

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

1 Subject: Armory Deferred Maintenance

Section: 14

Section: 12

ALI: 745-403

Requires disbursements made from appropriation item 745-403, Armory Deferred Maintenance, be made based on a spending plan approved by the Director of Budget and Management.

No change.

No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**2 Subject: Central Service Agency Fund**

**Section: 15.05**

**Section: 13.05**

**Section: 13.05**

**ALI: 100-632**

Allows the Director of Budget and Management to transfer up to \$399,000 in FY 2002 and \$354,000 in FY 2003 from the Occupational Licensing and Regulatory Fund (Fund 4K9) to the Central Services Fund (Fund 115). The Director of Budget and Management is also authorized to transfer a further \$34,000 in FY 2002 and \$30,000 in FY 2003 from the State Medical Board Operating Fund (Fund 5C6) to the Central Services Agency Fund (Fund 115). This is to complete License 2000, a centralized Local Area Network (LAN) licensing system. Appropriation item 100-632, Central Service Agency, pays for the operating costs of the Central Services Division.

No change.

Same as the Executive, but also permits the Director of Budget and Management to transfer up to \$18,000 in fiscal year 2002 and up to \$16,000 in fiscal year 2003 from the Pharmacy Board Operating Fund (Fund 5N2) to the Central Service Agency Fund.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

**3 Subject: Multi-Agency Radio Communication System (MARCS)****Section: 15.13****Section: 13.13****Section: 13.13**

Requires the Director of DAS, with the advice of the MARCS Steering Committee and the Director of Budget and Management, to establish user fees for agencies that participate in the MARCS program. Once MARCS is operational, the fee revenue is to be deposited in Fund 5C2, the MARCS Administration Fund. Initial revenue will be insufficient to support the MARCS program. Fees are expected to generate \$72,000 in FY 2003.

No change.

Same as the Executive, but also requires a cash transfer from the Department of Public Safety's Automated Title Processing System Fund (Fund 849) to the Fund 5C2. These amounts are \$3,429,947 in FY 2002 and \$4,475,190 in FY 2003. The cash transfer will be used for the development of the MARCS system.

Same as passed by the Senate.

The provision also requires the Director of DAS to lease or rent existing tower sites where possible, and do so at competitive or market rates. This may have the effect of reducing the cost of tower site acquisition, but any savings would depend on the availability of such sites.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****4 Subject: Long-Term Care Consumer Guide**

sections: 173.46, 173.52

No provision.

No provision.

Changes the date by which the Department of Aging must publish over the internet the Ohio Long-Term Care Consumer Guide from September 1, 2001 to March 1, 2002.

Same as passed by the Senate.

**5 Subject: Long-Term Care Consumer Guide Survey Contract**

sections: 173.46, 173.47

No provision.

No provision.

Changes the date by which the Long-Term Care Consumer Guide must be available over the internet from September 1, 2001 to March 1, 2002. Changes the requirement under current law that the Department contract with an entity experienced in surveying nursing home residents and their families to a requirement that the Department contract with such an entity to the extent possible.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 6 Subject: PASSPORT - Horse Racing Wager Tax Provisions

sections: 3769.87, 3769.08, 3769.03,  
3769.082, 3769.083, 3769.085,  
3769.086, 3769.089

No provision.

No provision.

Eliminates the following provisions in the Racing Commission:  
(1) Authorizes each horse racing permit holder to retain an additional amount equal to not less than 2% and no more than 3% of the total of all moneys wagered on wagering pools (that require three or more runner selections to complete the wager), and  
(2) Requires the payment to the Tax Commissioner of 2% of the total and the deposit of that amount into the PASSPORT fund.  
The Department of Taxation oversees horse racing wager taxes. According to the Department of Taxation, this provision eliminates language stating that each permit holder may retain an additional amount of 2-3%, of which 2% must be deposited into the PASSPORT Fund. Since no permit holders were using this permissive authority, no moneys were originally deposited into the PASSPORT Fund. Therefore, this provision has no fiscal effect on the PASSPORT Fund.

Same as passed by the Senate.

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**As Amended by Conference Committee**

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**Permanent Law Changes**

(See Permanent Law Changes in the Racing  
Commission under the same subject.)

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

7 Subject: Senior Facilities

ALI: 490-504

## Section: 16.02

No provision.

No provision.

Earmarks \$30,000 in each fiscal year for the following purposes:  
 \$10,000 shall be for the Tri-city Senior Center,  
 \$10,000 shall be for the Westlake Senior Center, and  
 \$10,000 shall be for the Rocky River Senior Center.

Same as passed by the Senate, but earmarks \$10,000 in each fiscal year for the Jilliard Senior Center; \$10,000 in each fiscal year for the Northwest Stark County Senior Center; and \$10,000 in each fiscal year for the North Ridgeville Senior Center.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 8 Subject: Transfer of Auction Program

sections: 1345.21, 4701.01, 4707.011,  
 4707.02, 4707.03, 4707.04,  
 4707.05, 4707.06, 4707.07,  
 4707.071, 4707.072, 4707.08,  
 4707.09, 4707.10, 4707.11,  
 4707.111, 4707.12, 4707.13,  
 4707.15, 4707.152, 4707.16,  
 4707.19, 4707.20,  
 4707.21, 4707.23, 4707.99 and  
 Section 205

No provision.

No provision.

Transfers responsibility for the administration of the auctioneer licensing law from the Department of Commerce to the Department of Agriculture on October 1, 2001. The money in the fund is transferred including some advance money as the Director of Budget and Management and the Controlling Board think necessary to allow the Department of Agriculture to begin preparing for the switch. No employees transfer, but the Department of Agriculture may establish 3 full-time positions due to its new responsibilities.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

9 Subject: Task Force on Bio-Terrorism

Section: 165

No provision.

Requires the Director of Agriculture to create a task force to study the threat of bio-terrorism to the state, and requires the task force to report its findings and recommendations to the General Assembly.

No provision.

Same as passed by the Senate.

10 Subject: County Agricultural Societies

ALI: 700-501

No provision.

No provision.

No provision.

Earmarks \$250,000 in each fiscal year for the Perry County Agricultural Society.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

11 Subject: The Auction Fund

ALIs: 700-628, 700-609

## Section: 17

No provision.

No provision.

Transfers all unencumbered cash balances of appropriation item 800-628, Auctioneers, and 800-605, Auction Education, from the Department of Commerce to the Department of Agriculture on October 1, 2001. The appropriation items in the Department of Agriculture are 700-628, Auctioneers and 700-609, Auction Education. During the 90-day window before the transfer, the Directors of Commerce and Agriculture are required to enter into an agreement and take all steps necessary to transfer funds, duties, and responsibilities from the Department of Commerce to the Department of Agriculture. The Auctioneers Fund and the Auction Fund combined total \$377,245 in fiscal year 2002 and \$395,866 in fiscal year 2003.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

- 12     **Subject: Revises the Department's Per Capita Allocation Formula**  
**sections: 3793.04, and Section 19 of the**  
**bill**

No provision.

Revises the Department's per capita allocation formula for a portion of alcohol and drug addiction services funds that are allocated on the basis of a population ratio to do the following:

For FY 2002 - 50% of the ratio shall be determined from the 1990 census data, and 50% shall be determined from the 2000 census data; and

For FY 2003 - 75% of the ratio shall be determined from the 1990 census data, and 25% shall be determined from the 2000 census data

For subsequent fiscal years, the ratio shall be determined from the more recent of the federal census or official estimate of the U.S. Census Bureau

Provides that the portion allocated based on the population ratio must be at least the average allocated on that basis for the three previous years.

Replace the House provision by providing that the portion of the funds allocated on that basis for a fiscal year shall be not less than the average of the amount that was allocated on that basis the three previous fiscal years. That ratio is to be determined from the most recent federal census or the most recent official estimate made by the United States census bureau, whichever is more recent.

Same as passed by the Senate.

**As Introduced**

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**As Amended by Conference Committee**

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**Permanent Law Changes**

Furthermore, this provision requires that the Department establish a plan to evaluate the current per capita allocation formula.

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As Introduced

As Passed by the House

As Passed by the Senate

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**Temporary Law Changes**

13      **Subject: Amends an Earmark for Foundations Recovery Center project in Am. Sub. H.B. 64**

**Section: 167**

No provision.

No provision.

Deletes an earmark in the amount of \$100,000 for the Foundations Recovery Center in the current capital bill, Am. H.B. 640 of the 123rd General Assembly, to allow the money to go towards other projects. The Foundation Recovery Center project was completed with non-state resources.

Same as passed by the Senate.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

14 Subject: Program Subsidies

Section: 22

ALI: 370-502

No provision.

No provision.

States that a museum is not eligible to receive funds from this appropriation item if it received \$8 million or more in state capital appropriations between January 1, 1986 and December 31, 2002.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****15 Subject: Ohio Arts Facilities and State Historical Facilities****sections: 3383.01, 3383.02, 3383.04**

Allows cooperative contracts (which set forth the terms and conditions of the cooperative use of an Ohio arts facility), not just management contracts, to be entered into by the Commission for an Ohio arts facility or state historical facility. Eliminates the requirement that the state have a real property interest in an Ohio arts facility financed by state obligations. This provision has no fiscal effect.

No change.

Same as Executive provision, but adds to the definition of an Ohio arts facility the requirement that state bonds be used for its costs; reinstates the requirement of existing law that property of an arts organization on which a state historical facility is located be contiguous to state-owned property in control of an arts organization; and permits the Ohio Arts and Sports Facilities Commission to cooperate in the use of, as well as own, lease, or manage, Ohio arts and sports facilities. The provision does not directly change total expenditures of the Commission, but directs expenditures away from one project to another.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

16 Subject: Operating Expenses

Section: 23

Section: 23

ALI: 371-603

No provision.

Provides that appropriation item 371-603, Project Administration, be used by the Arts and Sports Facilities Commission to carry out its responsibilities. The provision also permits the Executive Director of the Commission to certify to the Director of the Budget and Management the amount of cash to be transferred from the Arts Facilities Building Fund (Fund 030) and the Sports Facilities Building Fund (Fund 024) to the Arts and Sports Facilities Commission Administration Fund (Fund 4T8). This provision also creates in permanent law the Arts Facilities Building Fund, the Sports Facilities Building Fund, and gives the Director of Budget and Management the authority to transfer moneys exceeding the federal arbitrage rebate requirements of these two funds to the Ohio Arts and Sports Facilities Commission Administration Fund.

Same as House provision, and requires the Executive Director of the Commission, by July 10, 2002, or as soon as possible thereafter, to certify to the Director of Budget and Management the amount of cash to be transferred, up to the amount of the appropriation, from the Arts Facilities Building Fund (Fund 030) and the Sports Facilities Building Fund (Fund 024) to the Arts and Sports Facilities Commission Administration Fund (Fund 4T8).

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

- 17 Subject: Creation of Athlete Agents Registration Fund**  
**section: 4771.22**

Creates the Athlete Agents Registration Fund. The fund will consist of registration and renewal fees collected by the Ohio Athletic Commission from athlete agents and will be used to administer and enforce the law concerning athlete agents. H.B. 107 of the 123rd General Assembly (effective March 22, 2001) requires the Commission to license and regulate athlete agents.

No provision.

Same as Executive.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**18 Subject: Ohio Peace Officer Training Commission Law**  
**section: 109.761**

No provision.

No provision.

Requires, after January 1, 2002, each agency or entity that appoints or employs any "peace officer," as defined under the Ohio Peace Officer Training Commission Law, to report to the Commission within 10 days the appointment, employment, termination, resignation, felony conviction, or death of any of the officers. The agency or entity also must annually provide a roster to the Commission of all peace officers serving it in any capacity. Failure to comply with these requirements makes the agency or entity ineligible to have its peace officers receive any basic training certified by the Commission or any advanced training conducted by the Ohio Peace Officer Training Academy, until it attains compliance. These reporting provisions will create at most a minimal annual cost for the state and its political subdivisions, but the frequency with which an agency or entity would fail to comply with those reporting provisions or what the cost of that compliance failure might be cannot be estimated at this time.

Same as passed by the House.

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

**Permanent Law Changes**

**19 Subject: Arguments For or Against Constitutional Amendments**  
**section: 3505.063**

No provision.

No provision.

Gives the Ohio Ballot Board authority to propose arguments in support of or in opposition to a proposed constitutional amendment if the General Assembly does not do so.  
 This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**20 Subject: Modification of Debt Coordination Requirements**  
**section: 126.11**

Clarifies that OBM's oversight of state debt applies only to non-conduit issuances of debt. Makes various changes in reporting duties to OBM by state agencies incurring debt or securities, including modifications to the list of issuers that must submit copies of preliminary and final offering documents to the Director. This may result in less oversight responsibility on the part of OBM and therefore have a small fiscal effect.

No change.

Requires that the Director of Budget and Management periodically develop and distribute to state debt-issuing agencies an approved sale schedule for certain revenue-type bonds, and removes from the bill (1) the proposal that agencies not be required to submit to the Director information on their offerings of conduit obligations, and (2) the proposal to exempt the Air Quality Development Authority from a requirement to submit certain offering documents to the Director.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**
**21 Subject: Transfer from the Budget Stabilization Fund to the GRF**

No provision.

No provision.

No provision.

Requires that on or before June 30, 2001, if the Director of Budget and Management determined that the unobligated and unencumbered balance in the GRF at the end of FY 2001 will be less than \$188,200,000, then the Director is to transfer cash from the Budget Stabilization Fund to the GRF in an amount necessary to achieve that ending balance. Within 10 days of making such transfer, then Director is to submit a report to the Governor, Speaker of the House, and President of the Senate, and minority leaders in both houses, describing the amount of the transfer and the reason for determining that the transfer was necessary.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

22 Subject: Coal Research and Development Fund

## Section: 28.02

No provision.

No provision.

No provision.

Requires the Director of Budget and Management, notwithstanding sections 1555.08 and 1555.15 of the Revised Code, to transfer all cash in the Coal Research and Development Fund (Fund 046), which represents investment earnings of that Fund previously credited to that Fund, to the GRF on July 1, 2001, or as soon as possible thereafter.

23 Subject: Transfer of GRF Fund to Department of Development

## Section: 28.02

No provision.

No provision.

Allows the Director of OBM to transfer up to \$5 million over the biennium from unobligated, unspent GRF appropriations to the Department of Development to support economic development projects. This provision will increase expenditures up to \$5 million, dependent upon the amount transferred.

Same as passed by the Senate, but increases the amount that the Director of OBM may transfer from "up to \$5 million" to "up to \$25 million."

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**
**24 Subject: Zero-Base Budgeting****Section: 28.02****Section: 28.03**

No provision.

No provision.

Requires the Director of Budget and Management to select one large agency and one small agency to prepare zero-base budgets for the biennium beginning July 1, 2003, and ending June 30, 2005. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 25 Subject: Budget Stabilization Fund Transfers for the Department of Job and Family Service

## Section: 139

## Section: 140

No provision.

1) Allows Director of Budget and Management in consultation with Director of Department of Job and Family Services to transfer (with Controlling Board approval) up to \$100 million in the biennium from the Budget Stabilization Fund to the General Revenue Fund if it is determined that Medicaid caseload expenditures are likely to exceed Medicaid appropriations. Appropriations to Department of Job and Family Services line 600-525, Medicaid/Health care, would be increased by the amount of any such transfer. Before any transfers may be authorized, all possibilities for transfers of moneys within the Department of Job and Family Services are to be exhausted.

2) Allows the Director of Budget and Management, in consultation with the Director of the Department of Job and Family Services, and with Controlling Board approval to transfer up to \$50 million during the biennium from the Budget Stabilization Fund to the General Revenue Fund to be used for Department of Job and Family Services Computer Projects. Appropriations

1) Same as House, but increases, from \$100 million to \$150 million, the amount that may be transferred and requires the Director of Budget and Management, when increasing the appropriation in appropriation item 600-525, Health Care/Medicaid, to increase the appropriation amount that are attributable to the federal match for that appropriation item.

2) No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

to Department of Job and Family Services line 600-416, Computer Projects, would be increased by the amount of the transfer.

(See Temporary Law Changes in the Department of Job and Family Services under the Same Subject.)

**26 Subject: Other Transfers to the General Revenue Fund****Section: 140****Section: 142**

No provision.

Allows the Director of Budget and Management to selectively transfer up to \$30 million during the biennium to the General Revenue Fund from various other non-federal, non-constitutionally restricted funds if it is determined that revenues to the General Revenue Fund are insufficient to cover agency appropriations for the biennium.

No change, except deletion of language requiring the Director to determine that revenues in the General Revenue Fund will be insufficient to cover agency appropriations before making such transfers.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

27 Subject: Capitol Square Improvement Fund Name and Uses  
 section: 105.41

Changes the name of the Capitol Square Improvement Fund to the Capitol Square Government Television and Telecommunications Operating Fund and requires that the fund be used for the operations, improvements, and educational projects of any television or telecommunications studio the Board authorizes to carry out its functions. The original purpose of the fund was to pay for construction and renovation costs associated with the Statehouse renovation project, which is now complete.

No change.

No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

28 Subject: Government Television/ Telecommunications

No provision.

No provision.

No provision.

Requires that the Capital Square Review and Advisory Board receive Controlling Board approval before spending any of the funds in the GSF 4T2 Government Television/Telecommunications operating.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**29 Subject: Licensure Requirements**  
**section: 4734.20**

No provision.

No provision.

Extends to January 1, 2002, the effective date of the requirement that an applicant has passed part IV of the examination of the National Board of Chiropractic Examiners. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**
**30 Subject: Chiropractic License Examination Requirements**
**Section: 30.01**

No provision.

No provision.

Provides that if the Board has refused to issue a chiropractic license solely because the applicant has not passed part IV of the examination of the National Board of Chiropractic Examiners, the Board must reconsider the application based on the examination requirements specified in this bill.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

31 Subject: Grants - Volunteer Fire Departments

Section: 34

Section: 32

Section: 32

ALI: 800-402

Requires that appropriation item 800-402, Grants - Volunteer Fire Departments, be used to make grants available to volunteer fire departments. These grants are limited to \$10,000, unless any of the volunteer fire departments receiving grants serve areas affected by natural disasters. In that case, the grant awards are limited to \$25,000. The provision requires the State Fire Marshal to adopt the rules for this grant program.

Requires a cash transfer of \$200,000 in FY 2002 and \$100,000 in FY 2003 from the Industrial Compliance Fund (Fund 556) within the State Special Revenue Fund Group to the GRF. These earmarks would be used to make additional grants. Total appropriations for this program are thus increased to \$912,500 in FY 2002 and \$793,750 in FY 2003.

Same as the House, but the cash transfer in each fiscal year is to be made from the State Fire Marshal Fund (Fund 546).

Same as passed by the Senate, but earmarks \$200,000 in fiscal year 2002 for the Monday Creek Fire Department.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**32 Subject: Small Government Fire Departments**

**Section: 34**

**Section: 32**

**Section: 32**

**ALI: 800-635**

No provision.

Requires the transfer of \$250,000 in each fiscal year from the Industrial Compliance Fund (Fund 556) within the State Special Revenue Fund Group to the Small Government Fire Departments Fund (Fund 5F1) within the General Services Fund Group. The provision allows that the appropriation be used to provide loans to private fire departments in addition to public ones.

Same as the House, but requires the cash transfers to be made from the State Fire Marshal Fund (Fund 546).

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**33 Subject: Development Assistance Debt Service**

**Section: 34**

**Section: 32**

**Section: 32**

**ALI: 800-633**

Requires that appropriation item 800-633, Development Assistance Debt Service, be used to pay debt service payments on the Development Assistance bond program under the auspices of the Department of Development. The appropriation for debt service is limited to \$32,275,900 over the biennium; if required, additional amounts can be appropriated so long as they do not exceed \$25 million in each fiscal year, except as may be needed for obligations issued to meet guarantees.

No change.

Same as the Executive, but makes note that the General Assembly is not required to appropriate this debt service under a separate appropriation item. These payments have been paid from the Division of Liquor Control's main operating appropriation item, 800-321, Liquor Control Operating. This accounting change has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**34 Subject: Governing Board changes**  
**section: 4911.17**

No provision.

No provision.

Requires the board to meet every third month of the year and to select a chairperson and vice-chairperson at its first meeting each year. Also authorizes the chairperson to designate the vice-chairperson to perform the duties of the chairperson.

Same as passed by the Senate.

This provision creates no fiscal impact to state or local government.

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

**Temporary Law Changes**

**35 Subject: Disaster Assistance**

**Section: 36**

**Section: 34**

**Section: 34**

**ALI: 911-401**

Permits: (1) the Department of Public Safety to request a transfer of funds from the Controlling Board's GRF appropriation item 911-401, Emergency Purposes/Contingencies, for the purpose of providing financial assistance to political subdivisions made necessary by natural disasters or emergencies; (2) the Controlling Board to approve such fund transfer requests submitted by the Department of Public Safety.

No provision.

Same as the Executive, but changes the source of the transfer of funds from GRF appropriation item 911-401, Emergency Purposes/Contingencies, to the non-GRF Emergency Purposes Fund.

Same as passed by the Senate.

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

**Temporary Law Changes**

**36 Subject: Southern Ohio Correctional Facility Cost**

**Section: 36**

**Section: 34**

**Section: 34**

**ALI: 911-401**

Permits the Office of Criminal Justice Services and the Public Defender Commission, upon approval of the Director of Budget and Management, to request funds from the Controlling Board's GRF appropriation item 911-401, Emergency Purposes/ Contingencies, for costs related to the disturbance that occurred on April 11, 1993 at the Southern Ohio Correctional Facility in Lucasville, Ohio.

No provision.

Same as the Executive, but changes the source of the transfer of funds from GRF appropriation item 911-401, Emergency Purposes/Contingencies, to the non-GRF Emergency Purposes Fund.

Same as passed by the Senate.

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

**Temporary Law Changes**

**37 Subject: Disaster Services**

**Section: 36**

**Section: 34**

**Section: 34**

**ALI: 911-601**

Requires, pursuant to requests submitted by state agencies, the Controlling Board transfer the cash and necessary appropriation authority from non-GRF appropriation item 911-601, Disaster Services, for the payment of state agency program expenses incurred in response to certain federally declared disasters and other disasters declared by the Governor.

No change.

Same as the Executive, but adds language permitting the Department of Public Safety to request, and the Controlling Board to approve, transfers from non-GRF appropriation item 911-601, Disaster Services, for the purpose of providing financial assistance to political subdivisions made necessary by natural disasters or emergencies.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**38 Subject: Mandate Assistance**

**Section: 36**

**Section: 34**

**Section: 34**

**ALI: 911-404**

Requires the \$2.0 million in GRF moneys appropriated to the Controlling Board's appropriation item 911-404, Mandate Assistance, be used to provide financial assistance to local units of government, school districts, and fire departments for a portion of the costs associated with three unfunded state mandates, and specifies the process by which such moneys are to be transferred, including the role of the State and Local Government Commission in the preparation and submission of fund transfer requests for the Controlling Board's approval. Those three unfunded state mandates include: (1) the cost to locally prosecute certain felonies that occur on the grounds of institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services; (2) the cost, primarily to small villages and townships, of providing firefighter training and equipment; (3) the cost to school districts of in-service training for child abuse detection. This provision also includes a mechanism specifying the conditions under which the State and Local Government Commission may request Controlling Board

No change.

Same as the Executive, but deletes references to the State and Local Government Commission and replaces them, where appropriate, with references to the Department of Commerce, the Office of Criminal Justice Services, and the Department of Education. The changing of these state agency references is necessary because the bill abolishes the State and Local Government Commission and its role in the handling of the Mandate Assistance funding must be transferred to other state agencies.

Also removed from the bill are: (1) the mechanism specifying the conditions under which the State and Local Government Commission may request Controlling Board approval of a replacement unfunded state mandate; (2) the requirement that each administering state agency file a detailed report with the Commission and the Controlling Board on its expenditure of any Mandate Assistance funding transferred during the biennium.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

approval of a replacement unfunded state mandate, and permits any unused appropriations to be disbursed to boards of county commissioners to provide reimbursement for office space, equipment, and related mandated expenses for educational service centers.

**39 Subject: Budget Stabilization Fund Transfers to the Emergency Purposes Fund**

**Section: 141**

No provision.

No provision.

Creates the Emergency Purposes Fund in the Controlling Board's budget and permits the Director of Budget and Management, with approval of the Controlling Board, to transfer up to \$5 million in each fiscal year from the Budget Stabilization Fund to the Emergency Purposes Fund. Also permits the Board to transfer moneys in the Emergency Purposes Fund to aid state agencies and political subdivisions in the event of disasters and emergency situations.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****40 Subject: Administrative Planning Districts****sections: 181.51, 181.56**

Limits the Office of Criminal Justices' duty to establish administrative planning districts (APDs) solely to criminal justice programs and creates the requirement that the Department of Youth Services discharge a similar duty with regard to juvenile justice programs. This change reflects the executive recommendation that the Department of Youth Services take control of the state's federal juvenile justice and delinquency prevention funding. The Department could opt to use the APDs already in place through the efforts of the Office of Criminal Justice Services or create their own APDs.

No change.

Same as the Executive, but clarifies the Department of Youth Services discharge its duties relative to establishing APDs for juvenile justice programs by following section 5139.11 of the Revised Code.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****41 Subject: Metropolitan County Criminal Justice Services Agencies****sections: 181.54, 181.55**

Expands an existing requirement that a metropolitan county criminal justice services agency administer within its services area any federal criminal justice acts or juvenile justice acts that the Office of Criminal Justice administers to include any federal criminal justice acts or juvenile justice acts that the Department of Youth Services administers. The intent of this provision is simply to ensure that existing administrative arrangements between the state and a metropolitan county criminal justice services agency with regard to federal juvenile justice program funding continue after various juvenile justice duties are transferred from the Office to the Department of Youth Services.

No change.

Same as the Executive, but: (1) clarifies that the duties transferred from the Office of Criminal Justice Services to the Department of Youth Services are only juvenile justice related duties; (2) authorizes the Department, when funds are available for specified juvenile justice purposes, to provide funds to metropolitan county criminal justice services agencies for the purpose of developing, coordinating, evaluating, and implementing comprehensive plans within their respective counties and permits the Department to provide funds to an agency only if it complies with certain conditions.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

42 Subject: Juvenile Accountability Incentive Block Grant

## Section: 38

ALI: 196-602

No provision.

No provision.

Requires federal appropriation item 196-602, Juvenile Justice Program, be used to fund and close out the Juvenile Accountability Incentive Block Grant Program for federal fiscal year 1999.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 43 Subject: Transfer of Federal Family Violence Prevention and Services Act

Section: 142

Section: 160

Section: 179

ALIs: 196-604, 196-405

Requires the Office of Criminal Justice Services and the Department of Job and Family Services enter into an interagency agreement for the transfer to the Office of the Department's duties, records, assets, and liabilities related to the administration of funds received under the federal Family Violence Prevention and Services Act. Subject to statutory layoff provisions and any applicable collective bargaining agreement, this provision also transfers to the Office employees of the Department whose primary duties relate to the administration of those funds and requires employees so transferred retain their positions and benefits. This provision reflects the fact that the federal Family Violence Prevention and Services Program, which includes approximately \$2.7 million in annual federal funding, \$700,000-plus in annual GRF funding, and two full-time staff positions, are being transferred from the Department to the Office as part of the executive-proposed budget.

Same as the Executive, but decreases the program's GRF funding to \$375,000 in each fiscal year (appropriation item 196-405, Center for Violence Prevention). The executive's intent is that this appropriation item be used to award grants to assist in establishing, maintaining, and expanding programs and projects to prevent family violence, and to provide immediate shelter and related assistance for victims of family violence and their dependents.

Same as the Executive, but: (1) increases the program's GRF funding to \$775,000 in each fiscal year; (2) changes the GRF appropriation item's name from "Center for Violence Prevention" to "Family Violence Prevention Program"; (3) eliminates the provisions that require the transfer to the Office of Criminal Justice Services employees of the Department of Job and Family Services whose primary duties relate to the administration of funds under the federal Family Violence Prevention and Services Act and preservation of their positions and benefits.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**44 Subject: Dental Board Appeals**  
**section: 119.12**

No provision.

No provision.

Requires appeals from decisions of the State Dental Board to be in the Court of Common Pleas of Franklin County.  
 This provision has offsetting expenditures among county courts of common pleas.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**45 Subject: Capital Access Loan Program**  
**sections: 122.60, 122.601-122.605**

No provision.

No provision.

Establishes the Capital Access Loan Program in the Department of Development to assist participating financial institutions in making capital access loans to eligible businesses that face barriers in obtaining working capital and fixed asset financing. \$3,000,000 in each fiscal year has been earmarked in appropriation item 195-615, Facilities Establishment Fund for the implementation of this program; these funds are used to provide deposits to secure the risk of the financial institution in providing these loans. (See also Temporary Law Changes under "Facilities Establishment Fund.")

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 46 Subject: Uses of the Low- and Moderate-Income Housing Trust Fund

sections: 175.03, 175.21, 175.22, 175.24

With respect to the Low- and Moderate-Income Housing Trust Fund:

- (1) Requires 30% of the funds awarded during a fiscal year (rather than 45% of the money in the fund) be used to make loans and grants to nonprofit organizations;
- (2) Requires not less than 40% of the funds awarded during a fiscal year (rather than not less than 35% of the money in the fund) be used to make loans and grants for activities that will provide housing and housing assistance to families and individuals in rural areas and small cities that would not be eligible to participate in the federal HOME Investment Partnerships Act (rather than that would be eligible to participate in the Small Cities Program of the federal Community Development and Block Grant Program);
- (3) Eliminates the prohibition against using more than 5% of the money in the fund for administration, and requires reasonable direct and indirect costs, including third-party contractor costs, to be allowed as a cost of administration;
- (4) Requires, to the greatest extent practicable, that the Department and the

Replaces the Executive provisions with a requirement that no more than 20% of the current year appropriations for the Low- and Moderate-Income Housing Trust Fund be awarded for supportive services.

This provision maintains current law governing the uses of the Low- and Moderate-Income Housing Trust Fund.

Same as the House provision, but changes the definition of rural areas to be consistent with the federal "HOME" program; increases the rural setaside from at least 35% to at least 45% of funds awarded; stipulates that there is no minimum size for projects that serve special needs populations and have the support of a social service agency in the project's area; requires the Department to report to the Legislature on a fiscal year basis instead of a calendar year basis; specifies that setasides will be calculated on the amount of funds awarded per fiscal year, allowing administrative costs to be no more than six percent instead of five percent; and adds two members to the Ohio Housing Finance Agency to represent nonprofit and for-profit multifamily housing organizations. This provision increases the expenditure permitted for administrative expenses.

Same as passed by the Senate, but further increases the rural set aside from at least 45% to at least 50% and lowers the percentage of allowable administrative costs back to 5% (from 6%).

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

Ohio Housing Finance Agency "award funds for construction activities that will result in a repayment to the fund";

(5) Requires that not less than 75% of the loans and grants be for activities that will provide affordable housing and housing assistance to families and individuals in a county where incomes are not more than 60% (rather than not more than 50%) of the median income for the county;

(6) Gives preference for loans, loan guarantees, loan subsidies, and grants to viable projects and activities that will benefit families and individuals in a county where incomes are not more than 50% (rather than not more than 35%) of the median income for the county;

(7) Provides that not more than 20% of the current year appropriation from the fund be awarded in any fiscal year for activities not directly related to the acquisition, financing, construction, rehabilitation, remodeling, improvement, or equipping of low- and moderate-income housing.

No net fiscal impact occurs from the restructuring of the distribution of grant and loan moneys; however, one of these changes shifts the Housing Trust Fund toward the use of loans and away from the use of grants, which could potentially increase revenues. An increase in the allowance of administrative costs above 5% of fund holdings could potentially increase the costs incurred by the housing trust fund.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**


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**47 Subject: Federal Census Population Measure for Housing Authority**  
**section: 3735.27**

No provision.

No provision.

Requires that the 1990 federal census be used as the measure of the population for a metropolitan housing authority district for purposes of determining how members are appointed to the authority. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

48 Subject: Science and Technology Collaboration

No provision.

No provision.

No provision.

Requires the Board of Regents and the Department of Development to work in collaboration in regard to science and technology strategies in Ohio.

Also, requires the Technology Action Board to review certain appropriation items in the Department of Development and Board of Regents to determine its development of science and technology portfolios and strategies.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

49 Subject: Governor's Office of Appalachian Ohio

Section: 43.06

Section: 41.06

Section: 41.06

ALI: 195-416

Requires that up to \$250,000 each year of appropriation item 195-416, Governor's Office of Appalachian Ohio, be used to match federal funds from the Appalachian Development Commission to provide job training in the Appalachian region; mandates \$4,400,000 each year of that appropriation item be used with other federal and state funds for projects within the Appalachian counties and the remaining funds used for administrative costs of the Governor's office and special project grants.

Same as Executive provision, but earmarks an additional \$500,000 in fiscal year 2002 of appropriation item 195-416, Governor's Office of Appalachian Ohio, for the Appalachian Energy Grant Authority to make grants to support manufacturing in the Appalachian Region.

Same as Executive provision, but earmarks an additional \$500,000 in each fiscal year of appropriation item 195-416, Governor's Office of Appalachian Ohio, for the Appalachian Energy Grant Authority to make grants to support manufacturing in the Appalachian Region.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

50 Subject: Technology Action

Section: 43.06

Section: 41.06

Section: 41.06

ALI: 195-422

Requires that not more than 6 percent of appropriation item 195-422, Technology Action, each fiscal year be used for operating expenditures and an additional amount up to \$1,500,000 within the biennium be used for research, analyses, and marketing efforts relating to science and technology opportunities. No monies can be released without prior approval of the Controlling Board and the Technology Action Board, which consists of six technology and business leaders from regions across the state, the Director of the Edison Centers Technology Council, the Governor's Science and Technology Advisor (who will act as the Chair), and one representative from each of the following: Wright-Patterson Air Force Base, Inter-University Council, and NASA Glenn Research Center.

No change.

Same as Executive, but earmarks \$500,000 in each fiscal year for the EMTEK/Delphi Project for Wire Break Technology and also requires the Technology Action Board to adopt program rules and develop guidelines, including application procedures and forms, for the release of funds under the Administrative Procedure Act. The rules must require grant awards to be used only by the applicant to whom a grant is awarded and for the purposes stated by the applicant in the approved application. Also requires that not less than thirty percent of the total grants awarded by the Technology Action Board are for job creation or retention efforts by for-profit organizations and allows grant awards to be made to technology capital funds headquartered in any of the Governor's economic development regions that have yet to receive venture capital funding.

Same as passed by the Senate, but earmarks \$50,000 in fiscal year 2002 for the Ohio Aerospace Institute.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

51 Subject: Travel and Tourism Grants

Section: 43.11

Section: 41.11

Section: 41.11

ALI: 195-507

Requires appropriation item 195-507, Travel and Tourism Grants, be used to provide grants to local organizations to support various local travel and tourism events with \$200,000 earmarked each fiscal year to support outdoor dramas including Trumpet in the Land, Blue Jacket, Tecumseh and the Becky Thatcher Showboat Drama; and \$1,000,000 earmarked each fiscal year for the International Center for the Preservation of Wild Animals.

Same as the Executive provision, but reduces the earmark from \$1,000,000 in each fiscal year to \$500,000 in each fiscal year for the International Center for the Preservation of Wild Animals and earmarks \$50,000 in each fiscal year for the Greater Cleveland Film Commission, and earmarks \$50,000 in each fiscal year for the Cincinnati Film Commission.

Same as House provision, but earmarks \$50,000 in each fiscal year for the American Classical Music Hall of Fame; \$50,000 in each fiscal year for the Ohio River Trails; \$100,000 in each fiscal year for collaborative efforts of the Ottawa County Visitors Bureau, the Sandusky/Erie County Visitors and Convention Bureau, and the Lorain County Visitors Bureau to promote tourism. Same as Executive, earmarks \$1,000,000 for the International Center for the Preservation of Wild Animals to \$1,000,000 (as in the Executive provision).

Same as passed by the Senate, but reduces the earmark for the International Center for the Preservation of Wild Animals from \$1.0 million in each fiscal year to \$750,000 in each fiscal year and includes the Ohio Zoo Consortium in that earmark.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 52 Subject: Facilities Establishment Fund

Section: 43.15

Section: 41.15

Section: 41.15

ALI: 195-615

Authorizes funds to be used for payment of allowable costs or the making of loans under this chapter. Biennial earmarkings include \$3,800,000 to the Minority Business Enterprise Loan Fund (Fund 4W1); \$5,000,000 to the Port Authority Bond Reserves Fund (Fund 5D1) to establish or supplement bond reserve funds with not more than \$2,000,000 transferred to a single port authority; and \$20,475,000 to the Urban Redevelopment Loans Fund (Fund 5D2) for the purpose of removing barriers to urban core redevelopment for which the Director of Development shall develop program guidelines for the transfer and release of funds including the completion of all appropriate environmental assessments before state assistance can be committed. Earmarkings for each fiscal year include up to \$1,600,000 to be transferred to the Economic Development Financing Operating Fund (Fund 451); and \$5,000,000 to the Rural Industrial Park Loan Program (Fund 4Z6). All transfers are subject to Controlling Board approval except the transfer to the Urban Redevelopment Loans Fund.

Same as Executive provision, but adds a \$5,000,000 earmark in each fiscal year for the implementation of H.B. 6 of the 124th General Assembly, if the bill is enacted.

Same as the House provision, but changes the earmark from \$5,000,000 in each fiscal year for the implementation of H.B. 6 of the 124th General Assembly, to \$3,000,000 in each fiscal year for S.B. 10 if the bill becomes law. (See also Permanent Law Changes in "Capital Access Loan Program.") The provision also earmarks \$2,000,000 in appropriation item 195-649, Port Authority Bond Reserves (Fund 5D1), for the Dayton Montgomery County Port Authority for job retention purposes.

Same as passed by the House, but retains \$2.0 million earmark in the Senate version for the Dayton Montgomery County Port Authority.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

53 Subject: Liability Insurance  
 section: 3313.201

No provision.

No provision.

No provision.

Clarifies that school districts can establish and maintain a self-insurance program as well as purchase an insurance policy to insure against liability on account of damage or injury to persons and property.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****54 Subject: Educational Service Center Office Space and Equipment**

sections: 133.07, 307.031, 3313.37,  
3319.19

Specifies that an educational service center governing board may acquire property to provide for office and classroom space.

Permits a board of county commissioners to issue securities to acquire property for an ESC as long as the ESC agrees to pay the debt charges on the securities.

Phases out by 2006 the responsibility of boards of county commissioners to provide office space for the ESCs located within their territories.

The statewide cost of educational service center office space was estimated at approximately \$4.2 million pursuant to the formula specified in section 307.031 of the Revised Code. The County Commissioners Association estimated the statewide cost to be \$6 to \$8 million.

Same as Executive, but adds one year to the phase-out of the county boards' responsibility to provide office space for ESCs (to 2007).

Same as House, but clarifies that a county can't charge an ESC any retroactive amount beyond what is specified in the contract between the two.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**55 Subject: OhioReads Office**  
**section: 3301.85**

No provision.

No provision.

Changes the title of the supervisor of the OhioReads Office to "executive administrator" from "executive director."

Requires that additional staff hired after the effective date of this bill serve at the pleasure of the Superintendent of Public Instruction.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

56      **Subject: Accountability for Parity Aid**  
**section: 3302.041**

No provision.

Requires each school district rated under current law as needing continuous improvement, under academic watch, or in a state of academic emergency (and accordingly required to have a three-year continuous improvement plan) to include with that plan a budget for expending the district's allocation of the bill's new parity aid supplement. A budget is required only for any year the district will receive this aid. Provides that districts currently in the middle of a three-year plan amend their plans to include a budget for the remaining years. Requires the parity aid budget to be aligned with the district's continuous improvement plan; to explain how the expenditures will improve the district's academic success; and to allocate all parity aid to one of the following categories of expenditures: (1) classroom equipment or instructional materials; (2) lowering student/teacher ratios; (3) providing additional curriculum opportunities; (4) staff professional development; (5) all-day kindergarten; (6) preschool; (7) additional programming for gifted, disadvantaged, or disabled students; (8) academic intervention. Requires that the

Same as House, but allows the Department of Education to annually assess a random sampling of affected school districts for compliance and authorizes the State Superintendent of Instruction to approve alternate uses of parity aid on request.

Same as passed by the Senate, but limits the Superintendent's authorization of alternative parity aid uses to those made necessary by a risk to the health or safety of district students or to other uses that will promote the attainment of the goals of the district's continuous improvement plan.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

parity aid be used only to add additional programming and not to supplant other school district funds already being expended for the purpose. Requires the Department of Education to annually assess one third of school districts (one half in the case of districts with just two years remaining on a current plan) to determine if they are following their parity aid budgets. The Department is required to withhold parity aid in the amount of any misspent funds until such year as the district complies with its expenditure plan. Permits districts to reallocate parity aid among the permitted areas of expenditure during the course of a three-year plan and to spend it totally outside the permitted areas when the Department determines this to be necessary to eliminate risks to student health and safety.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**57 Subject: School District Consolidation**  
**section: 3311.062**

No provision.

No provision.

Allows noncontiguous school districts to consolidate provided that any school district with territory between the merging districts passes a resolution approving the consolidation.

Same as passed by the Senate.

**58 Subject: Sale of School District Property to Community Schools and ESCs**  
**section: 3313.41**

No provision.

Requires that when a school district board decides to sell real property, it must first offer the property to the governing authorities of start-up community schools within the district's territory at a price not higher than the appraised fair market value of the property. If no community school governing authority accepts the offer within 60 days after the offer is made, the board may dispose of the property in the manner otherwise provided by law.

Same as House, but adds that districts must also offer the property to the governing board of the educational service center servicing the district.

Same as passed by the House, but delays the effective date of the provision until 60 days after the effective date of the act.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****59 Subject: Changes to Intervention Requirements****section: 3313.608**

Requires school districts to assess each student's reading levels at the end of kindergarten and provide intervention services to students reading below grade level. (Current law already requires reading assessments at the end of first, second, and third grades.)

No change.

No provision.

Same as passed by the Senate.

Applies the current standards for state-funded summer remediation services to all intervention services conducted with any state funding (not just summer programs).

Eliminates the requirement that students receiving state-funded intervention services be "tested" and instead requires that they be "assessed."

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

**60 Subject: Homeless Children Right to Attend School**  
**section: 3313.64**

No provision.

Amends state law to make it consistent with the state plan for service to homeless families, developed to qualify for federal funds for homeless programs. Generally, a child is entitled to attend school in the school district in which the child's parent resides. A provision of the plan (required by federal law) permits homeless children to attend school in the "school of origin" (the school they attended at the time they became homeless) as well as the "school of residence" (the school that serves the territory where they have sought temporary residence).

Same as House, but also adds provisions to: (1) specify that it applies to any circumstances under which a child becomes homeless (not just when living in a homeless shelter) and (2) explicitly require school districts to comply with the education requirements of the McKinney-Vento Homeless Assistance Act for the education of homeless children.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

61      **Subject: Internet/Computer Based Community Schools**  
**section: 3314.08**

No provision.

No provision.

Requires that state payments be reduced for any internet or computer based community school that promises to provide computer hardware or software materials to students and does not provide, install, and activate the hardware or software by the end of the first full week of school. The Department would determine the amount of the deduction based on the reduction in the amount of instructional time for students resulting from not having access to the computers and software. Also, requires the Superintendent of Public Instruction and the Auditor of State to establish a method of auditing these schools to ensure compliance and to consult with the Governor, sponsors and others to make legislative recommendations to ensure future fiscal and academic accountability of these schools.

Same as passed by the Senate, but requires the reduction in state payments if the schools either (1) promise to provide computer hardware or software materials to students but do not deliver, install, and activate the hardware and software for all students in a timely manner or (2) do not provide other educational materials or services in the manner specified in the community school's contract with its sponsor. Also, the Department must make the reductions in accordance with policies adopted jointly by the Superintendent of Public Instruction, the Auditor of State, and the sponsor of the community school facing the potential reductions. The method of auditing a community school must be established jointly by the Superintendent, the Auditor, and the sponsor. In addition, the Superintendent, Auditor, sponsors and the Governor must jointly make recommendations to the General Assembly regarding useful changes to ensure the fiscal and academic accountability of internet or computer-based community schools in the future.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**62 Subject: Solvency Assistance Fund**  
**section: 3316.20**

No provision.

No provision.

Expands eligibility for school districts to obtain money from the state Solvency Assistance Fund by qualifying any district declared to be in a fiscal emergency, regardless of the reason for the declaration.

Same as passed by the Senate.

Requires the Director of Budget and Management to adopt rules governing how the state Superintendent of Public Instruction makes recommendations to the Controlling Board for the award of catastrophic expenditures grants.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

63      **Subject: Stabilization of State Share Percentage**  
**section: 3317.012**

No provision.

No provision.

Requires the General Assembly to restrict the variance in the state's share of combined base-cost funding and parity aid for fiscal years that fall between the updates to 2.5 percentage points.

States the General Assembly's determination, based on the most recent available data prior to the bill's enactment, of the statewide state share percentage of base cost and parity aid funding for each year of the upcoming biennium: 49.0% in FY 2002 (the update year) and 49.4% in FY 2003. The update year's state share percentage of 49.0% is the target percentage for years between updates (FYs 2003-2007) in determination of the 2.5 percentage point variance. This state share percentage excludes other state formula aid (special education weight funding, vocational education weight funding, gifted unit funding, DPIA, transportation, and the guarantee funding) and property tax rollbacks.

Same as passed by the Senate, but adjusts the instructions for calculating the total state share percentage of base cost and parity aid funding to account for the additional state funds paid pursuant to a formula adjustment for school districts that contain large proportions of state-owned property.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 64 Subject: Base Cost of an Adequate Education

sections: 3317.012,  
3313.603,3317.02,3317.022,33  
7.16,5727.84,5727.85

(1) Changes the methodology for determining the base cost of an adequate education for FY 2002 through FY 2007, resulting in increased per pupil amounts over the amounts prescribed by current law. The new methodology involves analyzing the FY 1999 base-cost expenditures of school districts that, in FY 1999, met the criteria of the State Board of Education's "Resource and Accountability Model" by: (1) meeting at least 20 of 27 state performance standards; (2) meeting three "input" criteria involving pupil-teacher ratio, teacher experience, and offering of advanced placement courses; and (3) not being among the top or bottom 5% of all school districts in income wealth or property valuation per pupil.

(2) Phases in over five fiscal years the increased per pupil base cost amounts resulting from the new methodology, plus an inflation factor, as follows:  
\$4,490 for FY 2002;  
\$4,670 for FY 2003;

(1) Utilizes a different methodology that also derives the base cost from analyzing expenditures of model school districts. The model districts are those that, in FY 1999: (1) Met at least 20 of 27 state performance standards; and (2) were not among the top or bottom 5% of all school districts in income wealth or property valuation per pupil. If a district included in this model was not also included in the FY 1996 model currently in effect, its actual FY 1999 expenditures were included in the model. If a district was also in the FY 1996 model, its FY 1996 expenditures were inflated to FY 1999 to be used for the analysis.

(2) Uses no phase-ins, immediately funding the per pupil base-cost amounts derived from the analysis:  
\$4,814 for FY 2002;  
\$4,949 for FY 2003;

(1) Same as House, but adds more detail and clarification to the bill's explanation of its base-cost methodology.

(2) No change.

Same as passed by the Senate.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Permanent Law Changes**

\$4,926 for FY 2004;  
\$5,197 for FY 2005;  
\$5,484 for FY 2006; and  
\$5,638 for FY 2007.

(3) Requires the Speaker of the House and the Senate President to appoint in 2006, and every six years thereafter, a committee to reexamine the cost of an adequate education, and requires that committee to issue its report within one year of its appointment.

(4) Maintains the current law requiring completion of 21 high school units to graduate from high school after September 15, 2001, and specifies that the FY 2002 formula amount includes \$24 per pupil for the costs associated with implementing the 21-unit requirement.

(5) Updates the numerical cost-of-doing-business factors for each county and retains the currently scheduled increase in the variance from the lowest to highest counties to 15.2% in FY 2002 and 16.6% in FY 2003.

\$5,088 for FY 2004;  
\$5,230 for FY 2005;  
\$5,376 for FY 2006; and  
\$5,527 for FY 2007.

(3) Requires the Speaker and Senate President to appoint the committee in July 2005 and every six years thereafter.

(4) Reduces the number of required units to 20 by eliminating one elective unit. (The bill retains the requirement that at least one elective unit, or two half units, be selected from among business/technology, fine arts, or foreign language.) Specifies that the FY 2002 formula amount includes \$12 per pupil as the General Assembly's determination of the cost to implement the 20-unit requirement. The bill states the General Assembly's determination that in FY 1999 the model districts on average required a minimum of 19.8 units to graduate and that \$12 per pupil is the FY 2002 cost to fund the addition 0.2 units.

(5) Updates the numerical factors, but returns the maximum variance from lowest to highest counties to 7.5%.

(3) Same as House, but adds a specification that the General Assembly is to recalculate the base cost every six years after considering the recommendations of the committee.

(4) No change.

(5) No change.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Permanent Law Changes**

(6) Retains the practice of adjusting downward the property valuation of districts that have median incomes below the statewide median. This has the effect of increasing the state share and reducing the local share of base-cost, special education, and vocational education funding in districts with below-median incomes. This provides approximately \$44 million in state base-cost funding in each fiscal year for 50% of school districts with below-median incomes.

(6) Eliminates the income factor adjustment in the base-cost formula, instead incorporating consideration of school district income wealth in the calculation of the proposed new parity aid program.

(6) No change.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 65 Subject: Special Education

sections: 3317.013,  
3314.08,3317.01,3317.02,3317  
22,3317.023,3317.0212,3317.0  
3317.05,3317.16,3317.202,332  
09,5126.05,5126.12 and  
Sections 44.28 and 44.29 of th  
bill

(1) Continues the two weights (0.22 and 3.01) for the three categories of special education students.

(1) Phases in a new system comprising six special education weights for six categories, as follows [brackets indicate the weight assigned under current law]: (1) A weight of 0.2892 for students whose only identified handicap is a speech-language handicap ("speech-only" students) [no current weight]; (2) A weight of 0.4240 for students identified as specific learning disabled [0.22], developmentally handicapped [0.22], or severe behavior handicapped [3.01]; (3) A weight of 1.6736 for students identified as hearing impaired [3.01] or vision impaired [3.01]; (4) A weight of 3.0022 for students identified as orthopedically handicapped [3.01] or "other health handicapped" [0.22]; (5) A weight of 3.7507 for students identified as multihandicapped [3.01] or as both visually or hearing disabled [3.01]; and (6) A weight of 4.7693 for students identified as autistic [3.01] or having

(1) Reinstates the system of two special education weights, after adjusting the weights (to values of 0.21 and 2.85) to reflect the bill's changes in the base-cost formula amount due to its revised application of the cost-of-doing-business factor. The bill states that "the adjustment maintains the same weighted costs as would exist if no change were made in the cost-of-doing-business factor."

(1) Replaces current system with a system comprising six special education weights for six categories, as follows: (a) 0.2892 for "speech-only" students, (b) 0.3691 for specific learning disabled, developmentally handicapped or "other handicapped - minor", (c) 1.7695 for hearing impaired, vision impaired, or severe behavior handicapped, (d) 2.3646 for orthopedically handicapped or "other health handicapped - major", (e) 3.1129 for multihandicapped, and (f) 4.7342 for autistic, traumatic brain injury or both visually and hearing disabled.

Defines "other health handicapped-major" as comprising students who meet the State Board of Education's existing definition of "other health impaired" and either (a) have a medical condition that is among those listed by the state Superintendent as having a substantial majority of cases being medically

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Permanent Law Changes**

	traumatic brain injuries [3.01]. Phases in the new weights over the biennium by directing that 80.5% of the weights be used in FY 2002 and 85% in FY 2003.		fragile children or (b) have been individually determined by the Superintendent to be medically fragile children.  Defines "medically fragile child" as a child whose condition (a) requires the services of a doctor once a week, (b) requires daily care from a registered nurse, and (c) is at risk of institutionalization in a nursing facility, hospital, or ICF/MR.
(2) No provision.	(2) Provides an additional \$20 million of state aid for special education to school districts in FY 2003.	(2) No change.	(2) Same as passed by the Senate.
(3) Maintains current law requiring districts to spend on special education related services at least the lesser of (1) the amount they spent on related services in the previous fiscal year or (2) one-eighth of the calculated state and local share of the special education weighted funding.	(3) Replaces this requirement with a new requirement that each city, local, and exempted village school district annually spend on purposes the Department of Education approves as special education and related services at least the amount of state and local funds generated through the base-cost and special education formulas by its special education students. The Department must require annual reporting by school districts, monitor their compliance with this requirement, and annually report to the Governor and General Assembly on school district special education spending.	(3) Same as the Executive, but requires the State Board of Education to adopt rules establishing a method for school districts to report their spending for special education and related services beginning in FY 2003.	(3) Same as passed by the House.
(4) Increases the state's percentage for special education payments for city, local, and exempted village school districts (but not joint vocational school districts) beginning in FY 2003 by requiring the state	(4) Reinstates the current-law calculation of state and local share percentages (subject, beginning in FY 2003, to the 3-mill limit on local share).	(4) No change.	(4) Same as passed by the Senate.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Permanent Law Changes**

to add five percentage points to the district's calculated state share percentage. The "adjusted" state share percentage is to be applied to the following payments to these school districts: (1) Special education weighted payments; (2) Speech services payments; and (3) "Catastrophic costs" subsidies. Provides \$30 million in FY 2003 in appropriation item 200-502, Base Cost funding, for this provision.

(5) Expands the "catastrophic costs" subsidy to cover any special education students whose costs to serve exceed \$25,000 in any year, not merely students with Category 3 disabilities (autism, traumatic brain injury, or both visual and hearing disabilities), and increases the percentage of costs above the \$25,000 threshold that the state will reimburse school districts (community schools already are eligible for 100% reimbursement). Instead of paying simply the district's calculated state share percentage, the bill requires the state to pay the sum of: (1) 100% of half the costs above \$25,000; plus (2) the district's calculated state share percentage (plus 5% beginning in FY 2003) of the other half of the costs above \$25,000. Earmarks \$14,000,000 in each fiscal year within the appropriation item 200-501, Base Cost Funding, for this provision.

(6) Requires that the same personnel allowance used in FY 2001 (\$30,000) to

(5) Same as Executive, except the second half of the costs above \$25,000 is paid at the state share percentage calculated in accordance with current law (i.e., not increased by 5% beginning in FY 2003).

(6) No change.

(5) Same as House, but adds a provision that, in FY 2003, lowers the payment threshold from \$25,000 to \$20,000 for services provided to students identified as having Category 3 handicaps. The threshold remains at \$25,000 for services provided to all other students.

(6) Retains the \$30,000 personnel allowance for FY 2002 and increases it to

(5) Includes all special education students except speech-only students under the "catastrophic aid" subsidy. The threshold in FY 2002 is \$30,000 for students identified as having autism, traumatic brain injuries, or both visual and hearing impairments and \$25,000 for other students. The threshold amounts are increased by an inflation factor of 2.8% for FY 2003.

(6) Same as passed by the House.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Permanent Law Changes**

calculate the speech services subsidy also be used in FY 2002 and FY 2003. The subsidy pays the personnel allowance for every 2,000 students.

(7) No provision.

(7) Requires the Department of Education to conduct the following analyses and report its findings and recommendations to the General Assembly by June 30, 2002: (1) A cost-based analysis of state and federal laws that mandate special education services in addition to the mandates of Chapter 3301-51 of the Ohio Administrative Code, commonly known as the "Blue Book"; (2) An analysis of the manner in which federal special education funds may be spent, including an examination of whether and how federal funds may be used to fund the increased costs of state and federal special education mandates; and (3) An analysis of the costs to school districts of complying with the mandate to provide the least restrictive environment to special education students through mainstreaming.

\$55,652 in FY 2003.

(7) Eliminates the House study and instead requires the Legislative Office of Education Oversight to conduct a statistical sampling of individualized education programs (IEPs) developed for handicapped children to determine: (1) the extent to which school districts provide, and handicapped children utilize, attendant services, vocational special education coordinator services, and work-study services; (2) the handicaps that school districts identify as "other health handicaps" and the services that school districts provide to children identified as having "other health handicaps" and (3) how school districts currently serve children identified as having learning disabilities. LOEO must report its findings and recommendations to the General Assembly by January 1, 2003.

(7) Requires LOEO to survey individualized education programs (IEPs) prepared for students identified as having "other health handicaps," categorize the medical conditions that are identified as "other health handicaps," and quantify the number of students identified in each category. LOEO must report its findings to the General Assembly within six months after the bill takes effect.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**66 Subject: Basic State Aid Recomputation when Taxpayer is Bankrupt**  
**section: 3317.0210**

No provision.

No provision.

Changes the timing in which the basic state aid recomputation occurs when a school district cannot collect property taxes from a taxpayer reorganizing under bankruptcy and allows eligible school districts to receive recomputation benefits two years sooner than current law. Also states that the recomputation will be paid out of the lottery profits education fund.

Same as passed by the Senate.

**67 Subject: Transitional Aid**  
**section: 3317.0212**

No provision.

No provision.

Provides for transitional aid to school districts in FY 2002 in order to maintain at least the same funding level as received in FY 2001.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 68 Subject: Parity Aid, Equity Aid, Power Equalization

sections: 3317.0217,  
3302.041, 3317.0213, 3317.0214  
and Section 185 of the bill

(1) No provision.

(1) Phases in over five years a new "parity aid" funding program that pays additional state funds to the 489 lowest wealth school districts based on combined income and property wealth per pupil. The program essentially pays state funds to make up the difference between what an additional 9.5 mills (above the adequate education foundation program) would raise against the district's income-adjusted property valuation versus what 9.5 mills would raise in the 123rd wealthiest district (the 80th percentile). The wealthiest 123 districts are ineligible for aid. Districts need not actually levy the 9.5 mills to receive their state payment. The phased-in state payment rate is 20% in FY 2002 and 40% in FY 2003.

(1) Same as House, but adds an alternative calculation for school districts that have a combination of an income factor  $\leq 1$ , a DPIA index  $\geq 1$ , and a cost-of-doing-business factor  $> 1.0375$ . The alternative formula is:  $0.023 \times \$60,000 \times (1 - \text{income factor}) \times 4/15$ . This alternative calculation is based on recovering state dollars the district would have received had the consideration of district income wealth not switched from the base-cost formula to parity aid. It is funded at 50% in FY 2002 and 100% beginning in FY 2003. Eligible school districts receive the greater of the amount generated under the standard formula or this alternative calculation.

Same as passed by the Senate.

(2) Discontinues equity aid after FY 2002, as provided in current law. Provides approximately \$23 million in FY 2002 only for the 117 lowest wealth school districts.

(2) Extends the phase-out of equity aid through FY 2005. The state equity payment rate is 75% in FY 2003. Provides approximately \$23 million in FY 2002 and \$20 million in FY 2003 for the 117 lowest wealth school districts.

(2) No change.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Permanent Law Changes**

(3) Continues the phase-in of the power equalization subsidy to 100% for FY 2002 and thereafter, as provided in current law. Provides approximately \$43 million in FY 2002 and \$44 million in FY 2003 for this provision.

(3) Terminates the power equalization subsidy.

(3) No change.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**69 Subject: DPIA Poverty Indicator**  
**section: 3317.029**

No provision.

No provision.

Revises the calculation of the DPIA index to measure poverty of school districts effective July 1, 2003. Instead of using the single measure of the number of children whose families participate in Ohio Works First as in current law, uses a measure of participation in several health or social service programs, based on the recommendations of the Legislative Office of Education Oversight. In particular, the new measure will use the unduplicated count of children who reside in the school district, have family incomes below the federal poverty guidelines, and participate in one or more of the following: Ohio Works First, the Food Stamp program, Medicaid (including Healthy Start), Part I of the Children's Health Insurance Program, or the state Disability Assistance Program. The Department of Job and Family Services must annually provide the Department of Education with the number of each of these children in each school district.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**70 Subject: Auxiliary Services Money**  
**section: 3317.06**

No provision.

No provision.

Allows school districts to lease instead of just purchase computers, software, and other instructional items for use by nonpublic school students.

Same as passed by the Senate.

**71 Subject: Auxiliary Services Mobile Unit Replacement and Repair Fund**  
**section: 3317.064**

No provision.

Allows money from the auxiliary services mobile unit replacement and repair fund to be used to make payments to school districts to offer incentives for early retirement and severance to district personnel that provide auxiliary services.

Same as House, but limits the percentage of the costs of early retirement or severance incentives that may be paid from the fund to the same percentage that the employee's service to nonpublic school students was of the employee's total service credit.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**72 Subject: Physical Examination of School Bus or Motor Van Drivers**  
**section: 3327.10**

No provision.

No provision.

Specifies that the physical examination of a person seeking employment as a school bus or motor van driver may be performed by a physician, certified nurse practitioner, or clinical nurse specialist.

Same as passed by the Senate.

**73 Subject: Starting Teacher Salary Reporting**  
**section: 4117.102**

No provision.

No provision.

Requires the State Employment Relations Board (SERB) to compile and annually update a list of the starting teacher salaries for all school districts that have collective bargaining agreements. SERB must annually send a copy of the list to the State Board of Education.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 74 Subject: School District Property Tax Replacement

sections: 5727.84, 5727.85, 5727.86,  
5727.87

(1) No provision.

(1) Conforms the law regarding the computation of property tax replacement payments to the changes the bill makes in the computation of state aid. Property tax replacement payments compensate school districts for the loss of local property tax revenue resulting from the reduction in the assessed value of electric and natural gas company property under Am. Sub. S.B. 3 and Am. Sub. S.B. 287 of the 123rd General Assembly.

(1) Same as the House, but adds the following:

Specifies that through FY 2006, GRF moneys will be used to ensure that the full amount of replacement payments are paid to school districts if the school district property tax replacement fund is not sufficient to cover the calculated payments.

Requires replacement payments to joint vocational school districts to be offset by increases in state education aid due to the reduction in property value as a result of the assessment rate reduction.

Clarifies that the state education aid offset is to be based on the calculation that is done on July 31 of each fiscal year, disregarding any adjustments later in the fiscal year.

States that replacement payments are to be made directly from the Department to school districts and joint vocational school districts.

Ensures that replacement payments for

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

(2) Provides \$102,000,000 in FY 2002 and \$207,400,000 in FY 2003 for the Revenue Distribution Fund appropriation item (Fund 053) 200-900, School District Property Tax Replacement.

(2) Moves the appropriation item from the Revenue Distribution Fund to the Department of Education's State Special Revenue Fund Group. The FY 2003 appropriation is reduced by \$86,794,676. The reduced amount is to be transferred into GRF and included in the GRF appropriation item 200-501, Base Cost Funding, to pay for state education aid offset due to the change in public utility valuation as a result of SB 3 and SB 287, both of the 123rd General Assembly. Temporary law requires appropriations for item 200-900, School District Property Tax Replacement, to be distributed to school districts and joint vocational school districts pursuant to section 5727.85 of the Revised Code.

"inside" debt service levies are reimbursed in full through 2016, even if the post-2002 growth in state education aid exceeds the district's inflation-adjusted property tax loss. Currently, an "inside" debt levy might not be reimbursed if the post-2002 increase in a district's state education aid exceeds the district's inflation-adjusted property tax loss.

Makes other technical and conforming changes.

(2) Same as the House, but FY 2003 appropriation is reduced by \$91,488,407 instead of \$86,794,676.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

75 Subject: Information Technology

No provision.

No provision.

No provision.

Earmarks \$50,000 in FY 2002 of appropriation item 200-606, Information Technology, for the Beavercreek City Schools.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

76 Subject: Head Start

Section: 4.02

Section: 44.02

Section: 44.02

ALI: 200-406

(1) Earmarks up to \$1,530,000 in FY 2002 and \$1,560,000 in FY 2003 for training in early literacy for Head Start classroom teachers and administrators to support the OhioReads initiative.

(1) No change.

(1) Same as House, but allows earmark to be spent on the services of a literacy specialist.

Same as passed by the Senate, but allows for new agencies to receive Head Start funding if a current Head Start agency voluntarily waives its right for funding or is de-funded based on performance.

(2) Allows children from families earning up to 125 per cent of the federal poverty level to be eligible.

(2) Raises the potential eligibility level to children whose families earn up to 185 per cent of the federal poverty level. Specifies that children from families who receive child care subsidy whose incomes are equal to or less than 185 per cent of the federal poverty level may be eligible. Permits Head Start grantees that provide services that meet child care needs to access child care subsidy directly or through a partnership with a child care agency.

(2) No change.

(3) Requires the Department to provide an annual report on: 1) The number and per cent of eligible children by county and by grantee, 2) The amount of state funds requested for continuation per grantee, 3) The amount of state funds received for continuation per grantee, 4) A summary of program performance on the state critical performance indicators, 5) A summary of

(3) No change.

(3) Same as House, but removes from the reporting requirements the amount of state funds requested for continuation per grantee.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Temporary Law Changes**

developmental progress of children participating in the state-funded Head Start Program, 6) Any other data reflecting the performance of Head Start that the department considers pertinent.

(4) No provision.

(4) Requires the Director of Budget and Management to transfer from Fund 3W6, TANF Education, to the General Revenue Fund, \$76,156,175 in FY 2002 and \$98,843,825 in FY 2003. These transferred funds are appropriated to GRF appropriation item 200-406, Head Start.

(4) No change.

(5) No provision.

(5) Requires the Department of Education to comply with all TANF requirements.

(5) Same as House, except allows the Department to administer TANF funds in compliance with its own internal rules and guidelines.

(6) No provision.

(6) No provision.

(6) Limits the distribution of Head Start funds in FY 2002 and FY 2003 to only those Head Start providers that received funds in FY 2001.

(7) No provision.

(7) No provision.

(7) \$100,000 per fiscal year is earmarked for the Read Baby Read Book Club Program.

(8) No provision.

(8) No provision.

(8) Allows the Department to reallocate unobligated or unspent money for facilities planning grants, teacher professional development, meeting reporting requirements, and expansion, improvement, or special projects.

(9) No provision.

(9) No provision.

(9) Requires an independent auditor to

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

(10) No provision.	(10) No provision.	examine state Head Start funds in accordance with the federal regulations and agreed-upon state procedures formulated by the Department.
(11) No provision.	(11) No provision.	(10) Requires the Department to develop the criteria to be used by Head Start grantees and delegate agencies with developing partnership agreements in conjunction with the Department of Job and Family Services.
(12) No provision.	(12) No provision.	(11) Requires the Department to develop pre-kindergarten reading and math content standards and model curricula.
		(12) Requires, in the event that a new agency designated for state Head Start funding voluntarily waives its right for funding or is de-funded based on performance, that the grantee and delegate transfer control of title to property, equipment and remaining supplies obtained through this program to the newly designated grantee and return any unexpended funds to the Department.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 77 Subject: Professional Development

Section: 4.04

Section: 44.04

Section: 44.04

ALI: 200-410

(1) Earmarks \$5,997,829 in each fiscal year to develop a statewide system of twelve professional development centers.

(1) No change.

(1) No change.

Same as passed by the Senate.

(2) Earmarks \$9,659,713 in each fiscal year to be distributed to school districts and joint vocational school districts on a per-teacher basis for locally developed teacher training and professional development, and requires that school districts with pass rates of less than 75% on the fourth grade proficiency test allocate at least 40% of their funds for development of elementary literacy skills.

(2) Removes the earmark.

(2) No change.

(3) Earmarks \$5,845,000 in FY 2002 and \$6,000,000 if FY 2003 to assist teachers in obtaining National Board Certification.

(3) No change.

(3) Same as House, but earmarks up to \$300,000 in each fiscal year of the set-aside to pay for costs associated with activities to support candidates.

(4) Earmarks up to \$8,296,000 in FY 2002 and up to \$19,387,750 in FY 2003 to fund entry-year programs for beginning teachers.

(4) Same as Executive, but includes chartered non-public school beginning teachers.

(4) Same as House, but allows mentoring of beginning teachers to be done by experienced school and university faculty, including faculty of chartered nonpublic schools.

(5) Earmarks up to \$730,000 in each fiscal

(5) Reduces the earmark to \$650,000 in

(5) No change.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Temporary Law Changes**

year to continue Ohio leadership academies to develop and train superintendents.

each fiscal year.

(6) Earmarks up to \$1,000,000 in FY 2002 and \$1,250,000 in FY 2003 to support the Ohio Principal's Leadership Academy.

(6) Reduces the earmark to \$850,000 in each fiscal year.

(6) No change.

(7) Earmarks up to \$1,000,000 in each fiscal year to establish an entry-year program for principals.

(7) Reduces the earmark to \$975,000 in each fiscal year, and includes chartered non-public school principals.

(7) No change.

(8) Earmarks up to \$575,000 in each fiscal year for the Rural Appalachian Initiative to create professional development academies in the Appalachian region.

(8) Reduces the earmark to \$500,000 in each fiscal year.

(8) No change.

(9) Earmarks up to \$250,000 in FY 2002 and up to \$350,000 in FY 2003 to support a Teacher Recognition Program.

(9) No change.

(9) No change.

(10) Earmarks up to \$25,000 in each fiscal year to support the Ohio Teacher Education and Certification Commission.

(10) No change.

(10) No change.

(11) Earmarks up to \$75,000 in each fiscal year to support the Ohio University Leadership Program.

(11) No change.

(11) No change.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**78 Subject: Family and Children First**

**Section: 4.05**

**Section: 44.05**

**Section: 44.05**

**ALI: 200-411**

(1) Requires the Department of Education to transfer up to \$5,000,000 in each fiscal year, by intrastate voucher, to the Department of Mental Retardation and Developmental Disabilities to be spent on direct grants to county family and children first councils created under section 121.37 of the Revised Code. These funds will be used to develop treatment plans that include strategies to address each child's academic achievement.

(1) Reduces the transfer to \$3,677,188.

No change.

No provision.

(2) Earmarks up to \$3,550,000 in each fiscal year to be used as administrative grants to county family and children first councils to provide a portion of the salary and fringe benefits necessary to fund county council coordinators, administrative support, training, or parental involvement. The total initial grant to any council shall not exceed \$40,000. The Family and Children First Cabinet Council is required to use up to \$30,000 in each fiscal year for administrative costs.

(2) Reduces the earmark to \$1,775,000. This provision also reduces the amount of the total initial grant to any county council to \$20,000, and reduces the earmark for the Family and Children First Cabinet Council's administrative costs to \$15,000 in each fiscal year.

(3) Sets aside up to \$5,190,000 in each fiscal year to fund school-based or school-

(3) No change.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**

linked school readiness resource centers in school districts where there is a concentration of risk factors to school readiness and success. Each urban school district may receive up to \$240,000 to maintain 3 school readiness resource centers. Additionally, up to \$50,000 in each fiscal year may be used by the Ohio Family and Children First Cabinet Council for an evaluation of the effectiveness of the centers. Up to \$100,000 in each fiscal year may be used by the cabinet council to approve technical assistance and oversee the implementation of the centers.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**79 Subject: Technical Systems Development**

**Section: 4.06**

**Section: 44.06**

**Section: 44.06**

**ALI: 200-420**

Permits funds to be used for personnel, maintenance, and equipment costs related to the development and implementation of technical system projects designed to improve the performance and customer service of the Department of Education.

No change.

Same as House, but removes the earmarks.

Same as passed by the Senate.

Earmarks up to \$2,000,000 in each fiscal year for EMIS conversion.

Earmarks up to \$350,000 in each fiscal year for annual maintenance of database management software.

Earmarks up to \$200,000 in each fiscal year to support the data warehouse project.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 80 Subject: Alternative Education Programs

Section: 4.06

Section: 44.06

Section: 44.06

ALI: 200-421

(1) Requires at least \$10,275,000 in FY 2002 and \$11,842,500 in FY 2003 be used for the renewal of successful implementation grants and for competitive matching grants to the 21 urban school districts and another \$10,275,000 in FY 2002 and \$11,842,500 in FY 2003 for providing grants to rural and suburban districts for alternative educational programs for existing and new at-risk and delinquent youth.

(1) Reduces the earmark to \$9,200,107 in each fiscal year for competitive matching grants to the 21 urban school districts and to \$9,200,107 in each fiscal year for providing grants to rural and suburban districts.

(1) Changes the earmarks to \$9,253,031 in each fiscal year. Of the set-aside for urban school districts, \$1,000,000 in each fiscal year is earmarked for programs where the minimum length of each student's assignment is at least 90 days.

Same as passed by the Senate, but reduces the earmarks for grants to urban districts and for grants to suburban and rural districts to \$8,163,031 in each fiscal year, and removes the requirement that \$1,000,000 of the set aside for urban districts be used for programs where the minimum length of each student's assignment is at least 90 days. Earmarks \$75,000 per year for the Turning Point Applied Learning Center and \$15,000 in each year for the Bucyrus After School Enrichment Program.

(2) Earmarks up to \$536,697 in FY 2002 and \$576,384 in FY 2003 for program administration, monitoring, technical assistance, support, research, and evaluation.

(2) Changes the earmark to \$480,552 in each fiscal year.

(2) No change.

(3) Earmarks \$350,000 in each fiscal year to contract with the Center for Learning Excellence at The Ohio State University to provide technical support for the project.

(3) Changes the earmark to \$313,386 in each fiscal year.

(3) No change.

(4) Earmarks up to \$900,000 in each fiscal year to support the Amer-I-Can program.

(4) Changes the earmark to \$805,849 in each fiscal year.

(4) Changes the earmark to \$700,000 in each fiscal year and requires Controlling Board approval before funds are disbursed.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

81 Subject: School Management Assistance

Section: 4.06

Section: 44.06

Section: 44.06

ALI: 200-422

Requires the Department of Education to provide technical assistance to school districts placed under fiscal caution, fiscal watch, and fiscal emergency.

No change.

Same as House, but earmarks \$700,000 in FY 2002 and \$400,000 in FY 2003 for expenses incurred by the Auditor of State related to fiscal caution activities.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

82 Subject: Reading/Writing Improvement

Section: 4.07

Section: 44.07

Section: 44.07

ALI: 200-433

Earmarks up to \$12,396,970 in each fiscal year for professional development in literacy.

Earmarks up to \$6,500,000 in FY 2002 and up to \$13,000,000 in FY 2003 to support half-time literacy specialists in elementary school buildings.

Earmarks up to \$1,780,268 in FY 2002 and up to \$1,815,874 in FY 2003 to fund the Reading Recovery Training Network.

Requires that the rest of the appropriation be used to support reading and writing improvement programs.

Same as Executive, but removes the earmark of \$6,500,000 in fiscal year 2002 and \$13,000,000 in fiscal year 2003 to support half-time literacy specialists.

Same as House, but earmarks \$250,000 in each fiscal year for the Waterford Early Reading Program.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 83 Subject: Education Management Information System

Section: 4.08

Section: 44.08

Section: 44.08

ALI: 200-446

Earmarks up to \$1,100,000 in FY 2003 to assist in funding costs related to the common student management record system software, as well as to support EMIS special report activities.

Same as Executive, but moves the \$1,100,000 earmark from FY 2003 to FY 2002.

Same as House, but earmarks \$1,000,000 in each fiscal year to assist in funding costs related to the common student management record system software, as well as to support EMIS special report activities, instead of \$1,100,000 in FY 2002 only.

Same as passed by the Senate.

Earmarks up to \$2,213,639 in FY 2002 and up to \$1,476,760 in FY 2003 to be distributed to data acquisition sites for costs relating to EMIS.

Earmarks up to \$7,763,297 in FY 2002 and up to \$8,999,708 in FY 2003 to be distributed to school districts, community schools, education service centers and joint vocational school districts on a per-pupil basis. Each school district with more than 100 students and each joint vocational school district shall receive a minimum of \$5,000 per year. Each school district or community school with less than 100 students, each education service center and each county board of MR/DD that submits data through EMIS shall receive \$3,000.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 84 Subject: Base Cost Funding

Section: 4.10

Section: 44.10

Section: 44.10

ALI: 200-501

Earmarks up to \$425,000 in each fiscal year for court payments pursuant to Revised Code section 2151.357.

Requires an amount be available each year for the cost of the reappraisal guarantee pursuant to Revised Code section 3317.04.

Requires an amount be available each year to fund up to 225 FTE approved GRADS teacher grants pursuant to Revised Code section 3317.024.

Requires an amount be available each year to make payments to school districts pursuant to Revised Code section 3317.022 (A)(2).

Earmarks up to \$15,000,000 in each year for payment pursuant to Revised Code sections 3317.026, 3317.027, and 3317.028, except that the Controlling Board may increase the amount.

Earmarks up to \$14,000,000 in each year for special education students pursuant to Revised Code section 3317.022(C)(4).

Same as Executive, but removes the earmark of \$10,000,000 in fiscal year 2003 to provide temporary transitional aid to school districts with an exceptionally high dependence on inventory generated tangible personal property tax revenues. Also, "vocational" is changed to "career-technical", except in the case of joint "vocational" school districts.

Same as House, but requires an amount be available in fiscal year 2002 to make payments to school districts pursuant to Revised Code Section 3317.0212 (C). Also, changes the earmark for additional state aid for special education students to \$14,000,000 in FY 2002 and \$23,000,000 in FY 2003.

Same as passed by the House, but changes the earmark for additional state aid for special education students to \$15,000,000 in each fiscal year.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

Earmarks up to \$2,000,000 in each year for Youth Services tuition payments pursuant to Revised Code section 3317.024.

Earmarks up to \$52,000,000 in each year to fund the state reimbursement of educational service centers pursuant to Revised Code section 3317.11.

Earmarks up to \$10,000,000 in FY 2003 to provide temporary transitional aid to school districts with an exceptionally high dependence on inventory generated tangible personal property tax revenues.

Earmarks up to \$1,000,000 in each year for a pilot project to pay for educational services for youth assigned by a juvenile court to a facility participating in the Private Treatment Facility Pilot Project.

Requires that the rest of the appropriation be expended for the public schools of city, local, exempted village, and joint vocational school districts, including base cost funding, special education weight funding, special education speech service enhancement funding, vocational education weight funding, vocational education associated service funding, and teacher training and experience funding pursuant to Revised Code sections 3317.022, 3317.023, 3317.0212, and 3317.16.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

85 Subject: Base Cost Funding continued

Section: 4.10

Section: 44.10

Section: 44.10

ALI: 200-501

No provision.

Includes in GRF appropriation item 200-501, Base Cost Funding, \$86,794,676 in fiscal year 2003 for the state education aid offset due to the change in public utility valuation as a result of Am. Sub. S.B. 3 and Am. Sub. S.B. 287 of the 123rd General Assembly. If the offset is more than this estimate, provides authority for the Controlling Board to increase the appropriation. If the offset is less than this estimate, authorizes the Director of Budget and Management to decrease the appropriation.

Requires an amount shall be available in fiscal year 2003 to make payments to school districts for the excess cost supplement (the 3 mill cap) pursuant to Revised Code section 3317.022 (F).

Specifies that the first priority of the following GRF appropriation items is to meet state formula obligations: 200-500, School Finance Equity, 200-501, Base Cost Funding, 200-502, Pupil Transportation, 200-520, Disadvantaged Pupil Impact Aid, 200-521, Gifted Pupil Program, 200-525, Parity Aid, and 200-546, Charge-off Supplement.

Same as House, but changes the amount in fiscal year 2003 for the state education aid offset due to the change in public utility valuation to \$91,488,407.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

Authorizes the Controlling Board to transfer funds among these GRF appropriation items to meet state formula aid obligations.

## 86 Subject: Post-secondary/Adult Career-Technical Education

Section: 4.12

Section: 44.13

Section: 44.13

ALI: 200-514

Earmarks up to \$500,000 in each fiscal year for the Ohio Career Information System.

Earmarks up to \$30,000 in each fiscal year for the statewide coordination of the activities of the Ohio Young Farmers.

Earmarks \$2,500,000 in each fiscal year to be used as an incentive to support local EnterpriseOhio Network Campus/Adult Workforce Education Center Partnerships.

Same as Executive, but removes the \$2,500,000 earmark. Also, changes "vocational" to "career-technical".

Same as House, but increases the earmark for Ohio Young Farmers to \$40,000.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 87 Subject: Special Education Enhancements

Section: 4.15

Section: 44.16

Section: 44.16

ALI: 200-540

Earmarks up to \$50,295,000 in FY 2002 and up to \$52,809,750 in FY 2003 to fund special education and related services provided to school age children by county boards of MR/DD.

Earmarks up to \$808,081 in FY 2002 and up to \$832,323 in FY 2003 for reading mentoring programs for students with disabilities in kindergarten through fourth grade.

Earmarks up to \$2,500,000 in each year to fund up to 57 special education units at institutions.

Earmarks up to \$3,293,959 in FY 2002 and up to \$3,425,717 in FY 2003 for home instruction of handicapped children.

Earmarks up to \$1,500,000 in each year for parent mentoring programs.

Earmarks up to \$2,744,966 in FY 2002 and up to \$2,854,764 in FY 2003 for school psychology interns.

Same as Executive, but reduces the earmark from \$50,295,000 to \$45,295,000 in fiscal year 2002 and from \$52,809,750 to \$47,809,750 in fiscal year 2003 to fund special education and related services at county boards of mental retardation and developmental disabilities.

Same as House, but requires that within the earmark for reading mentoring programs priority be given to programs recognized by the Education Commission of the States, that are easily replicated, have strong evaluative components and have goals aligned to the Ohio Proficiency Test, and that grants be made in conjunction with the Ohio Coalition for Education of Children with Disabilities.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

Earmarks up to \$3,852,160 in FY 2002 and up to \$4,006,246 in FY 2003 to assist in the funding of special education aides.

Earmarks \$78,623,506 in each year for funding of preschool special education and preschool supervisory units. Allows the Controlling Board to approve transfer of unallocated funds between GRF appropriation item 200-501, Base Cost Funding, and GRF appropriation item 200-540, Special Education Enhancements, to fully fund special education units and special education weight cost funding as necessary. Requires documentation of child progress and the adoption of rules addressing the use of screening and assessment data.

Earmarks up to \$86,000 in each year to conduct a collaborative pilot program to provide educational services and develop best educational practices for autistic children in Wood County.

Earmarks up to \$303,030 in FY 2002 and up to \$312,121 in FY 2003 to conduct a demonstration project involving language and literacy intervention teams to improve language and literacy of at-risk learners.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 88 Subject: Career-Technical Education Enhancements

Section: 4.16

Section: 44.17

Section: 44.17

ALI: 200-545

	Changes "vocational" to "career-technical."		
(1) Earmarks up to \$2,616,001 in each fiscal year to fund vocational education units at institutions.	(1) No change.	(1) No change.	(1) Same as passed by the Senate.
(2) Earmarks up to \$10,972,500 in each fiscal year to fund the Jobs for Ohio Graduates Program.	(2) Changes the earmark to \$4,200,000 in FY 2002 and \$4,182,775 in FY 2003.	(2) No change.	(2) Same as passed by the Senate.
(3) Earmarks up to \$5,250,000 in FY 2002 and \$6,000,000 in FY 2003 to fund competitive grants to tech prep consortia that expand the number of students enrolled tech prep programs.	(3) No change.	(3) Changes earmark to \$4,182,573 in FY 2002 and \$4,432,573 in FY 2003. This provision clarifies that funds in these grants may also be used for equipment associated with the programs.	(3) Reduces the earmark by \$25,000 in each fiscal year.
(4) Earmarks \$6,451,490 in each fiscal year to enable students to develop career plans, to identify initial educational and career goals, and to develop a career passport.	(4) Removes the \$6,451,490 earmark.	(4) Same as executive, but changes the earmark to \$3,750,000 in FY 2002 and \$4,000,000 in FY 2003. The name of the earmark is changed from ICP/Career Passport to K-12 career development.	(4) Same as passed by the Senate.
(5) Earmarks \$5,707,573 in each fiscal year to provide an amount to each eligible school district for the replacement or updating of equipment essential for the instruction of students in job skills taught as part of a	(5) No change.	(5) Changes the earmark to \$3,000,000 in FY 2002 and \$3,250,000 in FY 2003.	(5) Same as passed by the Senate.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Temporary Law Changes**

vocational program or programs approved for such instruction by the State Board of Education.

(6) Earmarks up to \$6,400,000 in FY 2002 and \$9,600,000 in FY 2003 to support existing High Schools That Work sites, develop new sites, fund technical assistance, and support regional centers and middle school programs.

(7) No provision.

(8) No provision.

(6) Changes the earmark to \$3,900,000 in each fiscal year.

(7) No provision.

(8) No provision.

(6) Changes the earmark to \$3,650,000 in each fiscal year. The grant must be awarded to an Ohio nonprofit organization. The organization must provide a contribution of at least \$1,000,000 to the program.

(7) Earmarks \$250,000 in each fiscal year for the Voc-Ag 5th Quarter Pilot Project.

(8) Earmarks \$25,000 in each fiscal year for the Virtual Simulations in Manufacturing Program.

(6) Same as passed by the Senate.

(7) Increases the earmark by \$50,000 in each fiscal year.

(8) No provision.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

89 Subject: Bethel School Cleanup

## Section: 44.19

ALI: 200-580

No provision.

No provision.

Requires that appropriation item 200-580, Bethel School Cleanup, be used for the Bethel Local School District in Miami County. The funds shall be used to purchase water for the school and four adjacent households, for expenses incurred by the district for well-monitoring and water-system conversion and for expenses incurred by the Ohio Environmental Protection Agency as the agency monitors activities associated with the water supply. This was previously funded in the EPA budget (See Temporary Law Changes in the Environmental Protection Agency under subject, "Bethel School Cleanup")

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

90 Subject: OhioReads Grants

Section: 4.18

Section: 44.19

Section: 44.19

ALI: 200-566

Earmarks \$23,800,000 each year to provide classroom grants to public schools, community schools and educational service centers serving K-4 grades.

Earmarks \$5,000,000 each year to provide community matching grants to community organizations for tutoring, tutor recruitment and training, and parental involvement.

Same as Executive, but reduces the earmark from \$23,800,000 to \$22,148,000 in each fiscal year for classroom grants.

Same as House, but reduces the earmark for classroom grants to \$21,898,000 in each fiscal year, allows these funds to be used to support the STARS program. Also, earmarks \$250,000 in each fiscal year for research-based reading mentoring programs for students with disabilities in K-4th grades.

Same as passed by the Senate, but reduces the earmark for classroom grants by \$2,073,752 in fiscal year 2002 and by \$2,083,552 in fiscal year 2003 and requires the Department of Education to transfer these funds to the Department of Aging to be used for the STARS program.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 91 Subject: School Improvement Incentive Grants

Section: 4.18

Section: 44.19

Section: 44.19

ALI: 200-570

(1) Earmarks \$2,000,000 in FY 2002 and \$2,500,000 in FY 2003 to provide grants of \$25,000 per building for improvements in reading performance.

(1) Removes the earmark.

(1) No change.

Same as passed by the Senate, but removes the earmark of \$750,000 in each year to provide grants of up to \$50,000 each to educational best practices award winners.

(2) Earmarks \$6,500,000 in FY 2002 and \$7,750,000 in FY 2003 to provide grants of \$25,000 each to elementary schools and \$50,000 each to middle schools, junior high schools, and high schools that demonstrate significant improvement on proficiency tests, attendance rates and graduation rates.

(2) Removes the earmark.

(2) No change.

(3) Earmarks \$500,000 in FY 2002 and \$750,000 in FY 2003 to provide grants of \$50,000 each to educational service centers and joint vocational school districts that demonstrate significant improvement.

(3) Removes the earmark.

(3) No change.

(4) Earmarks \$1,000,000 in each year to provide grants of up to \$50,000 each to educational best practices award winners.

(4) Reduces the earmark to \$750,000.

(4) No change.

(5) No provision.

(5) Earmarks \$50,000 each fiscal year for the Bellefaire Jewish Children's Bureau.

(5) Increases the earmark to \$100,000 in each fiscal year.

(6) No provision.

(6) Earmarks \$50,000 each fiscal year for

(6) No change.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## Temporary Law Changes

	the Cleveland School of Art.		
(7) No provision.	(7) Earmarks \$50,000 each fiscal year for the Tuscarawas County Educational Service Center.	(7) No change.	
(8) No provision.	(8) Earmarks \$50,000 each fiscal year for LEAF.	(8) No change.	
(9) No provision.	(9) Earmarks \$50,000 each fiscal year for the Toledo Institute.	(9) Changes name from "Toledo Institute" to Toledo Tech Academy".	
(10) No provision.	(10) No provision.	(10) Earmarks \$150,000 in FY 2002 and \$300,000 in FY 2003 for COSI Education Project.	
(11) No provision.	(11) No provision.	(11) Earmarks \$25,000 in each fiscal year for the Magellan Program.	
(12) No provision.	(12) No provision.	(12) Earmarks \$25,000 in each fiscal year for I Know I Can Columbus.	
(13) No provision.	(13) No provision.	(13) Earmarks \$25,000 in each fiscal year for the Clarity Program.	
(14) No provision.	(14) No provision.	(14) Earmarks \$12,500 in each fiscal year for the Strongsville Youth Council.	
(15) No provision.	(15) No provision.	(15) Earmarks \$50,000 in each fiscal year for the Lorain County Access Program.	
(16) No provision.	(16) No provision.	(16) Earmarks \$100,000 in each fiscal year the Summit County Education Initiative.	
(17) No provision.	(17) No provision.	(17) Earmarks \$80,000 in each fiscal year	

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

(18) No provision.	(18) No provision.	(18) Earmarks \$25,000 in each fiscal year for the Cleveland Language Project.	
(19) No provision.	(19) No provision.	(19) Earmarks \$30,000 in each fiscal year for the Columbus Language Project.	
(20) No provision.	(20) No provision.	(20) Earmarks \$15,000 in each fiscal year for the Cincinnati Language Project.	

92 Subject: Character Education

Section: 4.18

Section: 44.19

Section: 44.19

ALI: 200-573

Requires the appropriation be used to provide matching grants of up to \$50,000 each to school districts to develop pilot character education programs

No provision.

Same as Executive.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

93 Subject: LOEO Study of Gifted Education

Section: 166

Section: 183

No provision.

Requires the Legislative Office of Education Oversight (LOEO) to review and evaluate school districts' plans for the identification of gifted students and to issue a report by November 30, 2002, that (1) summarizes the results of the evaluations and (2) recommends reasonable methods of funding educational services for gifted students.

No provision.

Requires LOEO to prepare a report by November 30, 2002, that summarizes the methods school districts use to identify gifted students and the number of gifted students being identified.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

94 Subject: Ohio Government Telecommunications  
sections: 3353.07, 3353.11

No provision.

No provision.

Transfers the operation of the Ohio Government Telecommunications System from the Capital Square Review and Advisory Board (CSR) to the Ohio Educational Telecommunications Network Commission (OEB). Creates the Governmental Television/Telecommunications Operating Fund, under OEB, which is to consist of moneys received from contract productions of the Ohio Government Telecommunications Studio, and is to be used for operations or equipment breakdowns related to the studio. Also specifies that all investment earnings on the Fund shall be credited to the Fund. (See also Permanent Law Changes in the Educational Telecommunications Network Commission under subject, "Ohio Government Telecommunications")

As a result of this provision, General Services Fund 4T2 and its corresponding appropriation authority of \$150,000 in each year of the biennium is transferred from CSR to OEB. In addition, GRF appropriation authority totaling \$806,053 in fiscal year

Same as passed by the Senate, but delays the transfer of the Ohio Government Telecommunications Studio from the Capital Square Review and Advisory Board (CSR) to the Ohio Educational Telecommunications Network Commission (OEB) until January 1, 2002. Only \$403,026 is transferred in fiscal year 2002 from GRF appropriation item 874-321, Operating Expenses, in CSR to GRF appropriation item 374-402, Ohio Government Telecommunications Studio, in OEB. Also, \$75,000 is appropriated in fiscal year 2002 for General Services Fund Group (4T2) appropriation item 874-604, Government Television/Telecommunications Operating, in CSR, and the fiscal year 2002 appropriation for GSF appropriation item 374-605, Government Television/Telecommunications Operating, in OEB is decreased to \$75,000.

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

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**Permanent Law Changes**

2002 and \$910,296 in fiscal year 2003 is transferred from CSR line item 874-321, Operating Expenses, to OEB line item 374-402, Ohio Government Telecommunications Studio.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

95 Subject: Ohio Government Telecommunication Studio

Section: 45

ALI: 374-402

No provision.

No provision.

Requires that GRF appropriation item 374-402, Ohio Government Telecommunications Studio, be used solely to support the operations of the Ohio Government Telecommunications Studio. This Studio was previously operated under the Capital Square Review and Advisory Board.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

96 Subject: Government Television/Telecommunications Operating

Section: 45

No provision.

No provision.

Requires the Director of Budget and Management to transfer by July 15, 2001 all remaining balances in General Services Fund 4T2, Government Television/Telecommunications Operating in the Capital Square Review and Advisory Board to the newly created General Services Fund 4T2, Government Television/Telecommunications Operating in the Educational Telecommunications Network Commission.

Same as passed by the Senate, but delays the transfer until January 1, 2002.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**
**97 Subject: Hazardous Waste Clean-up Fund**

No provision.

No provision.

No provision.

Authorizes the EPA to use moneys in the Hazardous Waste Clean-up Fund to pay costs that the Agency incurs in dealing with unauthorized spills that require emergency action to protect the public health and safety or the environment and to conduct remedial actions to address conditions involving hazardous chemicals at certain facilities if the conditions constitute an imminent and substantial threat to public health or safety or the environment.

Specifies that the authority to use moneys in the Fund for those purposes and related enforcement expenses exists until June 30, 2003 and extends existing authority to use moneys in the Fund for the voluntary action program from June 30, 2001, until that date.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****98 Subject: Scrap Tire Funds****sections: 166.032, 1502.12, 3734.82**

Eliminates language requiring not more than \$150,000 during fiscal years 1998 and 1999 to be granted to the University of Akron's Polymer Institute. The purpose of the grant was to fund experimental research on alternative methods of tire recycling.

Also eliminates language referring to the transfer of 12 percent of the Scrap Tire Management Fund to the Central Support Indirect Fund (the funding structure for Central Support is modified in section 3745.014 of the budget bill). Eliminates language requiring the Director of Ohio EPA to: (1) transfer half of the Scrap Tire Management Fund's balance that is in excess of \$3.5 million to the Ohio Department of Development's Scrap Tire Loans and Grants Fund; and (2) expend half of the balance that is in excess of \$3.5 million on scrap tire removal operations.

Changes the fund to which \$1 million of the Scrap Tire Management Fund must be transferred from the Scrap Tire Loans and Grants Fund to the Scrap Tire Recycling Fund.

Same as the Executive provision, but specifies that more than \$3 million may be expended in fiscal years 2002 and 2003, and more than \$4.5 million may be expended in subsequent fiscal years, on scrap tire removal operations and on grants to local boards of health from moneys collected from the additional \$0.50 fee provided for under the bill. (See also Permanent Law Changes under subject, "Scrap Tire Fees.")

Same as the House provision, but changes the name of the Scrap Tire Recycling Fund to the Scrap Tire Grant Fund. The Scrap Tire Grant Fund is administered by the Ohio Department of Natural Resources. (See also Permanent Law Changes in Department of Natural Resources under subject, "Scrap Tire and Loan Program")

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

(See also Permanent Law Changes in Department of Natural Resources under subject, "Scrap Tire and Loan Program.")

Requires the director to expend not more than \$3 million per year during fiscal years 2002 and 2003 on scrap tire removal operations (with controlling board approval) and on grants to local boards of health to conduct chemical treatments at scrap tire facilities. In subsequent fiscal years, the director may expend not more than \$4.5 million for these purposes. Also specifies that if the balance in the Scrap Tire Management Fund exceeds \$7 million during a fiscal year, one half of the amount in excess of \$7 million must be transferred, by the Director of Budget and Management at the request of the Director of EPA, to the Ohio Department of Natural Resources' Scrap Tire Recycling Fund (created under section 1502.12 of the Revised Code). The remaining amount in excess of \$7 million shall be used to conduct scrap tire removal actions.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

- 99 Subject: Motor Vehicle Inspection and Maintenance Program (E-Check)**  
**section: 3704.143**

No provision.

Prohibits the Director of Administrative Services and the Director of Ohio EPA from renewing or entering into a new contract, upon the termination of any existing contract, for the purpose of conducting emissions inspections under a motor vehicle inspection and maintenance program. Furthermore, at the end of the contract period, the Director of Ohio EPA is required to terminate all motor vehicle inspection and maintenance programs in the state, and is not to implement a new program unless authorized by the Ohio General Assembly. This provision has no fiscal effect.

No provision.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****100 Subject: Written Notice of Receipt of Permit Applications**

section: 3745.10

No provision.

Requires the Director of Ohio EPA, within 10 days of receipt of a permit application under certain environmental laws, to provide written notice to the applicant that the application either contains all of the necessary information or that the application is incomplete. Requires the Director to waive the application fee if this notice is not provided.

Failing to meet this provision will cause Ohio EPA to lose revenue from application fees. This has the potential to affect several of the agency's State Special Revenue funds, normally used to fund the administration of agency programs.

Applies the requirement for written acknowledgement of a permit application only to air permits to install and sewage treatment and disposal plan approvals, rather than to all permits issued by the Director of Ohio EPA. Clarifies that the Director has 10 business days to provide written acknowledgement. Also removes the provision that requires the Director to waive the applicant's application fee if notice is not provided within 10 days, thereby removing a potential revenue loss to several of the agency's State Special Revenue funds.

Provides that if the Director fails to make a completeness determination and provide written notice by the eleventh business day after receipt of an application, the application will be deemed complete. Also authorizes the Director to request additional information in writing that the Director determines is necessary in order to take final action on an application.

Same as passed by the Senate, but removes the provision that allows the Director of Environmental Protection to request an applicant for certain permits and plan approvals to submit additional information concerning the application either prior to or after the application is determined or deemed complete.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

**101 Subject: Issuance or Denial of a Permit Within 150 Days**  
**section: 3745.15**

No provision.

Requires the Director of Environmental Protection to issue or deny a permit under the Air Pollution Control Law, the Solid, Infectious, and Hazardous Waste Law, the Voluntary Action Program Law, or the Water Pollution Control Law within 90 days after receiving an application for a permit. If the Director fails to issue or deny the permit by this time, the permit will be considered approved, and the Director is required to issue it and send written notification to the permit applicant.

Replaces the requirement to issue or deny a permit under the Air Pollution Control Law, the Solid, Infectious, and Hazardous Waste Law, the Voluntary Action Program Law, or the Water Pollution Control Law within 90 days with a requirement to issue, deny, or propose to deny air permits to install (or modifications of air permits to install) and to approve or disapprove sewage treatment and disposal plans within 150 days after receipt of a complete application.

Removes the provision specifying that if the Director of Ohio EPA fails to issue or deny a permit within 90 days, the application is considered approved.

If the Director does not meet the 150 day deadline, the Director is prohibited from collecting the applicable permit to install fee or plan approval application fee, and the applicant may bring a mandamus action to obtain a judgment that orders the Director to take final action on the application.

The Director may extend the 150-day deadline for an additional 60 days if a public

Same as passed by the Senate, but specifies that certain permits issued by the EPA must be issued or denied within 150 days or the permits will be deemed approved.

Also, regarding permits to install air containment sources and plan approvals for sewage treatment works, removes the authority of the Director of Environmental Protection, on the Director's own motion, to extend by 60 days the time within which a permit must be issued or denied and removes the application of those provisions to proposals to deny.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

hearing or informational meeting was held on the application, or may extend the 150-day deadline upon written request of the applicant, for the amount of additional time requested by the applicant. If the 150-day deadline is extended under either scenario, the preclusion against collection of applicable fees does not apply unless provided for in a written agreement providing for the extension of time.

Also allows the Director to consolidate or group applications for the issuance of or modification to permits to install at one facility in order to reduce paperwork and administrative burden.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

102 Subject: E-Check New Car Exemption Working Group

## Section: 50.02

No provision.

Creates the E-Check New Car Exemption Working Group for the purpose of entering into communications with the contractor hired to conduct emissions inspections under the motor vehicle inspection and maintenance program (E-Check). The working group is to determine the costs associated with expanding the E-Check program's current new car exemption from two years to five years through a three-year phase-in process. The group is also required to report its findings to the Speaker of the House of Representatives and the President of the Senate within four weeks of the effective date of this section.

No provision.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

103 Subject: Groundwater

ALI: 718-321

No provision.

No provision.

No provision.

Earmarks \$125,000 in each fiscal year for the New Straitsville Sewer.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

104 Subject: Bethel Local School District

Section: 50.01

Section: 44.19

ALI: 721-321

No provision.

Earmarks \$65,000 of GRF appropriation item 721-321, Drinking Water, in each of fiscal years 2002 and 2003 for use by the Bethel Local School District in Miami County. The moneys are to be used to purchase water for the school and four adjacent households, for expenses incurred by Bethel Local School District for well-monitoring activities and water-system conversions, and for expenses incurred by the Ohio Environmental Protection Agency as it monitors activities associated with the school district's water supply.

Removes earmark from Ohio EPA, then establishes funding to appropriation item 200-580, Bethel School Cleanup, within the Department of Education in the amount of \$65,000 per fiscal year. The total amount is earmarked for use by the Bethel Local School District in Miami County. (See Temporary Law Changes in the Department of Education under subject, "Bethel School Cleanup")

Same as passed by the Senate, but earmarks \$225,000 in each fiscal year for the Northern Perry Water Phase III.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

105 Subject: Kirby Tire Site

Section: 50.01

Section: 50.01

No provision.

Specifies that of the moneys collected from the additional \$0.50 fee on the sale of tires, provided for under the bill, at least 80 percent must be expended for cleanup and removal actions at the Kirby Tire site in Wyandot County during fiscal years 2002 and 2003.

(See also Permanent Law Changes under subjects, "Scrap Tire Fees" and "Scrap Tire Funds.")

Same as the House provision, but reduces the percentage of new fee moneys that must be expended for cleanup and removal actions at the Kirby Tire site from eighty percent to at least fifty percent.

Same as passed by the Senate, but sunsets the additional \$0.50 per tire fee on the sale of tires on June 30, 2011. Also, codifies the bill's requirement that a specified percentage of the moneys from the additional fee be used for clean-up and removal activities at the Kirby Tire site, increases that percentage from at least 50% to at least 65%, and requires the moneys to be so used through June 30, 2011, rather than for the next two fiscal years.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

106 Subject: Information disclosure  
 section: 102.06

No provision.

No provision.

Allows the Ethics Commission to disclose investigative information to law enforcement agencies, appropriate prosecuting authorities, and any other appropriate ethics commission.

This provision creates no fiscal impact to state or local government.

Same as passed by the Senate, but also authorizes an ethics commission to share or disclose otherwise confidential information gathered in an investigation with or to the Inspector General.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**107 Subject: Limit Length of the State Fair to 15 Days with the 2002 Fair**  
**section: 991.20**

No provision.

Prohibits the Ohio State Fair from being held open to the public for more than 15 days in a calendar year, beginning in 2002, but specifies that the 15 days do not include any day on which livestock exhibits or other attractions or concessions are being set up or taken down. This will cause a loss in revenue to the State Fair, however, there will also be a decrease in expenditures. It is unclear at this time what the total fiscal effects will be.

No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes****108 Subject: Transfer from State Fair Reserve to Junior Fair Subsidy**

No provision.

No provision.

No provision.

Allows for the transfer of up to \$500,000 from appropriation item 723-603, State Fair Reserve, to appropriation item 723-403, Junior Fair Subsidy.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**
**109 Subject: Notary Public Transfer**

sections: *147.01, 107.10, 147.02, 147.03,  
147.05, 147.06, 147.13, 147.14,  
147.37, 147.371, 2303.20*

No provision.

No provision.

Transfers the authority to issue notary public commissions from the office of the Governor, and transfers the authority to record and index these commissions from clerks of the courts of common pleas, to the office of the Secretary of State. The fee charged for recording and indexing a notary public commission is increased from \$5 to \$10.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

110 Subject: Governor's Advisory Council on Physical Fitness and Sports

sections: 3701.77, 3701.04, 3701.771,  
3701.772

No provision.

No provision.

Replaces the "Physical Fitness and Sports Advisory Board" in the Department of Health with the "Governor's Advisory Council on Physical Fitness and Sports." Eleven members served on the Board and 15 members will serve on the Council. The composition of these members are substantially the same, except for the addition of four members to be appointed by the Director of Health. Additional changes are made to the operation of the Council, including permitting members of the Council who are members of the General Assembly to designate a substitute to serve in their place on the Council. This change could lead to a minimal increase in expenditures associated with paying the actual and necessary expenses of four additional Council members in the performance of their official duties.

The provision also permits the Director of Health, who may currently, on behalf of the state, accept, deposit in the state treasury, and expend certain grants, gifts, and contributions to also solicit, accept, hold, and

Same as passed by the Senate, but renames the proposed "Governor's Advisory Council on Physical Fitness and Sports" the "Governor's Advisory Council on Physical Fitness, Wellness, and Sports," and makes necessary conforming changes.

Restores current law with respect to the duties of the Director of Health relative to the expenditures of grants, gifts, or other contributions for the purpose for which they were made.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

administer these grants, gifts, and contributions, as well as other devises and bequests.

**111 Subject: Oversight of Home Health Agencies**section: **3701.88**

No provision.

No provision.

Repeals section 3701.88 of the Revised Code, which will eliminate a requirement that Medicare certified home health agencies register with, and make reports to, the Department of Health. This provision also eliminates authority for the Home Health Agency Advisory Council and a requirement that the Director of Health make an annual home health agency report. Since the Department collects a fee to cover the costs of this program, repealing section 3701.88 will have no net fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****112 Subject: Continuation of Moratorium on Certificates of Need for Long-term Care Beds****sections: 3702.68, 3721.07**

Adds CON applications for an increase of beds in an intermediate care facility for the mentally retarded (ICF/MR) licensed as a nursing home to the moratorium if the increase is attributable to a relocation of existing beds within the same county. Requires an ICF/MR licensed as a nursing home that seeks to increase its beds through a relocation of beds within the same county to apply for a residential facility license from the Ohio Department of Mental Retardation and Developmental Disabilities (DMR/DD).

If the moratorium were not continued, the Department could incur an increase in expenditures associated with processing CON applications.

(See Temporary Law Changes under same subject.)

No change.

No change.

No provision.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****113 Subject: Involuntary Transfer or Discharge from a Nursing Facility**

**sections: 3721.12, 3721.16, 3721.17,  
5111.63, 5111.64**

Includes in Ohio law the circumstances specified in federal law under which the administrator of a Medicare-certified skilled nursing facility or Medicaid-certified nursing facility may transfer or discharge a resident and provides that the administrator must notify the resident and resident's sponsor or legal representative of a proposed transfer or discharge. Requires the Department of Job and Family Services to establish and administer, or contract for the Ohio Department of Health to establish and administer, a hearing procedure for residents appealing a transfer or discharge notice. The Department will have a minimal increase in expenditures associated with the appeal process.

No change.

Extends to all nursing homes the bill's provisions concerning a resident's rights when a Medicare- or Medicaid-certified nursing home proposes a discharge or transfer and modifies the bill's procedures for enforcing those rights. Designates the Department of Health to serve as the Department of Job and Family Services' designee in conducting hearings concerning involuntary transfers and discharges from Medicare- or Medicaid-certified nursing homes.

Same as passed by the Senate, except that it revises the procedures for transferring or discharging a resident from a nursing facility.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****114 Subject: Radiation Control Program Fees****sections: 3748.07, 3748.08, 3748.13**

Increases registration and inspection fees the Department charges facilities that handle radioactive material or radiation-generating equipment and fees the Department charges for inspections of sources of radiation and the sources' shielding and surroundings.

No provision.

Same as the Executive.

Same as passed by the House.

The new fees will allow the revenue raised to cover the costs associated with operating this program. The bill requires the fees for inspection of sources of radiation and licensure or registration of facilities to be increased each time that public employees exempt from collective bargaining receive a statutory increase in compensation that is effective on or after July 1, 2002. The fees are to be increased by a percentage equal to the highest percentage increase required by the raise. The Department must notify each registrant of the amount of the fee increase not later than 30 days after the effective date of the increase.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

115 Subject: Child and Family Health Services

Section: 56

Section: 55.01

Section: 55.01

ALI: 440-416

Requires appropriation item 440-416, Child and Family Health Services, be used as follows:  
 (1) \$1.7 million per fiscal year for family planning services. None of the funds received through these family planning grants may be used to provide abortion services. None of the funds may be used for referrals for abortion, except in the case of a medical emergency;  
 (2) \$150,000 per fiscal year to provide malpractice insurance for physicians and other health professionals providing prenatal services in programs funded by the Department;  
 (3) \$279,000 per fiscal year for the OPTIONS dental care access program;  
 (4) \$600,000 per fiscal year to local child and family health services clinics to provide services to uninsured low-income persons;  
 (5) \$900,000 per fiscal year to federally qualified health centers (FQHCs) and federally designated look-alikes to provide services to uninsured low-income persons;  
 (6) No provision;  
 (7) No provision;  
 (8) No provision;

1) Same as Executive, but adds that the family planning grants shall not be used for counseling for abortion and that the family planning services provided by an organization must be physically and financially separate from abortion-providing and abortion-promoting activities.  
 2) No change.  
 3) No change.  
 4) No change.  
 5) No change.  
 6) No provision;  
 7) No provision;  
 8) No provision;  
 9) No provision;  
 10) No provision.

1) No change.  
 2) No change.  
 3) No change.  
 4) No change.  
 5) No change.  
 6) \$50,000 in each fiscal year for the Tree of Knowledge Learning Center in Cleveland Heights.  
 7) \$25,000 in fiscal year 2002 for the Suicide Prevention Program of Clermont County.  
 8) \$50,000 in fiscal year 2002 for the Discover Health Project.  
 9) \$75,000 in fiscal year 2002 for the Mayerson Center.  
 10) \$50,000 in fiscal year 2002 for the Central Clinic at the University of Cincinnati.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

(9) No provision;  
(10) No provision.

Specifies the basis on which the Director of Health must distribute funds and requires that the Director provide reasonable methods for a grantee to comply with requirements to maintain eligibility for state and federal funds.

**116 Subject: Immunizations**

**Section: 56**

**Section: 55.01**

**Section: 55.01**

**ALI: 440-418**

(1) No provision.

(2) No provision.

(1) Earmarks \$125,000 per fiscal year to provide vaccinations for Hepatitis B to all qualified underinsured students in the seventh grade who have not been previously immunized.

(2) Earmarks \$150,000 in each fiscal year in GRF appropriation item 440-418, Immunizations, to provide vaccinations for pneumococcol disease for children between the ages of two and five.

(1) No change.

(2) Earmarks up to \$25,000 in each fiscal year in GRF appropriation item 440-418, Immunizations, to provide vaccinations for pneumococcol disease for children between the ages of two and five.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

117 Subject: Sexual Assault Prevention and Intervention

Section: 55.01

ALI: 440-419

No provision.

No provision.

Establishes new GRF appropriation item 440-419, Sexual Assault Prevention and Intervention, and earmarks the appropriations for the following four purposes:  
 (1) Funding of new services in counties with no services for sexual assault;  
 (2) Expansion of services provided in currently funded projects so that comprehensive crisis intervention and prevention services are offered;  
 (3) Start-up funding for Sexual Assault Nurse Examiner (SANE) projects;  
 (4) Statewide expansion of local outreach and public awareness efforts.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

118 Subject: HIV/AIDS Prevention/Treatment

Section: 56

Section: 55.01

Section: 55.01

ALI: 440-444

Requires \$6.97 million in fiscal year 2002 and \$7.4 million in fiscal year 2003 of appropriation item 440-444, AIDS Prevention and Treatment, be used to assist persons with HIV/AIDS in acquiring HIV-related medications. This language also states that the HIV Drug Assistance Program is pursuant to section 3701.241 of the Revised Code and Title XXVI of the "Public Health Services Act," 104 Stat. 576 (1990), 42 U.S.C.A. 2601, as amended.

No change.

Same as Executive, but changes the earmark to \$6.7 million in fiscal year 2002 and \$7.1 million in fiscal year 2003.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

119 Subject: Help Me Grow

Section: 56

Sections: 55.01, 3701.61

Section: 55.01

ALI: 440-459

(1) Requires appropriation item 440-459, Help Me Grow, be used to distribute subsidies to counties to implement the Ohio Early Start, Early Intervention, and Welcome Home Programs. Counties shall use these subsidies to provide home-visiting services to newborn infants and their families, and services to infants and toddlers under three years of age who are at risk for, or with a, developmental delay or disability, and their families.

(1) Codifies the Help Me Grow program operated by the Department in section 3701.61 of the Revised Code but states that the Department shall not provide home-visiting services under this program unless the visit is requested in writing by a parent of the infant or toddler.

(1) Same as the Executive.

Same as passed by the House.

(2) No change.

(2) No change.

(2) States that GRF appropriation item 440-459, Help Me Grow, may be used in conjunction with TANF dollars from the Department of Job and Family Services, Even Start funds from the Department of Education, and in conjunction with other early childhood funds and services to promote the optimal development of young children. Local contacts must be developed between local departments of job and family services and family and children first councils for the administration of TANF funding for Help Me Grow. Additionally, the Department of Health is to enter into an interagency agreement with the Department

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

of Education to coordinate planning, design, and grant selection process for any new Even Start grants and to ensure that all new and existing Help Me Grow programs are school linked.

**120 Subject: Birth Defects Information System**

**Section: 55.01**

**ALI: 440-507**

No provision.

No provision.

Earmarks \$50,000 in each fiscal year in GRF appropriation item 440-507, Cystic Fibrosis, to begin implementation of the Birth Defects Information System established in Sub. H.B. 534 of the 123rd General Assembly.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

121 Subject: Genetics Services

Section: 56

Section: 55.01

Section: 55.01

ALI: 440-608

Requires appropriation item 440-608, Genetics Services, be used to administer programs authorized by sections 3701.501 and 3701.502 of the Revised Code.

No change.

Same as Executive, but states that none of these funds shall be used to counsel or refer for abortion, except in the case of a medical emergency.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 122 Subject: Health Care Workforce Shortage Task Force

## Section: 55.02

## Section: 55.02

No provision.

Creates the Health Care Workforce Shortage Task Force to study the shortage of qualified health care professionals and health care workers in the health care workforce. The Task Force must issue a report of its recommendations to the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate by July 1, 2002.

For purposes of the Task Force, "health care professional" means a doctor, nurse, physician assistant, dentist, dental hygienist, physical therapist, chiropractor, optometrist, podiatrist, dietician, or pharmacist. "Health care worker" means a person other than a health care professional who provides medical, dental, or other health-related care or treatment under the direction of a health care profession.

Same as the House, but adds 4 members to the Task Force.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**
**123 Subject: Continuation of Moratorium on Certificate of Need for Long-term Care Beds****Sections: 132, 133****Sections: 141, 142****Sections: 143, 144**

Continues until October 16, 2003, the moratorium on accepting certificate of need (CON) applications for certain long-term care facilities. The current moratorium is scheduled to end on June 30, 2001. The Department believes that any addition of long-term care beds will result in excess capacity. In turn, this excess capacity would drive up health costs as facilities amortize the cost of nonrevenue producing unused beds against revenue producing occupied beds.

(See Permanent Law Changes under same subject for fiscal effects.)

No change.

No change.

Extends the moratorium for nursing home beds until July 1, 2003 without any changes to the current law.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

124 Subject: Site Operations

Section: 58

ALI: 360-502

No provision.

Requires that no money from appropriation item 360-502, Site Operations be used for operation of the Ohio Historical Center and that no more than 3 percent of appropriation item 360-502 be used for expenses not directly allocated to an individual state memorial. This provision has no fiscal effect.

No provision.

Same as passed by the Senate, but earmarks \$102,500 in each fiscal year for distribution to four separate local historical sites.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

125 Subject: Historical Grants

Section: 58

Section: 58

ALI: 360-508

No provision.

Requires \$50,000 in each fiscal year in appropriation item 360-508, Historical Grants, be distributed to the Hebrew Union College in Cincinnati for the Holocaust Education Project.

Adds the following amounts from appropriation item 360-508, Historical Grants, to be distributed each year: \$20,000 in fiscal year 2002 to the Clinton County Historical Society, \$60,000 in fiscal year 2002 to the Holbrook College Project, \$100,000 in each fiscal year to the Western Reserve Historical Society Hale Farm Project, \$125,000 in each fiscal year to the Great Lakes Historical Society, \$500,000 in each fiscal year to the Western Reserve Historical Society, \$75,000 in fiscal year 2002 to the Cincinnati Museum Center, \$50,000 in fiscal year 2002 to the Underground Railroad Freedom Center and \$25,000 in fiscal year 2002 to the Emery Theatre.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

126 Subject: JFS Single State Agency for TANF

sections: 329.04, 3125.18, 5101.35,  
5101.80, 5101.801, 5153.16

No provision.

No provision.

No provision.

Requires that the Department of Job and Family Services act as the single state agency to administer and supervise the administration of program funded with federal funds provided under the Temporary Assistance for Needy Families (TANF) block grant.

Provides for the administration of TANF programs that the General Assembly, or the Governor by executive order, establishes.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

127 Subject: Wellness Program

sections: 121.371, 3109.17 and Section 62.09 of the bill

ALI: 600-690

No provision.

No provision.

Renames the Wellness Block Grant program the Wellness program and replaces the Children's Trust Fund Board with the Department of Job and Family Services as the program's administrative agent. Replaces county family and children first councils with the county department of job and family services as local operators of the wellness program and the recipients of program funds. Requires the Ohio Family and Children First Cabinet Council to oversee the program, and determine the amount of funds to be allocated to each county department of job and family services for the program.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

128 Subject: Child Support Worksheet  
 section: 3119.022

No provision.

No provision.

Changes the child support worksheet applicable to sole residential parent and shared parenting orders by changing the calculations regarding adjustments to child support to account for child care and health insurance expenses. Permits the adjustment regardless of whether either parent's child support obligation is increased or decreased by it.

Same as passed by the Senate.

This provision has no fiscal effect.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

129 Subject: Medicaid Reimbursement of Nursing Facilities

sections: 3721.51, 3721.56, 5111.25, 5111.262, 5111.29, 5111.341 and Sections 62.35, 62.36, 62.37, and 62.38 of the bill

Provides that a nursing facility's licensed bed days available (capacity), rather than its inpatient days (occupancy), is to be used as a factor in determining its capital, indirect care, and other protected cost per diems. These sections provide that, for the purpose of calculating a nursing facility's direct care costs, quarterly case mix scores are to be determined using data for Medicaid recipients only. These sections eliminate the return on equity factor in nursing facilities' capital cost rate determination. These sections also eliminate current law governing the calculation of the amount of excess depreciation a nursing facility owner may be required to refund to JFS if the facility is sold. These sections provide that the following are not to be included among the extreme circumstances that warrant a nursing facility seeking reconsideration of its Medicaid payment rates: (1) an increase in workers' compensation experience rating or (2) a change of operator that results from bankruptcy, foreclosure, or findings of

No change.

Eliminates the bill's change to the method a nursing facility's per diems are calculated for purposes of Medicaid payments. Restores current law under which an increase in workers' compensation experience rating warrants the reconsideration of a nursing facility's Medicaid payment rate. Increases nursing facility Medicaid rates by allowing purchased nursing services costs to be based on 20% (rather than 10%) of the facility's costs. Reduces the maximum return on net equity paid to proprietary nursing facilities to \$0.50 (from \$1) per patient day. Increases nursing facility and ICF-MR Medicaid rates for FYs 2002 and 2003 by allowing (1) indirect care costs to be based on the number of inpatient days a facility would have had during the period if its occupancy rate had been 82% in FY 2002 and 87% in FY 2003 (rather than 85%) and (2) capital costs to be based on the number of inpatient days the facility would have had during the period if its occupancy rate had been 88% in FY 2002 and 91% in FY 2003

Same as the Senate, except for the following:(1) Reduces the amount the franchise permit fee is increased for FYs 2002 and 2003 to \$2.30 (from \$3) per bed;(2) Adds a provision to avoid reimbursing a nursing facility twice under the Medicaid program for the cost of the franchise permit fee;(3) Corrects the manner in which the Department of Job and Family Services is to calculate the payment to nursing facilities for reimbursement of the increased portion of the franchise permit fee in FYs 2002 and 2003;(4) Provides that the \$1.50 "add-on" is to be made only to nursing facilities that pay the franchise permit fee and that the purpose of the add-on is to assist nursing facilities in paying reasonable Medicaid-related costs not adequately reimbursed by the Medicaid program;(5) Provides that the payments to nursing facilities for the increased portion of the franchise permit fee and \$1.50 "add-on" are to be begin with the payments made in August 2001;(6) Eliminates the restriction on

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Permanent Law Changes**

violations of Medicaid certification requirements.

According to JFS, the provision that changes the reimbursement formula to divide the rate across all the beds would avoid \$89.7 million per year in potential costs for the next biennium. Also, the provision that changes the reimbursement formula to base reimbursement on Medicaid patients only would avoid \$26.7 million per year in increased costs. The provision that eliminates nursing facility's refund of excess equity would avoid \$9 million per year in potential costs.

(rather than 95%). For FYs 2002 and 2003, increases the nursing home franchise permit fee to \$4 (from \$1) per bed and provides for the additional funds raised to be deposited into the Nursing Facility Stabilization Fund that the provision creates. Specifies that money in the Nursing Facility Stabilization Fund is to be used (1) to make Medicaid payments to nursing facilities to the extent that funds available in GRF 600-525, Health Care/Medicaid, are insufficient to make those payments, (2) to pay each nursing facility a portion of its increased franchise permit fee in FYs 2002 and 2003, (3) pay each nursing facility for FYs 2002 and 2003 an "add-on" in the of amount equal to \$1.50 per Medicaid day, and (4) fund the Nursing Facility Bed Operating Rights Buy Back Program. Establishes maximum mean total per diem rates for nursing facilities to be used in calculating Medicaid payments for FYs 2002 and 2003. The provision may have fiscal impact on State's Medicaid program. However, the impact is undetermined at this time.

using money in the Nursing Facility Stabilization Fund to make payments to nursing facilities under the law governing Medicaid payments to nursing facilities that provides the money may be so used only to the extent that funds in appropriation item 600-525, Health Care/Medicaid, are insufficient; (7) Reduces the maximum mean total per diem rates for nursing facilities to be used in calculating Medicaid payments for FYs 2002 and 2003 and provides that the \$1.50 "add-on" is to be included when the maximum mean total per diem rates are determined; (8) Provides for the Department of Job and Family Services to continue to implement rules regarding Medicaid payments to nursing facilities except as the rules conflict with the provisions of the bill. (CC-020-1 and CC-026-3)

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

130 Subject: Form for Reporting Foster Care and Adoption Assistance and Medicaid Reimburse

sections: 5101.145, 5103.0312, 5103.03

1) Eliminates the requirement that JFS establish a single form for reporting costs reimbursable under the federal foster care maintenance and adoption assistance program and Medicaid.

2) Requires that JFS's procedures to monitor cost reports for reimbursement for foster care maintenance and adoption assistance services and Medicaid services ensure that Medicaid reimbursable costs are excluded from the determination of which costs are reimbursable as foster care maintenance and adoption assistance costs.

No change.

1) No provision.

2) Same as House, but also establishes a deadline of October 1, 2003, for JFS to implement the existing requirement to establish procedures to monitor the cost reports submitted by the agencies.

This provision will increase administrative costs to JFS to implement the requirements. This provision is unlikely to have a fiscal effect during FYs 2002 and 2003 since JFS has until October 1, 2003, to implement the requirements. The provision may have a fiscal effect during FYs 2002 and 2003 if JFS implements the requirements before June 30, 2003.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

131 Subject: Coverage for Parents under the Children's Health Insurance Program  
 section: 5101.50

No provision.

No provision.

Permits the Director of Job and Family Services to seek a federal waiver to provide health assistance to certain uninsured, residential parents with family income not exceeding 100% of the federal poverty guidelines using federal funds allocated under the Children's Health Insurance Program (CHIP).

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

132 Subject: Ohio Child Welfare Training Program

sections: 5103.031, 5103.033,  
5103.036, 5103.0313,  
5103.0314, 5153.60, 5153.69

No provision.

Permits JFS to provide, as part of the Ohio child welfare training program (OCWTP), preplacement and continuing training that foster caregivers must obtain in order to obtain issuance or renewal of a foster home certificate. Requires JFS to reimburse the OCWTP for the cost of providing the training. Requires the training program steering committee, which is charged with the duty of monitoring the OCWTP, to ensure that if placement and continuing training is provided by OCWTP, it meets the same requirements that such training programs must meet to obtain Department approval.

JFS may, but is not required to, provide the training described above. If JFS does provide the training, then it will have some increased expenditures since it would then be required to reimburse the OCWTP for the cost of providing the training.

Clarifies that JFS is only required to reimburse OCWTP for the cost of providing the minimum training required by law.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

133 Subject: Foster Home Certification  
 section: 5103.0314

No provision.

No provision.

Reiterates that JFS is only required to reimburse recommending agencies for the minimum training necessary for foster home certification.

This provision has no fiscal effect since current law limits reimbursement to the required training.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

134 Subject: Co-Payment for Publicly Funded Day-Care  
 section: 5104.341

No provision.

No provision.

Requires that the county departments of job and family services redetermine every six months the appropriate level of a co-payment for publicly funded child day-care that a caretaker parent is charged, unless the caretaker parent requests that the co-payment be reduced due to changes in income, family size, or both and the county approves the reduction. Also, requires that this provision take effect January 1, 2002.

Same as passed by the Senate.

This provision could either increase or decrease county revenue for this program depending on the decision the county departments make in redetermining the co-payment.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

135 Subject: Medicaid Habilitation Services

sections: 5111.041, 5123.041

Requires JFS to adopt rules governing Medicaid coverage of habilitation services provided by the Department of Mental Retardation and Developmental Disabilities (DMR) certified habilitation centers. The section also provides for DMR to certify habilitation centers that meet certification requirements established by JFS rules. The section specifies circumstances under which a county MR/DD board or a school district is responsible for the nonfederal share of Medicaid expenditures for habilitation services.

No change.

Same as the Executive, but provides that the Medicaid program's coverage of habilitation center services is subject to the availability of funds. Also, modifies the conditions under which a county board of mental retardation and developmental disabilities or a school district is responsible for the nonfederal share of Medicaid expenditures for habilitation center services.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**136 Subject: Medicaid Managed Care**  
**section: 5111.17**

Eliminates a requirement that JFS establish a Medicaid managed care system in Franklin, Hamilton, and Lucas counties, but continues to provide that JFS may establish a Medicaid managed care system in some or all counties. This section authorizes JFS to enter into contracts with managed care organizations to provide health care services to Medicaid recipients participating in managed care. This section also eliminates current law that permits a health insuring corporation under contract with JFS to enter into an agreement with a community-based clinic for the purpose of providing medical services to Medicaid recipients participating in managed care.

No change.

Same as the Executive, but acknowledges the possible provision of health care services to Medicaid recipients participating in a managed care system by persons other than a managed care organization, under arrangements made by the managed care organization.

Also, limits the managed care organizations under contract with the Department of Job and Family Services that are required to keep detailed records of the cost of, payments made for, and utilization of, hospital services to those managed care organizations actually providing hospital services, thus acknowledging that the Department may contract with managed care entities that do not provide hospital care.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**137 Subject: Health Care Compliance Fund**  
**section: 5111.171**

Provides for fines imposed on managed care organizations that fail to meet performance standards or other requirements specified in state law, administrative rules, or provider agreements to be deposited into the Health Care Compliance Fund and for JFS to use money in the Fund only to (1) reimburse managed care organizations that, after a fine, come into compliance with JFS requirements and (2) provide financial incentive awards to managed care organizations that meet or exceed performance standards. This provision could result in a potential gain in fine revenue to the Health Care Compliance Fund, and potential increases in expenditures for financial incentive awards and reimbursement to managed care organizations.

(See also Temporary Law Changes under "Health Care Compliance Fund.")

No change.

Same as the Executive, except that it eliminates the reference to fines imposed for failure to meet requirements specified in state law.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**138 Subject: Due Date of Medicaid Payments to Long-term Care Facilities**  
**section: 5111.22**

Eliminates the requirement that the Medicaid provider agreement of a nursing facility or ICF/MR contain provisions regarding the time by which JFS must make Medicaid payments.

No change.

No provision.

Same as passed by the House.

**139 Subject: Medicaid Long-Term Care Reimbursement Study Council**  
**sections: 5111.231, 5111.34 and Section 62.39 of the bill**

Abolishes the Medicaid Long-term Care Reimbursement Study Council.

Restores the Medicaid Long-Term Care Reimbursement Study Council.

Same as the Executive, but also creates the Nursing Facility Reimbursement Study Council and specifies issues the Council is required to investigate and report on for fiscal years 2002 and 2003.

Same as passed by the Senate, except that it adds two members to the Nursing Facility Reimbursement Study Council and clarifies its duties.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****140 Subject: Change of Operators and Facility Closures****sections: 5111.25, 5111.251, 5111.28**

Requires both the entering and exiting operator of a nursing facility or ICF/MR to provide JFS written notice before an intended change of operator. These sections provide that a facility is not required to undergo Medicaid recertification as a condition of an entering operator entering into a Medicaid provider agreement if certain conditions are met, including the entering operator assuming any remaining Medicaid debt to JFS that JFS is unable to collect from the exiting operator. These sections also establish procedures for JFS to determine and collect an exiting operator's Medicaid debt when a change of operator or facility closure occurs. Given the difficulties of estimating the number of operators that will transfer ownership, the potential savings associated with these sections is not quantifiable.

No change.

Eliminates the Executive revisions to the Medicaid law governing a nursing facility or ICF/MR closing or undergoing a change of operator and revises the law governing escrow accounts for nursing facilities and ICFs/MR that are sold or voluntarily terminate participation in the Medicaid program.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**141 Subject: Medicaid Waiver Components**  
**section: 5111.85**

Authorizes JFS to adopt rules governing Medicaid components authorized by federal waivers and to conduct reviews of the components. These sections permit JFS to sanction a person or government entity determined pursuant to a review to have violated a rule governing a Medicaid waiver component.

(See also Temporary Law Change under same subject.)

No change.

Same as the Executive, but provides that sanctions for violating rules governing Medicaid waiver components must include terminating Medicaid provider agreements. Also eliminates a distinction between county family services agencies and others regarding sanctions for violating a rule governing a Medicaid component.

Same as passed by the Senate.

**142 Subject: County Children Services Board Executive Director**  
**section: 5153.06**

No provision.

No provision.

Authorizes a county children services board to enter into a written contract with the board's executive director that does not exceed three years in duration and specifies the terms and conditions of the executive director's employment.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

143 Subject: Title XX Transfer for Civilian Conservation Corps

Section: 62.08

Section: 62.08

ALI: 600-689

No provision.

Transfers \$7,885,349 in FY 2002 and \$8,058,715 in FY 2003 from TANF funds that have been credited to the Social Services Block Grant to GSF 162, appropriation item 725-625 in the Department of Natural Resources for the purpose of supporting the operations of the Civilian Conservation Corps.

No provision.

Same as passed by the House.

144 Subject: Nursing Facility Bed Operating Rights Buy-Back Program

Section: 62.38

No provision.

No provision.

Requires that the Director of Job and Family Services create the Nursing Facility Bed Operating Rights Buy-Back Program under which the Director purchases the operating rights of nursing facility beds from nursing facilities in areas of the state the Director determines have an excess capacity of nursing facility beds.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

145 Subject: Breast and Cervical Cancer Treatment Program

Section: 62.04

Section: 62.05

ALI: 600-525

No provision.

Increases the appropriation item 600-525, Health Care/Medicaid, by \$1,569,038 in each fiscal year and requires this additional funding be used for the breast and cervical cancer treatment ( \$450,000 in state share and \$1,119,038 in federal share in each fiscal year), under the Medicaid program.

(See also Permanent Law Changes under same subject.)

No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

146 Subject: Appalachian Workforce Development and Job Training

Section: 62.08

Section: 62.09

ALI: 600-689

No provision.

Requires the Department of Job and Family Services to provide \$15,000,000 in each year from appropriation item 600-689, TANF Block Grant. The funds are to be used for workforce development and supportive services; economic development; technology expansion, technical assistance, and training; youth job training; organizational development for workforce development partners. improving existing technology centers, workforce development, job creation and retention, purchasing technology, and technology and technology infrastructure upgrades.

As a condition on the use of these funds, each county department of job and family services is required to submit a plan for the intended use of these funds to the Department of Job and Family Services. This plan also is to be reviewed by the Governor's Office of Appalachia, the Governor's Regional Economic Office, and local development districts. Also, as a condition on the use of these funds, each county and contract agency is required to acknowledge that these funds are a one-

No provision.

Same as passed by the House.

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

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**Temporary Law Changes**

time allocation, not intended to fund services beyond September 30, 2002.

Makes the funding of this program contingent on passage of H.B. 6 of the 124th General Assembly.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

147 Subject: TANF Youth Diversion Programs

Section: 62.09

ALI: 600-689

No provision.

No provision.

Earmarks from ALI 600-689, TANF Block Grant, \$19.5 million in each fiscal year to be allocated to counties according to the child protection allocation method established in division (D) of ORC sec. 5101.14. Up to half of the allocated funds may be used to provide services for unruly and misdemeanor diversionary programs. The juvenile court in each county shall have a right of first refusal for the use of these funds. The remaining funds may be used by the counties for other child welfare activities. In counties with separate public children services agencies, the county departments of job and family services shall serve as a pass through for the funds. Separate public children services agencies shall comply with all TANF requirements. Any FY 2002 funds remaining unspent on June 30, 2002 shall be carried forward and added to the earmark for FY 2003, and allocated using the same methodology.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

148 Subject: Kinship Navigators

Section: 62.09

ALI: 600-689

No provision.

No provision.

Earmarks up to \$3 million per fiscal year from ALI 600-689, TANF Block Grant, to be allocated to county departments of job and family services in order to make allocations to local public children services agencies to provide services in the Kinship Navigator program. The funds are to be allocated on the basis of the number of Ohio Works First cases and the number of children in each county.

Same as passed by the Senate.

149 Subject: TANF Faith-Based Capacity-Building Programs

Section: 62.09

ALI: 600-689

No provision.

No provision.

Earmarks up to \$1,000,000 per fiscal year from appropriation item 600-689, TANF Block Grant, to support capacity building efforts among faith-based organizations in order to deliver allowable services to TANF-eligible individuals.

Same as passed by the Senate, but also allows the funds to be used to support capacity building efforts among nonprofit organizations.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

150 Subject: Community Service Centers

Section: 62.09

ALIs: 600-689, 600-410

No provision.

No provision.

Earmarks some portion of the TANF funds allocated to Butler, Lorain, Mahoning, and Richland counties from appropriation items 600-410, TANF State, or 600-689, TANF Block Grant, or a combination of both, to provide allowable services to TANF-eligible individuals who are tenants at a former hospital facility that is now controlled by a community development corporation and operated as a community services center.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

151 Subject: Montgomery County Out-of-School Youth Project

Section: 62.09

ALI: 600-689

No provision.

No provision.

Earmarks \$500,000 in each fiscal year from appropriation item 600-689, TANF Block Grant, to support the Out-of-School Youth Project in Montgomery County in order to provide allowable services to TANF-eligible individuals. Requires the Montgomery County Department of Job and Family Services and the Sinclair Community College (which will assist in administering the program) to comply with all TANF requirements, including reporting requirements.

Same as passed by the Senate, but increases the earmark for the Montgomery County Out-of-School Youth Project from \$500,000 in each fiscal year to \$1.0 million in each fiscal year.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

152 Subject: TANF Family Planning

Sections: 62.09, 55.01

ALI: 600-410

No provision.

No provision.

Makes technical correction to include in the JFS temp law section language regarding this item that was included in the Executive Recommendation for the Department of Health section of temp law. (See also Temporary Law Changes, "TANF Family Planning," in the Department of Health.)

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

153 Subject: TANF Federal Block Grant Funds and Transfers

Sections: 62.08, 62.09, 62.10

Sections: 62.09, 62.10, 62.11

Sections: 62.09, 62.10, 62.11

ALI: 600-689

1) Requires the Department of Job and Family Services (JFS) in each fiscal year to transfer the maximum amount of funds from the federal TANF Block Grant to the Social Services Block Grant (SSBG) as permitted under federal law.

2) Provides that on the basis of documentation to support the need for transfers or charges against the TANF Block Grant for use in the SSBG or the Child Care and Development Block from either unobligated prior year appropriation authority from TANF Block Grant funds or from fiscal year 2002 or 2003 appropriation authority in item 600-689, TANF Block Grant, the transfer or charge must be done ten days after JFS gives written notification to the Office of Budget and Management.

3) Requires JFS, before September 30, 2001, to file claims with the U.S. Dept. of Health and Human Services for reimbursement for all allowable expenditures for qualifying services (whether by JFS or other agencies).

1) No change.  
2) No change.  
3) No change.

4) Requires JFS to deposit: \$6,000,000 in each year into Fund 5E6, State Option Food Stamps. Specifies that funds in State Option Food Stamps shall be used as follows: \$3.5 million per year for Second Harvest Food Bank, and \$2.5 million per year for Child Nutrition Services;

5) No change.

6) Earmarks no less than \$369,040,735 in each fiscal year in funds derived from the TANF Block Grant (ALI 600-689), TANF State (ALI 600-410), and Child Support Collections (ALI 600-658), or a combination of these funds, for allocations to county departments of job and family services. The amendment further earmarks the total allocation as follows: \$276,586,957 for county allocations, \$35,109,178 for WIA Supplement, \$38,034,600 for Early Start –

1) No change.  
2) No change.  
3) No change.

4) Specifies that the \$6 million per year deposited in Fund 5E6, shall be used as follows: \$4.5 million per year for the Second Harvest Food Bank, \$900,000 per year for Child Nutrition Services, and \$600,000 per year for the Ohio Alliance of Boys and Girls Clubs. (See related section 62.11.)

5) No change.

6) No change.

7) No change.

8) Replaces designation of Fund XXX with Fund 5Q8, and appropriates the transferred funds.

9) No change.

10) No change.

(1) through (11) Same as passed by the Senate.

(12) and (13) Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

4) From the receipts from the TANF Block Grant funds credited to the SSBG, JFS must in each fiscal year deposit \$5,000,000 into Fund 5E6, State Option Food Stamps (of which \$2,500,000 is to be used for Second Harvest Food Bank--see related section 62.10--and \$2,500,000 is to be used by Child Nutrition (see related section 62.11),

5) \$7,500,000 into Fund 5P4, TANF Child Welfare, (of which \$5,500,000 is to be used for support and expansion of PCSA activities, and \$2,000,000 is to be used to support pilot projects for violent and aggressive youth).

6) No provision.

7) No provision.

8) No provision.

9) No provision.

10) No provision.

11) No provision.

12) No provision.

13) No provision.

Statewide, \$5,000,000 for transportation, \$3,050,000 for county training, \$5,000,000 for adult literacy and child reading programs, \$5,000,000 for disaster relief, and \$1,260,000 for School Readiness centers.

7) Allows JFS, upon the documentation of need, to request from the Controlling Board additional appropriation authority in appropriation item 600-689, TANF Block Grant, if sufficient funds exist.

8) Requires the Director of Budget and Management (OBM) to transfer, no later than July 15, 2001, \$60,000,000 in receipts from TANF Block Grant funds that have been credited to the Social Services Block Grant to State Special Revenue Fund XXX, in OBM. Not later than June 1, 2002, the Director of OBM shall determine the amount of funds in State Special Revenue Fund (SSR) XXX that is needed for the purpose of balancing the General Revenue Fund (GRF), and may transfer that amount to the GRF. Any moneys remaining in SSR XXX on June 15, 2002 shall be transferred no later than June 20, 2002 to Fund 3V6, TANF Block Grant, in JFS. No later than July 15, 2002, the Director of OBM shall transfer to SSR XXX, from Fund 3V6 in JFS, the amount of funds that remained in SSR XXX on June 15, 2002, and that were transferred to Fund 3V6. Not later than June 1, 2003, the Director of OBM shall determine the amount of funds in SSR XXX that is needed

11) No change.

12) No change.

13) No provision.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

for the purpose of balancing the GRF, and may transfer that amount to the GRF. Any moneys remaining in SSR XXX on June 15, 2003 shall be transferred no later than June 20, 2003 to Fund 3V6, TANF Block Grant, in JFS.

Requires JFS to deposit:

9) \$62,500 per year into Fund 3W8, Hippy Program;

10) \$50,000 per year into Fund 3W9, Adoption Connection;

11) \$2,920,227 in fiscal year 2002, and \$6,520,227 in fiscal year 2003 into Fund 3W3, Adult Special Needs. Specifies that moneys in Fund 3W3, Adult Special Needs, shall be used as follows: \$120,227 in each year for Adult Protective Services; \$1,000,000 in each year for Non-TANF Adult Assistance, and \$1.8 million in FY 2002 and \$5.4 million in FY 2003 for Community-Based Correctional Facilities;

12) \$600,000 in FY 2002, and \$897,052 in FY 2003 into Fund 3W2, Title XX Vocational Rehabilitation;

13) and into Fund 162 in the Department of Natural Resources \$7,885,349 in FY 2002, and \$8,058,715 in FY 2003 for the CCC Operations.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

154 Subject: Wellness

Sections: 62.09, and R.C.121.371

ALI: 600-690

No provision.

No provision.

Requires that county departments of job and family services shall use Wellness funds for teen pregnancy prevention programs. Local contracts shall be developed between county departments of job and family services and local family and children first councils. The Wellness program replaces the Wellness Block Grant program and funds these activities with money from the TANF Block Grant, whereas the Wellness Block Grant had been funded with GRF.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

155 Subject: Ohio Association of Second Harvest Food Banks

Section: 62.09

Section: 62.10

Section: 62.10

ALI: 600-689

Requires Director of Budget and Management to transfer from TANF Block Grant to Title XX, with subsequent transfer to Fund 5E6, ALI 600-634, State Option Food Stamps, \$5,000,000 in each fiscal year, \$2.5 million of which to be used for Second Harvest Food Bank. Of this \$2.5 million, \$1.5 million is further earmarked for use by the Ohio Food Program, and \$1 million by the Agricultural Surplus Production Alliance Project. The remaining \$2,500,000 of the funds transferred to Fund 5E6 is earmarked for Child Nutrition Services in the Department of Education (see also, Temporary Law Changes under "Child Nutrition Services").

Same as Executive, but decreases the total amount of the transfer to Fund 5E6, State Option Food Stamps, to \$6,000,000, and earmarks \$3,500,000 of this transfer for the Ohio Association of Second Harvest Food Banks, and specify that \$2,500,000 is to be used by the Ohio Food Program, and \$1,000,000 by the Agricultural Surplus Production Alliance Project.

Same as Executive, but earmarks \$4,500,000 of the total transfer to Fund 5E6 for the Ohio Association of Second Harvest Food Banks, and specifies that \$2,500,000 is to be used for the Ohio Food Program and \$2,000,000 for the Agricultural Surplus Production Alliance Project. (See also, Temporary Law Changes under "Child Nutrition Services" and "Ohio Alliance of Boys and Girls Clubs.")

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

156 Subject: Child Nutrition Services

Section: 62.10

Section: 62.11

Section: 62.11

ALI: 600-634

Requires the Department of Job and Family Services and the Department of Education to enter into an interagency agreement to support 19 pilot programs to provide nutritional benefits to older children enrolled in educational or enrichment activities. Up to \$2.5 million in each fiscal year of funds transferred from the TANF Block Grant to the Social Services Block Grant may be spent from appropriation item 600-634, State Option Food Stamps, to support Child Nutrition Services in the Department of Education. These funds are not to be used as matching funds. Eligibility and reporting requirements are to be detailed in the interagency agreement.

No change.

Same as Executive, but \$900,000 is transferred per year, rather than \$2,500,000.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

157 Subject: TANF Fatherhood Programs/Ohio Alliance of Boys & Girls Clubs

Section: 62.08

Section: 62.08

Sections: 62.11, 62.09

Requires:

1) up to \$5,000,000 in each fiscal year of appropriation item 600-689, TANF Block Grant, be used to support local fatherhood programs.

2) Of this \$5,000,000, \$300,000 per year is to be used for the operation of a Fatherhood Commission, and

3) \$310,000 per year is to be used for the Cuyahoga County Department of Job and Family Services to contract with the Center for Families and Children to provide allowable services to TANF-eligible individuals. The provision requires the contract to incorporate reporting requirements.

(4) No provision.

(5) No provision.

1) No Change.

2) No Change.

3) No Change.

4) Earmarks, within the earmark for the TANF Fatherhood Programs, \$500,000 each year from appropriation item 600-689, TANF Block Grant, for the Ohio Alliance of Boys and Girls Clubs to provide allowable services to TANF-eligible individuals. The Department of Job and Family Services and the Ohio Alliance of Boys and Girls Clubs are required to agree on reporting requirements to be incorporated into the grant agreement.

(5) No provision.

1) No provision.

2) No provision.

3) No provision.

4) Earmarks, instead of TANF funds, \$600,000 from Fund 5E6, State Option Food Stamps, to support the expenditures of the Ohio Alliance of Boys and Girls Clubs to provide allowable services to Title XX eligible children. Provides that unused funds shall be returned to the Department of Job and Family Services.

(5) No provision.

(1) through (4) Same as passed by the Senate.

(5) Requires that \$150,000 in FY 2002 of appropriation item 600-689, TANF Block Grant, be provided to the Center for Family and Children.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

158 Subject: Medicaid Pharmacy Services for Nursing Home Residents

Section: 62.13

ALI: 600-525

No provision.

No provision.

Requires that if a pharmacy is able to achieve a savings in its average monthly cost of providing pharmacy services to Medicaid nursing home residents, the pharmacy will not be subject to the two percent reduction in the reimbursement rate for such services that is assumed in the appropriation level for appropriation item 600-525, Health Care/Medicaid. Instead, the pharmacy will be reimbursed at the rate in effect before the two percent reduction (wholesale acquisition cost plus eleven percent plus any applicable dispensing fee) and will receive 50 percent of the savings the pharmacy achieved. The savings may be achieved by providing consulting services to the physicians who prescribe drugs to nursing home residents. These consulting services may include recommendations for eliminating unnecessary and duplicative drugs, modifying inefficient drug regimens, and implementing safe and cost-effective drug therapies.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

159 Subject: Ohio Access Success Project

Section: 62.17

Section: 62.18

Section: 62.19

ALI: 600-525

Authorizes JFS to establish the Ohio Access Project to help a limited number of Medicaid recipients make the transition from residing in a nursing facility to residing in a community setting. This provision requires JFS to provide one-time benefits to not more than 75 Medicaid recipients in fiscal year 2002 and not more than 125 Medicaid recipients in fiscal year 2003. The provision also establishes eligibility requirements and limits the worth of benefits that a person may receive under the Ohio Access Project to not more than \$2,000.

No change.

Same as the House, but corrects references to the Ohio Access Success Project.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

160 Subject: Funding for Habilitative Services

Section: 62.18

Section: 62.19

Section: 62.20

ALI: 600-525

Allows cash from State Special Revenue Fund 4K1, ICF/MR Bed Assessments, in excess of the amounts needed for transfers to Fund 4K8, to be used by JFS to cover certain costs of care provided to participants in the Ohio Home Care Waiver. This section requires JFS pay for the expenses not more than the costs for habilitative services that either exceed the regular service levels of the Ohio Home Care Waiver or are for habilitative services for individuals who are not determined to be eligible for county board of MR/DD services, and are provided to participants of Ohio Home Care Waiver.

No change.

Same as the House, but changes the title of this section to reflect the section's content from "Funding for Ohio Access Pilot" to "Funding for Habilitative Services". Additionally, the provision expands the uses of the franchise fee to include the cost of habilitative services provided to individuals served by a new JFS waiver authorized by the section entitled "MR/DD Waiver Redesign". Also corrects a reference to the appropriate uncodified section in the Department of Job and Family Services' budget.

Same as passed by the Senate, but specifies that adult day habilitation services include housing counseling and habilitation management.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

161 Subject: Funding for Institutional Facility Audits

Section: 62.19

Section: 62.20

Section: 62.21

ALI: 600-525

Allows cash from the State Special Revenue Fund 4J5, Home and Community-Based Services for the Aged, in excess of the amounts needed for the transfers to be used by JFS for two purposes: (1) up to \$1.0 million in each fiscal year to fund the state share of audits of Medicaid cost reports for nursing facilities and intermediate care facilities for the mentally retarded; and (2) up to \$150,000 in fiscal year 2002 and up to \$250,000 in fiscal year 2003 to support the Ohio Access project.

No change.

Same as the House, but corrects references to the Ohio Access Success Project.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

162 Subject: MR/DD Waiver Redesign

Section: 62.20

Section: 62.21

Section: 62.22

ALIs: 600-525, 322-639

Authorizes JFS to seek federal approval to create a new, or modify an existing, Medicaid home and community-based services waiver program to serve individuals with mental retardation or a developmental disability who are transferred from the Ohio Home Care Waiver program and meet other specified requirements. It also allows JFS to administer the waiver program or enter into an interagency agreement with the Department of Mental Retardation and Developmental Disabilities (DMR). This section requires JFS to specify the maximum amount that the program may spend per individual enrolled in the program. It also allows JFS to administer the waiver program or enter into an interagency agreement with the Department of Mental Retardation and Developmental Disabilities (DMR). If JFS enters into an interagency agreement with DMR, it must specify the maximum number of individuals who may be transferred, and the estimated cost of services under the new, or modified, waiver program to the transferred individuals. The Director of Budget and Management (OBM) may reduce the amount of the appropriation

No change.

Provides that an individual must be enrolled in the Ohio Home Care Waiver program on June 30, 2001, to qualify for the new or modified Medicaid home and community-based services waiver program for individuals with mental retardation or other developmental disability that the bill authorizes.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

in appropriation item 600-525, Health Care/Medicaid, by the estimated cost specified in the interagency agreement. If the Director makes the reduction, the state share of the estimated costs are appropriated to DMR in a new appropriation item that must be established for this purpose. The Director of OBM may increase the appropriation in appropriation item 322-639, Medicaid Waiver, by the corresponding non-GRF federal share of the estimated costs.

**163 Subject: Medically Fragile Waiver Redesign**

**Section: 62.23**

No provision.

No provision.

The provision authorizes the Director of Job and Family Services to seek federal approval for a new or modified Medicaid home and community-based services waiver program for medically fragile individuals.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

164 Subject: Medicaid Waiver

Section: 62.21

Section: 62.22

Section: 62.24

Requires JFS, with the assistance of the Department of Mental Health (DMH), to develop and submit an application to the federal government for a Medicaid waiver with respect to coverage of community mental health services. This section requires that the waiver program meet the purposes of better ensuring both of the following: (1) That Medicaid coverage and payment methods for mental health services provided under the state's Medicaid plan are consistent with the service priorities established under state law governing alcohol, drug addiction, and mental health; (2) That the services provided under the state's Medicaid plan can be provided in a manner that maximizes the effectiveness of resources available to the Department of Mental Health and boards of alcohol, drug addiction, and mental health services.

Same as the Executive, but requires JFS to consult with community mental health facilities that provide Medicaid-funded community mental health services before the Department develops and submits to the federal government a Medicaid waiver application regarding Medicaid-funded community mental health services.

Same as the House, but requires the Department of Job and Family Services to consult with the chairpersons and ranking minority members of the House Health and Family Services Committee and the Senate Health, Human Services, and Aging Committee before developing and submitting an application to the U.S. Department of Health and Human Services for a waiver of Medicaid requirements concerning delivery of mental health services.

Same as passed by the Senate.

This section also requires JFS and DMH to take action in a manner that allows the provisions of the waiver to be implemented not later than July 1, 2002.

(See also Temporary Law Changes in the

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

Department of Mental Health under subject "Community Mental Health Services Waiver.")

**165 Subject: Refund of SETS Penalty**

**Section: 62.22**

**Section: 62.23**

**Section: 62.25**

Requires that any and all refunds received for penalties that were paid directly or indirectly by the state for the Support Enforcement Tracking System (SETS) be deposited in their entirety to the General Revenue Fund.

No change.

Same as Executive, but requires the Department of Job and Family Services to notify the Controlling Board on receipt of any refunds received for such penalties.

Same as passed by the Senate.

If the SETS system is certified, the U.S. Department of Health and Human Services will return 90 per cent of the FY 2002 fines or approximately \$25.7 million.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

166 Subject: Medicaid Waiver Components

Section: 62.23

Section: 62.24

Section: 62.26

Provides that a rule adopted by the Director of JFS governing a Medicaid waiver component that is in effect on the effective date of this provision remains in effect until amended or rescinded as part of the adoption of rules under section 5111.85 of the Revised Code.

(See also Permanent Law Change under same subject.)

No change.

Same as the Executive, but provides that the uncodified provision of the bill that states that Medicaid waiver component rules in effect when the bill goes into effect remain in effect until amended or rescinded are not subject to the provision of the bill that states its uncodified sections do not have effect after June 30, 2003.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

167 Subject: Continue the PACE Program, Transfer to Aging

Section: 62.26

Section: 62.28

ALIs: 600-525, 322-639

No provision.

Requires that the Director of Job and Family Services (JFS) submit to the United States Secretary of Health and Human Services an amendment to the state Medicaid Plan to provide for the Department of JFS to continue the Program of All-Inclusive Care for the Elderly (PACE). The bill permits the Directors of JFS and Aging, with the approval of the Director of Budget and Management, to enter into an interagency agreement to transfer responsibility for the day-to-day administration of PACE from the Department of JFS to the Department of Aging.  
If the interagency agreement is entered into, requires the Director of Budget and Management to reduce the amount in appropriation item 600-525, Health Care/Medicaid, by the estimated costs of PACE services and appropriates the state and federal share of those estimated costs to the Department of Aging.

Same as the House, but changes the date, from October 31, 2001 to February 28, 2002, by which the Director of Job and Family Services must submit an amendment to the state Medicaid Plan to the U.S. Secretary of Health and Human Services to continue the PACE program. Also requires the Director of Job and Family Services to consider and, in the absence of just cause for refusal, give preference to, Condordia Care and TriHealth Senior Link, when determining the entities for which the first two PACE applications must be submitted. Adds that the interagency agreement between the Department and Job and Family Services and the Department of Aging include an estimated cost for the administrative duties assigned by the agreement to the Department of Aging. And, if the two departments enter into an interagency agreement to transfer PACE, the amount by which the appropriation in GRF appropriation item 600-525, Health Care/Medicaid, is to be reduced, must include an estimated cost for the administrative duties assigned by the agreement to the Department of Aging.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

168 Subject: Child Protective Services

Section: 62.28

Section: 62.30

ALI: 600-527

No provision.

Requires \$15,000 in each fiscal year of appropriation item 600-527, Child Protective Services, be provided to the Children's Advocacy Center in Portage County.

Same as House, but also earmarks \$750,000 in fiscal year 2002 and \$1.0 million in fiscal year 2003 of appropriation item 600-527, Child Protective Services, to be used as state matching funds for independent living services under the John H. Chafee Foster Care Independence Program.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

169 Subject: Increase Slots for the Individual Options Medicaid Waiver Program

Section: 62.29

Section: 62.31

No provision.

Allows the Director of Job and Family Services to apply to the U.S. Secretary of Health and Human Services for approval to increase the number of slots for the Individual Options Medicaid waiver program as follows: (1) for FY 2002, that the waiver program have at least 500 more slots than the waiver program had in FY 2001; (2) for FY 2003, that the waiver program have at least 500 more slots than the waiver program had in FY 2002.

Allows the Director of Job and Family Services to apply to the U.S. Secretary of Health and Human Services for approval to increase the number of slots for the Individual Options Medicaid waiver program as follows: (1) for FY 2002, that the waiver program have at least 500 more slots than the waiver program had in FY 2001; (2) for FY 2003, that the waiver program have at least 500 more slots than the waiver program had in FY 2002.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

170 Subject: Local Public Employment Offices

Section: 62.31

Section: 62.33

No provision.

1) Requires the Director to present a report to the members of the House Finance and Appropriations Committee on or before October 1, 2001 that describes the Director's plan to replace the existing local public employment offices with telephone registration centers, mail claims centers, or one-stop employment centers. Requires the report to contain specified information concerning plans for staffing, cost projections, and a description of funding sources broken down by federal, state, and local funding expectations. States the General Assembly's intention that the Director negotiate with specified local officials regarding the transfer of services.

2) Requires the Director of JFS to continue operation through each of the local public employment offices that exist on the effective date of the bill until January 1, 2002.

1) No change.

2) Accelerates the permissible closing date of the local offices to 30 days after the Director submits the requires report.

JFS may incur costs associated with closing the local public employment offices sooner, however, JFS may also realize the cost savings associated with closing the local offices sooner as well.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

171 Subject: Child and Family Services Activities

Section: 62.34

ALI: 600-427

No provision.

No provision.

Increases appropriation item 600-427, Child and Family Services Activities by \$20,000 in each fiscal year and requires that, of the additional funds appropriated, \$10,000 be provided to the Parmadale Children's Home in each fiscal year and \$10,000 be provided to the Berea Children's Home in each fiscal year.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

172 Subject: Study of the Implication of the Health Insurance Portability and Accountability Act (HIPAA)

Section: 62.40

No provision.

No provision.

Requires the Director of MR/DD to arrange for a study to be completed no later than January 1, 2003, of the implications of the "Health Insurance Portability and Accountability Act of 1996" on payment systems for Medicaid-funded services to individuals with MR/DD, including the Multi-Agency Community Services Information System and similar payment systems. The study is to include consideration of the feasibility of a payment system under which a county board of MR/DD pays claims directly to persons and government entities under contract with the county board to provide Medicaid-funded services to individuals with MR/DD. The Department must contract with a person to administer an individual assessment instrument to a representative sample of individuals receiving or eligible to receive home and community-based services provided under a Medicaid component the Department implements under section 5111.871 of the Revised Code. The assessment instrument must be identical or similar in design to the New York Developmental Disabilities Profile as developed by the New York Office of

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

MR/DD. The purpose of the contract is to collect data necessary for constructing a statewide individual assessment instrument capable of reliably assessing an individual's needs that the Department is required to provide to the Department of Job and Family Services under division (A)(2) of section 5111.873 of the Revised Code.

173 Subject: Critical Access Hospitals

Section: 62.41

No provision.

No provision.

Establishes within the Hospital Care Assurance Program a special funding pool for making payments to critical access hospitals.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

174 Subject: Elimination of Family Services Stabilization Fund

Section: 137

Section: 138

No provision.

Requires the Director of Budget and Management to transfer the amount remaining in the Family Services Stabilization Fund at the end of fiscal year 2001 to the General Revenue Fund. This will increase General Revenue Fund revenues by \$100 million in fiscal year 2002.

Replaces the House provision with a provision that authorizes the Director of Budget and Management, during fiscal year 2002, to transfer up to \$100 million in cash from the Family Services Stabilization Fund to the GRF.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

175 Subject: Budget Stabilization Fund Transfers for the Department of Job and Family Service

Section: 139

Section: 140

No provision.

1) Allows Director of Budget and Management in consultation with Director of Department of Job and Family Services to transfer (with Controlling Board approval) up to \$100 million in the biennium from the Budget Stabilization Fund to the General Revenue Fund if it is determined that Medicaid caseload expenditures are likely to exceed Medicaid appropriations. Appropriations to Department of Job and Family Services line 600-525, Medicaid/Health Care, would be increased by the amount of any such transfer. Before any transfers may be authorized, all possibilities for transfers of moneys within the Department of Job and Family Services are to be exhausted.

2) Allows the Director of Budget and Management, in consultation with the Director of the Department of Job and Family Services, and with Controlling Board approval to transfer up to \$50 million during the biennium from the Budget Stabilization Fund to the General Revenue Fund to be used for Department of Job and Family Services Computer Projects. Appropriations

1) Same as House, but increases, from \$100 million to \$150 million, the amount that may be transferred and requires the Director of Budget and Management, when increasing the appropriation in appropriation item 600-525, Health Care/Medicaid, to increase the appropriation amount that are attributable to the federal match for that appropriation item.

2) No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

to Department of Job and Family Services line 600-416, Computer Projects, would be increased by the amount of the transfer.

(See Temporary Law Changes in the Office of Budget and Management under the same subject).

176 Subject: Hospital Care Assurance Program

Sections: 134, 135

Sections: 143, 144

Sections: 145, 146

Delays the sunset of the Hospital Care Assurance Program (HCAP) until October 16, 2003. These sections provide that the law requiring HCAP compensated hospitals that provide services to indigents are subject to the HCAP sunset.

No change.

Same as the House, but to correspond with previous biennial appropriations acts, removes from the bill's sunset of the Hospital Care Assurance Program the statute that requires hospitals to provide indigent care when they receive HCAP funds.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

177 Subject: Family Violence Prevention Program

Section: 142

Section: 142

Section: 176

Requires JFS and the Office of Criminal Justice Services (CJS) to enter into an interagency agreement regarding the transfer of duties, records, assets, and liabilities concerning the administration of funds received under the Family Violence Prevention and Services Act. Subject to statutory layoff provisions and any applicable collective bargaining agreement, JFS employees whose primary duties relate to the administration of the funds are transferred to CJS and retain their positions and all of the benefits accruing to them.

No change.

Same as Executive, but eliminates the provision that requires the transfer of employees and the preservation of their positions and benefits.

Same as passed by the Senate.

Currently, there are two staff positions at JFS that administer the Family Violence Prevention and Services Act. At present, one of the positions is vacant. The other is a state employee with 20 years of service with a Program Administrator-3 classification. CJS is required to pay the person's salary at the current rate upon transfer of the employee and fill the other position.

(See also Permanent Law Changes under subject "Family Violence Prevention and Services Act" and Temporary and

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

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**Temporary Law Changes**

Permanent Law Changes in the Office of  
Criminal Justice Services under similar  
subject.)

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

178 Subject: Attorney Registration

Section: 64

Section: 64

Section: 64

ALI: 005-605

Permits the Supreme Court of Ohio to use moneys appropriated to non-GRF appropriation item 005-605, Attorney Registration, to: (1) compensate employees and fund the appropriate activities of certain offices established by the Court pursuant to the Rules for the Government of the Bar of Ohio; (2) fund other activities considered appropriate by the Court. This provision also: (1) allows the Court to increase the appropriation item's appropriation authority if deemed necessary, which means that the Court can automatically increase the appropriation item's appropriation authority without legislative action or Controlling Board approval; (2) prohibits the Director of Budget and Management or the Controlling Board from transferring moneys from the Attorney Registration Fund (Fund 4C8) to any other fund; (3) credits to the Fund any interest earned on its moneys.

No change.

Same as the Executive, but deletes the word "hereby" from the phrase "the amounts are hereby appropriated."

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**179 Subject: Legal Rights Service Commission Vacancies**  
**section: 5123.60**

No provision.

Prohibits the Administrator of the Legal Rights Service from pursuing specified legal actions that the Administrator is otherwise authorized by law to take until any vacancies existing in the membership of the Legal Rights Service Commission have been filled. This change will potentially lead to a decrease in expenditures if LRS is unable to pursue class action lawsuits due to vacancies in the LRS Commission.

Same as House, but requires an affirmative vote of at least four (of seven) members of the Legal Rights Service Commission before the Administrator of the Legal Rights Service may pursue any legal actions that the Administrator is otherwise authorized to take under current law. This should lead to no net fiscal change from existing practices.

Same as passed by the Senate, but removes the provision that requires the Commission's approval, before the Administrator may pursue legal, administrative, or other remedies or approaches when administrative resolution of complaints proves unsatisfactory. Also, provides that the Administrator may not pursue a class action law suit when attempts at administrative resolution of a complaint prove unsatisfactory unless both of the following first have occurred: (1) at least four members of the Commission, by their affirmative vote, have consented to the pursuit of that law suit; and (2) at least five of the seven Commission members are present at the commission meeting at which that consent is obtained.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

180 Subject: Advisory duties  
 section: 101.34

No provision.

No provision.

Requires JLEC to act as an advisory body to the General Assembly and to individual members, candidates, and employees on questions related to "ethics" and "financial disclosure".

Same as passed by the Senate.

This provision may create minimal costs such as expenditures for administrative/office resources and possible additional staffing demands.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

181 Subject: Registration statements  
 section: 101.72

No provision.

No provision.

Failure of legislative agent and employer to file an initial registration statement or an amended registration statement within 15 days will result in being assessed a late filing fee of \$12.50 per day by JLEC. Late filing fee is not to exceed \$100 and may be waived by JLEC.

Same as passed by the Senate.

No fiscal impact to local government. Potential minimal increase in late filing fee revenue to the JLEC.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

182 Subject: Coal Tax Credit Study

## Section: 196

No provision.

No provision.

Requires that the Legislative Service Commission study the fiscal impact of extending the Ohio coal tax credit for two years and report its findings no later than July 1, 2002 to the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**183 Subject: Liquor Control Fund**  
**section: 4301.12**

No provision.

No provision.

Clarifies that the Liquor Control Fund (LCF) is a fund within the state treasury (as stated in current law), not held in the custody of the State Treasurer. This provision has no fiscal effect.

Same as passed by the Senate.

**184 Subject: Liquor Store Ownership**  
**section: 4301.17**

No provision.

No provision.

Increases the number of agency stores permitted to be owned by the same person from four to eight in any one county and from eight to sixteen in the state. This provision may increase the availability of spiritous liquor and may therefore cause an increase in revenues generated from taxes on such liquor.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**185 Subject: Liquor Control Law**  
**section: 4301.24**

No provision.

No provision.

Provides that the Liquor Control Law restricting a manufacturer of beer or intoxicating liquor from aiding or assisting a wholesaler of beer or intoxicating liquor does not prevent a manufacturer from giving financial assistance to the holder of a B (wholesale) permit from purchasing an ownership interest, inventory, equipment or property of another B permit holder, including but not limited to participation in a limited liability partnership, limited liability company, or any other legal entity authorized to do business in Ohio. The amendment does not permit a manufacturer to give financial assistance to the B permit holder to purchase inventory or equipment used in the daily operation of a B permit holder.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

186 Subject: Transfers to the Lottery Profits Education Fund

Sections: 71, 44.20

No provision.

No provision.

Requires the Ohio Lottery Commission to transfer from operations at least \$633,722,100 in FY 2002 and \$621,722,600 in FY 2003 to the Lottery Profits Education Fund. This provision also allows supplemental transfers from Unclaimed Prizes Fund to the Lottery Profits Education Fund.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**187 Subject: Release of Medical and Psychiatric Records to a Coroner's Office**  
**section: 313.091**

No provision.

No provision.

Specifies that the Department, hospitals, other institutions or facilities within the Department, ADAMH boards, and community mental health agencies, may release medical and psychiatric records to a coroner, deputy coroner, or representative of a coroner, without the necessity of a court order or the necessity to follow another statutory disclosure of records procedure (R.C. 5122.31). This is not a violation of the rule of confidentiality associated with that disclosure of records procedure (as under the Hospitalization of Mentally Ill Law).

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****188 Subject: Certification and Evaluation of Community Mental Health Providers**

sections: **340.03,**  
**5119.01,5119.61,5119.611,511**  
**612;**  
**9.03,173.35,340.02,340.08,291**  
**271,3722.01,3722.15,3722.16,;**  
**11.022,5119.22**

Requires DMH to reduce its requirements for certification of community mental health providers for the purpose of increasing cost-effectiveness of services. Requires DMH to adopt rules and establish criteria for use in certifying providers of community mental health services and evaluating whether they have prevented inappropriate service delivery. This provision may increase the Department's administrative costs associated with adopting rules and establishing criteria for provider certification.

No change.

Revises and reorganizes the law governing the Director of Mental Health's certification of community mental health services. The provision prohibits a board of alcohol, drug addiction, and mental health services (ADAMH board) from contracting with a community mental health agency to provide community mental health services included in the ADAMH board's community mental health plan unless the services are certified by the Director of Mental Health. The provision also requires that rules governing Medicaid payment of community mental health facilities, and criteria by which an ADAMH board reviews and evaluates the quality, effectiveness, and efficiency of services provided through its community mental health plan, include requirements ensuring appropriate service utilization.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****189 Subject: Certification of Mental Health Facilities****sections: 3923.28, 3923.30, 5119.01**

Eliminates certain DMH responsibilities for the certification of mental health facilities for purposes of health insurance coverage and provides certain accrediting organizations with the authority to approve outpatient mental health facilities formerly certified by DMH. This provision results in a potential savings due to the elimination of an administrative burden associated with certain DMH responsibilities.

No change.

Same as the Executive, but provides for the Director of Mental Health to cease certifying community mental health facilities for participation in health care plans of health insuring corporations and accident insurance policies two years after the provision's effective date instead of immediately on its effective date.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**190 Subject: Health and Safety of Mental Health Service Consumers**  
**section: 5119.06**

Requires DMH to include the promotion of health and safety in its program to protect and promote the rights of consumers of mental health services. This provision was necessary to ensure that the reduction in the Department's certification standards for mental health providers would not affect the quality the services provided to mental health consumers. According to the Department, there is no fiscal effect associated with this provision.

No change.

No provision.

Same as passed by the Senate.

**191 Subject: Transfer of Treatment Records**  
**section: 5122.31**

No provision.

No provision.

Permits a community mental health agency that ceases to operate to transfer its treatment records to another agency that assumes its caseload or to the ADAMH board. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**192 Subject: Release of Client Medicaid Information to Third-Party Payers**  
**section: 5122.31**

No provision.

No provision.

Permits a community mental health agency or ADAMH board to release a client's medical information to third-party payers, in addition to insurers, for payment purposes. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**193 Subject: Certification Of Providers of Home And Community-Based Services**  
**section: 5123.045**

No provision.

Provides for DMR to certify providers of Medicaid-funded home and community-based services administered by DMR.

Same as House, except for minor revisions including a requirement that DMR's certification rules specify the program areas for which certification is required.

Same as passed by the Senate, except provides that a licensed residential facility, other than an intermediate care facility for the mentally retarded, is exempt from the requirement to obtain certification.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**194 Subject: Service Contract Requirements**  
**section: 5123.035**

No provision.

No provision.

Requires that each contract that a county board of mental retardation and developmental disabilities enters into with a provider of Medicaid-funded services to individuals with mental retardation or other developmental disability comply with DMR rules and include a general operating agreement component and an individual service needs addendum. Specifies what the general operating agreement component and individual service needs addendum must contain.

Same as passed by the Senate, except:(1) Applies the requirement to all service contracts, not just those with providers of Medicaid-funded services;(2) Provides that if the provider is to provide Medicaid-funded services, the service contract must require that the provider comply with all applicable statewide Medicaid requirements;(3) Revises the list of what the general operating agreement component must include.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**195 Subject: Joint Council on MR/DD**  
**section: 101.37**

No provision.

No provision.

Requires the Joint Council on MR/DD to conduct reviews and make recommendations to the Director of MR/DD on disputes between the Department and entities that contract with the Department for the provision of protective services.

Same as passed by the Senate.

The membership of the Council consist of three members of the House, three members of the Senate, and the Director of the Department of MR/DD. They serve without compensation but receive actual and necessary expenses. This change should lead to a minimal increase in expenditures for activities associated with the Council.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 196 Subject: Medicaid Funded Services for Persons with MR/DD

sections: 5111.042, 5111.87, 5111.871,  
 5111.872, 5111.873, 5123.01,  
 5123.044, 5123.046, 5123.047,  
 5123.048, 5123.049, 5123.041,  
 5123.0411, 5123.0412,  
 5123.0413, 5123.71, 5123.76,  
 5126.01, 5126.042, 5126.046,  
 5126.051, 5126.054, 5126.055,  
 5126.056, 5126.18, 5126.357,  
 5705.

No provision.

Permits the Department of Job and Family Services to seek federal approval for one or more Medicaid waivers under which home and community-based services are provided to individuals with mental retardation or other developmental disability as an alternative to placement in an intermediate care facility for the mentally retarded (ICF/MR). Uncodified language requires that JFS seek 500 additional waiver slots in each fiscal year. To obtain additional federal Medicaid funds for case management services, habilitation center services, and home- and community-based services administered by the Department, county boards of MR/DD are permitted to transfer certain individuals with MR/DD to home- or community-based services. Other changes

Revises the provisions of the bill regarding Medicaid funding for services to individuals with mental retardation or other developmental disability.

Same as passed by the Senate, but makes further revisions to the provisions of the bill regarding Medicaid funding for services to individuals with mental retardation or other developmental disability.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

included in this provision are a requirement that a county board of MR/DD give individuals who are eligible for Medicaid-funded home and community-based services that DMR administers priority over others on waiting lists created for county board services. In order to obtain local administrative authority for the Medicaid funded services, a county board must submit a plan to the Department, for the Department's approval. If the plan is not approved by the Department, the county board of MR/DD may not receive payments under the tax equalization program. Other provisions include:- specifying when DMR or a county board of MR/DD is required to pay the nonfederal share of Medicaid expenditures;- Requiring DMR to charge county boards a fee for the purpose of generating funds to be used by DMR and JFS for the administration and oversight of Medicaid funded services and for technical support to county boards;- Requires DMR, along with JFS and county MR/DD boards, to plan for paying for extraordinary costs and ensuring the availability of adequate funds in the event of the failure of a county property tax levy for MR/DD services;- -Requires DMR rules governing the certification of supported living providers allow a private or government entity that holds a residential facility license to automatically satisfy a standard for certification that the entity has to meet to obtain the residential facility license;-States that an individual with

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

MR/DD who is currently receiving Medicaid-funded services who moves to a different county must still receive Medicaid-funded services that are comparable in scope to the services received prior to moving.

**197 Subject: Investigative Agent**

sections: 5123.082,  
5126.20,5126.22,5126.221,512  
25,5126.311,5126.313,5126.32

No provision.

No provision.

Provides for a county board of mental retardation and developmental disabilities to conduct an investigation regarding abuse or neglect of an individual with mental retardation or other developmental disability and requires each county board to employ, or contract for the services of, an investigative agent to conduct the investigations. Requires that DMR establish certification standards for investigative agents that requires an investigative agent to have or obtain no less than an associate degree from an accredited college or university.

Same as passed by the Senate, except:(1) Requires that each county board also conduct an investigation regarding major unusual incidents;(2) Requires that DMR's certification standards provide that experience or training comparable to an associate degree from an accredited college or university be satisfactory.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 198 Subject: Services for Persons with Mental Retardation and Developmental Disabilities

sections: 5126.01,  
5126.08,5126.11,5126.14,5126  
5,5126.22

No provision.

No provision.

(1) Modifies the statutes under which certain services are provided to individuals with mental retardation and developmental disabilities, including such services as adult habilitation, family support services, and supported living.

(2) Renames case management as "service and support administration," specifies the duties of individuals who provide that service, and provides that the certification requirements cannot require more than an associate degree.

(3) Requires that each individual with mental retardation and developmental disabilities either (1) select a person who is responsible for overseeing the day-to-day provision of services to the individual or (2) have such a person designated by a service and support administrator.

(4) Specifies examples of services that may be provided as adult day habilitation services, environmental modifications, and

(1) Same as passed by the Senate.

(2) Removes the restriction on certification requirements, but provides that the service and support administrator with an associate degree can be classified as a professional employee.

(3) Same as passed by the Senate.

(4) Includes housing counseling as an adult day habilitation service.

(5) Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

specialized medical, adaptive, and assistive equipment, supplies, and supports.

(5) Specifies that management is a part of the provision of adult day habilitation services, residential services, and supported living.

**199 Subject: Mediation and Arbitration Component of Service Contract**  
**sections: 5123.043, 5126.036, 5126.06**

No provision.

No provision.

Requires each contract between county board of mental retardation and developmental disabilities and a provider of services to individuals with mental retardation or other developmental disability to include provisions regarding mediation and arbitration.

Same as passed by the Senate, except for revisions that include the following:(1) Provides that the mediation and arbitration process also applies to a provider aggrieved by a county board's refusal to enter into a service contract or termination of a service contract;(2) Provides that the individual the parties may mutually agree to conduct the mediation and arbitration must be an attorney licensed to practice in this state;(3) Provides that the parties may agree to continue mediation even after the arbitration process begins;(4) Provides that DMR must require parties to follow the mediation and arbitration process if DMR is aware of a conflict for which the aggrieved party has not timely started the mediation and arbitration process.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**200 Subject: Tax Equity Payments**  
**section: 5126.18**

No provision.

No provision.

Requires, rather than permits, DMR to make tax equity payments to county boards of mental retardation and developmental disabilities.

Same as passed by the Senate.

**201 Subject: Certification of Supported Living Providers**  
**section: 5126.431**

No provision.

Requires that DMR rules governing the certification of supported living providers allow a private or government entity that holds a residential facility license to automatically satisfy a standard for certification that the entity had to meet to obtain the residential facility license.

Also, eliminates an issue that must be considered when a provider is evaluated for quality services.

Same as the House, but eliminates the certification of government providers and also requires that DMR follow the administrative procedure act when revoking a certificate.

Same as passed by the Senate.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## Temporary Law Changes

**202 Subject: Residential and Support Services****Section: 73.02****Section: 74.02****Section: 74.02****ALI: 322-413**

Requires appropriation item 322-413, Residential and Support Services, be used for the following purposes:

- 1) Home- and community-based waiver services pursuant to Title XIX of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended;
- 2) Services contracted by county boards of mental retardation and developmental disabilities;
- 3) Supported living services contracted by county boards of mental retardation and developmental disabilities in accordance with sections 5126.40 to 5126.47 of the Revised Code;
- 4) Sermak Class Services used to implement the requirements of the consent decree in Sermak v. Manuel, Case No. c-2-80-220, United States District Court for the Southern District of Ohio, Eastern Division;
- 5) Other Medicaid-reimbursed programs, in an amount not to exceed \$1.0 million in each fiscal year, that enable persons with mental retardation and developmental disabilities to live in the community.

Permits the Department to develop,

Same as Executive, but earmarks \$9.7 million in FY 2002 and \$9.85 million in FY 2003 for distributions by the Department to county boards of mental retardation and developmental disabilities to support Medicaid activities provided for under the county board's plan developed under division (A)(2) of section 5126.054 of the Revised Code.

Up to \$3.0 million of this earmark in each fiscal year may be used to implement day-to-day program management services under ORC 5126.054(A)(2). Up to \$4.2 million of this earmark in each fiscal year may be used to implement the program and health and welfare requirements of ORC 5126.054(A)(2).

Of this earmark, in FY 2002, not less than \$2.5 million, and in FY 2003, not less than \$2.65 million, shall be used to recruit and retain the direct care staff necessary to implement the services included in an individualized service plan.

Same as the House, but adds to the earmark to GRF appropriation item 322-413, Residential and Support Services. Clarifies that the \$9.7 million earmarked in FY 2002 and the \$9.85 million earmarked in FY 2003 is to be used by county boards of mental retardation (CBMRDDs) to support existing Residential Facilities waiver (RFW) and Individual Options waiver (IO) related Medicaid activities provided for in a CBMRDD's plan developed under division (A)(2) of section 5126.054 of the Revised Code, as established in the bill.

Also authorizes the Director of Budget and Management to transfer up to \$5.0 million in fiscal year 2002 and up to \$11.5 million in fiscal year 2003 from appropriation item 322-413, Residential and Support Services, to appropriation item 322-501, County Boards Subsidies. The amount transferred is to be used for the tax equalization program created under sections 5126.16 to 5126.18 of the Revised Code.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**

notwithstanding Chapters 5123. and 5126. of the Revised Code, residential and support service programs that enable persons with MR/DD to live in the community. The Department may waive the support collection requirements of Chapter 5121. and section 5123.122 of the Revised Code for persons in community programs developed by the Department under this provision.

Allows the Department to designate a portion of appropriation item 322-413 to county boards of mental retardation and developmental disabilities that have greater need for various residential and support services due to a low percentage of residential and support services development in comparison to the number of individuals with mental retardation or developmental disabilities in the county.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 203 Subject: State Subsidies to MR/DD Boards

Section: 73.02

Section: 74.02

Section: 74.03

ALI: 322-501

Earmarks \$1.5 million per year in GRF appropriation item 322-501, County Boards Subsidies, to fund a tax equity program pursuant to sections 5126.16 to 5126.18 of the Revised Code. The executive recommendations also modify the formula used by the Department to determine the amount of subsidy each county board will receive from the Department. The Revised Code states that the total subsidy shall equal \$950 times the average daily membership (ADM) of children age birth to three receiving county board services plus \$1,000 - \$1,500 times the ADM of adults receiving services.

The bill includes language stating that the Department shall use the formula in the Revised Code to determine the percentage of total subsidy that each county board shall receive. However, the uncodified law states that the subsidy shall not simply equal the respective dollar amount times the ADM as stated in division (D) of section 5126.12 of the Revised Code. Instead, once the ratios are determined, the total amount of subsidies shall total at least \$44,266,039,

Earmarks \$6.5 million in FY 2002 and \$13.0 million in FY 2003 to fund the tax equalization program created under ORC sections 5126.16 to 5126.18 for county boards of MR/DD. The provision states that this program shall utilize the average daily membership of adults 22 years of age and older in habilitation and community employment services only for the yield on 1/2 mills.

After funding the tax equalization program, the provision states that the remaining appropriation authority in 322-501 shall be used for subsidies to county boards of MR/DD distributed pursuant to ORC 5126.12 to the limit of the lesser of the amount required by that section or a prorated share of the remaining balance in the appropriation item.

Same as the House, but modifies the existing \$6.5 million in FY 2002 and \$13.0 million in FY 2003 earmark for the tax equalization program funded in appropriation item 322-501, County Boards Subsidies. Adds vocational services to the existing language governing what should be included in a CBMRDD's average daily members for the yield on ½ mills.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**

the FY 2000 spending amount in appropriation item 322-501. If, after subtracting the \$1.5 million for tax equity, the appropriation total in appropriation item 322-501 is less than \$44,266,039, the Department must use the total amount of remaining appropriation in appropriation item 322-501, plus funding from other sources to provide subsidies totaling \$44,266,039. If the total appropriation in appropriation item 322-501, after subtracting the \$1.5 million for tax equity, is greater than or equal to \$44,266,039, that amount shall be the total amount that the Department must provide in subsidy to the county boards.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

204 Subject: Executive Branch Committee on Medicaid Redesign and Expansion of MR/DD Ser

## Section: 74.05

No provision.

No provision.

Creates the Executive Committee on Medicaid Redesign and Expansion of MR/DD Services to (1) review the effect that the provisions of this act regarding Medicaid funding for services to individuals with MR/DD have on the funding and provision of services to such individuals; (2) identify issues related to, and barriers to, the effective implementation of those provisions of this act with the goal of meeting the needs of individuals with MR/DD; (3) establish effective means of resolving the issues and barriers, including advocating changes to state law, rules, or both. The Committee is to finish a preliminary report on its actions no later than one year after the effective date of this section and a final report on its actions no later than three years after the effective date of this section. The Committee is to submit the reports to the Governor and the Directors of Mental Retardation and Developmental Disabilities and Jobs and Family Services. The Committee shall cease to exist on submission of the final report unless the Governor issues an executive order providing for the Committee to continue.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 205 Subject: Continuation and Modification of Moratorium on DMR/DD Residential Facility Beds

Sections: 140, 141

Sections: 155, 156

Sections: 163, 164

(1) Continues until October 15, 2003, a moratorium on DMR approving or licensing residential facility beds if the approval or issuance will result in an increase in the number of residential facility beds. Eliminates DMR's authority to approve or license new residential facility beds in an emergency. Provides that a modification, replacement, or relocation of existing beds in a residential facility licensed by DMR is not an increase.

(2) Despite the moratorium, permits DMR to license beds in a nursing home that, since 1987, has had beds certified by the Department of Health to provide services as an intermediate care facility for the mentally retarded (ICF/MR), if the sole purpose of the issuance of licensing the beds is to relocate existing beds within the same county.

(1) No change.

(2) No change.

(1) Specifies that the determination of whether an increase occurs is based on the number of beds that existed on October 28, 1993, the effective date of certain administrative rules governing the development and modification of residential services.

(2) Removes the Executive provision that allows certain nursing homes with ICF/MR beds to relocate the beds within the same county and, instead, allows such a nursing home to receive a residential facility license if the applicant is either (a) the entity that holds the controlling interest in the right to operate the beds pursuant to a certificate of need or (b) another entity that prior to July 1, 2001, received the approval of the Director of MR/DD to develop the nursing home beds as MR/DD residential facility beds.

(1) Same as passed by the Senate.

(2) Eliminates the exception to the moratorium for certain nursing homes operating ICF/MR beds.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 206 Subject: Elimination of the Mine Examining Board

sections: 124.24, 1509.06, 1509.08,  
 1513.05, 1513.13, 1513.14,  
 1547.67, 1561.05, 1561.07,  
 1561.10, 1561.11, 1561.12,  
 1561.13, 1561.14, 1561.15,  
 1561.16, 1561.17, 1561.18,  
 1561.19, 1561.20, 1561.21,  
 1561.22, 1561.23, 1561.35,  
 1561.351, 1561.46, 1561.51,  
 1561.52, 1561.53, 156

No provision.

No provision.

Abolishes the Mine Examining Board, transfers its authority to hear appeals on mine safety issues to the Reclamation Commission, and transfers the remainder of its authority to the Chief of the Division of Mineral Resources Management in the Department of Natural Resources. It alters the membership of the Reclamation Commission solely for the purposes of hearing appeals involving mine safety issues. It also alters the requirements concerning practical experience that must be possessed by an applicant for the position of deputy mine inspector of underground mines.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****207 Subject: Abolition of the Division of Civilian Conservation**

sections: *1501.04, 1553.01 to 1553.10, 1553.99, 3517.092*

Repeals the Civilian Conservation Law as of July 1, 2002, thus eliminating the Division of Civilian Conservation, the Civilian Conservation Advisory Council, civilian conservation programs, and all related statutory provisions. The Civilian Conservation Corps provides unemployed young adults between the ages of 18 and 24 life, education, and work skills related to the conservation, development, and management of natural resources and recreational areas, restoration of historic structures, and assistance in the development of related community programs. The programs of the Civilian Conservation Corps are developed and monitored by the nine-member Civilian Conservation Advisory Council.

Although the repeal saves the GRF some \$2.8 million for administration and reduces the Department's GSF moneys by at least \$200,000, there is a potential for increased costs for public works. Since the corps members earn the minimum wage, the Department may have to pay more for labor

Restores the Civilian Conservation Corps using TANF Block Grant funds that have been credited to the Social Services Block Grant (Title XX).

(See also Temporary Law Changes in the Department of Job and Family Services under subject, "TANF Federal Block Grants and Transfers.")

Same as the Executive.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

for these conservation services. Many of the current and past corps members have been juvenile offenders and participation in the Civilian Conservation Corps may have curtailed some of the members' criminal activities; thus, participation in the corps may cause a savings in youth services. Any possible savings would be foregone with the repeal of the program. This change also affects appropriation item 725-625, Civilian Conservation Corps Operations, Fund 162.

(See also Temporary Law Changes under subject "Civilian Conservation Corps.")

**208 Subject: Immunity for Volunteers**

**section: 1501.23**

No provision.

No provision.

Provides immunity to volunteers assisting the Department of Natural Resources. This could minimally reduce costs for liability insurance.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****209 Subject: Scrap Tire and Loan Program****sections: 1502.12, 3734.82**

Establishes the Scrap Tire Recycling Fund to replace the Scrap Tire Loans and Grants Fund formerly under the Department of Development. This fund will receive proceeds from scrap tire monocell or monofill facility license fees and be used to support market development activities for recycled scrap tires. The grants program which is currently administered by the Department of Development, will be administered by the Division of Recycling and Litter Prevention. In FY 2001 \$1.0 million was appropriated for this program and the bill appropriates this same amount in FY 2002 and FY 2003.

(See also Permanent Law Changes in the Department of Development under same subject and in the Environmental Protection Agency under subject, "Scrap Tire Funds.")

No change.

Same as the House, but changes the name of the Scrap Tire Recycling Fund to the Scrap Tire Grant Fund and establishes specific criteria that must be evaluated for eligible projects and activities. Evaluation will be based on the following: 1) the degree to which a proposed project contributes to the increased use of scrap tires generated in this state; 2) the degree of local financial support for a proposed project; and 3) the technical merit and quality of a proposed project. It also removes a requirement that applicants for grants provide matching contributions. \$1,000,000 is appropriated in each fiscal year to the fund.

(See also Permanent Law Changes in the Environmental Protection Agency under the subject "Scrap Tire Funds")

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 210 Subject: Overlapping Requirements for Hazardous Substances

sections: *1509.23, 1509.11, 3750.02,*  
*3750.081, 3750.13 and Section*  
*190 of the bill*

No provision.

No provision.

Eliminates overlapping requirements concerning certain information regarding hazardous substances that owners of oil and gas wells currently must submit to the Chief of the Division of Mineral Resources Management in the Department of Natural Resources and to the Emergency Response Commission. Requires that owners submit information only to the Chief, who must adopt rules under which an electronic database is created containing the information that can be accessed by the Emergency Response Commission, other emergency response personnel, and planners. Filing fees are increased under the Emergency Planning Law. The filing fee is increased from \$100 to \$150. An additional fee per hazardous chemical enumerated on the inventory form is raised from \$10 to \$20, while extremely hazardous substances fees are increased from \$50 to \$150. Charges other fees related to late filing fees, flat fees for operators of certain facilities under the Oil and Gas Law, and filing fees submitted to the Emergency

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

Response Commission. The membership of the Emergency Response Commission is modified.

**211 Subject: Relocation of Easement in Nature Preserve**  
**sections: 1517.05, 1517.06, 1517.07**

No provision.

No provision.

Authorizes the Department of Natural Resources to allow the relocation of an existing easement or other encumbrance within the boundaries of a nature preserve when the Director determines that the terms and conditions of the relocation will not destroy the natural or aesthetic conditions of a preserve; provides that such a relocation does not constitute the taking of land for another use; provides that such a relocation does not require a finding of the existence of an imperative and unavoidable public necessity or require the approval of the Governor; and provides that such a relocation does not require a public hearing.

Same as passed by the Senate, but modifies the authority for DNR regarding the relocation of easements in nature preserves from allowing the relocation of an existing easement or other encumbrance within the boundaries of a nature preserve to allowing the relocation of an existing easement, license, or right of way within the boundaries of a nature preserve that is not owned in fee simple by the Department and provides that these modifications are effective for two years after their effective date and that they go into immediate effect.

Also, provides for the reviews conducted by the Department of amended articles of declarations for the relocation of an existing easement, license, or right of way must be funded within the Department's appropriations.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

212 Subject: TANF Federal Block Grants and Transfers

Section: 76.02

Section: 62.09

ALI: 725-625

No provision.

Transfers funds from the TANF Block Grant that have been credited to the Social Services Block Grant (Title XX) to fund the Civilian Conservation Corps within the Department of Natural Resources. As a result, \$7,885,349 in fiscal year 2002 and \$8,058,715 in fiscal year 2003 will be transferred from TANF Block Grants in the Department of Jobs and Family Services to Fund 162, CCC Operations.

(See Temporary Law Changes in the Department of Job and Family Services under same subject.)

No provision.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

213 Subject: Division of Parks and Recreation

ALI: 730-321

No provision.

No provision.

No provision.

Earmarks \$125,000 in each fiscal year for the Somerset Park Improvement and \$125,000 in each fiscal year for the New Lexington Recreation Center.

214 Subject: Conservation General Obligation Debt Service

Section: 76.01

Section: 77.01

Section: 77.01

ALI: 725-904

Requires the payment of debt service and financing costs from appropriation item 725-904, Conservation General Obligation Debt Service, during the period July 1, 2001 to June 30, 2003. The Conservation General Obligation Debt Service item funds debt service on facilities and equipment purchased for the Conservation Revitalization (Clean Ohio) program.

No change.

Same as the House, but makes minor changes regarding the payment of debt service and financing costs on general obligation bonds or notes that may be issued for conservation purposes.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

215 Subject: Soil and Water Districts

Section: 76.02

Section: 77.02

Section: 77.02

ALI: 725-502

Allows DNR, upon receipt of a request and justification from a soil and water conservation district and approval by the Ohio Soil and Water Conservation Commission, to pay to any soil and water conservation district from appropriation item 725-502, Soil and Water Districts, an annual amount not to exceed \$30,000. The county auditor is to credit the payments to the special fund established under section 1515.10 of the Revised Code for the local soil and water conservation district. Moneys received by each district must be expended for the purposes of the district.

Requires \$150,000 of appropriation item 725-502, Soil and Water Districts, to be distributed to the Muskingum Watershed Conservancy District.

Same as Executive, but requires that \$50,000 in each fiscal year be earmarked for the Livestock Environmental Assurance Program. Also, the following is earmarked: \$136,000 in fiscal year 2002 for Indian Lake, \$56,000 per fiscal year for the Conservation Action Program, \$48,000 in fiscal year 2002 for Millcreek Valley Conservation District, \$40,000 per fiscal year for Wills Creek, \$120,000 in fiscal year 2002 for the relocation of Route 30, and \$100,000 per fiscal year for the Rush Creek Conservancy District.

Same as the House, but increases appropriations by \$400,000 in fiscal year 2002 and \$150,000 in fiscal year 2003. The increases are earmarked accordingly: \$250,000 for the Upper Hocking and Rush Creek Flood Control project in fiscal year 2002 and \$150,000 for the Loramie Lake Project in each fiscal year.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes****216 Subject: Civilian Conservation Corps****Section: 76.02****Section: 77.02****Section: 77.02****ALI: 725-605**

Requires the Director of Budget and Management, before June 30, 2003, to transfer the cash balances of the Civilian Conservation Corps Operations Fund ( Fund 162) and any amounts that accrue to that fund after that date, to the State Parks Operations Fund (Fund 512). The Director is to cancel any remaining outstanding encumbrances against appropriation item 725-625, Civilian Conservation Corps Operations, and reestablish them against appropriation item 725-605, State Parks Operations. Provides that the amount of the reestablished encumbrances is appropriated. After the cash balance is transferred, the Civilian Conservation Corps Operations Fund is to be abolished. This provision has no net fiscal effect.

(See also Permanent Law Changes under subject "Abolition of the Division of Civilian Conservation.")

No provision.

Same as the Executive.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

217 Subject: Parks Facilities Maintenance

## Section: 77.02

ALIs: 725-635, 725-605

No provision.

No provision.

Allows the Department of Natural Resources to retain \$1.1 million in the State Park Fund (Fund 512) that would have been transferred to Parks Facilities Maintenance (Fund 161) in fiscal year 2002. The Parks Facilities Maintenance Fund will receive the difference between ten per cent of the receipts from revenue-producing facilities of the division of parks and recreation and \$1.1 million.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**218 Subject: Advanced Nursing Specialty Student Supervision**  
**section: 4723.32**

No provision.

No provision.

Specifies that a nursing student in a program leading to certification in an advanced nursing specialty must practice under the supervision of a registered nurse serving for the program as a faculty member, teaching assistant, or preceptor. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

219 Subject: Nursing Special Issues

Sections: 77, and section 4723.062

Sections: 78, and section 4723.062

Sections: 78, and section 4723.062

No provision.

Gives the Nursing Board the authority to solicit and accept grants and services to develop and maintain a program that addresses patient safety and health care issues related to the supply of, and demand for, nurses and other health care workers.

Establishes new General Services Fund appropriation item 884-601, Nursing Special Issues, and appropriates \$5,000 in each fiscal year of the biennium. The appropriations are earmarked to pay costs of implementing this provision.

Same as House, but requires OBM to transfer \$5,000 in cash in each fiscal year from the Occupational Licensing and Regulatory Fund (Fund 4K9) to the Nursing Special Issues Fund (Fund 5P8). This transfer will provide cash for Fund 5P8 in an amount equal to the appropriation authority contained in the bill. This transfer will allow the Nursing Board to make disbursements from this appropriation item.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**220 Subject: Administration of Prescribed Topical Drugs**  
**section: 4755.01**

No provision.

No provision.

Provides that the practice of occupational therapy includes the administration of prescribed topical drugs. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

221 Subject: Clinical Outcomes Studies

## Section: 79

No provision.

No provision.

Changes the due date for the Board to report the findings of two studies to measure the clinical outcomes for physical therapy and occupational therapy commissioned by H.B. 283 of the 123rd General Assembly from June 30, 2001, to December 31, 2001. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**222 Subject: Testing Service Contracts**  
**section: 4725.44**

No provision.

No provision.

Clarifies that the Optical Dispensers Board has authority to contract with a vendor to administer license examinations. This provision has no fiscal effect.

Same as passed by the Senate.

**223 Subject: Optical Dispenser Application for License Process**  
**section: 4725.48**

No provision.

No provision.

Changes the process and eligibility requirements by which an applicant for an optical dispenser's license files the application. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**224 Subject: Definitional changes**  
**section: 4779.01**

No provision.

No provision.

Exempts certain activities from licensure by providing that the practice of orthotics does not include activities involving wrist splints, prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays and other prefabricated soft goods requiring minimal fitting. This provision has no fiscal effect.

Same as passed by the Senate.

**225 Subject: Persons Required to be Licensed**  
**sections: 4779.02, 4779.16**

No provision.

No provision.

Exempts from licensure persons practicing under a physicians direct supervision. Because the Board currently does not register these persons, this provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****226 Subject: Licenses****sections: 4779.19, 4779.20, 4779.26**

No provision.

No provision.

Requires licenses to be issued annually rather than every three years. Allows the Board to waive a renewal fee for the first renewal of certain initial licenses. Because the Board currently does not collect renewal fees, this provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****227 Subject: Pharmacy Board Operating Fund****sections: 4729.65, 4743.05**

Creates the Pharmacy Board Operating Fund (Fund 5N2) and requires that fees collected by the State Board of Pharmacy under the pharmacy licensing law be deposited into the Fund and be used solely for the administration and enforcement of that law. Under current law, these fees and expenditures are being credited and charged, respectively, to the multi-agency Occupational Licensing and Regulatory Fund (Fund 4K9). The executive recommendation in effect removes the Board's revenues and expenditures from Fund 4K9 and places them in a fund under the Board's own control (Fund 5N2). The Board currently generates around \$4.5 million in annual revenue that is deposited to the credit of Fund 4K9 and spends around \$4.0 million annually that is charged against Fund 4K9.

No provision.

Same as the Executive.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

228 Subject: Pharmacy Board Operating Fund

Section: 83

Section: 83

Section: 85

ALI: 887-603

Transfers the Board's portion of the cash balance and encumbrances in the multi-agency Occupational Licensing and Regulatory Fund (Fund 4K9) to the newly-created Pharmacy Board Operating Fund (Fund 5N2) on July 1, 2001, or as soon as possible thereafter. The Board's portion of Fund 4K9's FY 2001 ending cash balance is expected to be approximately \$3.2 million, while its portion of the Fund's FY 2001 ending encumbrances are expected to total under \$10,000.

No provision.

Same as the Executive.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

229 Subject: County Public Defender Reimbursement Fund

section: 2949.091

ALI: 019-616

No provision.

Increases an existing locally collected state court cost on criminal cases from \$11 to \$13 (an increase of \$2), creates the County Public Defender Reimbursement Fund in the state treasury, and requires the \$2 increase be deposited to the credit of that Fund to be used by the Ohio Public Defender to reimburse counties for indigent defense expenditures related to the operation of public defender offices and the use of appointed counsel. LSC fiscal staff estimates that the amount of revenue that would be generated by this \$2 increase will be around \$4.8 million annually.

Under existing law, the Ohio Public Defender is required to reimburse counties at a rate of 50 percent of the cost of providing indigent defense services in criminal matters, subject to available state appropriations. Under the executive-recommended budget for FYs 2002 and 2003, the Ohio Public Defender will be able to reimburse counties at a rate of between 40 percent and 42 percent. The additional annual state revenue that would be generated for the County Public Defender

No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

Reimbursement Fund (Fund 5P9) will increase that county reimbursement rate to between 46 percent and 47 percent.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

**230 Subject: Increasing Service Fees for Vehicle Registrations and Driver Licenses**  
**section: 4503.10**

No provision.

No provision.

Requires that various motor vehicle registration and driver license service fees charged by deputy registrars and the Registrar of Motor Vehicles be increased.

Service fees would be increased from \$2.25 to \$3.00 as of July 1, 2001; increased to \$3.25 as of January 1, 2003; and increased to \$3.50 as of January 1, 2004 and associated with:

- 1) Motor vehicle registrations
- 2) Mail-in motor vehicle registrations
- 3) Transfer of vehicle ownership
- 4) Temporary license placards
- 5) Physical inspection certificates
- 6) Renewal of a driver's license when a vision screening is not required
- 7) Issuance of an identification card

Service fees would be increased from \$3.25 to \$4.00 as of July 1, 2001; increased to \$4.25 as of January 1, 2003; and increased to \$4.50 as of January 1, 2004 associated with renewing a driver's license when a vision screening is required.

Same as passed by the Senate, but generally reduces the first deputy registrar service fee increase by 25 cents to \$2.75, and makes future service fee increases dependent on the deputy registrars' achieving a statewide satisfaction rate of at least 90% on a survey conducted by the Registrar of Motor Vehicles.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

231 Subject: Prescribing Distinguishing Characteristics For A Driver's License

## Section: 195

No provision.

No provision.

Requires the Registrar of Motor Vehicles to consider prescribing a vertical license and conspicuously indicating the date on which the licensee becomes eighteen and twenty-one years of age. If either characteristic is adopted, additional costs may occur associated with the current driver license contract. However, including either option is permissive.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**232 Subject: Personal Information Disclosure**  
**section: 4905.071**

No provision.

No provision.

Provides that personal information obtained by the PUCO, reduced to written or electronic form, and used in implementing lawful, regulatory authority of the PUCO is not a public record under public records or public utility law unless the individual waives nondisclosure under those laws; but permits disclosure without the information becoming a public record if the purpose is to resolve a consumer complaint or a complaint filed with or presented under law to the PUCO or to assist OCC in carrying out its authority (as a residential consumer advocate) under public utility law.

Same as passed by the House.

This provision creates no fiscal impact to state or local government.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**233 Subject: Taxes**  
**section: 4921.18**

No provision.

No provision.

Replaces the seat tax on motor vehicles used for transporting persons from "the number of passengers that can be seated at one time in such a vehicle by four", with a flat tax of \$30. This amendment also repeals a provision that taxed motor vehicles used for transporting both persons and property simultaneously on the basis of either property transportation or passenger capacity, whichever yields greater revenue.

Same as passed by the Senate.

This provision may increase or decrease the amount of tax revenue paid to the Public Utilities Commission.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

234 Subject: Temporary Cash Transfers

## Section: 90

No provision.

No provision.

Transfers \$150,000 from PUCO Fund 4U8, Civil Forfeitures, and \$350,000 from PUCO Fund 4S6, Hazardous Materials Registration, to PUCO Fund 3V3, Commercial Vehicle Information Systems/Networks (CVISN), on July 1, 2001, or as soon as possible thereafter. The transfers are temporary and both funds are to be repaid upon receipt of final reimbursement from the CVISN grant program.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

235 Subject: Ohio Standardbred Development Fund  
 section: 3769.085

No provision.

No provision.

Requires any fees assessed for the Ohio Sires Stakes Races to be paid into the Ohio Standardbred Development Fund and specifies that all investment earnings on the cash balance in the Fund be credited to the Fund. In 1999, the Standardbred Development Fund received approximately \$1.8 million from all revenue sources. In 1999, expenditures totaled more than \$1.9 million. This provision will increase revenue to the Ohio Standardbred Development Fund through fees assessed to the approximate 60 Sires Stakes races run in Ohio annually.

Same as passed by the Senate, but clarifies that fees assessed for or on behalf of the Ohio Sire Stakes Races are not to be considered in calculating the limitation of current law that the total amount paid into the Ohio Standardbred Development Fund in a year cannot exceed more than 6% of the total amount paid into the Fund during the prior year.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

236 Subject: PASSPORT - Horse Racing Wager Tax Provisions  
 section: 3769.087

No provision.

No provision.

Eliminates the following provisions within current law which relate to permit holders:  
 (1) Authorizes each horse racing permit holder to retain an additional amount equal to not less than 2% and no more than 3% of the total of all moneys wagered on wagering pools (that require three or more runner selections to complete the wager), and  
 (2) If the above is retained, requires the additional 2% to be paid to the Tax Commissioner for deposit into the PASSPORT fund.

Same as passed by the Senate, but also clarifies statutory cross references.

These provisions are replaced with a requirement that permit holders retain an additional one-half of one percent of moneys wagered on exotic wagering. Of this amount, one-half is to be paid to the Racing Commission Operating Fund, one-quarter is retained by permit holders, and one-quarter is retained for purse moneys.

The Department of Taxation oversees horse racing wager taxes. According to the Department of Taxation, this provision eliminates permissive language stating that each permit holder may retain an additional

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

amount of 2-3%, from which 2% must be deposited into the PASSPORT Fund. Since no permit holders were using this permissive authority, no moneys were originally deposited into the PASSPORT Fund. Therefore, this provision has no fiscal effect on the PASSPORT Fund. The Racing Commission Operating Fund, however, will receive more revenue due to the requirement that permit holders retain one-half of 1%, and remit half of that to the Operating Fund.

(See Permanent Law Changes in the Department of Aging under the same subject.)

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

237 Subject: Transfers to the Ohio Public Facilities Commission

sections: 3333.13, 151.04

(1) Revises current language to leave only the Board of Regents eligible to obtain appropriations to support lease payments to the Ohio Public Facilities Commission. Under current law, both the Board of Regents and institutions of higher education may obtain such appropriations.

(1) No change.

(1) No change.

Same as passed by the Senate.

(2) No provision.

(2) No change.

(2) Revises current language to leave only the Ohio Public Facilities Commission eligible to receive payments from the Board of Regents. Under current law, both the Ohio Public Facilities Commission and the Treasurer of State may receive such payments, and also corrects a reference to a nonexistent Code section.

(3) Adds language specifying that a Vice-chancellor of the Board of Regents may certify to the Director of Budget and Management the amounts needed to make lease payments to the Public Facilities Commission. Currently, only the chancellor may make such a certification, which is required at the beginning of each fiscal year.

(3) No change.

(3) No change.

This provision has no fiscal effect.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**238 Subject: Investment by State University or College Boards of Trustees**  
**section: 3345.05**

No provision.

No provision.

Provides that title to investments made by a state university or college board of trustees is not vested in the state but is held in trust by the board of trustees, presumably for the university or college.

Same as passed by the Senate, but adds specifications for the required investment plan.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

239 Subject: Enrollment Limitations  
 section: 3345.19

No provision.

No provision.

(1) Revises upward the enrollment limitations imposed upon five university main campuses, as follows:

(a) Bowling Green State University: from 16,000 to 17,000

(b) Kent State University: from 21,000 to 22,000

(c) Miami University: from 16,000 to 17,000

(d) Ohio University: from 21,000 to 22,000

(e) Ohio State University: from 41,000 to 42,000

(2) Eliminates the requirement that a university receive prior approvals from the Board of Regents for contracts for the construction of new residence hall facilities.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

240 Subject: Science and Technology Collaboration

No provision.

No provision.

No provision.

Inserts language calling for the Board of Regents to collaborate with the Department of Development, the Biomedical Research and Technology Transfer Commission, and the Technology Action Board to coordinate several appropriation items "to ensure implementation of a coherent state strategy with respect to science and technology". Specific programs and appropriation items are designated for annual review with respect to their "development of complementary relationships within a combined state science and technology investment portfolio and their contribution to the overall state strategy."

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

241 Subject: Calculation of Core Subsidy Entitlements

Section: 7.01

Section: 92.01

Section: 93.01  
93.01

ALI: 235-501

(1) Describes the doctoral model subsidy calculation. The State Share of Instruction provides for doctoral students will be based on a fixed percentage of the total appropriation.

(1) No change.

(1) No change.

(1) No change.

(2) Specifies the maximum percentage of the State Share of Instruction that may be reserved for the funding of the two doctoral models' subsidies. For FY 2002 the maximum will be 10.34 percent; for FY 2003 it will be 10.25 percent. For FY 2001 the maximum is 10.75 percent. The subsidy is allocated to universities in proportion to their shares of doctoral enrollments in the recent past. States that the intent of the General Assembly is to reduce this doctoral reserve by 0.25 percentage points each year, down to 10.0 percent.

(2) No change.

(2) Same as Executive, but changes the maximum percentage for FY 2003 from 10.25 percent to 10.34 percent, the same as for FY 2002. Further, the intention that the doctoral reserve be reduced by a specified 0.25 percentage points each year is changed to state only that the reserve should be reduced each year.

(2) No change.

(3) Sets the percentages that create the reallocation portion of the doctoral reserve. In FY 2002 the Board of Regents will reallocate 4 percent of the doctoral reserve (5 percent in FY 2003) among the state-assisted universities on the basis of a quality

(3) Same as Executive, but changes the portion of the doctoral reserve that is reallocated based on quality reviews. The portion is reduced from 4 percent to zero percent in FY 2002 and from 5 percent to 2 percent in FY 2003.

(3) Same as House, but changes one year's portion of the doctoral reserve that is reallocated based on quality reviews. For FY 2002 the portion is increased from 0 percent to 2 percent, the same as for FY 2003.

(3) Same as House, but adds language stating that no such reallocation of the doctoral reserve is to be made in any fiscal year in which the total appropriation for 235-501, State Share of Instruction, is less than 103 percent of the prior fiscal year's total

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**

review as specified in the recommendations of the Graduate Funding Commission (which has conducted performance reviews of universities' doctoral programs). These reallocation amounts are to fund special investments in doctoral programs through a competitive process. For FY 2001 this reallocation amount is set at two percent of the doctoral reserve.

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appropriation for this item.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

242 Subject: Jobs Challenge

Section: 7.02

Section: 92.02

Section: 93.02

ALI: 235-415

(1) Specifies that the Jobs Challenge appropriation is to be distributed to two-year campuses and other EnterpriseOhio Network campuses in support of their non-credit job-related training efforts. Specifies that \$2,836,620 in FY 2002 and \$2,893,352 are to be distributed to EnterpriseOhio Network campuses based on documented performance.

(1) No change.

(1) No change.

(1) No change.

(2) Includes an earmark to provide incentive funds of \$2,500,000 in each fiscal year to EnterpriseOhio Network Campus/Adult Workforce Education Center Partnerships to promote and deliver coordinated and comprehensive training to local employers. These Board of Regents funds are to be matched by equal amounts from the Department of Education's appropriation item 200-514, Post-Secondary/Adult Vocational Education. The funds are to be provided to certified partnerships to offer training grants to eligible companies. An eligible company is one that meets the funding criteria of the Targeted Industries Training Grant Program.

(2) Same as Executive, but reduces the earmark amounts to \$1,863,726 in FY 2002 and \$1,712,409 in FY 2003. Also changes the title of the Department of Education's appropriation item 200-514 from "Post-Secondary/Adult Vocational Education" to "Post-Secondary/Adult Career-Technical Education". This provision has no fiscal effect.

(2) No change.

(2) Same as passed by the House, but deletes the language calling for Regents' funds to be matched by equal amounts from the Department of Education. The latter's matching funds have been deleted from the budget, so that this reference no longer applies.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Temporary Law Changes**

(3) Gives a formal title to an earmark that supports training services at the two-year campuses in order to attract, develop, and retain companies strategically important to the state's economy. The new title is the Targeted Industries Training Grant Program. Earmarks \$4,198,694 in each fiscal year for this program.

(3) Same as Executive, but reduces the earmark amounts to \$3,130,087 in FY 2002 and \$2,875,953 in FY 2003.

(3) No change.

(3) No change.

(4) Provides earmarks for a program, the Non-credit Incentives Grant Program, under which approximately one-third of the appropriation in each fiscal year is allocated in proportion to each campus's share of all campuses' non-credit job training revenues. The earmark amounts are \$4,012,812 in FY 2002 and \$5,299,259 in FY 2003.

(4) Same as Executive, but reduces the earmark amounts to \$2,991,513 in FY 2002 and \$3,629,797 in FY 2003.

(4) No change.

(4) No change.

(5) Provides an earmark calling for certain amounts of the appropriation to be distributed to EnterpriseOhio campuses based on each campus's documented performance according to criteria to be established by the Board of Regents. This replaces current language earmarking the funds under a performance contract requiring these campuses to demonstrate their capability to provide accessible and affordable training services to Ohio companies. The purpose of the program is to increase training and related services to businesses and public sector organizations. The earmark amounts are \$2,836,620 in FY 2002 and \$2,893,352 in FY 2003,

(5) Same as Executive, but reduces the performance-related distribution amounts to \$2,114,673 in FY 2002 and \$1,981,841 in FY 2003.

(5) No change.

(5) No change.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## Temporary Law Changes

## 243 Subject: Access Challenge

## Section: 7.02

## Section: 92.02

## Section: 93.02

## ALI: 235-418

(1) Specifies that the appropriation is to be distributed to the access campuses in order to freeze instructional and general fees for resident lower-division undergraduates at their FY 2001 levels.

(1) Same as Executive, but eliminates the requirement of a freeze of instructional and general fees.

(1) No change.

(1) No change.

(2) No provision.

(2) Limits resident lower-division undergraduate instructional and general fee increases to 3 percent per academic year.

(2) No provision.

(2) No change.

(3) Defines the access campuses as the two-year campuses and Cleveland State, Shawnee State and Central State universities, as well as specific technical colleges at Youngstown State University and the universities of Cincinnati and Akron.

(3) No change.

(3) No change.

(3) No change.

(4) Specifies enrollment FTE adjustments for Youngstown State University and Cleveland State University for use in the calculation of the campus allocations of the Access Challenge appropriation.

(4) Changes the enrollment adjustment method for Cleveland State University to make it the same as that for Youngstown State University

(4) No change.

(4) Same as House, but (a) changes Youngstown State University's enrollment FTE adjustment method and (b) changes the method by which the Access appropriations are allocated to the Access campuses; the allocation is to be based on shares of FY 1999 all-terms subsidy-eligible General Studies FTE's.

## As Introduced

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**Temporary Law Changes**

(5) Provides a new method for the allocation of the Access Challenge appropriations to the eligible campuses by a formula that has each campus receiving an amount equal to 4 percent of its subsidy-eligible lower-division FTE enrollments for the prior fiscal year, multiplied by the unweighted average of in-state undergraduate instructional and general fees for two-year campuses in FY 2001. Any remaining appropriation is to be allocated to each campus according to its share of the sum of FTE's used in the distribution of access funds in the prior fiscal year, as updated with the most recent FTE data available.

(5) No change.

(5) No change.

(5) No change.

(6) Provides language specifying that the tuition restraints required by the Access Challenge will apply to lower-division undergraduates at the university regional campuses. However, the bill also includes language that requires the annual tuition increases for upper-division undergraduates at these campuses to be subject to the maximum allowed rates of increase authorized for the main campuses of these universities.

(6) No provision.

(6) No change.

(6) No change.

(7) States that the fee restraint provisions will not apply to campuses that do not receive an increase in Access Challenge allocations from one fiscal year to the next.

(7) No provision.

(7) No change.

(7) No change.

(8) States that the fee restraints or reductions will not apply in the case of a

(8) No provision.

(8) No change.

(8) No change.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes**

particular access campus if such application would impair the campus's compliance with institutional covenants related to the payment of debt charges on its bonds or notes issued prior to the (updated) date of July 1, 2001, or on bonds or notes for which a pledge of fees, or new agreement for the adjustment of fees, was approved prior to that date by the Board of Regents.

(9) For Central State and Shawnee State universities, provides language to the effect that the distribution method must consider the combined effects of Access Challenge appropriations and each institution's own supplemental appropriation when determining each campus's tuition restraint requirements. Further, these tuition restraints must be approved by the Office of Budget and Management.

(9) No provision.

(9) No change.

(9) No change.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 244 Subject: Higher Education - Board of Trustees

Sections: 7.03, 3345.35

Section: 92.03

Section: 93.03

(1) Provides language affecting the activities of the boards of trustees of state-assisted colleges and universities, chiefly with regard to the charging of tuitions and fees. The bill requires campuses to charge instructional and general fees to supplement the state subsidy. Campuses also may establish special fees to special categories of students.

(2) For both fiscal years, the bill imposes limits (caps) on tuition and fee increases at main campuses of universities. The limits are 6 percent in an academic year, and 4 percent in a single vote of a board of trustees. (These limits had also been imposed for the FY 2000-FY 2001 biennium.)

(3) In other provisions, boards of trustees may not waive tuitions or fees without the approval of the Chancellor; the campus must separately identify the tuitions, fees, charges and surcharges to its students; campuses faculty members are expected to devote a "proper and judicious part" of their time to teaching; and boards may consult with student and faculty groups but retain an

(1) No change.

(2) Same as Executive, but limits the effective period to FY 2002 only. The caps will not apply in FY 2003.

(3) No change.

(1) No change.

(2) No provision.

(3) No change.

Same as passed by the Senate.

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

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**Temporary Law Changes**

exclusive prerogative over administrative decisions.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 245 Subject: OSU Limited Tuition Cap Exemption

Section: 7.03

Section: 92.03

Section: 93.03

(1) Allows the Ohio State University board of trustees to authorize an additional tuition increase for FY 2002 and FY 2003 over the amounts charged in prior years. These increases are in addition to the 6 percent per year main-campus in-state undergraduate tuition and fee increase limit. The additional increase may be of "no more than a \$4 per credit hour per quarter increase, or \$144 for a full-time student for an academic year".

(2) The amount of the increase must be used "exclusively to enhance undergraduate education", including "increased financial aid for undergraduate students and improvements in academic programming and support services for undergraduate students pursuant to a plan approved by the board of trustees of the Ohio State University". Further, the Ohio State University "shall ensure that the additional increase above the six per cent main campus in-state undergraduate instructional and general fee do not limit access to academically qualified financial aid-eligible students".

(1) Same as Executive, but eliminates the OSU exemption for FY 2003. Thus, the OSU exemption is available for FY 2002 only.

(2) No change.

(1) No provision.

(2) No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

246 Subject: Mathematics and Science Teaching Improvement

Section: 7.05

Section: 92.05

Section: 93.05

ALI: 235-403

Requires the appropriation to support programs that raise the quality of mathematics and science teaching in primary and secondary education.

No change.

Same as House, but adds two earmarks:  
 (1) Requires \$250,000 in each fiscal year to be distributed to the Mathematics and Science Center in Lake County. The appropriation is increased by the same amount in each fiscal year.

Same as passed by the Senate.

(2) Provides \$100,000 in each fiscal year to the Mathematics and Science Coalition.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

247 Subject: Access Improvement Projects

Section: 7.05

Section: 92.05

Section: 93.05

ALI: 235-477

Requires the appropriation to be used to develop innovative statewide strategies to increase student access and retention for specialized populations and to provide for pilot access projects.

Same as Executive, but adds two earmarks:

Same as House, but changes an earmark:

Same as passed by the Senate.

Provides earmarks:

(1) The Appalachian Center for Higher Education at Shawnee State University: \$740,000 in each fiscal year. In addition, the bill allows the Board of Regents to appoint additional members to the board of directors of the center.

(1) No change.

(1) Same as Executive, except (a) the Kent State University's representative to the center's board of directors will be selected by the KSU president from among the deans of three Kent State University regional campuses, Salem, East Liverpool and Tuscarawas, rather than from between just the Salem and East Liverpool deans, as in the Executive version; and (b) the amount of the earmark is increased to \$765,000 in each fiscal year.

(2) No provision.

(2) The University of Rio Grande Site Improvement Planning project: \$50,000 in fiscal year 2002

(2) No change.

(3) No provision.

(3) The Access Appalachia Project: \$135,000 in fiscal year 2002

(3) No change.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 248 Subject: Ohio Instructional Grants

Sections: 7.07, 3333.12

Section: 92.07

Sections: 93.07, and section 3333.12 of  
the Revised Code

ALI: 235-503

(1) Provides tables of maximum grant amounts to replace, for FY 2002, the tables provided in permanent law for this program of grants to higher education students with families below certain levels of gross income. The six replacement tables in temporary law provide for lower grant amounts for FY 2002 than those provided in the permanent-law versions of the tables. This enables the increase of the grant amounts in two steps from the FY 2001 amounts up to the FY 2003 (i.e., permanent-law) amounts.

(2) Revises upward the maximum gross family incomes under which students are eligible for grants: \$38,000 for a student who is financially dependent and \$35,000 for one who is independent, except that, for state-assisted institutions, the maximum is \$38,000 for both types of students.

(3) Revises upward the tables' maximum grant amounts.

(4) No provision.

(1) Same as Executive, but makes a technical change to one of the six tables; it contained several erroneous grant amounts, which are corrected. This provision has no fiscal effect.

(2) No change.

(3) No change.

(4) No change.

(1) No change.

(2) No change.

(3) No change.

(4) Requires any unencumbered appropriation balances at the end of FY 2002 to be reappropriated to the appropriation item 235-534, Student Workforce Development Grants, for FY 2003.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

249 Subject: Student Workforce Development Grants

Section: 93.08

ALI: 235-534

No provision.

No provision.

Adds a provision calling for this newly inserted appropriation item to be used to support the Student Workforce Development Grants program by distributing grants to each eligible student in an academic year. The amounts of the grants will be determined by the Board of Regents based on the funds available.

Same as passed by the Senate.

(Also adds a provision under 235-503, Ohio Instructional Grants, requiring any unencumbered balance in that appropriation item at the end of FY 2002 to be reappropriated to this appropriation item for FY 2003. See the entry under ALI 235-503.)

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

**250 Subject: Capitol Scholarship Programs****Section: 7.08****Section: 92.08****Section: 93.10****ALI: 235-518**

Requires the appropriation to support 125 scholarships of \$2,000 each in each fiscal year for higher education students to participate in the Washington Center Internship Program.

No provision.

Same as House, but adds language that permits the Chancellor of the Board of Regents to provide up to 125 scholarships of \$2,000 each to Ohio students by utilizing any funds from any appropriation within the budget of the Board of Regents that the Chancellor determines to be available, not to exceed \$250,000 in any fiscal year. The scholarships are to be matched by the Washington Center's scholarship funds.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 251 Subject: School of International Business

Section: 7.10

Section: 92.10

Section: 93.10

ALI: 235-547

Provides several earmarks at the same levels as in FY 2001:

(1) The University of Akron's School of International Business: \$1,243,637 in each fiscal year

(2) The University of Toledo's International Business Institute: \$250,000 in each fiscal year

(3) The Ohio State University's MUCIA program: \$250,000 in each fiscal year

Reduces the amounts of the earmarks to meet the reduced amount of the appropriation, as follows:

(1) Reduces the earmark to \$1,218,764 in each fiscal year

(2) Reduces the earmark to \$245,000 in each fiscal year. Also changes the recipient of one of the earmarks from the University of Toledo International Business Institute to the University of Toledo College of Business. Adds explanatory language to the effect that this earmark is to be used to expand that college's international business programs.

(3) Reduces the earmark to \$245,000 in each fiscal year

These provisions have no fiscal effect.

Same as passed by the Senate.

(1) No change.

(2) No change.

(3) Same as House, but changes the recipient of the earmarked funds from the Ohio State University MUCIA program to the OSU BioMEMS program.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Temporary Law Changes****252 Subject: Hazardous Materials Program****Section: 7.10****Section: 92.10****Section: 93.10****ALI: 235-596**

Requires the appropriation to support a program to certify Ohio firefighters for the handling of hazardous materials.

No change.

Same as Executive, but adds an earmark:  
(1) Provides \$150,000 in each fiscal year to support the Center for the Interdisciplinary Study of Education and Leadership in Public Service at Cleveland State University.

Same as passed by the Senate.

**253 Subject: Ohio Higher Educational Facility Commission Support****Section: 7.10****Section: 92.10****Section: 93.10****ALI: 235-602**

Requires the appropriation for SSRF appropriation item 235-602, Higher Education Facility Commission, to be used for operating expenses related to the Board of Regents' support of the activities of the HEFC. The Director of Budget and Management will transfer up to \$12,000 in each fiscal year from HEFC Fund 461 to Regents' Fund 4E8 for this purpose.

No change.

Same as Executive, but increases the appropriation amounts (and, hence, the transfer amounts) to \$13,080 in FY 2002 and \$13,900 in FY 2003.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

254 Subject: Ohio Plan Study Committee

Section: 7.11

Section: 92.11

Section: 93.11

ALI: 235-426

(1) Establishes the Ohio Plan and requires the appropriation to be used by the Board of Regents to promote economic growth through research, development and commercialization initiatives in the fields of biotechnology, nanotechnology and information technology. Calls for the Board of Regents to collaborate with the Technology Action Board in the administration of the program to ensure the implementation of a coherent state strategy with respect to science and technology investments.

(2) No provision.

(1) No provision. The appropriation item, which provided \$10 million in FY 2002 and \$30 million in FY 2003, is also deleted.

(2) Establishes the Ohio Plan Study Committee, which is to determine appropriate ways to fund the Ohio Plan for Technology and Development. The committee will have eight members, including the Chancellor, the Director of Budget and Management, and three members from each of the House and Senate. Administrative support for the committee is to be provided by the Board of Regents. The committee is to report to the Governor and the General Assembly by December 31, 2001, after which it will cease to exist. This provision has no fiscal effect.

(1) No change.

(2) Same as House, but adds two officials to the membership of the committee: the Governor's Science Advisor and the Director of Development.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

255 Subject: Ohio State University Veterinary Clinic

## Section: 93.12

No provision.

No provision.

Permits the Ohio State University to enter into a contract that combines into a single contract the design and construction elements of a project for the College of Veterinary Medicine Large Animal Clinic in Union County, Ohio. The project, costing approximately \$1.2 million, is to be funded with university funds.

Same as passed by the Senate.

256 Subject: Amendment to the Capital Reappropriations Bill

## Section: 159

No provision.

No provision.

Amends Sub. S.B. 245 to reappropriate \$70,142 in capital funds that had inadvertently lapsed at the end of a prior fiscal year. The funds support the capital appropriation item CAP-022, Clinton County Facility, at Southern State Community College.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

257 Subject: Instructional Subsidy and Challenge Review Committee

## Section: 188

No provision.

No provision.

Creates the Instructional Subsidy and Challenge Review Committee, which will perform a comprehensive review of the allocation formula for the State Share of Instruction appropriation item as well as all of the Challenge appropriation items in the Board of Regents' budget. The committee's report will be due by December 31, 2001. The committee will have eleven members: the Chancellor, two representatives from the two-year colleges, two representatives from the universities, and three members from each of the House and Senate.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**258 Subject: Review and Approval of Jail Building Plans**  
**section: 5120.10**

No provision.

No provision.

Requires: (1) that plans for new jails, workhouses, or lockups, or plans for substantial additions or alterations to existing jails, workhouses, or lockups, be submitted to the Department of Rehabilitation and Correction (DRC) for approval before the plans may be adopted; (2) that the Division of Parole and Community Services, or other division assigned by the Director of DRC, review the plans for DRC approval. This provision was inadvertently deleted in the legislation that created the Department of Job and Family Services by merging the Department of Human Services and the Bureau of Employment Services. Local governments, however, have continued to submit their jail building plans for DRC's review and approval. Thus, this provision both codifies the current practice, which has yet to change, and restores the language so that local governments would be required to continue to submit their plans for DRC's review and approval.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

259 Subject: Institutional Operations

## Section: 93

ALI: 501-321

No provision.

Prohibits the appropriations reduction in the Department's GRF appropriation item 501-321, Institutional Operations, from \$808,242,214 to \$803,742,214 in FY 2002 and from \$850,448,431 to \$845,948,431 in FY 2003 from being used by the Department as a justification to reduce institutional operating expenses by closing any of its existing 34 correctional institutions or by reducing the number of correction officers currently working in those correctional institutions.

No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**260 Subject: Office for People with Brain Injury**

**Section: 91**

**Section: 94**

**Section: 95**

**ALI: 415-431**

Requires \$100,000 of appropriation item 415-431, Office for People with Brain Injury, in each fiscal year be used as the state match for a federal grant awarded through the "Traumatic Brain Injury Act" (P.L. 104-166). The balance of the appropriation is to be used to plan, coordinate, perform needs assessments for, and prioritize head-injury-related services provided by state agencies and other government of private entities.

No change.

Same as House, but increases the appropriation in appropriation item 415-431, Office for People with Brain Injury, by \$50,000 in each fiscal year and requires that the additional funds appropriated be provided to the Brain Injury Trust Fund.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

261 Subject: Assistive Technology

Section: 95

ALI: 415-406

No provision.

No provision.

Requires that the \$50,000 appropriated in each fiscal year in newly created GRF appropriation item 415-406, Assistive Technology, be provided to Assistive Technology of Ohio and be used only to provide grants under that program. Specifies that no amount of the appropriation may be used for administrative costs.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes****262 Subject: License Issuance Requirements****section: 4761.05**

No provision.

No provision.

Clarifies language such that licensee may retain the rights of the limited permit and continue to practice for one year following the date of receipt of a certificate of completion from a board-approved respiratory care education program. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

263 Subject: Classroom Facilities Assistance Program - Contingency Reserve  
sections: 3318.01, 3318.086

No provision.

No provision.

Requires the School Facilities Commission to have a contingency reserve as part of any construction budget under the Classroom Facilities Assistance Program. In addition, unless the Commission adopts a resolution to the contrary, the contingency reserve can be used only to pay costs resulting from unforeseen job conditions, to comply with rulings regarding building and other codes, to pay costs related to design clarifications or corrections to contract documents, and to pay the costs of settlements or judgments related to the project.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

## 264 Subject: School Facilities Assistance - Maintenance Levy Requirements

sections: 3318.04, 3318.05, 3318.052,  
 3318.055, 3318.06, 3318.06,  
 3318.08, 3318.081, 3318.12,  
 3318.13, 3318.14, 3317.17,  
 3318.36, 3318.361, 3318.362,  
 3318.37, 3318.38

No provision.

Repeals the requirement that a district generate any specific moneys for the maintenance of the facilities acquired under the project to acquire classroom facilities. Currently, under most of the programs providing state assistance to school districts to acquire classroom facilities, a school district must provide a calculated local share of the project costs through the issuance of bonds or dedication of other school district resources for that purpose. In addition, a district must either levy an additional 23-year half-mill tax or earmark other existing taxes in an amount equal to that tax to pay for maintenance of the facilities acquired under the district's project. The bill also permits any district for which the voters have already approved the maintenance tax to use the proceeds from such tax for the maintenance of any district classroom. These provisions apply to the Classroom Facilities Assistance Program, the Expedited Local Partnership

Same as the Executive (no provision), except districts are now permitted to apply locally donated contributions toward a total or partial offset of its obligation to raise maintenance moneys.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

Program, the Exceptional Needs Program,  
and the Accelerated Urban Program.

**265 Subject: Dedicating Taxes Toward Local Share of Project Cost**  
**section: 3318.052**

No provision.

No provision.

Ensures the continued levy and collection of a school district income tax or property tax levy that is dedicated to the payment of securities that are issued by the school district to satisfy its local match requirement under the Classroom Facilities Assistance Program.

Same as passed by the Senate.

**266 Subject: Construction Project Bids**  
**section: 3318.10**

No provision.

No provision.

Requires that bidding of any classroom facilities construction project that a school district undertakes with state assistance must be in accordance with the procedures that apply to regular school district bidding for permanent improvements valued over \$25,000.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

267 Subject: Expedited Local Partnership Program  
 section: 3318.363

No provision.

Requires the School Facilities Commission to calculate or recalculate a district's share by determining the percentile rank in which the district would be located if such ranking was made using the adjusted valuation per pupil applicable to the current year for districts that have experienced a 10% or greater decrease in tax valuation due to a decrease in the assessment rate of taxable property of an electric company (as provided in Am. Sub. S.B. 3 of the 123rd General Assembly). Under the School Building Assistance Expedited Local Partnership Program, school districts that are not yet eligible for state assistance are permitted to apply the expenditure of local resources on the acquisition of classroom facilities approved by the Commission toward their portion of their districtwide projects when they eventually become eligible for state assistance. Current law provides that the Commission must determine the cost of the district's total classroom facilities needs and then calculate the school district portion of that cost using a "required level of indebtedness," based on the district's debt, or its "required percentage," based on a

Same as House, except also eliminates the requirement that the district cannot specify an election for voter approval of bonds or taxes needed to raise local resources sooner than 12 months after the date of the district board's resolution to participate in the Expedited Program. In addition, a district may not proceed under the Expedited Program until the Commission has approved the basic project cost of its districtwide needs. If a district has not begun a project under the Expedited Program prior to the time that the district becomes eligible for state assistance, all assessment and agreement documents are void and would have to be re-executed.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

district's percentile rank according to three-year average adjusted valuation per pupil.

**268 Subject: Loan Guarantee Program for Start-Up Community Schools**

**sections: 3318.50, and Section 101.02 of the bill**

No provision.

Creates a loan guarantee program to be administered by the School Facilities Commission (SFC) so that start-up community schools may apply for loan guarantees from SFC for up to 15 years to assist in the acquisition of classroom facilities. SFC is required to adopt, in consultation with the Department of Education Office of School Options, specifications for community school facilities.

SFC is required to set aside no less than \$10,000,000 of its capital appropriations in fiscal year 2002 to be deposited into a special fund that is established for this program.

Requires a stipulation in the agreement between the Commission and any governing authority holding each member of that governing authority at the time that the agreement is executed personally liable for any payments the state may have to make to repay the loan guaranteed under the agreement. The liability extends to any time a default occurs, whether or not the member is still part of the governing authority at that time. Each member must execute a bond or provide other means to indemnify the state for a default payment. The Commission must apply all usual commercial lending standards to determine the members' credit worthiness. The Commission must not exceed an aggregate liability of \$10,000,000.

SFC may set aside no more than \$10,000,000 in FY 2002 for this program.

Same as passed by the House, except retains the Senate provision limiting the aggregate state liability under the program to \$10,000,000. The Commission cannot make a loan guarantee under this program unless it determines that the school is creditworthy. The Commission must also adopt rules for procedures and standards to ensure that the state has a reasonable chance to recover any payments made in default of loans. The guarantees are limited to 85 percent of the loan principal and interest and to only loans obtained from financial institutions regulated by the U.S. or Ohio governments. The Commission must set aside exactly \$10,000,000 from its 2002 capital appropriations for this program.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

269 Subject: School Building Assistance Program

Section: 178

No provision.

No provision.

Authorizes the Ohio Public Facilities Commission to issue \$300,000,000 in debt to support the new appropriation in appropriation item CAP-770, School Building Assistance Program. The School Facilities Commission is permitted to allocate the appropriation at any time after July 1, 2002.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**270 Subject: Education Technology Trust Fund**  
**section: 183.28**

No provision.

No provision.

Provides that tobacco settlement money credited to the Education Technology Trust Fund must be used to help pay costs of the Ohio SchoolNet Commission.

Same as passed by the Senate.

**271 Subject: SchoolNet Commission Chairperson**  
**section: 3301.80**

Requires that the Superintendent of Public Instruction be the chairperson of the SchoolNet Commission. This provision has no fiscal effect.

No change.

Removes the requirement that the Superintendent of Public Instruction be the chairperson of the Commission and instead specifies that the Commission appoint its officers, including the chairperson, from among its members.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 272 Subject: Interactive Video Distance Learning Program

Section: 11

Section: 101

Section: 102.01

ALI: 228-650

(1) Reappropriates unencumbered and unallotted balances as of June 30, 2001 in appropriation item 228-690, SchoolNet Electrical Infrastructure, to fund projects related to interactive video distance learning.

(1) Same as Executive, but the unencumbered and unallotted balances in appropriation item 228-650, Interactive Distance Learning are reappropriated each fiscal year.

(1) No change.

Same as passed by the Senate.

(2) Requires funds be spent in accordance with the statewide educational technology strategic plan. The commission shall give preference to lower wealth districts that do not have existing video teleconferencing technology.

(2) No change.

(2) No change.

(3) No provision.

(3) Requires the Director of Budget and Management to transfer \$4,086,000 from the General Revenue Fund to Fund 5G0, Interactive Distance Learning.

(3) No provision.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**273 Subject: SchoolNet Plus Program**

**Section: 11**

**Section: 101**

**Section: 102.01**

**ALI: 228-698**

(1) Appropriates all unencumbered and unallotted balances in appropriation item 228-698, SchoolNet Plus, as of June 30, 2001 to the same purpose in FY 2002. These balances are estimated to be about \$3,000,000.

(1) No change.

Same as executive.

Same as passed by the Senate.

(2) No provision.

(2) Requires the Director of Budget and Management to transfer from the Human Resources Services Fund (Fund 125) in the Department of Administrative Services to Fund 4Y4, SchoolNet Plus, \$2,707,605 in FY 2002 and \$2,826,540 in FY 2003.

(3) No provision.

(3) Earmarks \$1,841,655 in FY 2002 and \$1,917,293 in FY 2003 to fund the ONEnet Ohio Project to link public K-12 classrooms with each other and the Internet.

(4) No provision.

(4) Earmarks \$865,950 in FY 2002 and \$909,247 in FY 2003 to be provided to the INFOhio Network of library resources to provide electronic resources to all public schools.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 274 Subject: Technical and Instructional Professional Development

Section: 11

Section: 101

Section: 102.02

ALI: 228-406

Requires that GRF appropriation item 228-406, Technical and Instructional Professional Development, be spent on grants to schools for the provision of hardware, software, telecommunications services, and staff development to support educational uses of technology in the classroom. Consideration shall be made for the professional development needs associated with the OhioReads Program.

No change.

Same as House, but permits the Commission to provide services directly as well as making grants.

Same as passed by the Senate.

Earmarks up to \$1,400,000 in each year for grants made by the Ohio Telecommunications Network Commission with the advice of the Ohio SchoolNet Commission for research development and production of interactive instructional programming series and teleconferences to support SchoolNet. Up to \$55,000 of this amount shall be used each year for administering these activities. The programming shall be targeted to the poorest 200 school districts.

Earmarks \$2,900,000 in each year to be distributed specifically to low wealth districts or the State School for the Blind or the Ohio

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Temporary Law Changes**

School for the Deaf.

Requires the remaining appropriation be used for grants supporting the professional development of teachers and administrators for the use of educational technology. Grants shall be made on a contractual basis to regional training centers, county offices of education, data collection sites, instructional technology centers, institutions of higher education, public television stations, special education resource centers, area media centers or other nonprofit educational organizations.

Permits the use of subcontractors by grant recipients.

Requires that grants be consistent with SchoolNet's efforts to support technology in schools and with a school district's technology plan.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

275 Subject: Education Technology

Section: 11

Section: 101

Section: 102.02

ALI: 228-539

Earmarks up to \$5,200,000 in each year to contract with instructional television.

No change.

Same as House, but changes the earmark for contracting with educational media centers to provide Ohio schools with instructional resources and services to \$961,096 in FY 2002 and \$710,596 in FY 2003.

Same as passed by the Senate.

Earmarks up to \$850,000 in FY 2002 and \$840,000 in FY 2003 to contract with educational media centers to provide Ohio schools with instructional resources and services.

Requires that these resources and services be made available for purchase by chartered nonpublic schools.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

276 Subject: Tobacco Settlement Education Technologies Trust Fund

Section: 102.03

No provision.

No provision.

Dedicates all funds from the Tobacco Settlement Education Technologies Trust Fund to the Ohio SchoolNet Commission.

Same as passed by the Senate.

Appropriates these funds for grants to school districts and other entities and the costs of administering these grants.

Earmarks \$1,841,655 in FY 2002 and \$1,917,293 in FY 2003 for Ohio ONEnet project.

Earmarks \$4,086,000 in FY 2002 for Interactive Video Distance Learning.

Earmarks \$865,950 in FY 2002 and \$909,247 in FY 2003 for INFOhio Network.

Earmarks \$313,500 in FY 2002 and \$298,759 in FY 2003 for JASON Project.

Earmarks \$1,000,000 in each year for RISE Learning Solutions.

Earmarks \$200,000 in each year for Stark County School Teacher Technical Training Center.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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Temporary Law Changes

Requires that SchoolNet submit a budget for these appropriations to the Controlling Board and receive their approval.

Requires that spending on every project be reduced proportionately should there be insufficient funds.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**277 Subject: Secretary of State's New Authority to Issue Notary Public Commissions**

sections: *107.10, 147.01, 147.02, 147.03,  
147.05, 147.06, 147.13, 147.14,  
147.37, 147.371, 2303.20*

No provision.

No provision.

Transfers the authority to issue notary public commissions from the office of the Governor, and transfers the authority to record and index these commissions from clerks of the courts of common pleas, to the office of the Secretary of State; and increases from \$5 to \$10 the fee charged for recording and indexing a notary public commission.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**278 Subject: Alternative Fee Payment Program**

**sections: 111.16, 111.18**

No provision.

No provision.

Eliminates authority in existing law for the Secretary of State to implement a program allowing the payment of fees with a credit card; and requires that an alternative fee payment program the Secretary creates be operated through the Secretary of State Alternative Payment Program Fund (which the amendment creates in the custody of the Treasurer of State), rather than through an account with a private financial institution. This provision has no net fiscal effect.

Same as passed by the Senate.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**279 Subject: Deposit of Fees into Corporate and Uniform Commercial Code Filing Fund**  
**section: 111.18**

Allocates 100% of fees collected, including those paid by credit card, by the Secretary of State to the Corporate and Uniform Commercial Code Filing Fund (CUCCF) rather than the current 50/50 split between the GRF and the CUCCF.

No change.

Same as Executive.

Same as passed by the Senate.

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This provision enables the Secretary of State to operate their Business Services Division as a self-funded entity.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

**280 Subject: Relocation of Secretary of State Fee Provisions**  
**section: 1309.525**

No provision.

No provision.

Relocates the Secretary of State fee provisions relating to filing and indexing specified records, contingent upon the enactment of S.B. 74 of the 124th General Assembly and the repeal of section 1309.40 of the Revised Code by that act.

Same as passed by the Senate.

Applicable fees under the provision:  
 \$20 for requests in writing; \$20 for requests by any other medium authorized by the filing office rule; \$5 for requests limited to whether a particular file statement exists; no fee for remote access searching of the filing office data base; no fee with respect to a record of a mortgage that is effective as a financing statement filed as a fixture filing or as a financing statement covering as-extracted collateral or timber to be cut; applicable fees under division (C) of section 1309.502 apply for recording and satisfaction of the mortgage.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

281 Subject: Corporate and Uniform Commercial Code Filing Fund Transfer to GRF

Section: 125

Section: 126

No provision.

Modifies the amount of filing fees deposited into the Corporate and Uniform Commercial Code Filing Fund such that \$1,000,000 of these fees is annually deposited into the GRF.

(See Permanent Law Changes under subject "Secretary of State's Business Technology Fund.")

Changes the date of a transfer from the Corporate and Uniform Commercial Code Filing Fund to the GRF from August to June in each year of the biennium and corrects references to the name of the fund to include the word "corporate."

(See Permanent Law Changes under subject "Secretary of State's Business Technology Fund.")

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

282 Subject: Transfer from the Treasurer of State

sections: 3734.904, 4301.422, 4303.33,  
 4303.31, 5727.25, 5727.26,  
 5727.82, 5728.08, 5733.02, 5733  
 21, 5733.12, 5733.18, 5735.06, 5  
 5.061, 5739.032, 5739.07, 5739.  
 2, 5739.12, 5739.121, 5739.13, 5  
 9.18, 5741.101, 5741.12, 5741.1  
 5743.62, 5743.63, 5745.03, 5745  
 4, 5749.06 and Section 210

No provision.

No provision.

Transfers from the Treasurer of State to the  
 Tax Commissioner the receipt and  
 processing of sales, corporate franchise,  
 and some excise tax returns and payments.

Same as passed by the Senate.

Establishes future effective dates for the  
 transfer from the Treasurer of State to the  
 Tax Commissioner of the receipts and  
 processing of sales, corporate franchise and  
 various excise tax returns and payments.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**283 Subject: County Motor Vehicle License Tax**  
**section: 4504.05**

No provision.

Allows a board of county commissioners, upon request from a board of township trustees or on its own motion, to increase the allocation of the second additional county motor vehicle license tax levied under to a percentage greater than 30%, which is required by current law. This provision has the potential to shift revenue from counties to townships.

No provision.

Same as passed by the House, but also allows a board of county commissioners, on an annual basis, to increase or decrease the percentage of such moneys allocated to a township, but only if the board of county commissioners first obtains a resolution from the board of township trustees consenting to the percentage of the increase or decrease.

**284 Subject: Tax Auditor Position**  
**section: 5703.17**

No provision.

No provision.

Creates the positions of tax auditor agent and tax auditor agent manager, and establishes education or experience qualifications for the positions.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**285 Subject: Municipal Internet Site Fund**  
**section: 5703.49**

No provision.

No provision.

Creates in the state treasury the Municipal Internet Site Fund, to consist of fees charged to municipal corporations by the Tax Commissioner to defray costs of the new central web site for municipal income tax forms and information.

Same as passed by the Senate.

**286 Subject: County Special Tax Levy**  
**section: 5705.19**

No provision.

No provision.

Authorizes a county special tax levy for the combined purposes of a 9-1-1 system and a countywide public safety communications system.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**287 Subject: Tangible Personal Property Tax Installments**  
**section: 5711.33**

No provision.

No provision.

Permits county treasurers to allow businesses to pay tangible personal property taxes in installments instead of a lump sum when the business' tax due is found, upon assessment, to be greater than its initial tax payment.

Same as passed by the Senate.

**288 Subject: Sale of Property Tax Certificates**  
**section: 5721.30**

No provision.

Reduces from 1.4 million to 1.3 million the population threshold for determining whether a county treasurer may sell tax certificates through negotiations rather than by public auction.

Permits the county treasurer of any county having a population of at least 200,000 persons (rather than 1.4 million as specified in current law) to sell tax certificates for delinquent property taxes through negotiations with one or more persons instead of by public auction.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**289 Subject: Job Training Expenses Tax Credit**

sections: *5729.07, 5725.31, 5733.42,*  
*5747.39*

No provision.

Delays for 2 years the corporate increased job training expenses tax credit. This provision will increase revenues by \$20 million in FY 2002 and by \$20 million in FY 2003.

Retains the House's delay, but changes how the credit, once it is claimed, is to be computed in the future years. The credit may be claimed in 2004, 2005, and 2006 in the manner provided in current law, except that in 2004 it must be claimed on the basis of job training costs in 1999, 2000, and 2001 rather than 2001, 2002, and 2003 (or in the case of insurance companies and dealers in intangibles, in 1998, 1999, and 2000 rather than in 2000, 2001, and 2002).

Same as passed by the Senate.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**290 Subject: Estate Tax - Minimum Taxable Estate**  
**section: 5731.21**

No provision.

No provision.

Corrects a reference in estate tax law to the minimum taxable estate in 2002 and thereafter. Changes the minimum value from \$338,000 to \$338,333.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**291 Subject: Research and Development Credit Effective Date**  
**section: 5733.351**

No provision.

Delays commencement of the corporation franchise tax credit for qualified research expenses until tax year 2004.

Permits corporations with taxable years that end prior to July 1, 2002, to claim the qualified research tax credit for tax year 2002, but delays the credit until tax year 2004 for all other corporations that have taxable years ending after that time.

Same as passed by the Senate.

(See Temporary Law section, "Corporate Research and Development Tax Credit")

According to the Department of Taxation, this provision will increase revenues by \$17 million in FY 2002 and \$25.5 million in FY 2003.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****292 Subject: Late-Payment Lodging Tax Penalty and Hotels with Less Than Five Rooms**

sections: 5739.024, 5739.01, 5739.02

No provision.

Permits counties, municipal corporations, and townships to adopt regulations imposing a penalty and interest for late payment of lodging taxes, and grants them the option of applying the lodging tax to hotels having fewer than five rooms. This provision has the potential to create additional revenue for local governments.

Same as the House, except that it clarifies that the optional application of the definition of hotel to include establishments with fewer than five rooms is to be only used for lodging, not sales, tax purposes.

Same as passed by the Senate.

**293 Subject: Conservancy District Special Assessments**

section: 6101.25

No provision.

Allows the board of directors of a conservancy district to levy special assessments on all taxable property in the district, in addition to public corporations having lands within the district as in current law, to pay for recreational facilities on public land in the district. This could result in a shift in the burden of taxation.

No change.

No provision.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

294 Subject: Tax Amnesty

## Section: 176

## Section: 197

No provision.

Grants an "amnesty" period during FY 2002, during which taxpayers with liabilities that are not known to the state can report the liability and pay outstanding tax without penalty. The Department of Taxation estimates that the amnesty will yield \$17 million in revenue in FY 2002 and \$5 million in FY 2003.

Same as House, but: specifically lists withholding taxes in connection with the amnesty; adds to the amnesty delinquent pass-through entity taxes, business tangible personal property taxes, and county and transit authority sales and use taxes; deletes from the amnesty delinquent municipal lodging taxes; specifies that the amnesty does not apply to unpaid taxes if a notice of assessment has been issued, a bill has been served, or an audit has been conducted with respect to those taxes on or before May 1, 2001; and ensures that any delinquent taxes collected through the amnesty that arise from county or transit authority sales/use taxes are paid to the county or transit authority.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

295 Subject: Political Contributions Tax Credit

## Section: 198

No provision.

No provision.

Prohibits anyone from claiming the political contribution tax credit for taxable year 2001 or 2002. This is expected to increase revenue to the GRF by \$4.8 million over the biennium.

Same as passed by the House.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

296 Subject: Motor Fuel Tax Task Force

## Section: 177

No provision.

Establishes the Motor Fuel Tax Task Force to study the adequacy and distribution of the motor fuel tax. The task force shall issue a report to the Governor and the General Assembly on December 2, 2002 and shall then cease to exist. The Legislative Service Commission is to provide staff services for the Task Force.

The fiscal effect will depend on the extent of services required from Legislative Service Commission staff. The bill does not make an appropriation to fund the task force.

Same as the Executive.

Same as passed by the House, but removes the requirement that the Task Force study the method of funding the Highway Patrol.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

297 Subject: Airport Improvements - State

Section: 109

ALI: 777-471

No provision.

No provision.

Earmarks \$500,000 for fiscal year 2002 from appropriation item 777-471, Airport Improvements - State, for the Lorain County Airport.

Same as passed by the Senate.

298 Subject: Capital Reappropriations Item

Section: 175

No provision.

No provision.

Deletes a \$100,000 GRF capital reappropriation item in the Department of Transportation's capital budget, CAP-007, Muskingum County Intermodal Facility, that was contained in Sub S.B. 245 of the 123rd General Assembly. The capital appropriation is being eliminated because the project will not proceed.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

299 Subject: Depressed Area Linked Deposit Program

sections: 135.80, 135.81, 135.82, 135.83,  
135.84, 135.85, 135.86, 135.87

No provision.

No provision.

Expands the Depressed Economic Area Linked Deposit Program to authorize the State Treasurer, a board of county commissioners, or a legislative authority of a municipal corporation to place linked deposits with eligible lending institutions that enter into specified agreements with "eligible governments" that are providing loan or loan guarantees to "eligible steel companies".

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

300 Subject: Transfers from Treasurer of State to Department of Taxation

sections: 3734.904,  
 4301.422,4303.33,4303.31,572  
 25,5727.26,5727.82,5728.08,5  
 3.02,5733.021,5733.12,5733.1  
 5735.06,5735.061,5739.032,57  
 9.07,5739.102,5739.12,5739.1  
 ,5739.13,5739.18,5741.101,57  
 .12,5741.18,  
 5743.62,5743.63,5745.03,5745  
 4,5749.06 and Section 210

No provision.

No provision.

Transfers from the Treasurer of State to the Tax Commissioner the receipt and processing of sales, corporate franchise and some excise tax returns and payments. Establishes future effective dates for the transfers.

Same as passed by the Senate.

Establishes future effective dates for the transfer from the Treasurer of State to the Tax Commissioner of the receipts and processing of sales, corporate franchise and various excise tax returns and payments.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

**301 Subject: Office of the Sinking Fund**

**Section: 103.01**

**Section: 109.01**

**Section: 110.01**

**ALI: 090-401**

Requires that these funds be used for all costs incurred by the Commissioners of the Sinking Fund, the Ohio Public Facilities Commission, or the Treasurer of State for the issuance, sale, and payment of the State of Ohio general obligation bonds or notes. The General Revenue Fund shall be reimbursed for such costs by intrastate transfer voucher pursuant to a certification by the Office of the Sinking Fund of the actual amounts used.

No change.

Same as Executive, but clarifies the use of appropriations in GRF 090-401, Office of Sinking Fund, to cover costs related to the administration and issuance of State general obligation debt

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****302 Subject: Definition of "Comprehensive" Plan**

**sections: 181.51, 5139.01, and Sections 6, 7, and 8 of the bill**

Defines "comprehensive plan" for the purposes of Chapter 5139. of the Revised Code as a document that: (1) assists with all of the functions of the criminal justice and juvenile justice systems of the state or a specified area of the state; (2) conforms with state priorities and federal requirements. This provision retains the existing definition of "comprehensive plan" in section 181.51 of the Revised Code and is largely a technical change reflecting the fact that the bill transfers juvenile justice duties from the Office of Criminal Justice Services to the Department of Youth Services.

No change.

Same as the Executive, but clarifies that, in the context of the Department of Youth Services' duties, "comprehensive plan" includes juvenile justice system functions and not criminal justice system functions.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****303 Subject: Administrative Planning Districts**

**sections: 181.51, 181.56, 5139.01, and  
Sections 6, 7, and 8 of the bill**

Requires the Department of Youth Services to establish administrative planning districts (APDs) for juvenile justice programs in counties in which a metropolitan county criminal justice services agency does not exist. This change reflects the executive recommendation that the Department of Youth Services take control of the duties of the Office of Criminal Justice Services relative to the state's role in the juvenile justice system. The Department could opt to use the APDs already in place through the efforts of the Office of Criminal Justice Services or create their own APDs.

No change.

Same as the Executive, but: (1) clarifies the Department of Youth Services' role relative to APDs is only a juvenile justice related duty; (2) adds more precision to the definition of APD as it will appear in section 5139.01 of the Revised Code.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****304 Subject: Transfer of the Administration of Federal Juvenile Justice Grants**

**sections: 181.52, 5139.11, and Sections 6, 7, and 8 of the bill**

Transfers various juvenile justice duties of the Office of Criminal Justice Services to the Department of Youth Services, including responsibility for administration of federal juvenile justice grants, juvenile justice system planning, data collection and analysis, auditing recipients of grant funding, and oversight of metropolitan county criminal justice services agencies, administrative planning districts, and juvenile justice coordinating councils. The transfer of these duties will also move \$10-plus million in annual federal grant funding and six full-time staff positions from the Office of Criminal Justice Services to the Department of Youth Services.

No change.

Same as the Executive, but: (1) clarifies the Department of Youth Services' new administrative duties that the Governor can require it to undertake include juvenile justice "programs" not just juvenile justice "acts"; (2) permits the Governor to appoint any necessary or required advisory committees to assist the Department.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

**305 Subject: Metropolitan County Criminal Justice Services Agencies**

**sections: 181.54, 181.55, 5139.01 and Sections 6, 7, and 8 of the bill**

Expands an existing requirement that a metropolitan county criminal justice services agency administer within its services area any federal criminal justice acts or juvenile justice acts that the Office of Criminal Justice administers to include any federal criminal justice acts or juvenile justice acts that the Department of Youth Services administers. The intent of this provision is simply to ensure that existing administrative arrangements between the state and a metropolitan county criminal justice services agency with regard to federal juvenile justice program funding continue after various juvenile justice duties are transferred from the Office to the Department of Youth Services.

No change.

Same as the Executive, but: (1) clarifies that the duties transferred from the Office of Criminal Justice Services to the Department of Youth Services are only juvenile justice related duties; (2) authorizes the Department, when funds are available for specified juvenile justice purposes, to provide funds to metropolitan county criminal justice services agencies for the purpose of developing, coordinating, evaluating, and implementing comprehensive plans within their respective counties and permits the Department to provide funds to an agency only if it complies with certain conditions.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**306 Subject: County Detention Center Subsidies**

**sections: 2151.34, 2151.341, 2152.43,  
5139.281, 5139.31 and Sections  
3, 4, and 5 of the bill**

Eliminates: (1) the authority of the Department of Youth Services to provide financial assistance for the cost of operating and maintaining county detention centers; (2) the requirement that the Department prescribe minimum standards of operation for a county detention center as a condition of eligibility for that assistance; (3) the requirement that the Department adopt necessary rules for the care, treatment, and training of adjudicated delinquents committed to a county detention center; (4) the requirement that the Department provide regular in-service training programs to staff of county detention centers. These provisions are not consistent with the executive's intention, which was to eliminate the Department's authority to provide financial assistance to county rehabilitation and treatment centers not county detention centers. Thus, the bill contains \$6-plus million in each fiscal year to provide state financial assistance to 38 existing county detention centers (GRF appropriation item 470-502, Detention Subsidies) and a related

No change.

No provision.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

temporary law provision, but eliminates the Department's authority to provide that financial assistance. Although the bill does not, as the executive intended, delete the Department's authority to provide state financial assistance to county rehabilitation and treatment centers, it does delete the roughly \$2.0 million in GRF money that has been appropriated for that purpose in the past (GRF appropriation item 470-501, Rehabilitation Subsidy). This will affect 19 county rehabilitation and treatment centers.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

**307 Subject: County Rehabilitation and Treatment Center Subsidies**

sections: *2151.652, 5139.28, 5139.29, 5139.31 and Sections 3, 4, and 5 of the bill*

**ALI: 470-501**

No provision.

No provision.

Repeals the Department of Youth Services' authority to provide financial assistance for the cost of operating and maintaining county schools, forestry camps, or other facilities for delinquent, dependent, abused, unruly, or neglected children or juvenile traffic offenders. This provision is consistent with the executive's intention to eliminate an existing annual state GRF subsidy of roughly \$2 million distributed to 19 county rehabilitation and treatment centers (appropriation item 470-501, Rehabilitation Subsidy).

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

**308 Subject: Federal Juvenile Justice Programs Funds**

**section: 5139.87**

**ALIs: 470-608, 470-611**

No provision.

No provision.

Creates the Federal Juvenile Justice Programs Funds to serve as the depository for federal juvenile program funds, requires a separate fund be established each fiscal year, and requires that all investment earnings on the cash balance in a federal juvenile program fund be credited to that fund for the appropriate federal fiscal year. This provision reflects a change needed as a result of the bill transferring federal juvenile justice duties and funding from the Office of Criminal Justice Services to the Department of Youth Services.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

309 Subject: Youth Services Block Grant

Section: 116

ALI: 470-510

No provision.

No provision.

Earmarks \$50,000 in FY 2002 to be distributed directly to Lighthouse Youth Services from GRF appropriation item 470-510, Youth Services.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

310 Subject: Federal Juvenile Justice Program Transfer from the OCJS to the DYS

Section: 109

Section: 115

Section: 116

ALIs: 470-607, 470-604

Transfers responsibility for federal juvenile justice and delinquency prevention programs from the Office of Criminal Justice Services to the Department of Youth Services, effective July 1, 2001. The transfer of these programs will move \$10-plus million in annual federal grant funding and six full-time staff positions from the Office of Criminal Justice Services to the Department of Youth Services. This provision makes clear that the state's federal juvenile justice efforts are to continue uninterrupted by the transfer of this function and that the Department of Youth Services assumes all of the Office of Criminal Justice Services' obligations, business, rules, orders, determinations, pending actions or proceedings, and the like with respect to this function. The employees transferred to the Department of Youth Services retain their positions and all benefits.

No change.

Same as the Executive, except it specifies that the Office of Criminal Justice Services: (1) maintains all responsibility for closing out all grants it receives prior to July 1, 2001; (2) may extend those grants; (3) must make any required reports related to those grants. Also changes the title of the uncodified law from "Federal Program Transfer of Juvenile Justice from the Office of Criminal Justice Services" to "Federal Juvenile Justice Program Transfer from the Office of Criminal Justice Services."

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

311 Subject: Muskingum County Juvenile Justice Center

Sections: 159, 160

No provision.

No provision.

Adds uncodified law clarifying the intent of the \$600,000 in the Department of Youth Services' GRF capital reappropriation item CAP-830, Muskingum County Juvenile Justice Center, contained in Sub. S.B. 245 (the FY 2001 and FY 2002 capital reappropriations act of the 123rd General Assembly) is for the Muskingum County Juvenile Justice Center.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes****312 Subject: Disposal of Excess Supplies**

No provision.

No provision.

No provision.

Provides that either house of the General Assembly or any legislative agency may dispose of any excess or surplus supplies that it possesses by sale, lease, donation, or other transfer, including, but not limited to, sale by public auction over the Internet. Any proceeds from these sales, leases, or other transfers must be deposited in a House of Representatives, Senate, or legislative agency special revenue fund, as appropriate. The provision further provides that this disposition authority does not prohibit either house or a legislative agency from having the Director of Administrative Services dispose of its excess or surplus supplies under current law.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**313 Subject: House Sergeant at Arms**  
**sections: 145.01, 145.33,**

No provision.

No provision.

No provision.

Places the house sergeant at arms and the assistant house sergeant at arms in the law enforcement division of the Public Employees Retirement System.

**314 Subject: Sergeant of Arms Serving as Peace Officers**  
**section: 101.311**

No provision.

No provision.

No provision.

Modifies the existing law governing the appointment, powers and duties of the sergeant at arms and assistant sergeant at arms of the House of Representatives to allow the sergeant at arms and assistants, if they have been awarded by the Ohio Peace Officer Training Commission a certificate of completion of a peace officer basic training program, to retain their status of a peace officer for peace officer certification purposes.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****315 Subject: Legislative Committee Schedules****section: 101.15**

No provision.

No provision.

Removes the requirement that legislative committees establish by rule a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings. The provision retains the requirement that each committee establish a reasonable method for persons to be able to make these determinations. This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**316 Subject: Unpaid Salary Due Upon the Death of a Legislator**  
**section: 101.27**

No provision.

No provision.

Removes the word "dependent" from the provision of current law that deals with the unpaid salary due a member of the General Assembly upon the death of that member. This change eliminates ambiguity whether "dependent" was a noun describing a person who was financially dependent upon the deceased member or an adjective modifying a deceased member's "surviving spouse, etc." The change also specifies that the deceased member's unpaid salary will be paid in monthly installments to a surviving spouse, children, mother, or father, in that order. This change has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**317 Subject: Member Travel Expenses Reimbursement**  
**section: 101.27**

No provision.

No provision.

Changes the payment requirement for the travel expenses of members of the General Assembly from an allowance to a reimbursement and specifies that the reimbursement is to be paid for mileage not more than once a week for travel incurred by a member from and to the member's place of residence. This provision has no net fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**318 Subject: Legal Actions Related to Legislators and Legislative Staff**

**sections: 101.30, 101.302, 101.303**

No provision.

No provision.

Provides that members of the General Assembly, General Assembly staff, and legislative staff are not liable in a civil action for any legislative act or duty. The provision also prevents legislative staff from being compelled to testify and from being compelled to produce tangible evidence concerning communications with or advice or assistance given to General Assembly members or staff. Additionally, the provision insulates legislative documents that are not public records from subpoena.

Same as passed by the Senate.

This provision should lead to a potential decrease in expenditures if legislative agencies are not required to photocopy subpoenaed documents and from diverting employees currently compelled to testify from using work time to prepare for their testimony.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**319 Subject: Limited Exemption from Financial Disclosure Statement Reporting**

sections: *101.73,*  
*102.02, 102.03, 102.031, 121.63*

No provision.

No provision.

Provides that, for persons required to file financial disclosure statements under section 102.02 of the Revised Code, expenses for travel, travel lodging, meals, and other food and beverages in connection with meetings or conventions of a national or state organization do not have to be reported as long as any state agency or state institution of higher education pays membership dues to that organization and the expenses are incurred in connection with the person's official duties.

Same as passed by the Senate.

The provision also provides that legislative agents and executive agency lobbyists are not required to report certain expenditures made as payment for meals and other food and beverages for members of the General Assembly or for elected executive officials, state department directors, executive agency officials, or their staff members under the same conditions described above.

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As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Permanent Law Changes

**320 Subject: Joint Legislative Committee on Federal Funds**  
**sections: 103.31, 103.32**

No provision.

No provision.

Abolishes the Joint Legislative Committee on Federal Funds. This provision should have a minimal decrease in expenditures due to the elimination of the requirement that agencies present federal fund application information to the committee.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes****321 Subject: State Internet Media Space Leases****section: 107.24**

No provision.

No provision.

No provision.

Requires the state, through its authorized officials, to contract with an advertising service provider for the purpose of the provider's leasing to persons media space on state agency Internet sites. The contract must require the advertising service provider to comply with all standards pertaining to leases of media space on state agency Internet sites, that are adopted by the Governor's Council for Electronic Commerce; the contract must limit leases of media space to advertisements of commercial transactions that are not violative of the US Constitution, federal statutes or Ohio statutes. The Council's standards must include, but are not limited to, user privacy standards.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**322 Subject: Public Employees Retirement System**  
**section: 124.82**

No provision.

No provision.

Allows members of state boards and commissions who are members of the Public Employees Retirement System to be covered by state health policies, contracts, or plans if they pay both the employer and employee amounts of the premiums, costs, or charges for that coverage. This provision has no net fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Permanent Law Changes

**323 Subject: Administrative Expense Limitations on Tobacco Settlement Funds**  
**section: 183.30**

No provision.

No provision.

Suspends for fiscal years 2001 and 2002 the requirement that no more than five percent of the total annual expenditures of the Tobacco Use Prevention and Control Foundation, Southern Ohio Agricultural and Community Development Foundation, and Biomedical Research and Technology Transfer Commission be for administrative expenses. These three entities are just being organized during the spring of 2001 and the majority of expenditures during the next couple of years will be tied to administrative activities. This provision will provide these three entities with the flexibility to use the tobacco settlement funds in an efficient manner during the start-up phase for the entities.

Same as passed by the Senate, but permits the 5% ceiling to be lifted only if a spending plan is submitted to the Controlling Board and the Controlling Board approves the plan.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**324 Subject: Board of County Commissioners Selection of CJ, Family, and Workforce Program**  
**section: 307.86**

No provision.

No provision.

Waives the competitive bidding process for a board of county commissioners that selects and purchases a criminal justice, social, or family service program, or a workforce development activity from a nonprofit corporation or association through a program funded by state grants or by the federal government.  
 The fiscal effects would depend on how each board of county commissioners carries out the provision.

Same as passed by the Senate.

**325 Subject: Bidding Procedures and Purchasing Policies - County Hospitals**  
**section: 339.05**

No provision.

No provision.

Permits boards of county hospital trustees to annually establish different bidding procedures and purchasing policies for services provided through a joint purchasing arrangement sponsored by a non-profit organization.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**Permanent Law Changes**

**326 Subject: Municipal Authority Over Public Safety Expenditures**  
**section: 737.03**

No provision.

No provision.

Increases from \$10,000 to \$15,000 the dollar limit above which a director of public safety cannot make an expenditure unless first authorized and directed by municipal ordinance, thus aligning this provision with the competitive bidding threshold for statutory municipalities.  
 This provision has no fiscal effect.

Same as passed by the Senate.

**327 Subject: State Teachers Retirement System**  
**section: 3307.05**

No provision.

No provision.

Requires retired teacher member of the State Teachers Retirement System Board to not be employed in a position requiring the retired teacher to make contributions to the system.

Same as passed by the Senate.

This provision has no fiscal effect.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

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**Permanent Law Changes**

**328 Subject: County Special Tax Levy**  
**section: 5705.19**

No provision.

No provision.

Authorizes a county special tax levy for the combined purposes of a 9-1-1 system and a countywide public safety communications system.  
 This provision has no fiscal effect.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Temporary Law Changes

329 Subject: Appropriation Reductions

No provision.

No provision.

No provision.

Reduces GRF appropriations by 1.5% in FY 2002 and 2003. Authorizes agencies to reallocate their budgets to reflect the reduction after receiving approval from the Office of Budget and Management and the Controlling Board. Exempts from the cuts education agencies, the Department of Mental Health, and several other agencies or items of expenditures.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 330 Subject: Bond Service Trust Funds

## Section: 128

## Section: 129

No provision.

Requires the Office of Budget and Management to initiate and process disbursements from lease rental payment appropriation items during the period from July 1, 2001 to June 30, 2003. Disbursements shall be made upon certification by the Treasurer of State of the dates and amounts due on those dates to the various bond service fund trust funds created under sections 154.20, 154.21, 154.22, and 3318.26 of the Revised Code.

Eliminates references to specific bond service trust funds as recipients of disbursements of proceeds from certain obligations issued by the state.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

## 331 Subject: Tobacco Oversight Accountability Panel

## Sections: 155, 156

No provision.

No provision.

Extends the date by which the Tobacco Oversight Accountability Panel shall submit a report describing the achievement benchmarks developed under division (B) of Section 18 of Am. Sub. S.B. 192 of the 123rd G.A., as amended by Sub. S.B. 346 of the 123rd G.A.. The current date is July 1, 2001; the new date will be December 31, 2001.

Same as passed by the Senate.

## 332 Subject: Joint Legislative Committee of High Technology

## Sections: 165, 166

No provision.

No provision.

Changes the deadline by which the joint legislative committee established to study high technology effects on start-up businesses on economic development and small businesses in Ohio must submit a report, along with its recommendations, to the General Assembly from August 1, 2001 to March 1, 2002.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

333 Subject: Arts and Sports Facilities Capital Appropriations

Sections: 167, 168

No provision.

No provision.

Expands the use of CAP-819 funds for Cooper Stadium to include renovation, in addition to relocation, in Am. Sub. H.B. 640.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

334 Subject: Department of Natural Resources Capital Appropriation Adjustments

Sections: 167, 168

No provision.

No provision.

Changes the capital appropriations of the Department of Natural Resources. The capital appropriations are in Am. Sub. H.B. 640 of the 123rd General Assembly. The amendment increases the appropriation to CAP-324, Cooperative Funding for Boating Facilities, from \$5,600,000 to \$6,600,000. This appropriation is in the Waterways Safety Fund. The amendment also decreases the earmark for Erie Metro Parks Land Acquisition from \$750,000 to \$500,000. This earmark is part of CAP-748, Local Parks Projects, from the Parks and Recreation Improvement Fund. Finally, the amendment changes the wording of another earmark, CAP-748, Local Parks Projects, from Black Swamp Land Acquisition to Black Swamp Improvements.

Same as passed by the Senate.

As Introduced

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## Temporary Law Changes

335 Subject: Earmark for Euclid Beach Carousel in H.B. 640

Sections: 169, 170

No provision.

No provision.

Reduces \$3,000,000 earmark for Crawford Museum of Transport and Industry to \$2,500,000 in the Arts and Sports Facilities Commission, transfers the \$500,000 difference to the Department of Administrative Services, and earmarks the \$500,000 for the Euclid Beach Carousel as a CAP-785, Rural Areas Historical Project in Am. Sub. H.B. 640.

Same as passed by the Senate.