael	Farm machinery - road & highway operation	02/20/07	ISV	S 04/19/07	05/08/07	05/08/07	HT	06/26/07	06/27/07		06/27/07	07/19/07	10/18/07
24	Wagner	Municipal income tax-deduct health insurance/savings account	02/20/07	WM	A 03/22/07	04/17/07	04/18/07	WME	S 12/12/07	A 12/12/07		12/12/07	12/21/07	12/21/07
50	Evans	Townships-remove junk motor vehicles	02/20/07	LGR	04/03/07	05/09/07	05/10/07	SLG	10/09/07	11/14/07		11/14/07	12/04/07	03/05/08
53	Peterson	Revised Code-replace outdated terms	02/21/07	HLT	S 03/15/07	03/27/07	03/27/07	HHA	A 04/19/07	04/24/07		05/01/07	05/08/07	08/07/07
56	Uecker	Manufactured home parks-eviction	02/21/07	JUD	S 05/10/07	05/23/07	05/24/07	JCV	06/26/07	06/27/07		06/27/07	07/19/07	10/18/07
67	Patton	Transportation/Public Safety budget Fiscal Year 2008-2009	02/22/07	FA	S 03/12/07	A 03/13/07	03/13/07	HT	S 03/27/07	03/27/07	03/27/07	03/28/07	03/31/07	* 06/30/07
89	Coley	Consumer goods/food-donate-immunity	03/06/07	JUD	A 05/10/07	05/22/07	05/22/07	JCV	06/19/07	06/26/07		06/26/07	07/19/07	10/18/07
100	Brinkman	Workers' Compensation Fiscal Year 2008-2009 budget/reform	03/06/07	INS	A 04/25/07	A 04/25/07	04/26/07	ICL	S 05/22/07	A 05/22/07		05/23/07	06/11/07	* 09/10/07
104	Core	License applicants-criminal background check	03/13/07	JUD	S 05/29/07	06/13/07	06/14/07	JCR	S 11/15/07	A 12/11/07		12/12/07	12/21/07	03/24/08
119	Dolan	Operating budget-Fiscal Year 2008-2009	03/20/07	FA	S 05/01/07	A 05/01/07	05/01/07	FIN	S 06/12/07	A 06/13/07	06/20/07	06/27/07	06/30/07	* 06/30/07
120	Latta	Correct HB 241/126th GA	03/21/07	CRJ	05/01/07	05/30/07	05/31/07	JCR	S 06/20/07	06/27/07		06/27/07	06/30/07	* 06/30/07
134	Seitz	Corporation law-modify/conform conversion provisions	03/27/07	JUD	05/29/07	06/05/07	06/07/07	JCV	06/19/07	06/27/07		06/27/07	07/19/07	* 10/18/07
142	Batchelder	School emergency-state highway patrol assist /inducing panic at school-second degree felony	04/03/07	ISV	S 06/14/07	A 06/26/07	06/26/07	JCR	11/01/07	A 11/14/07		12/04/07	12/21/07	03/24/08
149	Daniels Strahorn	Optometry-modify law	04/12/07	HLT	S 06/14/07	06/26/07	06/26/07	HHA	S 12/06/07	12/11/07		12/12/07	12/21/07	03/24/08
153	Latta	Wildlife Violators Compact-join	04/17/07	ANR	05/24/07	06/13/07	06/14/07	ENR	06/27/07	06/27/07		06/27/07	07/19/07	10/18/07
157	Hughes	Income tax return-check box-allow preparer to discuss return	04/17/07	WM	06/14/07	06/26/07	06/26/07	WME	S 10/31/07	11/14/07		12/04/07	12/21/07	* 03/24/08
166	Schindel	State agencies-internal audits	04/19/07	SGE	S 06/26/07	A 10/09/07	10/10/07	FIN	S 10/31/07	10/31/07		11/07/07	11/15/07	02/14/08
177	Blessing	Same person-not more than two horse racing permits for race tracks	04/24/07	SGE	S 10/09/07	A 10/10/07	10/11/07	RUL	A 10/17/07	10/17/07		10/23/07	10/25/07	10/25/07
190	Hite	Elementary achievement tests-specify administration dates	04/26/07	ED	06/20/07	06/26/07	06/26/07	ED	S 10/31/07	10/31/07		11/07/07	11/14/07	11/14/07
194	Zehringer	Open Meetings Act-executive session-discuss trade secrets	05/01/07	SGE	06/12/07	06/26/07	06/26/07	SLG	10/16/07	10/30/07		10/30/07	11/13/07	02/12/08
217	Reinhard	Grain marketing program-establish	05/09/07	ANR	06/07/07	06/14/07	06/19/07	AG	S 10/25/07	11/14/07		12/12/07	12/21/07	* 03/24/08
224	Schindel	Municipal income tax-filing deadline/signatures/preparer communications	05/17/07	WM	A 06/21/07	10/03/07	10/04/07	WME	S 11/14/07	11/14/07		12/04/07	12/21/07	03/24/08

Status Report of Legislation - 127th GA			House Action				Senate Action				Further Action			
House Bill	A - Amended      F - Failed to Pass R - Rereferred    P - Postponed S - Substitute     V - Vetoed * - Note		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
233	Reinhard	Ohio Agriculture to Chemicals, Polymers, & Advanced Materials Task Force-create	05/22/07	EDE	06/13/07	06/19/07	06/19/07	AG	S 10/11/07	10/16/07		11/07/07	11/15/07	* 02/14/08
238	Latta Stewart J	Wild animals-made property unlawfully-restitution value	05/29/07	ANR	06/20/07	A 06/27/07	07/10/07	ENR	10/18/07	11/14/07		11/14/07	12/03/07	03/04/08
372	McGregor R Ujvagi	Military and veteran benefits-probate fees/income tax/licensing	10/30/07	ISV	S 11/07/07	A 11/07/07	11/08/07	WME	S 12/12/07	12/12/07		12/12/07	12/20/07	03/24/08

**H.B. No.****Notes for House Bill Status Report**

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- 67 Eff. Date Note: Certain Sections effective 03/31/07; contains item vetoes
  - 100 Eff. Date Note: Certain provisions effective 06/11/07; certain other provisions effective 08/10/07
  - 119 Eff. Date Note: Certain provisions effective 09/29/07; certain other provisions effective on other dates; contains item vetoes
  - 120 Eff. Date Note: Sections 1 and 2 effective 07/01/07
  - 134 Eff. Date Note: Certain provisions effective 01/01/08
  - 157 Eff. Date Note: Certain provisions effective 12/21/07
  - 217 Eff. Date Note: Sections 3 and 4 effective 12/21/07
  - 233 Eff. Date Note: Sections 5 and 6 and certain other provisions effective 11/15/07
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Status Report of Legislation - 127th GA			Senate Action				House Action				Other Action			
Senate Bill	A - Amended R - Rereferred S - Substitute * - Note		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
7	Grendell	Eminent domain-state GA's reforming intent	02/20/07	SLG	S 05/31/07	A 05/31/07	06/05/07	JUD	S 06/26/07	A 06/27/07		06/27/07	07/10/07	10/10/07
10	Austria	Sex Offender Registration and Notification (SORN)-state GA's revising intent	02/20/07	JCR	S 05/16/07	05/16/07	05/17/07	CRJ	S 06/26/07	A 06/27/07		06/27/07	06/30/07	* 06/30/07
16	By Initiative	Sexually oriented businesses-regulate	02/20/07	SLG	04/17/07	04/17/07	04/18/07	JUD	S 05/15/07	05/16/07		05/22/07	*	09/04/07
18	Clancy	Criminal record-prohibit sealing if victim under 18	02/20/07	JCR	03/28/07	03/28/07	03/29/07	CRJ	A 06/27/07	06/27/07		06/27/07	07/10/07	10/10/07
20	Clancy	Income tax-increase adoption credit	02/20/07	WME	03/21/07	03/21/07	03/22/07	WM	A 05/10/07	A 05/16/07		05/22/07	05/31/07	08/30/07
24	Carey	Job Ready Site competitive process-rules	02/20/07	WME	S 03/28/07	03/28/07	03/29/07	EDE	05/23/07	* 06/26/07		06/26/07	06/30/07	09/29/07
33	Schuring	Chiropractors-practice acupuncture	02/20/07	HHA	S 03/08/07	03/20/07	03/21/07	HLT	04/26/07	05/15/07		05/15/07	05/22/07	08/22/07
36	Schuler	Small townships-limited home rule	02/20/07	SLG	A 05/15/07	05/23/07	05/24/07	LGR	S 11/07/07	11/07/07		11/14/07	11/30/07	02/29/08
40	Schuler	"German Heritage Month"-October	02/20/07	SLG	03/20/07	03/21/07	03/22/07	SGE	09/11/07	10/10/07		10/10/07	10/25/07	01/24/08
58	Coughlin	Pharmacists-immunizations/board procedure	02/20/07	HHA	A 03/08/07	03/20/07	03/21/07	HLT	05/10/07	05/16/07		05/16/07	05/31/07	08/30/07
77	Grendell	Commercial fishing-fees/penalties/etc	02/22/07	ENR	S 05/10/07	05/15/07	05/16/07	ANR	S 06/26/07	* A 06/27/07		06/27/07	07/10/07	10/10/07
97	Stivers	Sex Offender Registration and Notification Act-modify penalties/database	03/06/07	JCR	S 05/16/07	05/16/07	05/17/07	CRJ	S 06/19/07	A 06/27/07		06/27/07	06/30/07	* 06/30/07
102	Schuler	Nonprofit organizations-liquor permit-specific events	03/08/07	AG	S 05/02/07	05/09/07	05/10/07	SGE	S 06/12/07	A 06/27/07		06/27/07	07/10/07	07/10/07
116	Padgett	Unemployment compensation-no Social Security setoff	03/14/07	FIN	05/01/07	05/01/07	05/03/07	FA	10/18/07	A 10/30/07		10/31/07	11/11/07	11/11/07
117	Jacobson	Video service authorizations-Commerce issue	03/15/07	EPU	S 05/09/07	05/09/07	05/10/07	PU	S 06/13/07	A 06/14/07		06/19/07	06/25/07	09/24/07
134	Faber	Trust memorandum-only trustee need execute	03/28/07	JCV	05/16/07	05/30/07	05/31/07	CC	09/20/07	10/03/07		10/03/07	10/18/07	01/17/08
143	Padgett	Speech language pathology internships	04/17/07	ED	05/09/07	05/15/07	05/16/07	ED	06/20/07	06/26/07		06/26/07	06/30/07	06/30/07
144	Stivers	Shaken babies-education about/case reporting	04/17/07	HHA	A 05/22/07	05/30/07	05/31/07	HLT	A 10/11/07	11/07/07		11/14/07	11/30/07	02/29/08
155	Faber	Champaign Cty Common Pleas-create Domestic Relations-Juvenile-Probate Div-elect	04/25/07	JCV	S 06/12/07	06/20/07	06/21/07	JUD	S 10/04/07	A 10/16/07	* 10/31/07	12/12/07	12/21/07	12/21/07

**S.B. No.****Notes for Senate Bill Status Report**

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- 10 Eff. Date Note: Sections 1 to 3 effective 07/01/07; certain other provisions effective 07/01/07 and 01/01/08
  - 16 Gov. Action Note: Filed with Secretary of State without signature
  - 24 H. 3rd Cons. Note: Rereferred to RR on 06/13/07
  - 77 H. 3rd Cons. Note: Reconsideration motion offered and left pending on 06/28/07
  - 97 Eff. Date Note: Sections 1 to 3 effective 07/01/07; certain other provisions effective 07/01/07, 08/15/07, 09/04/07, and 01/01/08
  - 155 Conf. Cmte. Note: Senate did not concur in House amendments on 10/24/07; House asked for committee of Conference on 10/30/07
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## REVISED CODE SECTIONS AFFECTED

Listed below are all sections\* of the Revised Code actually affected by acts of the 127th General Assembly during 2007. Most listed sections were amended, enacted, repealed, repealed and reenacted, or suspended using the same section number. Some sections were renumbered. For the renumbered sections, the old number and the new number are listed separately. The new number also appears in parentheses underneath the old number.

<u>General</u>			0122.0814	S 0024	Amend	0153.59	H 0372	Amend
<u>Provisions</u>			0122.0817	S 0024	Amend	0153.591	H 0372	Amend
			0122.0819	S 0024	Amend	0153.64	S 0117	Amend
0001.08	S 0007	Enact	0122.086	S 0024	Amend	0156.02	H 0119	Amend
0005.2235	H 0119	Enact	0122.087	S 0024	Amend	0163.01	S 0007	Amend
0005.2236	S 0040	Enact	0122.089	S 0024	Amend	0163.02	S 0007	Amend
0009.15	H 0119	New Number	0122.17	H 0119	Amend	0163.021	S 0007	Enact
0009.821	H 0119	Amend	0122.171	H 0119	Amend	0163.04	S 0007	Amend
0009.822	H 0119	Amend	0122.174	H 0119	Enact	0163.041	S 0007	Enact
0009.823	H 0119	Amend	0122.23	H 0233	Enact	0163.05	S 0007	Amend
0009.83	H 0119	Amend	0122.24	H 0233	Enact	0163.051	S 0007	Enact
0009.833	H 0119	Amend	0122.25	H 0233	Enact	0163.06	S 0007	Amend
0009.90	H 0119	Amend	0122.26	H 0233	Enact	0163.09	S 0007	Amend
0009.901	H 0119	Amend	0122.27	H 0233	Enact	0163.12	S 0007	Amend
			0122.602	H 0119	Amend	0163.14	S 0007	Amend
			0122.652	H 0119	Amend	0163.15	S 0007	Amend
<u>Title 1</u>			0122.951	S 0024	Amend	0163.19	S 0007	Amend
			0124.152	H 0119	Amend	0163.21	S 0007	Amend
0102.02	H 0100	Amend	0124.23	H 0372	Amend	0163.211	S 0007	Enact
0102.06	H 0100	Amend	0124.341	H 0166	Amend	0163.53	S 0007	Amend
0103.141	H 0119	Repeal	0124.93	H 0372	Amend	0163.62	S 0007	Amend
0107.12	H 0119	Amend	0125.04	H 0119	Amend	0163.63	S 0007	Enact
0107.40	H 0119	Amend	0125.111	H 0372	Amend	0164.03	H 0119	Amend
0109.42	S 0010	Amend	0125.45	H 0119	Amend	0164.08	H 0119	Amend
0109.521	H 0119	Enact	0125.93	H 0119	Amend	0164.09	H 0119	Amend
0109.57	S 0010	Amend	0125.95	H 0119	Repeal	0166.08	H 0119	Amend
0109.57	H 0190	Amend	0125.96	H 0119	Amend	0167.04	H 0119	Amend
0109.572	H 0119	Amend	0125.97	H 0119	Amend	0167.10	H 0119	Enact
0109.572	H 0104	Amend	0125.98	H 0119	Amend	0167.101	H 0119	Enact
0109.5721	S 0097	Enact	0126.04	H 0119	Enact	0167.102	H 0119	Enact
0109.93	H 0119	Amend	0126.07	H 0119	Amend	0167.103	H 0119	Enact
0109.981	H 0100	Amend	0126.08	H 0119	Amend	0167.104	H 0119	Enact
0111.18	H 0119	Amend	0126.21	H 0119	Amend	0167.105	H 0119	Enact
0113.041	H 0104	Enact	0126.22	H 0119	Amend	0173.04	H 0119	Amend
0117.11	H 0119	Amend	0126.24	H 0119	Enact	0173.35	H 0119	Amend
0117.112	H 0119	Enact	0126.40	H 0119	Enact	0173.351	H 0119	Enact
0117.113	H 0119	Enact	0126.45	H 0166	Enact	0173.401	H 0119	Enact
0119.01	H 0100	Amend	0126.46	H 0166	Enact	0173.71	H 0119	Amend
0119.07	H 0119	Amend	0126.47	H 0166	Enact	0173.85	H 0119	Amend
0120.33	H 0119	Amend	0126.48	H 0166	Enact	0173.86	H 0119	Amend
0121.22	H 0194	Amend	0131.02	H 0100	Amend	0174.03	H 0119	Amend
0121.40	H 0190	Amend	0131.44	H 0119	Amend	0174.06	H 0119	Amend
0121.48	H 0119	Amend	0131.51	H 0119	Enact	0176.04	H 0372	Amend
0121.51	H 0067	Enact	0133.01	H 0119	Amend	0176.06	H 0372	Amend
0121.51	H 0119	Amend	0133.061	H 0119	Enact	0183.01	H 0119	Amend
0121.52	H 0100	Enact	0133.081	H 0119	Amend	0183.02	H 0119	Repeal
0122.051	H 0119	Enact	0133.09	S 0036	Amend	0183.021	H 0119	Amend
0122.071	H 0119	Enact	0141.06	S 0155	Enact	0183.061	H 0119	Enact
0122.076	H 0119	Enact	0149.311	H 0119	Amend	0183.17	H 0119	Amend
0122.0810	S 0024	Amend	0151.08	H 0119	Amend	0183.27	H 0119	Repeal
0122.0812	S 0024	Amend	0151.40	H 0119	Amend	0183.32	H 0119	Repeal

\*Some sections that were affected by bills are not listed and some sections, although listed, do not show all of the actions affecting them. Excluded from the list are sections with sunsets (future repeals), sections for which the amendment, enactment, repeal, or reenactment has been postponed to a later date by legislation enacted during 2007, and sections whose enactment or amendment is dependent upon further legislative action. The list also excludes sections vetoed in full by the Governor and, though none in 2007, sections nullified by referendum.

0183.33	H 0119	Amend	0718.02	H 0024	Amend	1506.48	H 0119	New Number
0183.34	H 0119	Amend	0718.03	H 0119	Amend	1506.99	H 0119	Amend
0183.35	H 0119	Amend	0718.05	H 0224	Amend	1513.08	H 0119	Amend
0183.51	H 0119	Enact	0718.13	H 0119	Amend	1513.18	H 0119	Amend
0183.52	H 0119	Enact	0719.012	S 0007	Amend	1514.081	H 0119	Amend
			0737.04	H 0067	Amend	1514.40	H 0119	Amend
			0737.041	H 0067	Amend	1521.01	H 0119	Amend
<u>Title 3</u>						1521.20	H 0119	Amend
						1521.20	H 0119	Old Number
0303.26	S 0007	Amend	<u>Title 9</u>					(1506.38)
0305.31	H 0119	Amend				1521.21	H 0119	Old Number
0307.672	H 0119	Amend	0901.171	H 0119	Amend			(1506.39)
0307.695	H 0119	Amend	0901.261	H 0119	Enact	1521.21	H 0119	Amend
0307.98	H 0119	Amend	0924.01	H 0217	Amend	1521.22	H 0119	Old Number
0307.981	H 0119	Amend	0924.02	H 0217	Amend			(1506.40)
0308.04	H 0119	Amend	0924.08	H 0217	Amend	1521.22	H 0119	Amend
0311.171	S 0010	Amend	0924.09	H 0217	Amend	1521.23	H 0119	Old Number
0317.08	H 0119	Amend	0924.20	H 0217	Enact			(1506.41)
0319.202	H 0119	Amend	0924.21	H 0217	Enact	1521.23	H 0119	Amend
0319.54	H 0119	Amend	0924.22	H 0217	Enact	1521.24	H 0119	Amend
0322.01	H 0119	Amend	0924.23	H 0217	Enact	1521.24	H 0119	Old Number
0323.131	H 0119	Amend	0924.24	H 0217	Enact			(1506.42)
0323.151	H 0119	Amend	0924.25	H 0217	Enact	1521.25	H 0119	Old Number
0323.152	H 0119	Amend	0924.26	H 0217	Enact			(1506.43)
0323.153	H 0119	Amend	0924.27	H 0217	Enact	1521.25	H 0119	Amend
0323.154	H 0119	Amend	0924.28	H 0217	Enact	1521.26	H 0119	Old Number
0325.31	H 0119	Amend	0924.29	H 0217	Enact			(1506.44)
0329.04	H 0119	Amend	0924.30	H 0217	Enact	1521.26	H 0119	Amend
0329.05	H 0119	Amend	0924.99	H 0217	Amend	1521.27	H 0119	Amend
0329.14	H 0119	Amend				1521.27	H 0119	Old Number
0340.03	H 0119	Amend						(1506.45)
			<u>Title 13</u>			1521.28	H 0119	Amend
						1521.28	H 0119	Old Number
<u>Title 5</u>			1327.70	H 0067	Enact			(1506.46)
			1332.21	S 0117	Enact	1521.29	H 0119	Old Number
0503.52	S 0016	Amend	1332.22	S 0117	Enact			(1506.47)
0503.60	S 0097	Enact	1332.23	S 0117	Enact	1521.29	H 0119	Amend
0504.01	S 0036	Amend	1332.24	S 0117	Enact	1521.30	H 0119	Old Number
0504.02	S 0036	Amend	1332.25	S 0117	Enact			(1506.48)
0504.04	S 0097	Amend	1332.26	S 0117	Enact	1521.99	H 0119	Amend
0505.031	S 0036	Amend	1332.27	S 0117	Enact	1531.06	H 0119	Amend
0505.37	H 0119	Amend	1332.28	S 0117	Enact	1531.10	S 0077	Amend
0505.376	H 0119	Amend	1332.29	S 0117	Enact	1531.133	H 0153	Enact
0505.705	H 0119	Amend	1332.30	S 0117	Enact	1531.201	H 0238	Amend
0505.85	H 0050	Amend	1332.31	S 0117	Enact	1531.35	H 0119	Amend
0505.87	H 0050	Amend	1332.32	S 0117	Enact	1531.99	H 0238	Amend
0505.871	H 0050	Enact	1332.33	S 0117	Enact	1533.18	H 0067	Amend
0505.90	S 0117	Repeal	1332.34	S 0117	Enact	1533.34	S 0077	Amend
0505.91	S 0117	Repeal	1349.04	H 0372	Enact	1533.341	S 0077	Amend
0505.92	S 0117	Repeal				1533.342	S 0077	Amend
0517.08	H 0119	Amend				1533.343	S 0077	Enact
			<u>Title 15</u>			1533.35	S 0077	Amend
						1533.36	S 0077	Amend
<u>Title 7</u>			1503.05	H 0119	Amend	1533.42	S 0077	Amend
			1504.02	H 0119	Amend	1533.62	S 0077	Amend
0701.01	H 0053	Amend	1506.01	H 0119	Amend	1533.63	S 0077	Amend
0709.01	H 0119	Amend	1506.38	H 0119	New Number	1533.631	S 0077	Amend
0711.001	H 0119	Amend	1506.39	H 0119	New Number	1533.64	S 0077	Amend
0711.05	H 0119	Amend	1506.40	H 0119	New Number	1533.641	S 0077	Enact
0711.10	H 0119	Amend	1506.41	H 0119	New Number	1533.99	H 0238	Amend
0711.131	H 0119	Amend	1506.42	H 0119	New Number	1555.08	H 0119	Amend
0711.23	H 0053	Amend	1506.43	H 0119	New Number	1557.03	H 0119	Amend
0715.55	S 0016	Enact	1506.44	H 0119	New Number			
0717.01	H 0372	Amend	1506.45	H 0119	New Number			
0718.01	H 0024	Amend	1506.46	H 0119	New Number			
0718.01	H 0119	Amend	1506.47	H 0119	New Number			



<u>Title 17</u>			2152.851	S 0010	Amend	2950.03	S 0010	Amend
			2152.86	S 0010	Enact	2950.031	S 0010	Amend
1701.03	S 0033	Amend				2950.031	S 0010	Enact
1701.55	H 0134	Amend				2950.031	S 0010	Old Number (2950.034)
1701.782	H 0134	Amend	<u>Title 23</u>					
1701.792	H 0134	Amend				2950.032	S 0010	Enact
1705.03	S 0033	Amend	2301.02	S 0155	Amend	2950.033	S 0010	Enact
1705.04	S 0033	Amend	2301.03	S 0155	Amend	2950.034	S 0010	New Number
1705.21	H 0134	Amend	2305.2341	H 0119	Amend	2950.04	S 0010	Amend
1705.53	S 0033	Amend	2305.37	H 0089	Amend	2950.041	S 0010	Amend
1707.01	H 0100	Amend	2307.14	H 0053	Amend	2950.042	S 0010	Enact
1713.031	H 0119	Enact	2317.021	H 0053	Amend	2950.043	S 0010	Enact
1728.01	S 0007	Amend	2317.03	H 0053	Amend	2950.05	S 0010	Amend
1751.18	H 0372	Amend	2317.06	H 0053	Amend	2950.06	S 0010	Amend
1775.14	H 0134	Amend				2950.07	S 0010	Amend
1775.31	H 0053	Amend				2950.08	S 0010	Amend
1785.01	S 0033	Amend	<u>Title 25</u>			2950.081	S 0010	Amend
1785.02	S 0033	Amend				2950.09	S 0010	Repeal
1785.03	S 0033	Amend	2505.02	S 0007	Amend	2950.091	S 0010	Repeal
1785.08	S 0033	Amend				2950.10	S 0010	Amend
						2950.11	S 0010	Amend
			<u>Title 27</u>			2950.12	S 0010	Amend
<u>Title 19</u>						2950.13	S 0010	Amend
			2721.05	H 0053	Amend	2950.131	S 0097	Enact
1901.08	S 0155	Amend	2743.191	S 0010	Amend	2950.132	S 0010	Enact
1901.34	H 0119	Amend	2744.02	H 0119	Amend	2950.14	S 0010	Amend
1923.01	H 0056	Amend				2950.15	S 0010	Enact
1923.01	S 0010	Amend	<u>Title 29</u>			2950.16	S 0010	Enact
1923.02	S 0010	Amend				2950.99	S 0097	Amend
1923.02	H 0056	Amend	2901.07	S 0010	Amend	2953.32	S 0010	Amend
1923.04	H 0056	Amend	2903.211	S 0010	Amend	2953.36	H 0104	Amend
1923.06	H 0056	Amend	2905.01	S 0010	Amend	2967.12	S 0010	Amend
1923.081	H 0056	Amend	2905.02	S 0010	Amend	2967.121	S 0010	Amend
1923.12	H 0056	Amend	2905.03	S 0010	Amend	2971.01	S 0010	Amend
1923.13	H 0056	Amend	2905.05	S 0010	Amend	2971.03	S 0010	Amend
1923.14	H 0056	Amend	2907.01	S 0010	Amend	2971.04	S 0010	Amend
			2907.02	S 0010	Amend	2971.05	S 0010	Amend
<u>Title 21</u>			2907.05	S 0010	Amend	2971.06	S 0010	Amend
			2907.40	S 0016	Enact	2971.07	S 0010	Amend
2101.025	S 0155	Enact	2907.40	S 0097	Amend	2981.01	H 0120	Amend
2101.16	H 0372	Amend	2913.40	H 0119	Amend	2981.11	H 0120	Amend
2101.164	H 0372	Enact	2915.01	H 0177	Amend	2981.13	H 0120	Amend
2111.37	H 0053	Amend	2915.06	H 0177	Enact			
2111.47	H 0053	Amend	2915.061	H 0177	Enact	<u>Title 31</u>		
2113.041	H 0119	Amend	2917.31	H 0142	Amend			
2117.061	H 0119	Amend	2921.34	S 0010	Amend	3109.04	H 0119	Amend
2117.25	H 0119	Amend	2921.42	H 0119	Amend	3109.041	H 0119	Amend
2151.07	S 0155	Amend	2927.023	H 0119	Amend	3119.022	H 0119	Amend
2151.23	S 0010	Amend	2927.03	H 0372	Amend	3119.023	H 0119	Amend
2151.357	S 0010	Amend	2929.01	S 0010	Amend	3119.05	H 0119	Amend
2151.362	H 0119	Amend	2929.02	S 0010	Amend	3119.27	H 0119	Amend
2152.02	S 0010	Amend	2929.022	S 0010	Amend	3119.29	H 0119	Amend
2152.19	S 0010	Amend	2929.03	S 0010	Amend	3119.30	H 0119	Amend
2152.191	S 0010	Amend	2929.06	S 0010	Amend	3119.302	H 0119	Enact
2152.20	H 0120	Amend	2929.13	S 0010	Amend	3119.32	H 0119	Amend
2152.22	S 0010	Amend	2929.14	S 0010	Amend	3123.23	H 0119	Enact
2152.811	S 0010	Repeal	2929.19	S 0010	Amend	3125.12	H 0119	Amend
2152.811	S 0010	New Number	2929.23	S 0010	Amend			
2152.82	S 0010	Amend	2930.16	S 0010	Amend	<u>Title 33</u>		
2152.821	S 0010	Old Number (2152.811)	2935.03	H 0119	Amend			
			2941.148	S 0010	Amend			
2152.83	S 0010	Amend	2950.01	S 0010	Amend	3301.011	H 0119	Amend
2152.831	S 0010	Enact	2950.011	S 0010	Enact	3301.07	H 0119	Amend
2152.84	S 0010	Amend	2950.02	S 0010	Amend	3301.0710	H 0190	Amend
2152.85	S 0010	Amend	2950.021	S 0010	Repeal			



3301.0711	H 0119	Amend	3317.0216	H 0119	Amend	3323.06	H 0119	Repeal and
3301.0711	H 0190	Amend	3317.0217	H 0119	Amend			Reenact
3301.0714	H 0119	Amend	3317.022	H 0119	Amend	3323.07	H 0119	Amend
3301.0718	H 0119	Amend	3317.023	H 0119	Amend	3323.08	H 0119	Repeal and
3301.0724	H 0119	Enact	3317.024	H 0119	Amend			Reenact
3301.12	H 0119	Amend	3317.025	H 0119	Amend	3323.09	H 0119	Amend
3301.162	H 0119	Enact	3317.026	H 0119	Amend	3323.091	H 0119	Amend
3301.311	H 0119	Amend	3317.027	H 0119	Amend	3323.11	H 0119	Repeal and
3301.53	H 0119	Amend	3317.028	H 0119	Amend			Reenact
3302.03	H 0119	Amend	3317.029	H 0119	Amend	3323.12	H 0119	Amend
3302.10	H 0119	Amend	3317.03	H 0119	Amend	3323.13	H 0119	Amend
3303.20	H 0119	Enact	3317.031	H 0119	Amend	3323.14	H 0119	Amend
3307.01	H 0119	Amend	3317.032	H 0119	Amend	3323.141	H 0119	Amend
3307.31	H 0119	Amend	3317.04	H 0119	Amend	3323.142	H 0119	Amend
3309.01	H 0119	Amend	3317.05	H 0119	Amend	3323.143	H 0119	Amend
3309.51	H 0119	Amend	3317.051	H 0119	Amend	3323.15	H 0119	Amend
3310.41	H 0119	Amend	3317.052	H 0119	Amend	3323.17	H 0119	Amend
3311.19	H 0119	Amend	3317.06	H 0119	Amend	3323.18	H 0119	Amend
3311.24	H 0119	Amend	3317.063	H 0119	Amend	3323.20	H 0119	Amend
3311.51	H 0119	Amend	3317.07	H 0119	Amend	3323.30	H 0119	Amend
3311.521	H 0119	Amend	3317.08	H 0119	Amend	3325.011	H 0119	Amend
3313.12	H 0119	Amend	3317.15	H 0119	Amend	3325.02	H 0119	Amend
3313.202	H 0119	Amend	3317.16	H 0119	Amend	3326.01	H 0119	Enact
3313.33	H 0119	Amend	3317.161	H 0119	Enact	3326.02	H 0119	Enact
3313.482	H 0142	Amend	3317.19	H 0119	Amend	3326.03	H 0119	Enact
3313.532	H 0119	Amend	3317.20	H 0119	Amend	3326.04	H 0119	Enact
3313.537	H 0119	Amend	3317.201	H 0119	Amend	3326.05	H 0119	Enact
3313.603	H 0119	Amend	3318.01	H 0119	Amend	3326.06	H 0119	Enact
3313.615	H 0119	Amend	3318.011	H 0119	Amend	3326.07	H 0119	Enact
3313.64	H 0119	Amend	3318.023	H 0119	Amend	3326.08	H 0119	Enact
3313.646	H 0119	Amend	3318.12	H 0119	Amend	3326.09	H 0119	Enact
3313.66	H 0119	Amend	3318.15	H 0119	Amend	3326.10	H 0119	Enact
3313.661	H 0119	Amend	3318.26	H 0119	Amend	3326.11	H 0119	Enact
3313.841	H 0119	Amend	3318.47	H 0119	Repeal and	3326.11	H 0190	Amend
3313.843	H 0119	Amend			Reenact	3326.12	H 0119	Enact
3313.97	H 0119	Amend	3318.48	H 0119	Repeal	3326.13	H 0119	Enact
3313.974	H 0119	Amend	3318.49	H 0119	Repeal	3326.14	H 0119	Enact
3313.977	H 0119	Amend	3319.089	H 0190	Amend	3326.15	H 0119	Enact
3313.978	H 0119	Amend	3319.28	H 0119	Enact	3326.16	H 0119	Enact
3313.98	H 0119	Amend	3319.29	H 0119	Amend	3326.17	H 0119	Enact
3313.983	H 0119	Amend	3319.291	H 0119	Amend	3326.18	H 0119	Enact
3314.015	H 0119	Amend	3319.291	H 0190	Amend	3326.19	H 0119	Enact
3314.016	H 0119	Enact	3319.301	H 0119	Amend	3326.20	H 0119	Enact
3314.017	H 0119	Enact	3319.31	H 0119	Amend	3326.21	H 0119	Enact
3314.02	H 0119	Amend	3319.31	H 0190	Amend	3326.22	H 0119	Enact
3314.03	H 0190	Amend	3319.39	S 0097	Amend	3326.23	H 0119	Enact
3314.06	H 0119	Amend	3319.39	H 0190	Amend	3326.23	H 0190	Amend
3314.061	H 0119	Amend	3319.391	H 0190	Enact	3326.31	H 0119	Enact
3314.074	H 0119	Amend	3319.55	H 0119	Amend	3326.32	H 0119	Enact
3314.08	H 0119	Amend	3321.01	H 0190	Amend	3326.33	H 0119	Enact
3314.083	H 0119	Amend	3321.03	H 0119	Amend	3326.34	H 0119	Enact
3314.086	H 0119	Enact	3323.01	H 0119	Repeal and	3326.35	H 0119	Enact
3314.087	H 0119	Enact			Reenact	3326.36	H 0119	Enact
3314.091	H 0119	Amend	3323.011	H 0119	Amend	3326.37	H 0119	Enact
3314.19	H 0119	Enact	3323.011	H 0119	Old Number	3326.38	H 0119	Enact
3314.19	H 0190	Amend			(3323.013)	3326.49	H 0119	Enact
3314.26	H 0119	Amend	3323.011	H 0119	Enact	3326.50	H 0119	Enact
3317.01	H 0119	Amend	3323.013	H 0119	New Number	3327.01	H 0119	Amend
3317.012	H 0119	Amend	3323.014	H 0119	Enact	3327.05	H 0119	Amend
3317.013	H 0119	Amend	3323.02	H 0119	Amend	3327.10	H 0067	Amend
3317.014	H 0119	Amend	3323.03	H 0119	Amend	3327.10	S 0097	Amend
3317.015	H 0119	Amend	3323.031	H 0119	Amend	3327.10	H 0190	Amend
3317.016	H 0119	Amend	3323.04	H 0119	Amend	3327.16	H 0119	Amend
3317.017	H 0119	Amend	3323.041	H 0119	Enact	3327.17	H 0119	Enact
3317.02	H 0119	Amend	3323.05	H 0119	Amend	3333.01	H 0002	Amend
3317.021	H 0119	Amend	3323.051	H 0119	Amend	3333.02	H 0002	Amend

3333.021	H 0002	Amend	3333.64	H 0119	Enact	<u>Title 37</u>		
3333.03	H 0002	Amend	3333.65	H 0119	Enact			
3333.031	H 0002	Enact	3333.66	H 0119	Enact	3701.047	H 0119	Enact
3333.032	H 0002	Enact	3333.67	H 0119	Enact	3701.135	H 0119	Enact
3333.04	H 0002	Amend	3333.68	H 0119	Enact	3701.63	S 0144	Enact
3333.04	H 0119	Amend	3333.69	H 0119	Enact	3701.64	S 0144	Enact
3333.041	H 0002	Amend	3333.70	H 0119	Enact	3701.74	H 0119	Amend
3333.042	H 0002	Amend	3345.02	H 0119	Enact	3701.741	H 0119	Amend
3333.043	H 0002	Amend	3345.05	H 0119	Amend	3702.52	H 0119	Amend
3333.044	H 0002	Amend	3345.12	H 0100	Amend	3702.5211	H 0119	Amend
3333.045	H 0002	Amend	3345.32	H 0119	Amend	3702.5212	H 0119	Amend
3333.046	H 0002	Amend	3353.03	H 0119	Amend	3702.5213	H 0119	Amend
3333.047	H 0002	Amend	3353.20	H 0119	Enact	3702.57	H 0119	Amend
3333.05	H 0002	Amend	3353.21	H 0119	Enact	3702.59	H 0119	New Number
3333.06	H 0002	Amend	3353.22	H 0119	Enact	3702.591	H 0119	New Number
3333.07	H 0002	Amend	3353.23	H 0119	Enact	3702.63	H 0119	Old Number
3333.071	H 0002	Amend	3353.24	H 0119	Enact			(3702.591)
3333.072	H 0002	Amend	3353.25	H 0119	Enact	3702.68	H 0119	Amend
3333.08	H 0002	Amend	3353.26	H 0119	Enact	3702.68	H 0119	Old Number
3333.09	H 0002	Amend	3353.27	H 0119	Enact			(3702.59)
3333.10	H 0002	Amend	3353.28	H 0119	Enact	3704.03	H 0119	Amend
3333.11	H 0002	Amend	3353.29	H 0119	Enact	3705.24	H 0119	Amend
3333.12	H 0002	Amend	3353.30	H 0119	Enact	3705.242	H 0067	Amend
3333.121	H 0002	Amend	3354.10	H 0119	Amend	3706.01	H 0119	Amend
3333.122	H 0002	Amend	3357.01	H 0119	Amend	3706.03	H 0119	Amend
3333.122	H 0119	Amend	3357.10	H 0119	Amend	3706.041	H 0119	Amend
3333.123	H 0002	Amend	3357.13	H 0119	Enact	3706.05	H 0119	Amend
3333.13	H 0002	Amend	3358.06	H 0119	Amend	3706.07	H 0119	Amend
3333.14	H 0002	Amend	3365.01	H 0119	Amend	3715.87	S 0033	Amend
3333.15	H 0002	Amend	3365.02	H 0119	Amend	3715.871	S 0033	Amend
3333.16	H 0002	Amend	3365.03	H 0119	Amend	3715.872	S 0033	Amend
3333.161	H 0002	Amend	3365.04	H 0119	Amend	3715.873	S 0033	Amend
3333.162	H 0002	Amend	3365.041	H 0119	Amend	3717.53	H 0217	Enact
3333.163	H 0002	Amend	3365.05	H 0119	Amend	3718.02	H 0119	Suspend
3333.17	H 0002	Amend	3365.07	H 0119	Amend	3718.03	H 0119	Amend
3333.18	H 0002	Amend	3365.09	H 0119	Amend	3718.05	H 0119	Suspend
3333.19	H 0002	Amend	3365.11	H 0119	Amend	3718.06	H 0119	Suspend
3333.20	H 0002	Amend	3381.04	H 0119	Amend	3718.07	H 0119	Suspend
3333.21	H 0002	Amend				3718.08	H 0119	Suspend
3333.22	H 0002	Amend				3718.09	H 0119	Suspend
3333.23	H 0002	Amend	<u>Title 35</u>			3718.10	H 0119	Suspend
3333.25	H 0002	Amend				3718.99	H 0119	Suspend
3333.26	H 0002	Amend	3501.01	H 0119	Amend	3721.51	H 0119	Amend
3333.27	H 0002	Amend	3501.05	H 0119	Amend	3721.541	H 0119	Amend
3333.28	H 0002	Amend	3501.11	H 0119	Amend	3721.56	H 0119	Amend
3333.29	H 0002	Amend	3501.17	H 0119	Amend	3733.11	H 0056	Amend
3333.29	H 0119	Repeal	3501.31	H 0119	Amend	3734.57	H 0119	Amend
3333.31	H 0002	Amend	3503.09	H 0119	Enact	3735.40	S 0007	Amend
3333.33	H 0002	Amend	3505.062	H 0119	Amend	3735.672	H 0119	Amend
3333.34	H 0002	Amend	3505.063	H 0119	Amend	3743.25	H 0119	Amend
3333.35	H 0002	Amend	3505.23	H 0119	Amend	3743.75	H 0119	Amend
3333.36	H 0002	Amend	3509.08	H 0119	Amend	3745.04	H 0119	Amend
3333.36	H 0119	Amend	3513.21	H 0119	Amend	3745.11	H 0119	Amend
3333.37	H 0002	Amend	3517.093	H 0119	Amend	3763.06	H 0053	Amend
3333.372	H 0002	Amend	3517.106	H 0119	Amend	3767.41	H 0119	Amend
3333.373	H 0002	Amend	3517.11	H 0119	Amend	3769.07	H 0177	Amend
3333.374	H 0002	Amend	3517.13	H 0119	Amend	3769.087	H 0119	Amend
3333.375	H 0002	Amend	3517.992	H 0119	Amend	3770.03	H 0119	Amend
3333.38	H 0002	Amend	3521.03	S 0155	Amend	3770.06	H 0119	Amend
3333.38	H 0119	Amend	3599.17	H 0119	Amend			
3333.50	H 0119	Enact	3599.19	H 0119	Amend			
3333.55	H 0119	Enact	3599.37	H 0119	Amend	<u>Title 39</u>		
3333.60	H 0119	Enact				3905.36	H 0119	Amend
3333.61	H 0119	Enact				3905.55	H 0372	Amend
3333.62	H 0119	Enact				3923.281	H 0119	Amend
3333.63	H 0119	Enact						





4731.65	S 0033	Amend	4762.18	S 0033	Amend	5101.98	H 0119	Amend
4732.091	H 0104	Enact	4763.16	H 0024	Amend	5104.04	H 0119	Amend
4732.28	S 0033	Amend	4766.05	H 0119	Amend	5104.30	H 0119	Amend
4734.10	S 0033	Amend	4766.22	H 0119	Enact	5107.02	H 0119	Amend
4734.141	S 0033	Enact	4775.08	H 0119	Amend	5107.03	H 0119	Amend
4734.142	S 0033	Enact	4776.01	H 0104	Enact	5107.04	H 0119	Enact
4734.15	S 0033	Amend	4776.02	H 0104	Enact	5107.05	H 0119	Amend
4734.16	S 0033	Amend	4776.03	H 0104	Enact	5107.10	H 0119	Amend
4734.17	S 0033	Amend	4776.04	H 0104	Enact	5107.12	H 0119	Amend
4734.19	S 0033	Amend	4779.08	H 0104	Amend	5107.121	H 0119	Enact
4734.202	H 0104	Enact	4779.091	H 0104	Enact	5107.14	H 0119	Amend
4734.211	S 0033	Enact				5107.16	H 0119	Amend
4734.28	S 0033	Enact				5107.17	H 0119	Amend
4734.281	S 0033	Enact	<u>Title 49</u>			5107.18	H 0119	Amend
4734.282	S 0033	Enact				5107.281	H 0119	Amend
4734.283	S 0033	Enact	4911.021	H 0119	Repeal	5107.30	H 0119	Amend
4734.284	S 0033	Enact	4921.40	H 0119	Amend	5107.36	H 0119	Amend
4734.285	S 0033	Enact	4923.26	H 0119	Enact	5107.41	H 0119	Amend
4734.286	S 0033	Enact	4971.16	H 0053	Amend	5107.42	H 0119	Amend
4734.31	S 0033	Amend				5107.70	H 0119	Amend
4734.311	S 0033	Amend				5107.71	H 0119	Enact
4734.34	S 0033	Amend	<u>Title 51</u>			5107.711	H 0119	Enact
4734.36	S 0033	Amend				5107.712	H 0119	Enact
4734.37	S 0033	Amend	5101.135	S 0144	Enact	5107.713	H 0119	Enact
4734.38	S 0033	Amend	5101.141	H 0119	Amend	5107.714	H 0119	Enact
4734.39	S 0033	Amend	5101.162	H 0119	Amend	5107.715	H 0119	Enact
4734.47	S 0033	Amend	5101.21	H 0119	Amend	5107.716	H 0119	Enact
4734.49	S 0033	Amend	5101.211	H 0119	Amend	5107.717	H 0119	Enact
4734.50	S 0033	Amend	5101.212	H 0119	Amend	5111.01	H 0119	Amend
4734.55	S 0033	Amend	5101.213	H 0119	Amend	5111.0111	H 0119	Amend
4734.99	S 0033	Amend	5101.24	H 0119	Amend	5111.0112	H 0119	Amend
4735.10	H 0119	Amend	5101.242	H 0119	Amend	5111.014	H 0119	Amend
4735.141	H 0119	Amend	5101.244	H 0119	Amend	5111.016	H 0119	Amend
4735.16	H 0372	Amend	5101.26	H 0119	Amend	5111.019	H 0119	Amend
4735.55	H 0372	Amend	5101.27	H 0119	Amend	5111.023	H 0119	Amend
4736.01	H 0119	Amend	5101.272	H 0119	Enact	5111.028	H 0119	Enact
4740.04	H 0104	Amend	5101.47	H 0119	Amend	5111.029	H 0119	Enact
4740.061	H 0104	Enact	5101.50	H 0119	Amend	5111.03	H 0119	Amend
4741.10	H 0104	Enact	5101.52	H 0119	Enact	5111.031	H 0119	Enact
4743.05	H 0119	Amend	5101.521	H 0119	Enact	5111.032	H 0119	Enact
4753.02	S 0143	Amend	5101.521	H 0119	Old Number	5111.033	H 0119	New Number
4753.05	S 0143	Amend			(0009.15)	5111.034	H 0119	New Number
4753.073	S 0143	Enact	5101.5211	H 0119	Enact	5111.06	H 0119	Amend
4753.101	S 0143	Enact	5101.5212	H 0119	Enact	5111.084	H 0119	Amend
4753.11	S 0143	Amend	5101.5213	H 0119	Enact	5111.10	H 0119	Amend
4755.03	H 0119	Amend	5101.5214	H 0119	Enact	5111.101	H 0119	Amend
4755.06	H 0104	Amend	5101.5215	H 0119	Enact	5111.102	H 0119	Enact
4755.471	S 0033	Amend	5101.5216	H 0119	Enact	5111.11	H 0119	Amend
4755.61	H 0104	Amend	5101.522	H 0119	Enact	5111.112	H 0119	Amend
4755.70	H 0104	Enact	5101.523	H 0119	Enact	5111.113	H 0119	Amend
4757.10	H 0104	Amend	5101.524	H 0119	Enact	5111.161	H 0119	Repeal
4757.101	H 0104	Enact	5101.525	H 0119	Enact	5111.163	H 0119	Amend
4759.05	H 0104	Amend	5101.526	H 0119	Enact	5111.17	H 0119	Amend
4759.061	H 0104	Enact	5101.527	H 0119	Enact	5111.172	H 0119	Amend
4760.032	H 0104	Enact	5101.528	H 0119	Enact	5111.20	H 0119	Amend
4760.06	H 0104	Amend	5101.529	H 0119	Enact	5111.70	H 0119	Enact
4761.03	H 0104	Amend	5101.541	H 0119	Enact	5111.701	H 0119	Enact
4761.051	H 0104	Enact	5101.571	H 0119	Amend	5111.7010	H 0119	Enact
4762.01	S 0033	Amend	5101.572	H 0119	Amend	5111.7011	H 0119	Enact
4762.02	S 0033	Amend	5101.573	H 0119	Enact	5111.702	H 0119	Enact
4762.031	H 0104	Enact	5101.574	H 0119	Enact	5111.703	H 0119	Enact
4762.06	H 0104	Amend	5101.575	H 0119	Enact	5111.704	H 0119	Enact
4762.09	S 0033	Amend	5101.58	H 0119	Amend	5111.705	H 0119	Enact
4762.10	S 0033	Amend	5101.59	H 0119	Amend	5111.706	H 0119	Enact
4762.11	S 0033	Amend	5101.591	H 0119	Enact	5111.707	H 0119	Enact
4762.12	S 0033	Amend	5101.802	H 0119	Amend	5111.708	H 0119	Enact

5111.709	H 0119	Enact	5126.046	H 0119	Amend	5528.54	H 0119	Amend
5111.84	H 0119	Enact	5126.05	H 0119	Amend	5531.10	H 0119	Amend
5111.851	H 0119	Amend	5126.0510	H 0119	Enact	5533.09	H 0372	Amend
5111.871	H 0119	Amend	5126.0511	H 0119	New Number	5533.531	H 0119	Enact
5111.872	H 0119	Amend	5126.0512	H 0119	Enact	5533.632	H 0119	Enact
5111.8814	H 0119	Amend	5126.053	H 0119	Repeal	5533.91	H 0119	Enact
5111.89	H 0119	Amend	5126.054	H 0119	Amend	5537.04	H 0119	Amend
5111.891	H 0119	Amend	5126.055	H 0119	Amend	5537.16	H 0067	Amend
5111.894	H 0119	Enact	5126.056	H 0119	Amend	5537.16	H 0119	Amend
5111.95	H 0119	Old Number (5111.033)	5126.057	H 0119	Old Number (5126.0511)	5537.99	H 0119	Amend
						5577.05	H 0067	Amend
5111.95	H 0119	Amend	5126.057	H 0119	Amend	5591.02	H 0067	Amend
5111.96	H 0119	Old Number (5111.034)	5126.059	H 0119	Enact			
			5126.06	H 0119	Amend			
5111.96	H 0119	Amend	5126.12	H 0119	Amend	<u>Title 57</u>		
5112.341	H 0119	Amend	5126.15	H 0119	Amend			
5115.12	H 0119	Amend	5126.18	H 0119	Amend	5701.11	H 0157	Amend
5119.611	H 0119	Amend	5126.19	H 0119	Amend	5703.058	H 0119	Enact
5120.49	S 0010	Amend	5126.25	H 0119	Amend	5703.21	H 0166	Amend
5120.61	S 0010	Amend	5126.40	H 0119	Amend	5703.80	H 0119	Amend
5120.66	S 0010	Amend	5126.42	H 0119	Amend	5705.29	H 0119	Amend
5123.01	H 0119	Amend	5126.43	H 0119	Amend	5705.44	H 0119	Amend
5123.012	H 0119	Amend	5126.431	H 0119	Repeal	5709.68	H 0119	Amend
5123.033	H 0119	Enact	5126.44	H 0119	Repeal	5711.01	H 0119	Amend
5123.0411	H 0119	Amend	5126.45	H 0119	Amend	5711.05	H 0053	Amend
5123.0414	H 0119	Enact	5126.451	H 0119	Repeal	5711.07	H 0053	Amend
5123.0415	H 0119	Enact	5126.47	H 0119	Amend	5713.011	H 0119	Amend
5123.0416	H 0119	Enact	5139.13	S 0010	Amend	5725.24	H 0119	Amend
5123.043	H 0119	Amend	5139.43	H 0119	Amend	5727.06	H 0119	Amend
5123.045	H 0119	Amend	5149.10	S 0010	Amend	5727.45	H 0119	Amend
5123.046	H 0119	Amend				5727.81	H 0119	Amend
5123.047	H 0119	Amend				5727.84	H 0119	Amend
5123.048	H 0119	Amend				5727.85	H 0119	Amend
5123.049	H 0119	Amend	<u>Title 53</u>			5727.86	H 0119	Amend
5123.051	H 0119	Amend				5727.87	H 0119	Amend
5123.16	H 0119	Repeal and Reenact	5301.01	S 0134	Amend	5733.12	H 0119	Amend
			5301.22	H 0053	Amend	5733.39	H 0119	Amend
5123.161	H 0119	Enact	5301.255	S 0134	Amend	5733.48	H 0119	Enact
5123.162	H 0119	Enact	5302.221	H 0119	Enact	5733.98	H 0119	Amend
5123.163	H 0119	Enact	5305.17	H 0053	Amend	5735.05	H 0067	Amend
5123.164	H 0119	Enact	5305.18	H 0053	Amend	5739.01	H 0157	Amend
5123.165	H 0119	Enact	5305.19	H 0053	Amend	5739.02	H 0119	Amend
5123.166	H 0119	Enact	5305.20	H 0053	Amend	5739.02	H 0157	Amend
5123.167	H 0119	Enact	5305.21	H 0053	Amend	5739.029	H 0119	Enact
5123.168	H 0119	Enact	5305.22	H 0053	Amend	5739.032	H 0119	Amend
5123.169	H 0119	Enact	5307.19	H 0053	Amend	5739.033	H 0119	Amend
5123.182	H 0119	Repeal	5307.20	H 0053	Amend	5739.035	H 0119	Amend
5123.19	H 0119	Amend	5309.082	H 0119	Enact	5739.035	H 0157	Amend
5123.196	H 0119	Amend	5310.12	H 0053	Amend	5739.09	H 0119	Amend
5123.198	H 0119	Amend	5321.01	S 0010	Amend	5739.12	H 0119	Amend
5123.199	H 0119	Repeal	5321.03	S 0010	Amend	5739.122	H 0119	Amend
5123.20	H 0119	Amend	5321.051	S 0010	Amend	5739.123	H 0119	Amend
5123.211	H 0119	Amend	5323.01	H 0119	Amend	5739.124	H 0119	Enact
5123.38	H 0119	Amend	5323.02	H 0119	Amend	5739.21	H 0119	Amend
5123.41	H 0119	Amend	5323.99	H 0119	Amend	5739.213	H 0119	Enact
5123.51	H 0119	Amend				5740.10	H 0119	Enact
5123.60	H 0119	Amend				5741.02	H 0119	Amend
5123.602	H 0119	Amend	<u>Title 55</u>			5741.03	H 0119	Amend
5123.605	H 0119	Enact				5741.05	H 0119	Amend
5123.99	H 0119	Amend	5501.31	H 0067	Amend	5741.121	H 0119	Amend
5126.035	H 0119	Repeal	5501.49	H 0067	Amend	5741.122	H 0119	Enact
5126.036	H 0119	Repeal	5502.03	H 0067	Amend	5743.01	H 0119	Amend
5126.038	H 0119	Amend	5502.62	H 0067	Amend	5743.20	H 0119	Amend
5126.04	H 0119	Amend	5502.67	H 0067	Enact	5743.331	H 0119	Repeal
5126.041	H 0119	Amend	5516.01	H 0067	Amend	5743.99	H 0119	Amend
5126.042	H 0119	Amend	5517.03	H 0067	Amend	5745.02	H 0119	Amend



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5747.01	H 0119	Amend
5747.01	H 0372	Amend
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5747.08	H 0157	Amend
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5749.02	H 0119	Amend
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5903.12	H 0372	Amend
5903.121	H 0372	Enact
5907.06	H 0053	Amend
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6121.04	H 0119	Amend
6131.23	H 0119	Amend

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<u>Uncodified sections affected by legislation</u>	<u>Bill affecting uncodified law</u>	<u>Action</u>
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H.B. 0067		
Sec. 203.10	H.B. 0119	Amend
Sec. 203.50	H.B. 0119	Amend
Sec. 209.10	H.B. 0119	Amend
Sec. 227.10	H.B. 0119	Amend
Sec. 555.08	H.B. 0119	Amend
Sec. 555.10	S.B. 0036	Amend
Sec. 557.10	H.B. 0119	Amend
H.B. 0119		
Sec. 249.10	S.B. 0155	Amend
Sec. 384.10	H.B. 0233	Amend
Sec. 757.03	H.B. 0233	Amend
126th G.A.		
H.B. 0066		
Sec. 611.03	H.B. 0119	Repeal
H.B. 0067		
Sec. 3	H.B. 0100	Amend
H.B. 0336		
Sec. 6	S.B. 0155	Amend
H.B. 0530		
Sec. 243.10	H.B. 0067	Amend
Sec. 252.70	H.B. 0119	Amend
Sec. 755.03	H.B. 0067	Amend
H.B. 0694		
Sec. 3	H.B. 0119	Repeal
H.B. 0699		
Sec. 227.10	H.B. 0119	Amend
Sec. 235.10.50	H.B. 0119	Amend
Sec. 235.20.20	H.B. 0067	Amend
Sec. 235.20.20	H.B. 0119	Amend
Sec. 235.30.70	H.B. 0067	Amend
Sec. 235.50.80	H.B. 0119	Amend
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Sec. 8	H.B. 0190	Amend
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