

As Introduced

As Passed by the House

Permanent Law Changes**1 Subject: Late Fees****sections: 4701.10, 4743.05**

Imposes late fees as follows: (1) For applying for an initial Ohio permit or Ohio registration more than 60 days after issuance of the CPA certificate, not in excess of \$100; (2) For failing (without just cause) to renew an Ohio permit while engaged in the practice of public accounting, not in excess of \$100 per month up to a total of \$1,200; (3) For failing (without just cause) to renew an Ohio permit or Ohio registration while not engaged in the practice of public accounting, not in excess of \$50 per month up to a total of \$300.

Also changes law so that a person who fails to apply for a permit or registration within one year of the expiration date of the Ohio permit or a CPA certificate holder who fails to apply within one year of receiving the CPA certificate will have their CPA registration or PA registration suspended. Current law requires three years rather than one.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**2 Subject: Increases Maximum Fine for Violations of Professional Standards****section: 4701.16**

Increases the maximum fine the Board may assess for violations of professional standards from \$1,000 to \$5,000. The maximum fine has remained at \$1,000 since 1980. The Board indicates that the fees for late renewal can approach \$1,000, making the current fine ineffective as a deterrent. Because the new fine can be substantially more than late filing fees, the Board may be able to use the fine more often. However, the larger fine could serve as a deterrent, reducing violations. Therefore, the fiscal effect of this provision will depend largely on these two unpredictable factors.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

3 Subject: Accrued Leave Liability Fund

Section: 13

ALI: 995-666

Allows the Director of Budget and Management to appropriate additional amounts to the Accrued Leave Liability Fund (Fund 806) if necessary. This would be the case if more employees than anticipated leave state service, forcing the state to convert vacation leave, personal, and sick time to cash.

Section: 11

No change.

4 Subject: State Employee Disability Leave Benefit Fund

Section: 13

ALI: 995-667

Requires that appropriation item 995-667, Disability Fund (Fund 807), be used to pay disability benefits to eligible state employees. This provision allows additional amounts to be appropriated if the Director of Budget and Management deems it necessary.

Section: 11

No change.

As Introduced

As Passed by the House

Temporary Law Changes

5 Subject: State Employee Health Benefit Fund

Section: 13

ALI: 995-668

Requires that appropriation item 995-668, State Employee Health Benefit Fund (Fund 808), be used to cover the cost of employee and employer premiums for state employees covered by OhioMed and Vision Service Plan. The Director of Budget and Management may appropriate additional amounts if necessary.

Section: 11

No change.

6 Subject: Dependent Care Spending Account

Section: 13

ALI: 995-669

Requires that appropriation item 995-669, Dependent Care Spending Account (Fund 809), be used to make payments to employees eligible for dependent care expenses. The Director of Budget and Management may appropriate additional amounts if necessary.

Section: 11

No change.

As Introduced

As Passed by the House

Temporary Law Changes

7 Subject: Life Insurance Investment Fund

Section: 13

ALI: 995-670

Requires that appropriation item 995-670, Life Insurance Investment Fund (Fund 810), be used to make payments for costs and expenses incurred by the state's life insurance benefit program. The Director of Budget and Management may appropriate additional amounts if necessary.

Section: 11

No change.

8 Subject: Parental Leave Benefit Fund

Section: 13

ALI: 995-671

Requires that appropriation item 995-671, Parental Leave Benefit Fund (Fund 811), be used to make payments to employees eligible for parental leave benefits. The Director of Budget and Management may appropriate additional amounts if necessary.

Section: 11

No change.

As Introduced

As Passed by the House

Temporary Law Changes

9 Subject: Armory Deferred Maintenance**Section: 14****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.

Section: 12

No change.

10 Subject: Army National Guard Service Agreement and Training Site Agreement**Section: 14****ALIs: 745-616, 745-619**

Requires the Adjutant General to certify to the Director of Budget and Management the cash balance in Fund 343, Army National Guard Training Site Agreement, so that the certified amount can be transferred from Fund 343 to Fund 342, Army National Guard Service Agreement. Any existing encumbrances in appropriation item 745-619, Army National Guard Training Site Agreement, are to be canceled and reestablished against appropriation item 745-616, Army National Guard Service Agreement, and are appropriated. Fund 343 is abolished.

Section: 12

No change.

As Introduced

As Passed by the House

Permanent Law Changes**11 Subject: Payment of the Cost of Insurance Coverage by State Agencies****section: 9.821**

Requires that the cost of insurance coverage procured by DAS's Office of Risk Management on behalf of other state agencies be paid out of appropriations made to those state agencies. Agencies are required to secure coverage against public liability, auto liability, casualty, and property damages. This provision clarifies existing practice.

No change.

12 Subject: Self-Insured Fidelity Bond Program Report**section: 9.822**

Requires that the self-insured fidelity bond report filed with the President of the Senate and the Speaker of the House be submitted March 31st of each fiscal year, the same deadline for filing a separate report on the status of the Risk Management Reserve Fund. This provision has no fiscal effect.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

13 Subject: Agency Audit Expenses**Section: 15.01****ALI: 100-405**

Allows for a cash transfer from GRF appropriation item 100-405, Agency Audit Expenses, to Fund 115, Central Service Agency, in order to subsidize that division. Up to \$145,261 in FY 2002 and \$74,447 must be used for this purpose. Also, \$30,000 in each fiscal year is earmarked for auditing expenses related to DAS's GRF appropriation items. The remaining sums are earmarked for biennial auditing expenses incurred by certain state agencies.

Section: 13.01

No change.

14 Subject: Ohio Building Authority**Section: 15.02****ALI: 100-447**

Requires that GRF appropriation items 100-447, OBA - Building Rent Payments, and 100-448, OBA - Building Operating Payments, be used to pay debt service charges related to rental and operating costs of state agencies housed in offices maintained by the Ohio Building Authority. Over the biennium, these amounts are limited to \$219,999,200 and \$52,196,000, respectively.

Section: 13.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

15 Subject: DAS - Building Operating Payments**Section: 15.03****ALI: 100-449**

Requires that GRF appropriation item 100-449, DAS - Building Operating Payments, be used to pay the rent expenses of veterans organizations in fiscal years 2002 and 2003. This appropriation item may also be used to pay for the operating expenses of DAS-maintained buildings that cannot be charged to tenants. This includes vacant space and areas undergoing renovation. This appropriation item may also be used to cover the cost of real estate appraisals for real property that the state is either seeking to sell or buy. A total of \$100,000 in fiscal year 2002 must be used to renovate the new office space occupied by the State Library and the Ohioana Library Association.

Section: 13.03

No change.

16 Subject: Minority Affairs**Section: 15.04****ALI: 100-451**

Requires that GRF appropriation item 100-451, Minority Affairs, be used to establish minority affairs programs within the Equal Opportunity Division and provide other services that promote multi-cultural opportunities throughout the state.

Section: 13.04

No change.

As Introduced

As Passed by the House

Temporary Law Changes**17 Subject: Central Service Agency Fund****Section: 15.05****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.

Section: 13.05

No change.

As Introduced

As Passed by the House

Temporary Law Changes**18 Subject: Tuition Reimbursement****Section: 15.06****ALI: 100-622**

Requires that \$350,000 in FY 2002 and \$400,000 in FY 2003 from appropriation item 100-622, Human Resources Division-Operating, be used to fund tuition reimbursement programs established under terms of collective bargaining agreements with District 1199 Health Care Employees and the Ohio Education Association. A further \$75,000 in each fiscal year is set aside for the Ohio Education Association Tuition Reimbursement Program, a condition of the collective bargaining agreement with that employee association. The Director of the DAS, subject to the approval of the Director of Budget and Management, is to establish charges in order to recover the administrative costs of these programs. This revenue is to be deposited in the Human Resources Services Fund (Fund 125).

Section: 13.06

No change.

As Introduced

As Passed by the House

Temporary Law Changes

19 Subject: Collective Bargaining Arbitration**Section: 15.07****ALI: 100-620**

Allows DAS to seek reimbursement from state agencies for the actual costs and expenses incurred during the collective bargaining arbitration process, subject to the approval of the Director of Budget and Management. Appropriation item 100-620, Collective Bargaining, is used to pay the operating expenses of the Office of Collective Bargaining.

Section: 13.07

No change.

20 Subject: Equal Opportunity Program**Section: 15.08****ALI: 100-649**

Requires DAS, with the approval of the Director of Budget and Management, to establish charges for recovering, from state agencies, political subdivisions, and state-supported or assisted institutions of higher education, the costs associated with programs supported by appropriation item 100-649, Equal Opportunity Programs.

Section: 13.08

No change.

As Introduced

As Passed by the House

Temporary Law Changes

21 Subject: Merchandise for Resale

Section: 15.09

ALI: 100-653

Requires appropriation item 100-653, General Services Resale Merchandise, be used to account for items procured by the General Services Division for resale to other state agencies.

Section: 13.09

No change.

22 Subject: Governor's Residence Gift

Section: 15.10

ALI: 100-604

Requires appropriation item 100-604, Governor's Residence Gift, be used to fund expenses related to construction, goods, and services at the Governor's residence.

Section: 13.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

23 Subject: Departmental MIS**Section: 15.11****ALI: 100-603**

Allows appropriation item 100-603, Departmental MIS, to be used to pay for operating expenses associated with DAS's management information systems. DAS must establish charges for recovering the costs of management information systems activities. These charges are to be deposited to the credit of the Departmental MIS Fund (Fund 4P3). Up to \$3 million in each fiscal year may be transferred, by the Director of Budget and Management, to any other non-GRF appropriation item maintained by DAS, so long as the transferred amount is used for management information system services. Up to \$217,313 in FY 2002 and \$193,031 in FY 2003 may be transferred, by the Director of Budget and Management, to any GRF appropriation item within DAS, so long as these transfers too are used for management information system services.

Section: 13.11

No change.

As Introduced

As Passed by the House

Temporary Law Changes

24 Subject: Investment Recovery Fund**Section: 15.12****ALI: 100-602**

Allows DAS to cover the costs of the Fixed Assets Management System from the Investment Recovery Fund (Fund 427), appropriation item 100-602, Investment Recovery, instead of the GRF where it is now funded. Approximately \$1.19 million is appropriated for this purpose. Fund 427 may also be used to cover operating expenses connected with the State Surplus and Federal Surplus Property Programs. A combined \$4,004,494 over the biennium is earmarked for this purpose. A portion is also to be transferred to the GRF. Of this sum, if the director of DAS requests, the Director of Budget and Management is required to transfer up to \$2.5 million to the General Services Fund (Fund 117) for the Competitive Sealed Proposal Program.

Section: 13.12

No change.

As Introduced

As Passed by the House

Temporary Law Changes**25 Subject: Multi-Agency Radio Communication System (MARCS)****Section: 15.13**

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.

Section: 13.13

No change.

As Introduced

As Passed by the House

Temporary Law Changes

26 Subject: Workforce Development Fund

Section: 15.14

ALI: 100-621

Requires that the Workforce Development Fund (Fund 5D7) appropriation item 100-621, Workforce Development, be used for the direct and indirect costs associated with continuing education, job enrichment, and other career training costs associated with the Workforce Development Fund. This program is established by the collective bargaining agreement between the State and the OCSEA/AFSCME, Local 11, effective March 1, 2000. Revenues consist of state employer surcharges and payroll deductions. All income derived from the investment of the Fund accrues to the Fund. At the request of the Director of DAS, the Director of Budget and Management may appropriate additional amounts if necessary.

Section: 13.14

No change.

27 Subject: Professional Development Fund

Section: 15.15

ALI: 100-610

Requires that the appropriations in the Professional Development Fund (5L7), appropriation item 100-610, Professional Development, be used for the costs associated with developing the Professional Development Program.

Section: 13.15

No change.

As Introduced

As Passed by the House

Temporary Law Changes

28 Subject: Computer Equipment Purchases**Section: 15.16****ALIs: 100-607, 100-617 and CAP-837**

Requires the Director of DAS to calculate the portion of revenue received that from computer usage fees that is attributable to the amortization of equipment purchases made from the Information Technology Fund (Fund 133). Once these figures are established, the Director of Budget and Management may transfer that amount to the Major Computer Purchases Fund (Fund 4N6).

Section: 13.16

No change.

29 Subject: Information Technology Assessment**Section: 15.17****ALI: 100-607**

Allows DAS to establish an information technology assessment in addition to existing computer usage fees the agency assesses other state agencies for centralized computer services. These costs are paid from appropriation item 100-607, Information Technology Fund. The revenue generated is to be used specifically for the cost of building the e-government infrastructure. As the fee basis has not yet been determined, it is unclear how much additional revenue this will generate. Revenue accrues to the Information Technology Fund (Fund 133).

Section: 13.17

No change.

As Introduced

As Passed by the House

Temporary Law Changes

30 Subject: E-Government Development Fund**Section: 15.18****ALI: 100-615**

Requires the Director of Budget and Management to transfer any cash balances remaining in the E-Government Development Fund (Fund 5M6) after November 30, 2001 to the Information Technology Fund (Fund 133). Fund 5M6 was created in FY 2001 and has been used to develop the preliminary stages of the Governor's E-Government Initiative.

Section: 13.18

No change.

31 Subject: Unemployment Compensation Fund**Section: 15.19****ALI: 100-628**

Requires that the unemployment claims payments collected by DAS be passed on to the Department of Job and Family Services, which will disburse the payments. Also provides for additional sums to be appropriated to appropriation item 100-628, Unemployment Compensation, for this purpose if necessary.

Section: 13.19

No change.

As Introduced

As Passed by the House

Temporary Law Changes

32 Subject: Payroll Withholding**Section: 15.20****ALI: 100-629**

Requires that payroll deductions be collected and disbursed from appropriation item 100-629, Payroll Deductions, for the purposes for which they were intended. If necessary, as determined by the Director of Budget and Management, additional amounts are appropriated.

Section: 13.20

No change.

33 Subject: General Services Refunds**Section: 15.21****ALI: 100-646**

Specifies that General Services Refunds (Fund R08) is to receive revenue from deposits made on state construction plans and bid documents. Any excess cash balances may be transferred from Fund R08, appropriation item 100-646, General Services Refunds, to the State Architect's Fund (Fund 131).

Section: 13.21

No change.

As Introduced

As Passed by the House

Temporary Law Changes

34 Subject: Multi-Agency Radio Communication System (MARCS) Debt Service Payments**Section: 15.22****Section: 13.22****ALI: 100-447**

Requires the Directors of DAS and OBM, as well as the MARCS Steering Committee, to establish the share of debt service charges for MARCS that is attributable to agencies funded by the motor fuel tax. These amounts are then to be transferred from the Highway Operating Fund (Fund 002) to the GRF, appropriation item 100-447, OBA - Building Rent Payments, from which the MARCS debts service is paid. This provision would reimburse the GRF for that portion of MARCS debt service actually incurred by agencies funded by motor fuel tax revenue.

No change.

35 Subject: Director's Declaration of Public Exigency**Section: 15.23****Section: 13.23**

Requires the Director of DAS to notify the Controlling Board and the Director of Budget and Management whenever a declaration of public exigency is made. A public exigency declaration allows certain state purchasing and contracting guidelines to be waived.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

36 Subject: General Service Charges**Section: 15.24****ALI: 100-644**

Requires the Director of DAS, subject to the approval of the Director of Budget and Management, to establish user charges for services provided to other agencies under programs funded by the General Services Fund (Fund 117), General Services Division-Operating, and the State Printing Fund (Fund 210).

Section: 13.24

No change.

37 Subject: Civil Service Review Commission Report**Section: 151**

No provision.

Section: 151

Extends by nine months to December 31, 2001 the deadline for the fifteen-member Civil Service Review Commission to submit a report to the Speaker of the House and the Senate President. The report is to suggest ways to improve the State's civil service statutes, administrative rules, and procedures. This provision has no fiscal effect.

As Introduced

As Passed by the House

Permanent Law Changes**38 Subject: Central Services Administration****section: 125.22**

Adds the Commission on African-American Males to the list of boards and commissions for which the Central Service Agency is responsible for preparing personnel and accounting documents and performing other routine support services. The Commission would have reduced staffing needs and thus experience a cost savings.

No change.

As Introduced

As Passed by the House

Temporary Law Changes**39 Subject: Commission on African American Males Progress Review****Section: 14**

No provision.

Requires, no later than December 31, 2001, the Commission on African American Males to submit a report demonstrating progress toward meeting the Commission's mission statement to the chairperson and ranking minority member of the Human Services Subcommittee of the Finance and Appropriations Committee of the House of Representatives. There may be minimal fiscal effects due to the preparation of the report.

As Introduced

As Passed by the House

Temporary Law Changes

40 Subject: Operating

Section: 17

Requires the Chief Administrative Officer of the House of Representatives and the Clerk of the Senate to mutually agree which of the two will act as the fiscal agent for the Joint Committee on Agency Rule Review.

Section: 15

No change.

As Introduced

As Passed by the House

Permanent Law Changes**41 Subject: Renaming the Governor's Community Service Council****sections: 121.40, 1501.40, 3301.70, 3333.043**

Changes the name of the Governor's Community Service Council to, and replaces several outdated references to the State Community Service Advisory Committee with, the Ohio Community Service Council. This provision has no fiscal effect.

No change.

As Introduced

As Passed by the House

Temporary Law Changes**42 Subject: Pre-Admission Review for Nursing Facility Admission****Section: 18.01****Section: 16.01****ALI: 490-403**

Authorizes up to \$2,390,300 in FY 2002 and up to \$2,450,085 in FY 2003 of the appropriation in GRF appropriation item 490-403, PASSPORT, be used by the Department to perform pre-admission assessments for non-Medicaid eligible individuals and assistance in the planning of their long-term care needs.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

43 Subject: Transportation for Elderly

No provision.

Section: 16.02

Establishes new GRF appropriation item 490-416, Transportation for Elderly, and appropriates \$183,000 per fiscal year. The moneys are earmarked to the following community organizations:

- A) \$45,000 per fiscal year to the Cincinnati Jewish Vocational Services;
- B) \$45,000 per fiscal year to the Cleveland Jewish Community Center;
- C) \$45,000 per fiscal year to the Columbus Jewish Federation;
- D) \$20,000 per fiscal year to the Dayton Jewish Family Services;
- E) \$10,000 per fiscal year to the Akron Jewish Community Center;
- F) \$5,000 per fiscal year to the Youngstown Jewish Federation;
- G) \$3,000 per fiscal year to the Canton Jewish Federation;
- H) \$10,000 per fiscal year to the Toledo Jewish Federation.

These moneys are for non-capital expenses related to transportation services for the elderly to provide access to such things as healthcare services, congregate meals, socialization programs, grocery shopping, etc.

As Introduced

As Passed by the House

Temporary Law Changes

44 Subject: PASSPORT**Section: 18.02****ALI: 490-403**

Allows appropriations in GRF appropriation item 490-403, PASSPORT, and the set aside for the PASSPORT program in the SSR appropriation item 490-610, PASSPORT/Residential State Supplement, to be used to assess clients regardless of Medicaid eligibility and to support the Department's administrative costs associated with operating the program. It also designates the appropriations in these two appropriation items to be used to provide the state match for the PASSPORT Medicaid Waiver program.

Section: 16.02

No change.

45 Subject: Eldercare Pilot**Section: 18.02****ALI: 490-404**

Restricts expenditures from GRF appropriation item 490-404, Eldercare, to paying for existing eldercare service programs for those individuals who are enrolled in the program on the effective date of this budget bill. The bill appropriates \$100,000 in FY 2002 and \$80,000 in FY 2003 for this purpose. Funding for the Options for Elders program is steadily declining as the number of individuals still enrolled in this phased-out program gradually decreases.

Section: 16.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

46 Subject: Senior Community Services**Section: 18.02****ALI: 490-411**

Requires that funds in appropriation item 490-411, Senior Community Services (Senior Community Services Block Grant), be used to fund services designated by the Department including, but not limited to, home-delivered meals, transportation services, personal care services, respite services, home repair, and care coordination. Furthermore, it requires that priority will be given to low income, frail, and cognitively impaired persons age 60 and older. Lastly, it requires the Department to promote cost sharing by recipients for services funded with the Block Grant funds, including where possible, sliding fee scale payment systems based on the income of service recipients.

Section: 16.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

47 Subject: Alzheimer's Respite**Section: 18.02****ALI: 490-414**

Requires that appropriations in GRF appropriation item 490-414, Alzheimer's Respite, be used to fund Alzheimer's disease services in accordance with section 173.04 of the Revised Code. That section requires the Department to develop and disseminate new or existing training materials for licensed physicians, registered nurses, licensed practical nurses, administrators of health care programs, social workers, and other health care and social service personnel who participate or assist in the care of treatment of persons who have Alzheimer's disease. In addition, to the extent that funds are available, the Department is to administer respite care programs and other supportive services for persons who have Alzheimer's disease and their families or caregivers. Lastly, under section 173.04 of the Revised Code, the Director may create an Alzheimer's disease task force to provide advise on the rights of persons with Alzheimer's disease and development and evaluation of education and training programs.

Section: 16.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

48 Subject: Residential State Supplement**Section: 18.02**

Establishes the amount used to determine whether a resident is eligible for payment and for determining the amount per month the eligible resident will receive. These amounts have been increased by \$50 higher over the amounts in the last budget act. The amounts are as follows:

- a) \$900 for a residential care facility;
- b) \$900 for an adult group home;
- c) \$800 for an adult foster home;
- d) \$800 for an adult family home;
- e) \$800 for an adult community home;
- f) \$800 for an adult residential facility;
- g) \$600 for adult community mental health housing services.

Section: 16.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

49 Subject: Transfer of Residential State Supplement Appropriations**Section: 18.02**

Authorizes the Department of Aging to transfer cash by intrastate transfer voucher from appropriation items 490-412, Residential State Supplement, and 490-610, PASSPORT/Residential State Supplement, to the Department of Job and Family Service's Fund 4J5, Home and Community-Based Services for the Aged Fund and requires that these funds be used to make benefit payments to RSS recipients.

Section: 16.02

No change.

50 Subject: Long-Term Care Ombudsman**Section: 18.02****ALI: 490-410**

Requires that GRF appropriation item 490-410, Long-Term Care Ombudsman, be used to fund ombudsman program activities in nursing homes, adult care facilities, boarding homes, and home and community care services.

Section: 16.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

51 Subject: Regional Long-Term Care Ombudsman Programs**Section: 18.02****ALI: 490-609**

Requires that appropriation item 490-609, Regional Long-Term Care Ombudsman Programs, be used solely to pay the costs of operating the regional long-term care ombudsman programs.

Section: 16.02

No change.

52 Subject: PASSPORT/Residential State Supplement**Section: 18.02****ALI: 490-610**

Sets aside up to \$2,385,000 in each fiscal year from appropriation item 490-610, PASSPORT/Residential State Supplement, to fund the Residential State Supplement Program. This appropriation item receives franchise fee revenue from a tax charged on private nursing home beds in the state. The remaining appropriation in this appropriation item is to be used to fund the PASSPORT program.

Section: 16.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

53 Subject: Residential State Supplement (RSS)**Section: 18.03**

Allows the Department, in consultation with the Director of Budget and Management, to establish priority policies to further limit RSS eligibility if funds are insufficient to make RSS payments to all eligible program participants.

Section: 16.03

No change.

54 Subject: Transfer of Appropriations**Section: 18.03**

Allows the Director of Budget and Management, upon the written request of the Director of Aging, to transfer appropriation authority among appropriation items 490-611, Federal Aging Nutrition, 490-612, Federal Supportive Services, and 490-618, Older Americans Support Services, in amounts not to exceed 30 percent of the appropriation from which the transfer is made. The Department must report such transfers to the Controlling Board at the next regularly scheduled meeting of the board. The federal government has granted authority to each state to transfer up to 30 percent of OAA funding between nutrition and support services, based on local need.

Section: 16.03

No change.

As Introduced

As Passed by the House

Temporary Law Changes

55 Subject: Ohio Community Service Council**Section: 18.03****ALI: 490-409**

Requires that appropriation item 490-409, Ohio Community Service Council, be used in accordance with section 121.40 of the Revised Code. That section creates the Ohio Community Service Council, establishes its authority, defines its responsibilities, and designates the Department of Aging as the Council's fiscal agency.

Section: 16.03

No change.

56 Subject: Transfer of PACE Program from Jobs and Family Services to Aging**Section: 62.25**

No provision.

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, it 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.

As Introduced

As Passed by the House

Permanent Law Changes**57 Subject: Uses of the Animal Industry Laboratory Fund****section: 901.43**

Requires money in the Animal Industry Laboratory Fund to be used for necessary expenses related to operating the Animal Industry Lab. Currently, the fund can only be used for purchasing supplies and equipment. The lab incurs other expenses. This provision will allow those other expenses to be paid for out of the fund.

No change.

58 Subject: Extension of the Agriculture Financing Commission**section: 901.63**

Extends the duties of the Agriculture Financing Commission from July 1, 2001 to July 1, 2003. This provision will cost approximately \$85,000 per fiscal year.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**59 Subject: Family Farm Loan Program****sections: 122.011, 901.81, 901.82**

Requires that the Department of Agriculture receive loan applications from financial institutions instead of the Department of Development. Transfers the authority to review, analyze, and summarize applications from financial institutions from the Department of Development to the Department of Agriculture. This is an administrative change and will have little fiscal impact.

(See also Temporary Law Changes under same subject.)

No change.

60 Subject: Consolidation of the Dairy Fund and the Dairy Industry Fund**sections: 917.07, 917.99**

Consolidates the Fund 4V0, License Fees with Fund 4R2, Dairy Industry Fund.

(See also Temporary Law Changes under subject, "The Dairy Industry Fund".)

No change.

As Introduced

As Passed by the House

Permanent Law Changes**61 Subject: Continued Earmarking of Taxes for the Ohio Grape Industries****section: 4301.43**

Continues the tax on wine, vermouth, and sparkling and carbonated wine and champagne from July 1, 2001 through June 30, 2003. This tax is used for research and marketing. The moneys collected from the tax are put into appropriation item 700-626, Ohio Grape Industries. This provision continues the tax. The Department estimates that the tax revenues will be \$742,528 in each fiscal year.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

62 Subject: Animal Disease Control**ALI: 700-401**

No provision.

Section: 17

Allows appropriation item 700-401, Animal Disease Control, to be used for the detection, prevention, and emergency management of, and the education of the public regarding, Foot and Mouth disease, Mad Cow disease, and West Nile virus.

63 Subject: The Dairy Industry Fund**Section: 19****ALIs: 700-602, 700-637**

On July 1, 2001 or as soon thereafter as possible, the Director of Budget and Management is to transfer the cash balance in License Fees (Fund 4V0), to the Dairy Inspection Fund (Fund 4R2). Any encumbrances against appropriation item 700-602, License Fees, shall be cancelled and reestablished against appropriation item 700-637, Dairy Inspection. The amounts of the reestablished encumbrances are appropriated.

(See also Permanent Law Changes under subject, "Consolidation of the Dairy Fund and the Dairy Industry Fund".)

Section: 17

No change.

As Introduced

As Passed by the House

Temporary Law Changes

64 Subject: Family Farm Loan ProgramSections: *10.01, 10.02*

Extends the Family Farm Loan Program from July 1, 2001 to July 1, 2003. This program will cost approximately \$2.3 million per fiscal year.

(See also Permanent Law Changes under same subject.)

Sections: *149, 150*

No change.

65 Subject: Task Force on Bio-Terrorism

No provision.

Section: *165*

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.

As Introduced

As Passed by the House

Permanent Law Changes**66 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.

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

As Introduced

As Passed by the House

Temporary Law Changes

67 Subject: Am. Sub. H.B. 484 of the 122nd General Assembly

Section: 21

ALI: 038-401

Earmarks \$4.0 million in each fiscal year in appropriation item 038-401, Alcohol and Drug Addiction Services, for services to families, adults, and adolescents pursuant to the requirements of Am. Sub. H.B. 484 of the 122nd General Assembly. This bill required that when public children service agencies (PCSAs) identify a child to be at imminent risk of being abused or neglected due to his or her parent's substance abuse, it must refer the child, the child's siblings, and the parents to a drug and alcohol addiction services provider under contract with a board of alcohol, drug addiction, and mental health services (ADAMHS board). In addition, Am. Sub. H.B. 484 required that ADAMHS Board give priority to programs that serve addicted parents and the children who are at imminent risk of being abused or neglected due to their parents' addiction.

Section: 19

No change.

As Introduced

As Passed by the House

Temporary Law Changes**68 Subject: Alcohol and Drug Addiction Services Transfer****Section: 21****ALIs: 038-630, 038-629**

Requires that appropriation item 038-629, TANF Transfer-Treatment, be used to provide substance abuse prevention and treatment services to children, or their families, whose income is at or below 200 percent of the official income poverty guidelines.

Requires that appropriation item 038-630, TANF Transfer-Mentoring, be used to fund adolescent youth mentoring programs for children, or their families whose income is at or below 200 percent of the official income poverty guideline. It also requires the Director of Alcohol and Drug Addiction Services and the Director of Job and Family Services to develop operating and reporting guidelines for these programs.

Section: 19

No change.

As Introduced

As Passed by the House

Temporary Law Changes**69 Subject: Parent Awareness Task Force****Section: 21**

Requires the Parent Awareness Task Force to study ways to engage more parents in activities, coalitions, and educational programs in Ohio relating to alcohol and other drug abuse prevention. This provision also earmarks \$30,000 in each year of the biennium in appropriation item 038-404, Prevention Services, to be used to support the functions of the Parent Awareness Task Force.

Section: 19

No change.

As Introduced

As Passed by the House

Temporary Law Changes

70 Subject: Per Cent for Art Acquisitions

Section: 24

ALI: 370-603

Requires the unobligated balance in appropriation item 370-603, Per Cent for Art Acquisitions, be used to pay for start-up costs associated with the selection of artists for new Per Cent for Art projects.

Section: 22

No change.

As Introduced

As Passed by the House

Permanent Law Changes**71 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.

72 Subject: Arts Facility Construction and General Building Services**sections: 3383.01, 3383.07**

Requires that the Commission, rather than the Department of Administrative Services, determine whether construction services are to be performed by the Commission, some other government agency, or an arts organization. This provision applies to arts projects other than state historical facilities. Provides that the Department of Administrative Services is no longer to provide general building services (maintenance, security, etc.) for an Ohio arts facility. There is a potential decrease in expenditures of construction claims.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**73 Subject: Membership of the Commission****section: 3383.02**

Adds two voting members to the Commission -- one of them a person representing the State Architect. This provision has no fiscal effect, as the members of the Commission serve without compensation.

No change.

74 Subject: Investment Earnings**section: 3383.09**

No provision.

Authorizes investment earnings credited to the Arts Facilities Building Fund and the Sports Facilities Building Fund that exceed the amounts required to meet estimated federal arbitrage rebate requirements to be credited to the Ohio Arts and Sports Facilities Commission Administration Fund.

As Introduced

As Passed by the House

Temporary Law Changes

75 Subject: Ohio Building Authority Lease Payments**Section: 25****ALI: 371-401**

Requires appropriation item 371-401, Lease Rental Payments, be used to pay lease rental payments to the Ohio Building Authority from the period July 1, 2001 to June 30, 2003. Over the biennium, this amount is limited to \$69,939,300.

Section: 23

No change.

As Introduced

As Passed by the House

Temporary Law Changes

76 Subject: Project Administration

ALI: 371-603

No provision.

Section: 23

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.

As Introduced

As Passed by the House

Permanent Law Changes**77 Subject: Ohio Athletic Commission Fees and Receipts Deposited in the General Revenue F****sections: 3773.43, 3773.56**

Transfers operating expenses of the Athletic Commission from the Occupational Licensing and Regulatory Fund 4K9 to the General Revenue Fund. Fund 4K9 was created for use by the occupational boards. Each board is expected to raise enough revenue through its fees to cover its expenses. In FY2000, the Ohio Athletic Commission had a deficit of \$121,821 in Fund 4K9. By moving operations to GRF, any deficit of the Athletic Commission will be subsidized by the General Revenue Fund instead of fees by the licensees of other occupational licensing boards.

No provision.

78 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.

As Introduced

As Passed by the House

Permanent Law Changes**79 Subject: Exemption of Rape Kit Payments from Controlling Board Approval****section: 127.16**

Exempts from Controlling Board approval nonbid rape kit payments from the Victims of Crime/Reparations Fund (Fund 402) that are made to hospitals and other emergency medical facilities under the state's Sexual Assault Forensic Examination (SAFE) Program. The SAFE Program allows hospitals and other emergency medical facilities who use a set examination protocol to be reimbursed \$500 per examination from the state's Victims of Crime Compensation Program. Under current law, if the total reimbursement payments to a particular hospital or other emergency medical facility will exceed \$49,999 in a given fiscal year, the Office of the Attorney General would need to go to the Controlling Board for a waiver of competitive selection in order to make those reimbursement payments. The permanent law exemption proposed in the executive budget would presumably ease the administrative burden on the Office of the Attorney General related to: (1) tracking the amount of reimbursement payments going to each hospital and other emergency medical facility; (2) keeping an eye on the \$50,000 annual spending threshold that would trigger the need to seek Controlling Board approval so that the reimbursement payments to certain hospitals and other emergency medical facilities can continue uninterrupted.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**80 Subject: Law Enforcement Improvements Trust Fund****section: 183.10**

No provision.

Expands the permissible uses of the Law Enforcement Improvements Trust Fund (Fund J87) by allowing the Fund to be used to maintain, upgrade, and modernize law enforcement technology, and changes one of the existing permissible uses from laboratory facilities to laboratory equipment. The Fund's revenue consists of a portion of the state's tobacco settlement money and all investment earnings of the Fund.

As Introduced

As Passed by the House

Temporary Law Changes

81 Subject: Law-Related Education**Section: 27****ALI: 055-405**

Requires the Office of the Attorney General to distribute the funds appropriated to GRF appropriation item 055-405, Law-Related Education, directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students and accessing additional public and private money for new programs. This amounts to \$199,790 in FY 2002 and \$204,785 in FY 2003. An analogous GRF appropriation item and related temporary law are part of The Judiciary/Supreme Court's budget (appropriation item 005-406, Law-Related Education).

Section: 25

No change.

As Introduced

As Passed by the House

Temporary Law Changes

82 Subject: Workers' Compensation Section**Section: 27****ALI: 055-660**

Stipulates the Office of the Attorney General's Workers' Compensation Section Fund (Fund 195) will receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund the legal services provided by the Office of the Attorney General to those two state agencies. The Bureau of Workers' Compensation payments are supposed to include moneys for support of the Office of the Attorney General's Workers' Compensation Fraud Unit. The Office of the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission are also required to mutually agree upon the amount of the quarterly payments.

Section: 25

No change.

83 Subject: Corrupt Activity Investigation and Prosecution**Section: 27****ALI: 055-636**

Reiterates that the proceeds, fines, and penalties deposited to the credit of the Corrupt Activity Investigation and Prosecution Fund (Fund 629) be disposed of as provided for under current law (section 2923.35 of the Revised Code). This provision also allows for an automatic increase in the Fund's appropriation authority if necessary, without the need of any other legislative action or Controlling Board approval.

Section: 25

No change.

As Introduced

As Passed by the House

Temporary Law Changes

84 Subject: Community Police Match and Enforcement Assistance**Section: 27****ALIs: 055-321, 055-406**

Requires the Director of Budget and Management to transfer appropriation authority from the Office of the Attorney General's GRF appropriation item 055-321, Operating Expenses, to the Office's GRF appropriation item 055-406, Community Police Match and Law Enforcement Assistance, when requested to do so by the Office of the Attorney General. Appropriation authority so transferred is to be used by the Office of the Attorney General to pay operating expenses and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities.

Section: 25

No change.

85 Subject: Law Enforcement Improvements Trust Fund

No provision.

Sections: 151, 152

Increases the appropriation in the Office of the Attorney General's CAP-716, Law and Training Facility Improvements, in Section 9 of Am. Sub. S.B. 192 of the 123rd General Assembly, by \$3.2 million, from \$2.0 million to \$5.2 million. The intent of the increase in this capital appropriation is to provide additional funding for the construction of a training center at the Ohio Peace Officer Training Academy that includes a driver training facility, an indoor firing range, and classrooms and offices.

As Introduced

As Passed by the House

Temporary Law Changes

86 Subject: Fiscal Watch/Emergency Technical Assistance**Section: 28****ALI: 070-403**

Requires the Auditor of State to complete the determination or termination of fiscal watch or fiscal emergency of municipalities, counties, or townships as outlined in chapter 118 of the Revised Code and of school districts as outlined in chapter 3316 of the Revised Code.

Transfers the unencumbered balance of appropriation item 070-403, Fiscal Watch/Fiscal Emergency Technical Assistance at the end of fiscal year 2002 to fiscal year 2003 for use under the appropriation item.

Section: 26

No change.

87 Subject: Electronic Data Processing**Section: 28****ALI: 070-405**

Transfers the unencumbered balance of appropriation item 070-405, Electronic Data Processing-Auditing and Administration, from fiscal year 2002 to fiscal year 2003 for use under the same appropriation item.

This appropriation item provides funding for electronic methods of the auditing and administrative operations of the Auditor's office.

Section: 26

No change.

As Introduced

As Passed by the House

Temporary Law Changes

88 Subject: Uniform Accounting Network/Technology Improvements Fund**Section: 28****Section: 26****ALI: 070-406**

Requires that appropriation item 070-406, Uniform Accounting Network/Technology Improvements Fund, be used to complete the development and implementation of the Uniform Accounting Network and technology improvements for the Auditor of State's office.

No change.

Transfers the unencumbered balance of the appropriation at the end of fiscal year 2002 to fiscal year 2003 to pay costs of the development and implementation of the Uniform Accounting Network and technology improvements for the Auditor of State's office.

As Introduced

As Passed by the House

Permanent Law Changes**89 Subject: Payment for Services of Financial Supervisor**section: *118.08*

Makes revisions that clarify the payback provisions for municipalities that were in fiscal emergency prior to 1996. There are currently two municipalities, Coalton and East Cleveland, in such a condition, but current law is not clear whether the law applies to both municipalities equally. This change will eliminate any inequality between the two municipalities in how the cost of fiscal emergency services must be repaid.

No change.

90 Subject: Modification of Debt Coordination Requirementssection: *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.

As Introduced

As Passed by the House

Permanent Law Changes**91 Subject: Conformity to the New Governmental Financial Reporting Model****sections: 126.21, 131.01, 183.09, 183.17**

Changes law to conform OBM's practices to the Governmental Accounting Standards Board (GASB) Statement No. 34, issued in June 1999. The changes include basic financial statements rather than general purpose financial statements, fund-based financial statements and required supplementary information. OBM believes that in order to implement and monitor these new accounting rules, one vacant position will need to be filled, resulting in increased costs of \$58,025 in FY 2002 and \$63,828 in FY 2003. Furthermore, the changes will result in increased costs in FY2002 for additional payments to the Auditor's office because the audit will take more time in order for the Auditor to become familiar with the new processes. This will result in increased costs of between \$100,000 to \$125,000 in FY 2002.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

92 Subject: Office of Quality Services**Section: 30****ALI: 042-401**

Allows a portion of appropriation item 042-401, Office of Quality Services, to be used to provide financial sponsorship support for conferences and showcases that promote quality improvement.

Section: 28

No change.

93 Subject: Ohio's Quality Showcase**Section: 30**

Allows the Office of Quality Services to cosponsor Ohio's Quality Showcase. Also allows any state agency to provide financial support of not more than \$5,000 annually or in-kind support for the Showcase.

Section: 28

No change.

As Introduced

As Passed by the House

Temporary Law Changes

94 Subject: Audit Costs

Section: 30

ALI: 042-603

Limits amount of appropriation item 042-603, State Accounting, that may be used to pay for centralized audit costs to \$450,000 in FY2002 and \$350,000 in FY2003.

Section: 28

No change.

As Introduced

As Passed by the House

Temporary Law Changes

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

Section: 139

No provision.

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. 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 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.)

As Introduced

As Passed by the House

Temporary Law Changes

96 Subject: Other Transfers to the General Revenue Fund

Section: 140

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.

As Introduced

As Passed by the House

Permanent Law Changes

97 Subject: Capitol Square Improvement Fund Name and Uses

section: 105.41

Changes the name 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.

As Introduced

As Passed by the House

Permanent Law Changes**98 Subject: Exclusion from Unclaimed Funds Law**

section: 169.01

No provision.

Specifies that any credit due a retail customer that is represented by a gift certificate, gift card, merchandise credit, or merchandise credit card, redeemable only for merchandise, does not constitute unclaimed funds for purposes of the Unclaimed Funds Law.

99 Subject: Elevator Re-Inspection Fees

section: 4105.17

Increases the base fee for an elevator re-inspection from \$30 to \$125. The existing supplement of \$5 per floor remains unchanged. The re-inspection fee applies when an inspector is forced to return to the site because of problems or delays not caused by the Division of Industrial Compliance. It is unclear how many such re-inspections there are annually, and thus what amount of additional revenue this provision would generate.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**100 Subject: Penalty Enforcement Fund****section: 4115.10**

Establishes the Penalty Enforcement Fund as an active, revenue-accruing fund in the state treasury, rather than its current status as a non-revenue custodial account. Revenues would consist of penalties assessed on violations of the Prevailing Wage Law. Revenue would depend on the number and amount of fines assessed for such violations.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

101 Subject: Grants - Volunteer Fire Departments

Section: 34

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.

Section: 32

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.

102 Subject: Labor and Worker Safety

Section: 34

ALI: 800-410

Allows the Director to use a portion of appropriation item 800-410, Labor and Worker Safety, to match federal funding for the OSHA on-site consultation program.

Section: 32

No change.

As Introduced

As Passed by the House

Temporary Law Changes

103 Subject: Small Government Fire Departments

Section: 34

ALI: 800-635

No provision.

Section: 32

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.

As Introduced

As Passed by the House

Temporary Law Changes

104 Subject: Penalty Enforcement**Section: 34****ALI: 800-621**

Requires appropriation item 800-621, Penalty Enforcement, be used to enforce sections 4115.03 to 4115.16 of the Revised Code. Requires the Director of Budget and Management, on July 1, 2001, or as soon thereafter as possible, to transfer any remaining balance in the Penalty Enforcement Fund under the custody of the Treasurer of State to the Penalty Enforcement Fund (Fund 5K7) within the Department of Commerce. This temporary provision is required to effectuate the cash transfer. Revenues consist of penalties received from employers for wage and hour violations.

(See also Permanent Law Changes under subject, "Penalty Enforcement Fund".)

Section: 32

No change.

105 Subject: Unclaimed Funds Payments**Section: 34****ALI: 800-625**

Requires appropriation item 800-625, Unclaimed Funds-Claims, be used to pay bona fide claims made on the state's unclaimed funds program maintained by the agency pursuant to section 169.08 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are appropriated.

Section: 32

No change.

As Introduced

As Passed by the House

Temporary Law Changes

106 Subject: Increased Appropriation Authority - Merchandising

Section: 34

ALI: 800-601

Allows the Director of Commerce, with the agreement of the Director of Budget and Management, to seek Controlling Board approval for increased appropriation authority in appropriation item 800-601, Merchandising.

Section: 32

No change.

107 Subject: Cash Balance Transfer

Section: 34

ALIs: 800-627, 800-634

Requires the Director of Budget and Management to transfer any fund balance remaining on or after July 1, 2001 in the Salvage and Exchange Fund (Fund 861) to the Liquor Control Fund (Fund 043) and abolishes Fund 861. The Director of Budget and Management is required to cancel any existing encumbrances against appropriation item 800-634, Salvage and Exchange, and reestablish them against appropriation item 800-627, Liquor Control Operating.

Section: 32

No change.

As Introduced

As Passed by the House

Temporary Law Changes

108 Subject: Development Assistance Debt Service

Section: 34

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.

Section: 32

No change.

109 Subject: Revitalization Debt Service

Section: 34

ALI: 800-636

Requires that appropriation item 800-636, Revitalization Debt Service, be used to make debt service payments and financing costs associated with bonds issued to support part of the Clean Ohio Bond program authorized by Section 2o of Article VIII of the Ohio Constitution.

Section: 32

No change.

Implementing legislation has not yet been introduced; thus, the provision also allows further appropriation adjustments if necessary.

As Introduced

As Passed by the House

Temporary Law Changes

110 Subject: Administrative Assessments

Section: 34

Section: 32

ALI: 800-620

Requires the Director of Commerce to establish assessments charged to other agency divisions for centralized personnel, legal, fiscal, and support services provided by the Division of Administration.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

111 Subject: Consumers' Counsel Transfer

Section: 35

Transfers \$349,758.12 from Fund 5F5, Consumers' Counsel Operating Fund, to the GRF, on July 1, 2001, or as soon as possible thereafter.

Section: 35

No change.

As Introduced

As Passed by the House

Temporary Law Changes

112 Subject: Federal Share

Section: 36

Requires, when transferring funds to or from an appropriation item with a federal share, the Controlling Board make the appropriate adjustment to each affected appropriation item's federal share.

Section: 34

No change.

113 Subject: Disaster Assistance

Section: 36

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.

Section: 34

No provision.

As Introduced

As Passed by the House

Temporary Law Changes**114 Subject: Southern Ohio Correctional Facility Cost****Section: 36****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.

Section: 34

No provision.

115 Subject: Disaster Services**Section: 36****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.

Section: 34

No change.

As Introduced

As Passed by the House

Temporary Law Changes

116 Subject: Mandate Assistance**Section: 36****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 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.

Section: 34

No change.

As Introduced

As Passed by the House

Temporary Law Changes

117 Subject: Ohio's Bicentennial Celebration**Section: 36****ALI: 911-408**

Requires moneys appropriated to the Controlling Board's GRF appropriation item 911-408, Ohio's Bicentennial Celebration, which total \$14.0 million in FY 2002 and \$16.0 million in FY 2003, be distributed according to a plan approved by the Ohio Bicentennial Commission.

Section: 34

Same as the Executive provision, but reduces the appropriation authority to \$5.0 million in FY 2002 and \$7.5 million in FY 2003.

118 Subject: Ballot Advertising Costs**Section: 36****ALI: 911-441**

Requires: (1) moneys appropriated to the Controlling Board's GRF appropriation item 911-411, Ballot Advertising Costs, which total \$800,000 in each fiscal year, be used by the Ohio Ballot Board to reimburse county boards of election for the cost of public notices associated with statewide ballot initiatives; (2) any amounts not needed for that purpose be transferred to the Controlling Board's GRF appropriation item 911-404, Mandate Assistance.

Section: 34

Same as the Executive provision, but reduces the appropriation authority in each of FYs 2002 and 2003 to \$600,000.

As Introduced

As Passed by the House

Temporary Law Changes**119 Subject: Expenditures and Appropriation Increases Approved by the Controlling Board****Section: 110****Section: 116**

Appropriates amounts necessary to support additional state agency spending the Controlling Board may authorize: (1) when it approves transfers; (2) when receipts into certain funds exceed the amount appropriated; (3) when a state agency lacks sufficient unencumbered appropriations to make a refund.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**120 Subject: Reexamination Fee for Cosmetologists****section: 4713.10**

Increases from \$14 to \$21 the fee for retaking the examination for a license to practice cosmetology or any of its branches.

The fiscal effect, if not enacted, would be insufficient revenues because the cost of the computer-based national written exam will be more than twice the current revenues received from the candidates.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**121 Subject: Definition of "Comprehensive Plan"****section: 181.51**

Changes "all" to "any" of the functions of the criminal justice and juvenile justice systems of the state or a specified area of the state that are to be included in developing a document defined as a "comprehensive plan" for the purposes of sections 181.51 to 181.56 of the Revised Code. This provision 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.

As Introduced

As Passed by the House

Permanent Law Changes**122 Subject: Juvenile Justice Coordinating Councils****sections: 181.51, 181.56**

Expands existing law permitting a county or counties to form a criminal justice coordinating council to include authority to form a juvenile justice coordinating council. This provision reflects the executive recommendation to transfer control of the state's federal juvenile justice and delinquency prevention programs from the Office of Criminal Justice Services to the Department of Youth Services. The costs of establishing and maintaining a juvenile justice coordinating council are unclear, however, these costs are only triggered if a county or combination of counties opt to form such a council. Additionally, one would think that, to the degree possible, such a county or combination of counties would try to integrate a juvenile justice coordinating council into the operation of its criminal justice coordinating council, assuming of course that one exists.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**123 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.

124 Subject: Juvenile Justice System Information and Assistance**section: 181.52**

Adds a "permissive" task to the list of duties assigned to the Office of Criminal Justice Services. Specifically, this provision authorizes the Office to gather and provide information and provide assistance regarding the juvenile justice system upon the request of the Governor. The fiscal burdens for the Office associated with this "permissive" task are impossible to predict, and in fact, would be unknown until the Governor actually requested that the Office assist the juvenile justice system in some way.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**125 Subject: Transfer of Juvenile Justice System Duties****section: 181.52****ALIs: 196-604, 196-602**

Transfers juvenile justice system duties and related administration of federal juvenile justice and delinquency prevention program grants from the Office of Criminal Justice Services to the Department of Youth Services. This would mean that, effective July 1, 2001, over \$10 million in annual federal administrative and program dollars and six full-time juvenile justice staff positions will be transferred to the Department of Youth Services. The transfer of these juvenile justice duties and related federal funds creates a fiscal problem for the Office of Criminal Justice Services. Currently, the Office codes other on-going administrative costs to these various federal juvenile justice and delinquency prevention programs, including around 25 percent of the payroll associated with 32 of its remaining staff. LSC fiscal staff has estimated the cost of these other administrative expenses at roughly \$500,000 in FY 2002 and \$600,000 in FY 2003. As the federal juvenile justice and delinquency prevention funding that covers those other on-going administrative costs will be transferred to the Department of Youth Services, the Office will have to shift these expenses into its GRF budget and remaining federal criminal justice assistance programs, most notably the Byrne Memorial Criminal Justice Block Grant.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**126 Subject: Family Violence Prevention and Services Act****sections: 181.52, 5101.251****ALI: 196-604**

Requires the Office of Criminal Justice Services to administer funds received under the federal Family Violence Prevention and Services Act. The addition of this duty reflects the fact that this existing federal program, which includes approximately \$2.7 million in annual federal funding and two full-time staff positions, are being transferred from the Department of Job and Family Services to the Office of Criminal Justice Services as part of the executive-proposed budget.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**127 Subject: Metropolitan County Criminal Justice Services Agencies****section: 181.54**

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.

As Introduced

As Passed by the House

Temporary Law Changes

128 Subject: Indigent Defense**Section: 40**

Requires the Office of Criminal Justice Services make all efforts to maximize the amount of funding available for the defense of indigent persons.

Section: 38

No change.

129 Subject: Criminal Justice Information System**Section: 40****ALI: 196-401**

Requires the Office of Criminal Justice Services to: (1) use the funds appropriated to GRF appropriation item 196-401, Criminal Justice Information System, to work on a plan to improve Ohio's criminal justice information systems; (2) provide progress reports on this plan to certain parties by January 1, 2002 and January 1, 2003.

Section: 38

No change.

As Introduced

As Passed by the House

Temporary Law Changes**130 Subject: Operating Expenses****Section: 40****ALI: 196-424**

Earmarks up to \$577,642 in FY 2002 and up to \$606,109 in FY 2003 of the funds appropriated to GRF appropriation item 196-424, Operating Expenses, for the purpose of matching federal funds. This earmark reflects the executive recommendation to eliminate the Office's existing GRF appropriation item that is used for the purpose of matching federal funds (196-499, State Match) and merge its purpose and funding into the Office's GRF Operating Expenses appropriation item (196-424).

Section: 38

No change.

As Introduced

As Passed by the House

Temporary Law Changes

131 Subject: Transfer of Federal Family Violence Prevention and Services Act**Section: 142****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.

Section: 160

Same as the Executive provision, 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.

As Introduced

As Passed by the House

Permanent Law Changes**132 Subject: License Fee Increase****sections: 4715.14, 4715.16**

Increases most types of State Dental Board license fees by 35%.

This provision will increase revenue to the State Dental Board.

No change.

133 Subject: New Quality Intervention Program**sections: 4715.03, 4715.031**

Requires State Dental Board to develop a quality intervention program to address issues in lieu of disciplinary proceedings.

The net fiscal effect of this provision would be a reduction in administrative hearing costs, which can total thousands of dollars per day. Board operating expenses would increase approximately \$50,800 in FY02 and \$47,910 in FY03 to establish and administer this new program.

No change.

As Introduced

As Passed by the House

Temporary Law Changes**134 Subject: Board of Deposit Expense Fund****Section: 42****ALI: 974-601**

Provides that after receiving certification of expenses by the Treasurer of State, the Director of Budget and Management shall transfer cash from the Investment Earning Redistribution Fund (Fund 608) to the Board of Deposit Expense Fund (Fund 4M2) to pay for banking charges and fees required for the operation of the State of Ohio Regular Account.

Section: 40

No change.

As Introduced

As Passed by the House

Permanent Law Changes**135 Subject: Family Farm Loan Program**

sections: 122.011, 901.63, 901.81, 901.82

Extends the ending date of the Family Farm Loan Program to July 1, 2003, changes all other statutory dates to coincide with it and authorizes financial institutions to forward all application materials to the Department of Agriculture for review by the Director of Agriculture. The provision allows \$2,246,375 in each fiscal year to fund the program.

No change.

(See Permanent and Temporary Law Changes in the Department of Agriculture under same subject.)

136 Subject: Minority Business

sections: 122.71, 122.76

Redefines "minority business enterprise" to exclude nonresidents of Ohio who have a significant presence in the state. Expands the kinds of organizations to which the Director of Development may lend funds to include a "minority contractors business assistance organization" (which provides management and technical business assistance) and a "minority business supplier development council" (a nonprofit affiliate of the National Minority Supplier Development Council).

No change.

As Introduced

As Passed by the House

Permanent Law Changes**137 Subject: Minority Business Development Division****section: 122.92**

Requires the Minority Business Development Division to provide grant assistance to nonprofit entities that promote economic development, development corporations, community improvement corporations, and incubator business entities if the entities or corporations focus on business, technical, and financial assistance to minority business enterprises to assist the enterprises with fixed asset financing.

No change.

138 Subject: Elimination of the Volume Cap Survey Requirement**section: 133.021**

Eliminates the requirement that the Joint Select Committee on Volume Cap survey the entities that can issue tax-exempt private activity bonds concerning the amount issued for the previous year and the amount requested for the current year.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**139 Subject: Extension of the Rural Industrial Park Loan Program****sections: 166.03, and Sections 9.01 and 9.02 of the bill**

Extends the life of the Rural Industrial Park Loan Program to July 1, 2003 and changes the relevant statutory dates. During the last fiscal year, the agency processes five loans, estimated to cost \$2,500 in staff time.

No change.

140 Subject: Scrap Tire and Loan Program**sections: 166.032, 1502.12**

Eliminates the Scrap Tire Loans and Grants Fund in the Department of Development and establishes the Scrap Tire Recycling Fund in the Department of Natural Resources.

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

No change.

As Introduced

As Passed by the House

Permanent Law Changes

141 Subject: Uses of the Low- and Moderate-Income Housing Trust Fund**sections: 175.21, 175.22**

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 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

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.

As Introduced

As Passed by the House

Permanent Law Changes

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

Temporary Law Changes

142 Subject: Washington Office**Section: 43.01****ALIs: 195-100, 195-200, 195-300**

Limits the amount of appropriations from appropriation items 195-100, Personal Services, 195-200, Maintenance, and 195-300, Equipment, that may be transferred from the GRF to the General Reimbursement Fund to support the Washington Office to the amount of \$335,700 per fiscal year.

Section: 41.01

No change.

143 Subject: Thomas Edison Program**Section: 43.01****ALI: 195-401**

Requires appropriation item 195-401, Thomas Edison Program, be used for public and private efforts in technological innovation to promote the transfer of technology to Ohio businesses for the purpose of job creation. Not more than \$2,153,282 in fiscal year 2002 and \$2,228,537 in fiscal year 2003 may be used for the operating expenses of the Technology Division.

Section: 41.01

Same as Executive provision, but earmarks \$187,500 in each fiscal year for the establishment of an e-logistics port at Rickenbacker Port Authority.

As Introduced

As Passed by the House

Temporary Law Changes

144 Subject: Small Business Development**Section: 43.02****ALI: 195-404**

Requires appropriation item 195-404, Small Business Development, be used to provide grants to support Small Business Development Centers and other local activity promoting small business through technical, financial and management consultation services, operations of the One-Stop Business Permit Center, and the Women's Business Resource Program. These funds must be used as matching funds for grants from the U.S. Small Business Administration and other federal agencies.

Section: 41.02

No change.

145 Subject: Minority Business Development Division**Section: 43.02****ALI: 195-405**

Requires that not less than \$1,060,000 each fiscal year of appropriation item 195-405, Minority Business Development Division, be used to fund minority contractors and business assistance organizations. The Minority Business Development Division must use U.S. Census Bureau data to determine the numbers of minority contractors and business assistance organizations necessary and the amount of funding to be provided to each, and which cities need minority contractors and business assistance organizations.

Section: 41.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

146 Subject: Transitional and Permanent Housing Program**Section: 43.03****ALI: 195-406**

Requires appropriation item 195-406, Transitional and Permanent Housing, be used to provide grants to local governments and nonprofit organizations for the operating and other associated costs to new and existing transitional and permanent housing for the homeless; mandates that at least 75 percent of the appropriation must be used for transitional housing for the homeless.

Section: 41.03

Same as the Executive provision, but eliminates the provision that at least 75 percent of the appropriation must be used for transitional housing for the homeless.

147 Subject: Coal Research Development**Section: 43.03****ALI: 195-408**

Requires appropriation item 195-408, Coal Research Development, be used to provide funding for administrative costs of the Coal Development Office and for grants that encourage, promote, and assist the use of Ohio coal.

Section: 41.03

No change.

As Introduced

As Passed by the House

Temporary Law Changes

148 Subject: Utility Payment Administration**Section: 43.03****ALI: 195-409**

Requires appropriation item 195-409, Utility Payment Administration, be used to pay for the administrative costs of providing utility and fuel assistance benefits to low-income Ohio households with elderly and disabled members.

Section: 41.03

No change.

As Introduced

As Passed by the House

Temporary Law Changes

149 Subject: Business Development**Section: 43.04****ALI: 195-412**

Requires appropriation item 195-412, Business Development Grants, be used for attracting and retaining business opportunities within the State. Funds, not to be released without prior Controlling Board approval, will be used for infrastructure improvements, both to political subdivisions and private businesses with the purpose of creating or retaining a significant number of jobs within the State. Grant awards may be considered only if the project's viability hinges on the award of the Business Development Grant, all other public or private sources of financing have been exhausted, or the funds act as a catalyst for the infusion of other financing sources into the project. The grants may be used for, but not limited to, construction, rehabilitation, and acquisition projects by the Department of Transportation.

Section: 41.04

No change.

As Introduced

As Passed by the House

Temporary Law Changes

150 Subject: First Frontier Match**Section: 43.05****ALI: 195-414**

Requires appropriation item 195-414, First Frontier Match, be used to provide funding for local, regional or state marketing campaigns for counties with populations of 175,000 or less.

Section: 41.05

No change.

151 Subject: Regional Offices and Economic Development**Section: 43.05****ALI: 195-415**

Requires appropriation item 195-415, Regional Offices and Economic Development, be used to provide grants for cooperative economic development ventures and operating expenses of the Economic Development Division and the regional economic development offices.

Section: 41.05

No change.

As Introduced

As Passed by the House

Temporary Law Changes

152 Subject: Governor's Office of Appalachian Ohio**Section: 43.06****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.

Section: 41.06

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.

153 Subject: Urban/Rural Initiative**Section: 43.06****ALI: 195-417**

Requires appropriation item 195-417, Urban/Rural Initiative, be used to make Urban and Rural Initiative Grants in accordance with sections 122.19 to 122.22 of the Revised Code.

Section: 41.06

No change.

As Introduced

As Passed by the House

Temporary Law Changes

154 Subject: Technology Action**Section: 43.06****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.

Section: 41.06

No change.

As Introduced

As Passed by the House

Temporary Law Changes**155 Subject: Community Development Corporations****Section: 43.07****ALI: 195-431**

Requires that at least \$100,000 each fiscal year of appropriation item 195-431, Community Development Corporations, be used to provide training, technical assistance and capacity building assistance to nonprofit development organizations with priority given to underserved areas of the state; provides that a portion of funds be used to make grants to the Ohio Community Development Finance Fund to leverage private-sector funds to assist nonprofit development organizations create affordable housing and permanent jobs in distressed areas. Remaining moneys provide assistance to local community development corporations to develop affordable housing programs and economic development programs in their neighborhoods and to cover operating costs.

Section: 41.07

No change.

As Introduced

As Passed by the House

Temporary Law Changes

156 Subject: International Trade**Section: 43.08****ALI: 195-432**

Requires appropriation item 195-432, International Trade, be used to operate and maintain Ohio's out-of-state trade offices, to fund the International Trade Division and to assist Ohio manufacturers and agriculture producers in exporting to foreign countries in conjunction with the Department of Agriculture. Up to \$35,000 of the appropriation item may be used to purchase gifts for foreign representatives or dignitaries.

Section: 41.08

No change.

157 Subject: Ohio Investment in Training Program**Section: 43.09****ALI: 195-434**

Requires appropriation item 195-434, Investment in Training Grants, be used to promote industrial training through grants that reimburse training expenses.

Section: 41.09

No change.

As Introduced

As Passed by the House

Temporary Law Changes

158 Subject: Emergency Shelter Housing Grants**Section: 43.10****ALI: 195-440**

Requires appropriation item 195-440, Emergency Shelter Housing Grants, be used for grants to private, nonprofit organizations to provide emergency shelter housing for the homeless, with monies to be used for shelter operations and services including employment assistance, case management, information and referral services, transportation and clothing. Each organization must match 50 percent of the total grant.

Section: 41.10

Same as Executive provision, but adds the provision that in awarding grants, the department shall give preference to organizations applying to fund existing emergency shelter housing.

159 Subject: Low and Moderate Income Housing**Section: 43.10****ALIs: 195-441, 195-638**

Mandates that the Director of Budget and Management, after consulting with the Director of Development, transfer up to \$20,000,000 from appropriation item 195-441, Low and Moderate Income Housing, to appropriation item 195-638, Low and Moderate Income Housing Trust Fund.

Section: 41.10

Same as Executive provision, but changes the transfer amount from \$20,000,000 to \$19,000,000.

As Introduced

As Passed by the House

Temporary Law Changes

160 Subject: TANF Transfer to CDBG Operating Match

Section: 43.10

ALI: 195-497

No provision.

Section: 41.10

Requires that \$5,200,000 in fiscal year 2002 and \$6,500,000 in fiscal year 2003 be transferred to appropriation item 195-497, CDBG Operating Match from appropriation item 600-689, TANF Block Grant, in the Department of Job and Family Services, to provide supportive services for low-income families related to housing or homelessness, including housing counseling; to provide grants to nonprofit organizations to assist with down payment assistance for homeownership, including the purchase of mobile homes; to provide emergency home repair funding; to provide operating support for family emergency shelter programs; and to provide emergency rent and mortgage assistance. The provision prohibits TANF funds being used as a match for federal funds and no more than five percent of transferred funds to be used for administrative expenses.

As Introduced

As Passed by the House

Temporary Law Changes

161 Subject: Utility Bill Credits**Section: 43.10****ALI: 195-505**

Requires appropriation item 195-505, Utility Bill Credits, be used to provide utility and fuel assistance to eligible low-income Ohio households with elderly and disabled members.

Section: 41.10

No change.

162 Subject: Travel and Tourism Grants**Section: 43.11****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.

Section: 41.11

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.

As Introduced

As Passed by the House

Temporary Law Changes

163 Subject: Issue 1 Implementation**Section: 43.11****ALI: 195-510**

No provision.

Section: 41.11

Provides funding for the implementation of Article VIII, Section 2o of the Ohio Constitution.

164 Subject: Coal Research and Development General Obligation Debt Service**Section: 43.11****ALI: 195-906**

Requires appropriation item 195-906, Coal Research and Development General Obligation Debt Service, be used to pay all debt service and financing costs from July 1, 2001, to June 30, 2003. These amounts are \$8,971,700 in FY 2002 and \$9,420,300 in FY 2003.

Section: 41.11

No change.

As Introduced

As Passed by the House

Temporary Law Changes

165 Subject: Supportive Services**Section: 43.12**

Provides credits for a division's payments for the cost of central service operations used for administrative ease and uniform application. A plan assessing the operating costs of the department's divisions must be approved by the Office of Budget and Management by August 1st of each fiscal year.

Section: 41.12

No change.

166 Subject: General Reimbursement**Section: 43.12****ALI: 195-636**

Requires appropriation item 195-636, General Reimbursement, be used for conference and subscription fees and other reimbursable costs. Revenues received consist of fees charged for conferences, subscriptions and other administrative costs that are not central service costs.

Section: 41.12

No change.

As Introduced

As Passed by the House

Temporary Law Changes

167 Subject: HEAP Weatherization

Section: 43.12

Requires that 15 percent of federal funds received for the Home Energy Assistance Block Grant be deposited in the Fund 3K9 and must be used for home weatherization services.

Section: 41.12

No change.

168 Subject: HOME Program

Section: 43.12

ALIs: 195-601, 195-603

Requires that, on July 1, 2001, or as soon as possible thereafter, any cash balance or open encumbrances in appropriation item 195-603, Housing and Urban Development, be canceled and reestablished against to the newly created appropriation item 195-601, HOME Program.

Section: 41.12

No change.

As Introduced

As Passed by the House

Temporary Law Changes

169 Subject: State Special Projects**Section: 43.12****ALI: 195-639**

Requires appropriation item 195-639, State Special Projects, be used as a general account for the deposit of private-sector funds from utility companies and other miscellaneous state funds. The private-sector funds must be used to pay expenses relating to verifying income-eligibility of HEAP applicants, market economic development opportunities and leverage additional federal funds; state funds must be used to match federal housing grants for the homeless.

Section: 41.12

No change.

170 Subject: Minority Business Enterprise Loan**Section: 43.13****ALI: 195-646**

Authorizes all repayments from the Minority Development Financing Advisory Board and the Ohio Mini-Loan Guarantee Program to be deposited into the Minority Business Enterprise Loan Fund to pay all operating costs of the Minority Business Enterprise Loan Fund.

Section: 41.13

No change.

As Introduced

As Passed by the House

Temporary Law Changes

171 Subject: Minority Business Bonding Fund**Section: 43.13****ALI: 195-623**

Authorizes the Director of Development, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10,000,000 of the Department of Commerce's unclaimed funds to the Minority Business Bonding Fund (Fund 449) for payment of losses from the program. Expenditures for losses arising from the Minority Business Bonding Program are made from appropriation item 195-623, Minority Business Bonding Contingency, but only if proceeds of the initial transfer of \$2,700,000 by the Controlling Board to the Minority Business Bonding Program have been used for payment of losses.

Section: 41.13

No change.

172 Subject: Minority Business Bonding Program Administration**Section: 43.13****ALI: 195-624**

Requires that investment earnings of the Minority Business Bonding Fund be credited to appropriation item 195-624, Minority Business Bonding Program Administration Fund.

Section: 41.13

No change.

As Introduced

As Passed by the House

Temporary Law Changes

173 Subject: Economic Development Financing Operating**Section: 43.14****ALI: 195-625**

Requires appropriation item 195-625, Economic Development Financing Operating, be used for the operating expenses of financial assistance programs authorized under the Economic Development Programs in the Revised Code.

Section: 41.14

No change.

174 Subject: Universal Service Fund**Section: 43.14****ALI: 195-659**

Requires appropriation item 195-659, Universal Service, be used to provide electric utility assistance benefits to Percentage of Income Payment Plan (PIPP) electric accounts, fund targeted energy efficiency and customer education services to PIPP customers, and cover administrative costs of the Universal Service Fund Programs.

Section: 41.14

No change.

As Introduced

As Passed by the House

Temporary Law Changes

175 Subject: Energy Efficiency Revolving Loan Fund**Section: 43.14****ALI: 195-660**

Requires appropriation item 195-660, Energy Efficiency Revolving Loan, be used to pay administrative costs of the program and to provide financial assistance to customers for eligible energy efficiency projects for residential, commercial and industrial business, local government, educational institutions, nonprofit and agriculture customers.

Section: 41.14

No change.

176 Subject: Volume Cap Administration**Section: 43.14****ALI: 195-654**

Requires appropriation item 195-654, Volume Cap Administration, be used to provide funds to pay for expenses related to the administration of the Volume Cap Program. Revenues received by the Volume Cap Administration Fund include application fees, forfeited deposits, and interest earned on the custodial account.

Section: 41.14

No change.

As Introduced

As Passed by the House

Temporary Law Changes

177 Subject: Facilities Establishment Fund**Section: 43.15****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.

Section: 41.15

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.

As Introduced

As Passed by the House

Temporary Law Changes

178 Subject: Family Farm Loan Program**Section: 43.15****ALI: 195-652**

Requires, with Controlling Board approval, up to \$2,246,375 in the Facilities Establishment Fund (Fund 037) be transferred to the Family Farm Loan Fund (Fund 5H1). These moneys are to be used for loan guarantees. When the Family Farm Loan Fund ceases to exist, all outstanding balances, all loan repayments, and all other outstanding obligations are to revert to the Facilities Establishment Fund.

Section: 41.15

No change.

179 Subject: Fund 5F7 Transfer**Section: 43.16**

Requires, on July 1, 2001, or as soon as possible thereafter, the Director of Budget and Management to transfer all cash in Fund 5F7, Local Government Y2K Loan Program to the GRF. Upon completion of the transfer, the fund will be abolished.

Section: 41.16

No change.

As Introduced

As Passed by the House

Temporary Law Changes

180 Subject: Biomedical Research Expansion Grants**Section: 43.10****ALI: 195-503**

Requires appropriation item 195-503, Biomedical Research Expansion Grants, be used to support three \$2,000,000 grants each fiscal year to The Ohio State University, the University of Cincinnati and Case Western Reserve University for facilities and infrastructure improvements that benefit biomedical research. Each grant requires a local match.

Section: 43.10

No provision.

As Introduced

As Passed by the House

Permanent Law Changes

181 Subject: Commission Quorum

section: 179.02

Changes a quorum for Commission action from 7 of the 12 members to a majority of the members of the Commission as it exists at any given time.

No change.

182 Subject: Commission Contracts

sections: 179.03, 179.04

Permits the Commission to authorize its Executive Director to enter into contracts for dispute resolution and conflict management services. At present, only the Commission as a whole is authorized to enter into such contracts.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

183 Subject: Commission on Dispute Resolution/Management**Section: 45****ALI: 145-401**

Requires appropriation item 145-401, Commission on Dispute Resolution/Management, be used for providing dispute resolution and conflict management training, consultation, and materials for state and local government, communities, school districts, and courts, and in consultation with the Department of Education, for the purpose of offering competitive school conflict program grants to school districts. The Commission is also required to assist the Department of Education in the development and dissemination of the school conflict management programs to school districts.

Section: 43

No change.

As Introduced

As Passed by the House

Permanent Law Changes**184 Subject: School District Debt Ceiling for School Facilities Assistance****section: 133.06**

No provision.

Permits a school district to exceed the 9% debt limitation if the additional debt is necessary to raise the district's share of a building project under the state's School Facilities Assistance Program. The Ohio School Facilities Commission must notify the state Superintendent of Public Instruction whenever a school district exceeds the 9% limit.

As Introduced

As Passed by the House

Permanent Law Changes**185 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).

As Introduced

As Passed by the House

Permanent Law Changes

186 Subject: Accountability

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 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

As Introduced

As Passed by the House

Permanent Law Changes

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.

187 Subject: Vocational Education renamed "Career-Technical Education"

section: 3303.01

No provision.

Provides that whenever the term "vocational education" occurs throughout the Revised Code, that term is deemed to refer to "career-technical education," except that joint vocational school districts and vocational education districts must continue to be styled as they are now.

As Introduced

As Passed by the House

Permanent Law Changes**188 Subject: Educational Service Center Mergers****section: 3311.057**

No provision.

Re-opens the window of opportunity for educational service centers (ESCs) that wish to merge utilizing the option to craft a governing board with a unique make-up. This option to select the number of board members and whether to elect some or all by subdistrict is limited under current law to mergers that occur prior to July 1, 1999. The bill allows ESCs that merge (or have merged) anytime prior to July 1, 2003 to custom design their board.

189 Subject: Educational Service Center Mergers**section: 3311.058**

No provision.

Permits educational service centers (ESC) that would otherwise be required to merge in order to meet any prescribed average daily membership (ADM) count not to merge if merging would cause the territory of the new ESC to consist of more than 800 square miles. Temporary law enacted in 1995 requires certain ESCs that have ADM of less than 8,000 students to merge.

As Introduced

As Passed by the House

Permanent Law Changes**190 Subject: Sale of School District Property to Community Schools****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.

As Introduced

As Passed by the House

Permanent Law Changes**191 Subject: High School Graduation Requirements****sections: 3313.603, 3317.012**

Maintains the current law requiring completion of 21 high school units to graduate from high school after September 15, 2001.

Specifies that the FY 2002 formula amount includes \$24 per pupil for the costs associated with implementing the 21-unit requirement.

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 additional 0.2 units.

As Introduced

As Passed by the House

Permanent Law Changes**192 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.)

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."

No change.

As Introduced

As Passed by the House

Permanent Law Changes**193 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).

As Introduced

As Passed by the House

Permanent Law Changes**194 Subject: Community School Contract Termination****section: 3314.07**

No provision.

Changes the law regarding the termination of a community school contract to require 90 days notice instead of 180 days be given to the school's governing authority.

Allows termination prior to the end of the school year.

Authorizes a sponsor to immediately suspend the operation of a school for health and safety reasons and for other reasons after issuing a notice of intent.

Requires the school to notify its students and employees of an operating suspension.

As Introduced

As Passed by the House

Permanent Law Changes**195 Subject: Catastrophic Costs Subsidy**

sections: 3314.08, 3317.022, 3317.16

Expands the 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).

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.

Includes all special education students except speech-only students under this subsidy.

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

As Introduced

As Passed by the House

Permanent Law Changes**196 Subject: Vocational Education Weight Funding for Community Schools****section: 3314.08**

No provision.

Adds to the funding system weights for students who are enrolled in comparable vocational education programs in community schools. Just like funding for special education weights, total vocational education weight funding will follow students to community schools.

As Introduced

As Passed by the House

Permanent Law Changes

197 Subject: Community School Pupil Transportation

sections: 3314.09, 3314.091

No provision.

Permits school districts and community school governing boards to enter into agreements under which the community school will assume the responsibility for transporting its students. Community schools (often called "charter schools") are public nonprofit, nonsectarian schools that operate under contract with a public sponsor. Current law provides that the school district in which the students enrolled in a community school are entitled to attend school must generally provide transportation for such students on the same basis that it provides transportation for its own students. However, a board is not required to transport nonhandicapped students to and from a community school located in another school district if the transportation would require more than thirty minutes of direct travel time. In addition, where it is impractical to transport a pupil to and from a community school by school conveyance, a district board may, in lieu of providing the transportation, make a payment to the parent of a community school student, based on the statewide average cost of transportation per pupil. The bill permits a community school to make payments in lieu of transporting in the same manner as the district. If a community school assumes this transportation responsibility it is entitled to a payment from the state which is deducted from the state payments that otherwise would be paid to the school district in which the students enrolled in the school reside.

As Introduced

As Passed by the House

Permanent Law Changes

The amount of the payment is \$450 per pupil transported in fiscal year 2002. That amount is inflated by the annual increase in the Consumer Price Index for all urban transportation in each subsequent fiscal year.

198 Subject: Base Cost Methodology**section: 3317.012**

Changes the methodology for determining the base cost of an adequate education for FY 2002 through FY 2007, resulting in increased per pupil 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":

- (1) Met at least 20 of 27 state performance standards;
- (2) Met three "input" criteria involving pupil-teacher ratio, teacher experience, and offering of advanced placement courses; and
- (3) Were not among the top or bottom 5% of all school districts in income wealth or property valuation per pupil.

Utilizes a different methodology that also derives the base cost from analyzing the 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 analysis. If a district was also in the FY 1996 model, its FY 1996 expenditures were inflated to FY 1999 levels to be used for the analysis.

As Introduced

As Passed by the House

Permanent Law Changes**199 Subject: Future Base Cost Amounts****section: 3317.012**

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.

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

As Introduced

As Passed by the House

Permanent Law Changes

200 Subject: Special Education Weights

**sections: 3314.08, 3317.01, 3317.013, 3317.02, 3317.021
3317.022, 3317.023, 3317.03, 3317.16, 3317.2**

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

Replaces the current system of two special education weights [see brackets below] for three special education categories with a system comprising six special education weights for six categories, as follows:(1) A weight of 0.2892 for students whose only identified handicap is a speech-language handicap ("speech-only" students) [no 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 identifies as autistic [3.01] or having traumatic brain injuries [3.01]. Phases in the new weights over the biennium by directing that the 80.5% of the weights be used in FY 2002 and 85% in FY 2003.

Provides an additional \$20 million of state aid for special education weights to school districts in FY 2003.

As Introduced

As Passed by the House

Permanent Law Changes**201 Subject: School District Special Education Spending****sections: 3317.013, 3317.022, 3317.16**

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.

Replaces this requirement with a new requirement that each city, local, and exempted village school district annually spend on purposes the Department approves as special education and related services at least the amount of state and local funds calculated by the base-cost and special education weight formulas applied to its special education students. The Department of Education 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.

As Introduced

As Passed by the House

Permanent Law Changes**202 Subject: Vocational Education Weights**

sections: 3317.014, 3317.022, 3317.16

Continues the two weights (0.60 and 0.30) for the two categories of vocational students.

Adjusts the weights to 0.57 and 0.28 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 "[t]he adjustment maintains the same weighted costs as would exist if no change were made in the cost-of-doing-business factor."

Permits the Department of Education to adopt rules for workforce development programs that include extended instructional time, including summers, and to apportion the 0.57 weight so that the district could receive the full amount of the weight even if it completed the hours outside the regular times.

As Introduced

As Passed by the House

Permanent Law Changes**203 Subject: Base Cost Amounts**sections: **3317.02, 3317.022, 3317.16**

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

Uses no phase-ins, immediately funding the per pupil base-cost amounts derived from the analysis, increasing the amount each year by an inflation factor:

\$4,814 for FY 2002;
 \$4,949 for FY 2003;
 \$5,088 for FY 2004;
 \$5,230 for FY 2005;
 \$5,376 for FY 2006; and
 \$5,527 for FY 2007.

204 Subject: Cost-of-Doing-Business Factorsections: **3317.02, 3317.022, 3317.16**

Updates the numerical 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.

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

As Introduced

As Passed by the House

Permanent Law Changes**205 Subject: Use of Income Factor in Base Cost Formula**

**sections: 3317.02, 3317.022, 3317.0217, 3317.16, 5727.8
5727.85**

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.

Provides approximately \$44 million in the state base cost funding in each fiscal year for 50% of school districts with below -median incomes.

Eliminates the income factor adjustment in the base cost formula, instead incorporating inclusion of school district income in the calculation of the proposed new parity aid program.

206 Subject: Equity Aid

section: 3317.0213

Discontinues equity aid after FY 2002, as provided in current law.

Provides privately \$23 million in FY 2002 only for the 117 lowest wealth school districts.

Extends the phase-out of equity aid through FY 2005. The state equity aid 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.

As Introduced

As Passed by the House

Permanent Law Changes**207 Subject: Power Equalization****section: 3317.0215**

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.

No provision.

Parity aid replaces power equalization.

208 Subject: Inclusion of Transportation Funding Under the Charge-off Supplement ("Gap Aid")**section: 3317.0216**

Continues unchanged the policy of paying school districts the difference if their actual local tax revenues are less than their calculated local shares for base costs, special education, and vocational education. Transportation is not included within this "gap aid" subsidy.

Adds transportation funding to the "gap aid" supplement. That is, if a district's locally levied tax revenue is insufficient to cover what is attributed as its local share of transportation funding, the state will make up the difference as it currently does with base-cost, special education, and vocational education funding.

Provides approximately \$26 million in FY 2002 and \$16 million in FY 2003 in additional state charge-off supplement for eligible school districts.

As Introduced

As Passed by the House

Permanent Law Changes

209 Subject: Parity Aid
section: 3317.0217

No provision.

Phases in over five years a new "parity aid" funding program that pays additional state funds to about 80% of school districts based on combined income and property wealth per pupil. The program essentially pays state funds to make up the difference between what additional 9.5 mills (above the adequate education foundation program) would raise in the 489 lowest wealth districts 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.

Provides approximately \$95 million in FY 2002 and \$200 million in FY 2003 for the 489 eligible districts. Per pupil benefit ranges from less than \$10 to approximately \$194 in FY 2002 and to \$406 in FY 2003.

As Introduced

As Passed by the House

Permanent Law Changes

210 Subject: 3-Mill Limit on Local Shares of Special Education, Vocational Education, and Transportation
sections: 3317.022, 3317.0216

No provision.

Establishes a 3-mill limit (over and above the 23-mill base cost charge-off) on the school district share of combined funding for special education, vocational education, and transportation, beginning in FY 2003. If a district's local share, as calculated using the funding formulas for these three categories, exceeds 3 mills' worth of revenue, the state must pay the amount of the calculated local share that exceeds 3 mills.

Provides approximately \$28 million in FY 2003 for about 40% of school districts.

As Introduced

As Passed by the House

Permanent Law Changes**211 Subject: State Share of Special Education Payments****sections: 3317.022, 3317.023, 3317.023**

Increases the state's percentage for special education payments for city, local, and exempted village school districts (by not joint vocational school districts) beginning in FY 2003 by requiring the state 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 fiscal year 2003 in appropriation item 200-502, Base Cost Funding, for this provision.

Retains the current law calculation of state and local share percentages (subject, beginning in FY 2003, to the 3-mill limit on local share).

As Introduced

As Passed by the House

Permanent Law Changes**212 Subject: Speech Service Subsidies**

sections: 3317.022, 3317.16

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

No change.

213 Subject: State Share of Transportation Funding

section: 3317.022

Retains the current transportation funding formula and continues the phase-in of the state's share of transportation funding calculated using that formula. As provided in current law, these state percentages are:

(1) 57.5% in FY 2002; and

(2) 60% in FY 2003 and thereafter.

Maintains current law but adds that in FY 2003 and thereafter the state pays the greater of 60% or the district's state share percentage of the base cost funding.

Provides approximately \$11 million in additional state pupil transportation funding in FY 2003 for about 40% of school districts having state share percentages of the base cost funding greater than 60%.

As Introduced

As Passed by the House

Permanent Law Changes

214 Subject: Minimum Teacher Salary

sections: 3317.024, 3317.13, 3317.19, and Section of the bill

No provision.

Increases the minimum base salary paid to beginning teachers with a bachelor's degree from \$17,000 to \$20,000 and proportionally increases the minimum salaries for teachers with different levels of education and experience. Although school district boards set the compensation rate for the teachers they employ, state law provides a schedule for minimum salaries that must be paid to teachers based on level of education attained and years of experience. The bill also permits the Department of Education with Controlling Board approval to make a supplemental payment in FY 2002 to those school districts that must increase their teacher salaries in order to comply with the new schedule if the calculated increase in their FY 2002 state aid does not cover the cost of that compliance. (The provision does not affect the cost of state-funded special education, vocational education, and gifted education units, which are tied to the state schedule.)

As Introduced

As Passed by the House

Permanent Law Changes**215 Subject: DPIA - All-Day Kindergarten****section: 3317.029**

Qualifies more school districts for state all-day kindergarten payments, beginning in FY 2003, by lowering the eligibility threshold from a DPIA index of 1.00 to a DPIA index of 0.60.

Provides \$30 million in FY 2003 in the appropriation item 200-520, DPIA, for the proposed all-day kindergarten expansion.

Reinstates the current law eligibility for all-day kindergarten in both fiscal years.

216 Subject: DPIA - "Class-Size Reduction" Payments**section: 3317.029**

Updates the "average teacher salary," which is a component of the formula used to calculate a school district's "class-size reduction" payment under DPIA, to \$42,469 for FY 2002 and \$43,658 for FY 2003.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**217 Subject: DPIA - Intervention Services****section: 3317.029**

Requires that districts use at least 20% of their DPIA safety and remediation payments to pay for statutorily mandated intervention services beginning in FY 2003.

No change.

218 Subject: Gifted Education Funding**sections: 3317.05, 3317.053**

Retains unit funding for gifted education programs and applies the unit amounts currently in effect for FY 2001 to FY 2002 and FY 2003.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**219 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.

220 Subject: Per Pupil Payments to Educational Service Centerssection: **3317.11**

Requires that the same per pupil amounts paid by the state to educational service centers in FY 2001 also be paid in FY 2002 and FY 2003:

(1) \$37 per pupil for centers that serve fewer than three counties; and

(2) \$40.52 per pupil for centers that serve three or more counties.

Earmarks \$52 million in each fiscal year for this provision.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**221 Subject: County MR/DD Special Education Payments**

**sections: 3317.20, 3317.03, 3317.052, 3323.09, 5126.05,
5126.12**

Makes permanent the policy to calculate special education payments to county MR/DD boards using the weights instead of state-funded units. This policy is scheduled to expire at the end of FY 2001.

No change.

As Introduced

As Passed by the House

Permanent Law Changes

222 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 Program, the Exceptional Needs Program, and the Accelerated Urban Program.

As Introduced

As Passed by the House

Permanent Law Changes

223 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 district's percentile rank according to three-year average adjusted valuation per pupil.

As Introduced

As Passed by the House

Permanent Law Changes**224 Subject: Coordinator for Gifted Education****section: 3321.01**

No provision.

Specifies that if a school district or the educational service center that serves the district employs a coordinator for gifted education, then that coordinator must serve on the district's pupil personnel services committee. The committee is responsible solely for issuing waivers allowing students to be admitted to first grade without having completed kindergarten.

225 Subject: Property Tax Replacement Payments**section: 5927.84**

No provision.

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.

As Introduced

As Passed by the House

Temporary Law Changes

226 Subject: Schools Technology Implementation Task Force

No provision.

Creates the Ohio Schools Technology Implementation Task Force to make recommendations for a comprehensive framework for coordinating the planning and implementation of technology in Ohio schools. Legislators are voting members. LSC provides staffing. The report is due December 1, 2002.

227 Subject: State Aid Cap

Sections: 14, 15, 16, 17, 18

Allows the state aid cap to continue through FY 2002 and expire at the beginning of FY 2003, as provided in current law. The cap limits increases in a district's state aid in FY 2002 to the greater of 12% overall or 10% per pupil.

Sections: 14, 15, 16, 17, 18

Repeals the state aid cap.

Provides additional state aid to school districts that would otherwise be subject to the cap.

As Introduced

As Passed by the House

Temporary Law Changes

228 Subject: Maintenance and Equipment

Section: 4.01

ALI: 200-320

Permits up to \$25,000 to be spent each year in State Board of Education out-of-state travel.

Section: 44.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

229 Subject: Head Start**Section: 4.02****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.

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

(3) No provision.

(4) No provision.

Section: 44.02

(1) No change.

(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.

(3) Requires the Director of Budget and Management of 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) Requires the Department of Education to comply with all TANF requirements.

As Introduced

As Passed by the House

Temporary Law Changes

230 Subject: Public Preschool

Section: 4.03

ALI: 200-408

Requires the Department of Education to distribute funds to pay the costs of comprehensive preschool programs. Up to two percent of total appropriation in each year may be used by the department for administrative costs.

Section: 44.03

No change.

As Introduced

As Passed by the House

Temporary Law Changes

231 Subject: Professional Development**Section: 4.04****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.

(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.

(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.

(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.

(5) Earmarks up to \$730,000 in each fiscal year to continue Ohio leadership academies to develop and train superintendents.

(5) Reduces the earmark to \$650,000 in each fiscal year.

(6) Earmarks up to \$1,000,000 in FY 2002 and \$1,250,000

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

As Introduced

As Passed by the House

Temporary Law Changes

in FY2003 to support the Ohio Principal's Leadership Academy.

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

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

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

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

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

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

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

(9) No change.

(10) No change.

(11) No change.

As Introduced

As Passed by the House

Temporary Law Changes

232 Subject: Family and Children First**Section: 4.05****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.

(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-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

(3) No change.

As Introduced

As Passed by the House

Temporary Law Changes

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.

233 Subject: Vocational Education Match**Section: 4.06****Section: 44.06****ALI: 200-416**

Requires the Department of Education to provide vocational administration matching funds pursuant to 20 U.S.C. 2311.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

234 Subject: Technical Systems Development**Section: 4.06****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.

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

Temporary Law Changes

235 Subject: Alternative Education Programs**Section: 4.06****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.

(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.

(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.

(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.

As Introduced

As Passed by the House

Temporary Law Changes

236 Subject: School Management Assistance**Section: 4.06****ALI: 200-422**

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

Section: 44.06

No change.

237 Subject: Policy Analysis**Section: 4.06****ALI: 200-424**

Requires the Department of Education to maintain a policy analysis staff unit.

Earmarks up to \$1,000,000 in each fiscal year for the cost of an independent evaluation of programs that have been funded to improve public instruction.

Section: 44.06

Same as Executive, but deletes the \$1,000,000 earmark.

As Introduced

As Passed by the House

Temporary Law Changes

238 Subject: Tech Prep Administration

Section: 4.06

ALI: 200-425

Requires the Department of Education to support state level activities designed to support, promote, and expand Tech Prep programs.

Section: 44.06

No change.

As Introduced

As Passed by the House

Temporary Law Changes

239 Subject: Ohio Educational Computer Network**Section: 4.06****ALI: 200-426**

Earmarks up to \$20,571,198 in FY 2002 and up to \$21,188,334 in FY 2003 to support connection of all public school buildings, including community schools and educational service centers, to the state's education network, to each other, and to the Internet.

Earmarks up to \$2,043,938 in FY 2002 and up to \$2,095,037 in FY 2003 for the Union Catalog and InfOhio Network.

Earmarks up to \$4,590,000 in FY 2002 and up to \$4,727,700 in FY 2003 to assist in the cost of connectivity of nonpublic chartered schools.

Earmarks \$1,200,000 in each fiscal year to fund a grant to RISE, Inc. to train preschool staff members and parents. Up to \$600,000 of this set aside may be used by RISE, Inc. to contract with a not-for-profit to conduct training for adult volunteers who work with adolescent youth in after school mentoring programs.

Requires that the remainder of the appropriation in each fiscal year be used to support development, maintenance, and operation of a network of uniform and compatible computer-based information and instructional systems.

Section: 44.06

Same as Executive, but removes the earmark of \$1,200,000 to fund a grant to RISE, Inc. to support training of preschool staff members and parents.

As Introduced

As Passed by the House

Temporary Law Changes**240 Subject: Academic Standards****Section: 4.06****ALI: 200-427**

Establishes new GRF appropriation item 200-427, Academic Standards, to develop and disseminate academic content standards.

Section: 44.06

No change.

As Introduced

As Passed by the House

Temporary Law Changes

241 Subject: School Improvement Initiatives**Section: 4.07****Section: 44.07****ALI: 200-431**

(1) Earmarks up to \$3,700,000 in FY 2002 and \$975,000 in FY 2003 to continue previously awarded capital grants.

(1) No change.

(2) Earmarks \$4,500,000 in FY 2002 and \$5,000,000 in FY 2003 for school report cards, development of core competencies for the proficiency tests and support of recommendations from Governor's Commission for Student Success.

(2) No change.

(3) Earmarks \$7,500,000 in FY 2002 and \$8,500,000 in FY 2003 to assist schools in academic watch or academic emergency.

(3) No change.

(4) Earmarks up to \$152,998 in FY 2002 and up to \$156,441 in FY 2003 to support a teacher-in-residence at the Governor's office.

(4) Reduces the earmark to \$150,000 in each fiscal year.

(5) Earmarks up to \$250,000 in FY 2002 and up to \$300,000 in FY 2003 to implement the Criteria for Performance Excellence. Up to \$25,000 in FY 2002 and up to \$30,000 in FY 2003 may be used for evaluation and administration. The rest shall be used as direct grants of up to \$2,250 in FY 2002 and up to \$2,700 in FY 2003 to school districts.

(5) Removes the earmark.

(6) Earmarks up to \$1,500,000 in FY 2002 and up to

(6) Removes the earmark.

As Introduced

As Passed by the House

Temporary Law Changes

\$3,500,000 in FY 2003 to support increased access to advanced placement courses on the Internet.

(7) Earmarks up to \$600,000 in FY 2002 and up to \$780,000 in FY 2003 to develop and communicate school operating standards.

(8) Earmarks up to \$513,639 in FY 2002 and up to \$529,301 in FY 2003 to support the department's customer response system.

(7) Removes the earmark.

(8) Removes the earmark.

242 Subject: School Conflict Management

Section: 4.07

ALI: 200-432

Provides funding for the purpose of providing dispute resolution and conflict management training, consultation, and materials for school districts, and for the purpose of providing competitive school conflict management grants to school districts.

Section: 44.07

Same as the Executive, but earmarks \$5,000 in fiscal year 2002 to support the Character Council Initiative.

As Introduced

As Passed by the House

Temporary Law Changes

243 Subject: Reading/Writing Improvement**Section: 4.07****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.

Section: 44.07

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.

244 Subject: Student Assessment**Section: 4.07****ALI: 200-437**

Requires GRF appropriation item 200-437, Student Assessment, be used to develop, field test, print, distribute, score, and report results from assessment tests.

Section: 44.07

No change.

As Introduced

As Passed by the House

Temporary Law Changes

245 Subject: Safe Schools**Section: 4.07****ALI: 200-438**

Earmarks \$250,000 in each fiscal year for the development and operation of a Safe Schools Center.

Earmarks up to \$1,800,000 in each fiscal year for a safe-school help line program for students, parents, and the community to report threats to the safety of students or school personnel.

Section: 44.07

Same as Executive, except earmark for the Safe Schools Center is changed to \$230,000 per fiscal year. The remaining \$20,000 per fiscal year is earmarked for the Eddie Eagle Gun Safety Pilot Program.

246 Subject: American Sign Language**Section: 4.07****ALI: 200-441**

Earmarks up to \$153,000 in FY 2002 and up to \$156,060 in FY 2003 in implement pilot projects for the integration of American Sign Language in to the Kindergarten through 12th grade curriculum.

Requires that the rest of the appropriation be used to assist school districts in dealing with parents of handicapped children who are deaf or hard of hearing, in integrating ASL as a foreign language, and in obtaining interpreters.

Section: 44.07

No change.

As Introduced

As Passed by the House

Temporary Law Changes

247 Subject: Child Care Licensing**Section: 4.07****ALI: 200-442**

Provides funds for the department to license and inspect preschool and school-age child care programs.

Section: 44.07

No change.

248 Subject: Professional Recruitment**Section: 4.07****ALI: 200-444**

Earmarks \$1,300,000 in each fiscal year to establish programs to recruit underrepresented populations into the teaching profession.

Requires the rest of the appropriation be used to recruit in special needs areas such as mathematics and science teachers, special educators, and principals, to develop a web-based placement bureau, to establish a pre-collegiate program to target future teachers, and to pilot paraeducators-to-teacher programs.

Section: 44.07

No change.

As Introduced

As Passed by the House

Temporary Law Changes**249 Subject: OhioReads Admin/Volunteer Support****Section: 4.07****Section: 44.07****ALI: 200-445**

Requires that the appropriation be allocated by the OhioReads Council for costs associated with volunteers in school buildings and education service centers, for operating expenses and for evaluation of the OhioReads program.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

250 Subject: Education Management Information System**Section: 4.08****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.

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.

Section: 44.08

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

As Introduced

As Passed by the House

Temporary Law Changes**251 Subject: GED Testing/Adult High School****Section: 4.08****Section: 44.08****ALI: 200-447**

Provides funding to provide GED testing at no cost to applicants, pursuant to rules adopted by the State Board of Education.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

252 Subject: Community Schools**Section: 4.08****Section: 44.08****ALI: 200-455**

Earmarks up to \$100,000 in each fiscal year for the Lucas County Educational Service Center to pay for additional services provided to community schools.

No change.

Earmarks up to \$1,628,935 in FY 2002 and up to \$1,724,517 in FY 2003 for the Office of School Options to fund additional services and responsibilities related to community schools.

Permits the Department of Education and the Lucas County Educational Service Center to use the rest of the appropriation to make grants of up to \$50,000 to each group with a preliminary agreement to defray planning and start-up costs and to make grants of up to \$100,000 to the school to partially defray additional start-up costs.

Forbids schools awarded start-up grants from appropriation item 200-613, Public Charter Schools, to obtain grants under this section.

As Introduced

As Passed by the House

Temporary Law Changes

253 Subject: School Finance Equity

Section: 4.09

ALI: 200-500

Requires that funds be distributed to school districts in FY 2002 based on the formula specified in Revised Code section 3317.0213. FY 2002 is the last year the state will provide funding under this formula.

Section: 44.09

Removes the provision that the funds will only be distributed in fiscal year 2002. The state will provide funding under this formula in both years of the biennium.

As Introduced

As Passed by the House

Temporary Law Changes

254 Subject: Base Cost Funding**Section: 4.10****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).

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

Section: 44.10

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.

As Introduced

As Passed by the House

Temporary Law Changes

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

Temporary Law Changes

255 Subject: Base Cost Funding continued

Section: 4.10

ALI: 200-501

No provision.

Section: 44.10

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

As Introduced

As Passed by the House

Temporary Law Changes

256 Subject: Pupil Transportation**Section: 4.11****ALI: 200-502**

Earmarks up to \$800,000 in FY 2002 and up to \$822,400 in FY 2003 for training prospective and experienced school bus drivers.

Requires an amount be available for special education transportation reimbursements based on Revised Code section 3317.022(D).

Requires that the rest of the appropriation be used for the reimbursement of school districts' transportation costs.

Section: 44.12

Same as Executive, but permanent law increases the state payment percentage to the greater of 60% or the district's state share percentage of the base cost funding beginning in FY 2003. This change applies to both "regular" pupil transportation funding and special education transportation funding.

257 Subject: Bus Purchase Allowance**Section: 4.11****ALI: 200-503**

Earmarks up to 25% of the amount appropriated to reimburse school districts and educational service centers for the purchase of buses to transport handicapped and nonpublic school students.

Requires that the remaining 75% of the appropriation be distributed for "regular" bus purchase based on a formula adopted under Revised Code section 3317.07.

Section: 44.12

No change.

As Introduced

As Passed by the House

Temporary Law Changes

258 Subject: School Lunch**Section: 4.11****ALI: 200-505**

Requires the appropriation be used to provide matching funds to obtain federal funds for the school lunch program.

Section: 44.12

No change.

259 Subject: Adult Literacy Education**Section: 4.12****ALI: 200-509**

Earmarks up to \$543,150 in FY 2002 and \$554,013 in FY 2003 for the support and operation of the State Literacy Resource Center.

Section: 44.13

No change.

As Introduced

As Passed by the House

Temporary Law Changes**260 Subject: Auxiliary Services****Section: 4.12****ALI: 200-511**

Requires appropriation be used by the State Board of Education for implementing Revised Code section 3317.06, providing secular services and materials to state chartered nonpublic schools.

Earmarks up to \$1,250,000 in FY 2002 and up to \$1,500,000 in FY 2003 for payment of the Post-Secondary Enrollment Options Program for nonpublic students pursuant to Revised Code section 3365.10.

Section: 44.13

No change.

261 Subject: Student Intervention Services**Section: 4.12****ALI: 200-513**

Provides funding to assist districts providing the intervention services specified in section 3313.608 of the Revised Code.

Section: 44.13

Same as Executive, but requires the Director of Budget and Management to transfer \$35,000,000 from Fund 3W6, TANF Education, to the General Revenue Fund and appropriates those funds to GRF appropriation item 200-513, Student Intervention Services. Also, requires the Department of Education to comply with TANF requirements.

As Introduced

As Passed by the House

Temporary Law Changes

262 Subject: Post-secondary/Adult Career-Technical Education**Section: 4.12****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.

Section: 44.13

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

As Introduced

As Passed by the House

Temporary Law Changes

263 Subject: Disadvantaged Pupil Impact Aid**Section: 4.12****ALI: 200-520**

Requires that the appropriation be distributed according to Revised Code section 3317.029.

Provides money for all-day kindergarten to any school district with a three-year average ADM of greater than 17,500 or a DPIA index of at least 1.00 in FY 2002 or 0.6 in FY 2003, or that qualified for and provided the service in the preceding fiscal year. This expands kindergarten eligibility in FY 2003.

Provides that all-day kindergarten in community schools be funded if the school district in which the student is entitled to attend school is eligible but does not receive a payment for all-day kindergarten.

Earmarks up to \$3,200,000 in FY 2002 and up to \$3,300,000 in FY 2003 for school breakfast programs. Of these amounts, sets aside up to \$500,000 in each year to provide start-up grants to rural school districts and those with less than 1,500 ADM to start school breakfast programs.

Earmarks up to \$14,903,943 in FY 2002 and \$18,066,820 in FY 2003 of the portion of DPIA funds distributed to the Cleveland City School District to operate the pilot school choice program.

Section: 44.13

Same as Executive, but removes the kindergarten expansion under DPIA in FY 2003.

As Introduced

As Passed by the House

Temporary Law Changes

Earmarks \$1,000,000 in each year to support dropout recovery programs administered by Jobs for Ohio's Graduates.

264 Subject: Gifted Pupil Program**Section: 4.13****ALI: 200-521**

Provides unit funding of up to 1,050 units in FY 2002 and 1,100 units in FY 2003 for gifted education. Funding per unit is approximately \$36,744. In FY 2001 there were 1,000 units provided.

Earmarks up to \$5,000,000 in each year as an additional supplement for gifted student identification.

Earmarks up to \$1,000,000 each year for the Summer Honors Institute for gifted freshman and sophomore high school students.

Earmarks up to \$600,000 in each year for research and demonstration projects.

Earmarks up to \$70,000 in each year for the Ohio Summer School for the Gifted.

Section: 44.14

Same as Executive, but requires the Department of Education to research and evaluate the effectiveness of gifted education programs in Ohio.

As Introduced

As Passed by the House

Temporary Law Changes

265 Subject: Educational Excellence and Competency**Section: 4.14****ALI: 200-524**

Earmarks up to \$125,000 in each fiscal year to support the Aid for College Opportunities Program.

Earmarks \$25,000 in each fiscal year to support the purchase of the "I Know I Can" book and supporting materials for second grade students in school districts in which at least 50% of elementary school students receive free or reduced lunch.

Earmarks up to \$645,000 in each fiscal year to support the Columbus City School District's "I Know I Can" Program.

Earmarks up to \$645,000 in FY 2002 and \$780,450 in FY 2003 to support the Dayton-Montgomery County Scholarship Program.

Earmarks up to \$550,000 in FY 2002 and \$605,000 in FY 2003 to support the Cleveland Scholarship Program.

Earmarks up to \$709,500 in FY 2002 and \$780,450 in FY 2003 to support the Cincinnati Scholarship Foundation.

Section: 44.14

No provision.

As Introduced

As Passed by the House

Temporary Law Changes

266 Subject: Parity Aid

Section: 4.14

ALI: 200-525

No provision.

Section: 44.15

Requires that GRF appropriation item 200-525, Parity Aid, be distributed to school districts based on a formula specified in Revised Code section 3317.0217.

267 Subject: Nonpublic Administrative Cost Reimbursement

Section: 4.14

ALI: 200-532

Requires appropriation be used to implement Revised Code section 3317.063 to reimburse nonpublic schools for mandated administrative and clerical costs.

Section: 44.15

No change.

As Introduced

As Passed by the House

Temporary Law Changes**268 Subject: Desegregation Costs****Section: 4.14****ALI: 200-534**

Provides funds to pay the legal fees associated with desegregation cases brought against the state.

Section: 44.15

No change.

As Introduced

As Passed by the House

Temporary Law Changes

269 Subject: Special Education Enhancements**Section: 4.15****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 \$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.

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-

Section: 44.16

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.

As Introduced

As Passed by the House

Temporary Law Changes

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 \$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 \$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

Temporary Law Changes

270 Subject: Career-Technical Education Enhancements**Section: 4.16****ALI: 200-545**

- (1) Earmarks up to \$2,616,001 in each fiscal year to fund vocational education units at institutions.
- (2) Earmarks up to \$10,972,500 in each fiscal year to fund the Jobs for Ohio Graduates Program.
- (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.
- (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.
- (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 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

Section: 44.17

Changes "vocational" to "career-technical."

- (1) No change.
- (2) Changes the earmark to \$4,200,000 in FY 2002 and \$4,182,775 in FY 2003.
- (3) No change.
- (4) Removes the \$6,451,490 earmark.
- (5) No change.
- (6) Changes the earmark to \$3,900,000 in each fiscal year.

As Introduced

As Passed by the House

Temporary Law Changes

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.

271 Subject: Power Equalization**Section: 4.17****ALI: 200-547**

Authorizes the Department of Education to make payments pursuant to Revised Code section 3317.0215. If a district has levied more than 23 mills on class 1 real property, the state will equalize a maximum of two additional mills up to the state average valuation per pupil level.

Section: 44.17

No provision.

272 Subject: Charge-off Supplement**Section: 4.17****ALI: 200-546**

Authorizes the Department of Education to pay to school districts the difference between their local share assumed by the foundation formula and the amount of revenue the districts actually collected, pursuant to Revised Code section 3317.0216. Local share includes base cost funding, and special education and vocational education weight cost funding.

Section: 44.18

Same as Executive, but permanent law expands the local share calculation to include the local share of transportation model costs.

As Introduced

As Passed by the House

Temporary Law Changes

273 Subject: County MR/DD Boards - Vehicle Purchases**Section: 4.17****ALI: 200-552**

Authorizes use of funds to provide financial assistance to MR/DD Boards for the purchase of school buses to transport students with disabilities.

Section: 44.18

No change.

274 Subject: County MR/DD Boards - Transportation**Section: 4.17****ALI: 200-553**

Requires this appropriation be used to assist MR/DD boards with transportation costs pursuant to Revised Code section 3317.024(M).

Section: 44.18

No change.

As Introduced

As Passed by the House

Temporary Law Changes

275 Subject: Emergency Loan Interest Subsidy**Section: 4.17****ALI: 200-558**

Requires that this appropriation be used to provide a subsidy to school districts receiving emergency loans to pay the difference between the amount of interest the school district is paying and what they would be paying if the interest rate was 2%.

Section: 44.18

No change.

276 Subject: OhioReads Grants**Section: 4.18****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.

Section: 44.19

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

As Introduced

As Passed by the House

Temporary Law Changes

277 Subject: School Improvement Incentive Grants**Section: 4.18****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.

(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.

(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.

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

(5) No provision.

(6) No provision.

Section: 44.19

(1) Removes the earmark.

(2) Removes the earmark.

(3) Removes the earmark.

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

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

(6) Earmarks \$50,000 each fiscal year for the Cleveland School of Art.

As Introduced

As Passed by the House

Temporary Law Changes

(7) No provision.

(7) Earmarks \$50,000 each fiscal year for the Tuscarawas County Educational Service Center.

(8) No provision.

(8) Earmarks \$50,000 each fiscal year for LEAF.

(9) No provision.

(9) Earmarks \$50,000 each fiscal year for the Toledo Institute.

278 Subject: Character Education**Section: 4.18****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.

279 Subject: Substance Abuse Prevention**Section: 4.18****Section: 44.19****ALI: 200-574**

Earmarks up to \$2,120,000 in each fiscal year for the Safe and Drug Free Schools Coordinators Program.

Changes the earmark for the Safe and Drug Free Schools Coordinators Program to \$1,660,200 in each fiscal year.

Earmarks up to \$300,000 in each fiscal year for the Substance Abuse Prevention Student Assistance Program.

Changes the earmark for the Substance Abuse Prevention Student Assistance Program to \$288,000 in each fiscal year.

As Introduced

As Passed by the House

Temporary Law Changes

280 Subject: Auxiliary Services Mobile Repair**Section: 4.18**

Requires the Treasurer of State to transfer \$1,500,000 in FY 2002 within 30 days after the effective date of this section and \$1,500,000 in FY 2003 by August 1, 2002 from Auxiliary Services Personnel Unemployment Compensation Fund to the Department of Education's Auxiliary Services Mobile Repair Fund (Fund 598).

Section: 44.19

No change.

281 Subject: Lottery Profits Transfers**Section: 4.19**

Requires the Director of Budget and Management to determine if lottery profits transfers meet the appropriation amounts from the Lottery Profits Education Fund. If they do not, requires the Director to follow the procedure in the "Reallocation of Funds" section of the bill.

Section: 44.20

No change.

As Introduced

As Passed by the House

Temporary Law Changes

282 Subject: Lottery Profits Education Fund**Section: 4.19****ALIs: 200-612, 200-501**

Requires Lottery Profits/Education Fund Group appropriation item 200-612, Base Cost Funding, to be used in conjunction with GRF appropriation item 200-612, Base Cost Funding to provide payments to school districts.

Requires that \$25,000,000 in each fiscal year be used from the funds transferred from the Unclaimed Prizes Trust Fund.

Section: 44.20

No change.

283 Subject: Transfers from the Unclaimed Prizes Fund**Section: 4.19**

Requires the Director of Budget and Management to transfer \$25,000,000 from the State Lottery Commission's Unclaimed Prizes Fund to the Lottery Profits Education Fund in each fiscal year.

Section: 44.20

No change.

As Introduced

As Passed by the House

Temporary Law Changes**284 Subject: Teacher Certification and Licensure****Section: 4.19****ALI: 200-601**

Requires that Federal Special Revenue Fund Group appropriation item 200-681, Teacher Certification and Licensure, be used to administer certification and licensure functions of the Department of Education.

Section: 44.20

No change.

As Introduced

As Passed by the House

Temporary Law Changes

285 Subject: Lottery Profits**Section: 4.20**

Prohibits the amount in the Lottery Profits Education Reserve Fund (Fund 018) from exceeding \$75,000,000.

Requires the Director of Budget and Management to determine the amount the transfers to the Lottery Profits Education Fund exceeded \$665,200,000 in fiscal year 2001. This amount shall be distributed in fiscal year 2002.

Requires the Director of Budget and Management to determine the amount the aforementioned transfers exceeded \$619,722,100 in fiscal year 2002. This amount shall be distributed in fiscal year 2003.

Appropriates any moneys approved for release by the Controlling Board for reallocation according to the paragraph titled "Reallocation of Funds."

Requires any remaining amounts, not reallocated and not kept in the Lottery Profits Education Reserve Fund to be transferred to the Public School Building Fund (Fund 021). Appropriates this amount to appropriation item CAP-622, Public School Buildings, in the School Facilities Commission.

Section: 44.21

Same as Executive, but reduces the maximum amount of lottery profit transfers received by the Lottery Profits Education Fund for fiscal year 2002 from \$619,722,100 to \$608,722,100. This change is made due to the elimination of the proposed multi-state lottery game.

As Introduced

As Passed by the House

Temporary Law Changes

286 Subject: Property Tax Allocation**Section: 4.21****ALI: 200-901**

Prohibits the transfer of funds from GRF appropriation item 200-901, Property Tax Allocation-Education, to any other appropriation item.

Section: 44.22

No change.

287 Subject: School District Solvency Assistance**Section: 4.21****ALI: 200-687**

Requires that of General Services Fund Group appropriation item 200-687, School District Solvency Assistance, \$12,000,000 in each fiscal year be allocated to the School District Shared Resource Account and \$12,000,000 in each fiscal year be allocated to the Catastrophic Expenditures Account.

Section: 44.22

No change.

Requires that these funds be used, subject to the approval of the Controlling Board, to assist school districts in remaining solvent.

As Introduced

As Passed by the House

Temporary Law Changes

288 Subject: School District Property Tax Replacement**Sections: 4.21, 4.10****ALI: 200-900**

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.

Section: 44.22

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.

As Introduced

As Passed by the House

Temporary Law Changes

289 Subject: Property Tax Allocation - Education**Section: 4.22****ALIs: 200-901, 200-906**

Appropriates GRF appropriation item 200-901, Property Tax Allocation - Education, to pay for the state's cost incurred due to the homestead exemption and the property tax rollback.

Appropriates GRF appropriation item 200-906, Tangible Tax Exemption - Education, to pay for the state's costs incurred due to the tangible personal property tax exemption.

Describes the distribution of these funds and appropriates any additional funds necessary.

Section: 44.23

No change.

290 Subject: Distribution Formulas**Section: 4.23**

Requires the Department of Education to report the following to the Director of Budget and Management, the Legislative Office of Education Oversight, and the Legislative Service Commission: changes in formulas for distributing state aid, discretionary changes in formulas for distributing federal appropriations, and federally mandated changes in formulas for distributing federal appropriations.

Section: 44.24

No change.

As Introduced

As Passed by the House

Temporary Law Changes

291 Subject: Distribution - School District Subsidy Payments**Section: 4.24**

Requires that this section not be put into effect unless the Director of Budget and Management so orders.

Describes the monthly distribution of payments to school districts and educational service centers.

Requires that the payments for the first six months of each fiscal year shall equal, as nearly as possible, six and two-thirds per cent of the estimate of the amounts payable for each fiscal year, and the payments for the last six months ten percent of the final calculation of the amounts payable.

Establishes procedures for school districts to borrow funds based on the anticipated receipts.

Establishes procedures for deduction of state aid payments in accordance with certifications made pursuant to Revised Code sections 3307.56 and 3309.51.

Section: 44.25

No change.

As Introduced

As Passed by the House

Temporary Law Changes

292 Subject: Reallocation of Funds**Section: 4.25**

Describes the reallocation of funds in the case that the Governor issues an order to reduce expenditures and incurred obligations or if lottery profits transfers are not sufficient to meet the amounts appropriated from the Lottery Profits Education Fund for base cost funding.

Section: 44.26

No change.

293 Subject: Educational Service Centers Funding**Section: 4.26**

Describes the provision of funds to educational service centers.

Section: 44.27

No change.

As Introduced

As Passed by the House

Temporary Law Changes

294 Subject: Waiver of Pupil Teacher Ratio**Section: 4.27**

Authorizes the waiver of the teacher to pupil ratio in kindergarten through fourth grade required by the Administrative Code, in certain instances.

Section: 44.28

No change.

295 Subject: Private Treatment Facility Pilot Project**Section: 4.28**

Establishes procedures by which tuition is paid and reimbursed for children placed in certain private residential treatment facilities.

Section: 44.29

No change.

As Introduced

As Passed by the House

Temporary Law Changes**296 Subject: School District Participation in National Assessment of Education Progress****Section: 4.29****Section: 44.30**

Requires the Superintendent of Public Instruction to provide for school district participation in the administration of the National Assessment of Education Progress in fiscal years 2002 and 2003.

No change.

297 Subject: School Facilities Commission Provision**Section: 4.30****Section: 44.31**

Makes provisions for school district compliance with Revised Code Chapter 3318.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

298 Subject: Evaluation of the Cleveland Scholarship Program**Section: 4.31**

Requires the Superintendent of Public Instruction to contract with an independent research entity to evaluate the Cleveland Scholarship Program.

Section: 44.32

No change.

299 Subject: Pilot Project Scholarship Program**Section: 4.32**

Allows new students to enter the Cleveland Pilot Project Scholarship Program in grades K to 8, rather than K to 3 only. (Although the program is intended to serve grades K to 8, codified law has always stipulated that new students may join the program only in grades K to 3; students in higher grades who withdraw could not be replaced. But since FY 1998, biennial appropriations acts have permitted students to join in higher grades as well.

Section: 44.33

No change.

As Introduced

As Passed by the House

Temporary Law Changes

300 Subject: Teacher Provision for the Community School Pilot Project**Section: 4.33**

Allows teachers in the community school pilot project area to return to teach in the school district after taking a leave of absence to teach at a community school.

Section: 44.34

No change.

301 Subject: LOEO Study of Community Schools**Section: 4.34**

Requires the Legislative Office of Education Oversight to complete by June 1, 2003 its final report on community schools.

Section: 44.35

No change.

As Introduced

As Passed by the House

Temporary Law Changes

302 Subject: LOEO Study of Gifted Education**Section: 166**

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.

303 Subject: Relocation of Gifted Education Staff**Section: 167**

No provision.

Requires the Department of Education to consider the feasibility and desirability of relocating its staff responsible for gifted education from the Center for Students, Families, and Communities to the Center for Curriculum and Assessment.

As Introduced

As Passed by the House

Temporary Law Changes

304 Subject: Special Education Study

Section: 168

No provision.

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;(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.

As Introduced

As Passed by the House

Temporary Law Changes

305 Subject: Statehouse News Bureau**Section: 46****ALI: 374-401**

Requires appropriation item 374-401, Statehouse News Bureau, be used to support the operations of the Ohio Statehouse News Bureau.

Section: 45

No change.

306 Subject: Telecommunications Operating Subsidy**Section: 46****ALI: 374-404**

Requires appropriation item 374-404, Telecommunications Operating Subsidy, be distributed to public educational television stations, radio reading services, and educational radio stations pursuant to an allocation developed by the Commission.

Section: 45

No change.

As Introduced

As Passed by the House

Permanent Law Changes**307 Subject: Membership Requirements for Board of Embalmers and Funeral Directors****sections: 4717.02, and Section 146 of the bill**

Provides that the member of the Board selected, because of the person's knowledge and experience in operating a crematory, be a licensed embalmer or funeral director with at least ten consecutive years of experience in Ohio. This provision has no fiscal effect.

No change.

308 Subject: License Renewal for Embalmers and Funeral Directors**sections: 4717.07, 4717.08, and Section 145 of the bill**

Provides for biennial, rather than annual, renewal of the license of an embalmer or funeral director or of a funeral home, embalming facility, or crematory.

No change.

Modifies the cycle for license renewal, while maintaining the current rate of overall revenue collections.

Although the biennial renewal cycle would create alternating annual low and high amounts of revenues beginning in FY03, this provision creates no net fiscal reduction in revenues. The biennial fee cycle provisions of the bill contribute to a reduction in administrative and postage costs to the Board.

As Introduced

As Passed by the House

Permanent Law Changes**309 Subject: Continuing Education Requirements for Embalmers and Funeral Directors****section: 4717.09**

Specifies that the Board must adopt rules governing the administration and enforcement of the continuing education requirements for licensed embalmers and funeral directors.

Permits the Board to enter into a contract with a professional organization or association or other third party for the administration and enforcement of the continuing education requirements for a licensed embalmer or funeral director.

Insomuch as the licensees would be responsible for the costs of their own continuing education, this provision has no fiscal effect on the Funeral Directors Board.

No change.

As Introduced

As Passed by the House

Permanent Law Changes

310 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.

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

Requires the director to expend not more than \$3 million

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.")

As Introduced

As Passed by the House

Permanent Law Changes

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.

311 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.

As Introduced

As Passed by the House

Permanent Law Changes**312 Subject: Solid Waste Fee Sunset****section: 3734.57**

Extends the sunset date of a \$0.75 per ton portion of the solid waste disposal fee to June 30, 2004. The revenue from this fee is credited to the Solid Waste Fund (Fund 4K3) and must be used for the administration and enforcement of laws pertaining to solid wastes, infectious wastes, and construction and demolition debris. The fee generates approximately \$10.6 million annually, and represents nearly all of the funding for Ohio EPA's Solid Waste Division.

No change.

313 Subject: Scrap Tire Fees**section: 3734.901**

Increases the fee on the sale of new tires from \$0.50 to \$1.00. The purpose of this fee is to fund Ohio EPA's Scrap Tire Management Fund. Services provided by the fund include the administration and enforcement of Ohio's scrap tire laws, and the Scrap Tire Abatement and Removal Program. Ohio EPA estimates the fee increase will generate \$3.5 million for the fund, the majority of which will be used toward enhanced cleanup efforts at the Kirby Tire site in Wyandot County.

Same as the Executive provision, but specifies that the additional \$0.50 fee on the sale of tires, the proceeds of which are to be deposited to the Scrap Tire Management Fund, are to be used exclusively for removal actions and to make grants to local boards of health, as described in section 3734.82 (G)(3) of the bill. (See also Temporary Law Changes under subject, "Kirby Tire Site" and Permanent Law Changes under subject, "Scrap Tire Funds.")

As Introduced

As Passed by the House

Permanent Law Changes**314 Subject: Assessments for the Central Support Indirect Fund****section: 3745.014**

Allows the Director of Ohio EPA to assess an indirect charge to any of the agency's operating funds (rather than only General Service and State Special Revenue funds) in order to cover costs associated with the administration of the Agency. Eliminates language requiring that the rate not exceed 12 percent, and allows the Director of Ohio EPA to determine the rate at which operating funds are assessed, with the approval of the Director of Budget and Management. The amounts are to be transferred to the Central Support Indirect Fund.

The effect of this provision is to restructure the current method for assessing indirect charges in support of the agency's administrative costs. It is modeled after U.S. EPA's method of negotiating its indirect rate annually, and will be applied only to payroll expenses, rather than to the total of payroll, maintenance, and equipment expenses. Ohio EPA estimates that revenue received from the new indirect funding structure will be less than FY 2001 levels. As a result, administration spending will be lower in FYs 2002 and 2003.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**315 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.

As Introduced

As Passed by the House

Permanent Law Changes**316 Subject: Water Pollution Control Fees****sections: 3745.11, 6109.21**

Extends sunset dates for certain Ohio EPA fees within the Division of Surface Water and establishes new surcharges to implement Phase II of the Storm Water Program. The extended fees are credited to the Surface Water Protection Fund (Fund 4K4) and are used in support of individual programs and to cover Ohio EPA's expenses related to actions such as permitting, inspections, and technical assistance. These fees include annual discharge fees (public and industrial) and plan approval fees for wastewater treatment.

New surcharges are also credited to the Surface Water Protection Fund and will be used to fund Ohio EPA's implementation of Phase II of the federal Storm Water Program (intended to regulate storm water discharges from small municipalities, small construction sites, and industrial no exposure certifications): 1) NPDES Municipal Storm Water General Permit -- establishes annual surcharge of \$100 per square mile of area, not to exceed \$10,000. Projected agency revenue of \$200,000 annually; (2) NPDES Construction Storm Water General Permit -- surcharge of \$20 per acre on construction sites larger than 5 acres, not to exceed \$300, paid once every 5 years. Projected agency revenue of \$210,000 annually; (3) NPDES Industrial Storm Water General Permit -- flat surcharge of \$150, paid once every 5 years. Projected

No change.

As Introduced

As Passed by the House

Permanent Law Changes

agency revenue of \$90,000 annually.

317 Subject: Title V Air Contaminant Source Fees and Synthetic Minor Facility Fees**section: 3745.11**

Extends sunset dates for certain Ohio EPA fees within the Division of Air Pollution Control. The extended fees are credited to Fund 4K2, Clean Air - Non-Title V and are used in support of individual programs and to cover Ohio EPA's expenses related to actions such as permitting, inspections, and technical assistance: (1) Synthetic Minor Facilities FESOP fee -- extends annual fee (based on actual annual emissions) to June 30, 2004; and (2) Phase I units under Title IV -- clarifies that fees commencing in calendar year 2001 will continue to be assessed every subsequent calendar year (based on actual annual emissions).

No change.

As Introduced

As Passed by the House

Permanent Law Changes**318 Subject: Safe Drinking Water Fees****sections: 3745.11, 6109.21**

Extends sunset dates for certain Ohio EPA fees within the Division of Drinking and Ground Waters. The extended fees are credited to the Drinking Water Protection Fund (Fund 4K5). All fees are used in support of individual programs and to cover Ohio EPA's expenses related to actions such as permitting, inspections, and technical assistance: (1) Public Water System initial and annual renewal license fee -- extends fee (based on category of Public Water System) to June 30, 2004 (requirements for obtaining an initial and renewal license are outlined in section 6109.21 of the Ohio Revised Code); (2) Public Water System construction, installation, or modification plan approval fee -- extends \$15,000 fee limit to June 30, 2004 and \$5,000 fee limit to on or after July 1, 2004; (3) laboratory evaluation fee -- extends higher fee schedule to June 30, 2004 and applies the lower fee schedule to evaluations conducted after that date; (4) Water Supply System Operator Certification Examination application fee -- extends application fee of \$25 fee to June 30, 2004 and \$10 fee to on or after July 1, 2004; (5) Water Supply System Operator Certification Examination fee -- extends higher fee schedule to June 30, 2004 and applies the lower fee schedule to on or after July 1, 2004; and (6) permit, plan approval, or variance application fee for a permit other than NPDES -- extends application fee of \$100 to June 30, 2004 and \$15 fee to on or after July 1, 2004.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**319 Subject: Issuance or Denial of a Permit Within 90 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.

320 Subject: Environmental Education Fund Scholarships**section: 3745.22**

No provision.

Defines "eligible institution of higher education" as any state university listed in section 3345.011 of the Revised Code, or a community college, technical college, university branch, state community college, or authorized non-profit institution. Allows monies in the Environmental Education Fund (Fund 6A1) to be used as scholarships for students enrolled at an eligible institution of higher education. This provision expands eligibility for Environmental Education Fund scholarships to students attending private colleges or universities.

As Introduced

As Passed by the House

Permanent Law Changes**321 Subject: Backflow Prevention Devices****section: 6109.13**

No provision.

Provides that a backflow prevention device is not required when a physical separation exists between a public water system and a private, auxiliary, or emergency water system.

322 Subject: Public Notice of General NPDES Permits**section: 6111.035**

Requires the Director of Ohio EPA to provide public notice of the issuance, modification, revocation, or termination of a general NPDES permit in the form of a summary (rather than the full text) of the permit action and instructions on how to obtain a copy of the full text of the permit action.

This provision may save the agency higher printing costs associated with publishing the full text of a final action.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

323 Subject: Kirby Tire Site

No provision.

Section: 50

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.")

324 Subject: Areawide Planning Agencies

ALI: 717-321

No provision.

Section: 50

Requires \$250,000 of appropriation item 717-321, Surface Water, in each of fiscal years 2002 and 2003 be used for the following six areawide water quality planning agencies: Eastgate Regional Council of Governments, Miami Valley Regional Planning Commission, Northeast Ohio Four County Regional Planning and Development Organization, Northeast Ohio Areawide Coordinating Agency, Ohio-Kentucky-Indiana Regional Council of Governments, and Toledo Metropolitan Area Council of Governments.

As Introduced

As Passed by the House

Temporary Law Changes

325 Subject: Bethel Local School District

ALI: 721-321

No provision.

Section: 50

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.

As Introduced

As Passed by the House

Temporary Law Changes

326 Subject: Central Support Indirect**Section: 51**

Requires the Director of Ohio EPA, with the approval of the Director of Budget and Management, to utilize a uniform method for determining each Division's payments into the Central Support Indirect Fund (Fund 219). Also requires the Director of Ohio EPA to certify to the Director of Budget and Management, no later than November 30, 2001, the cash balances in Fund 356, Indirect Costs, and Fund 4C3, Central Support Indirect. Authorizes the Director of Budget and Management to transfer those balances to Fund 219. Provides that the transferred amount is appropriated.

This provision is in keeping with a revision to permanent law section 3745.014, which restructures the method of assessing indirect charges to all of Ohio EPA's operating funds in order to support the administrative costs of the agency. Ohio EPA estimates that revenue received from the new indirect funding structure will be less than FY 2001 levels. As a result, administration spending will be lower in FYs 2002 and 2003.

This provision has no fiscal effect on local governments.

Section: 50

No change.

As Introduced

As Passed by the House

Temporary Law Changes

327 Subject: Solid Waste Fund Transfer**Section: 51**

Requires the Director of Ohio EPA to certify to the Director of Budget and Management the amount expended from the Solid Waste Fund (Fund 4K3) during FYs 2000 and 2001 for emergency expenses incurred as a result of the fire at the Kirby Tire site. Requires the Director of Ohio EPA to request the Director of Budget and Management to transfer up to one-half of this amount during FY 2002, and the balance in FY 2003, from the Scrap Tire Management Fund (Fund 4R5) to the Solid Waste Fund. Provides that the transferred funds are appropriated. Ohio EPA estimates that over \$3 million has been expended from the Solid Waste Fund for cleanup efforts at the Kirby Tire site.

Section: 50

Same as the Executive provision, but specifies that moneys transferred from the Scrap Tire Management Fund to the Solid Waste Fund may not consist of any moneys generated from the additional \$0.50 fee on the sale of tires provided for under the bill.

(See also Permanent Law Changes under subject, "Scrap Tire Fees.")

As Introduced

As Passed by the House

Temporary Law Changes

328 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.

As Introduced

As Passed by the House

Permanent Law Changes**329 Subject: Increased Filing Fee****section: 3745.04**

No provision.

Increases the filing fee associated with filing an appeal with the Environmental Review Appeals Commission. The fee is increased from \$40 to \$60. As in current law, this filing fee may be waived in cases of extreme hardship. The Commission is funded solely through GRF monies, and all filing fees are credited to the GRF to offset the cost of operating the Commission.

As Introduced

As Passed by the House

Permanent Law Changes**330 Subject: Financial Disclosure Statement Filing Fees**section: *102.02*

No provision.

Increases financial disclosure statement filing fees for county office holders from \$25 to \$45, city office holders from \$10 to \$20 and for members of state board of education from \$10 to \$20. Creates financial disclosure filing fee for office of member of the board of trustees of a state college or university at \$50. This provision is expected to increase GRF revenues by approximately \$88,000 per year.

As Introduced

As Passed by the House

Temporary Law Changes

331 Subject: Fee Revenue Transfer

Section: 52

No provision.

Section: 52

Appropriates extra filing fee revenue that exceeds the amount appropriated in Fund 4M6, item 146-601, Operating Operating. At the same time the GRF appropriation in item 146-321, Operating Expenses, would be reduced by the same amount.

As Introduced

As Passed by the House

Permanent Law Changes

332 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.

As Introduced

As Passed by the House

Temporary Law Changes

333 Subject: State Fair Reserve**Section: 54****ALI: 723-603**

Requires appropriation item 723-603, State Fair Reserve, serve as a budget reserve fund for the Ohio Expositions Commission in the event of poor attendance due to inclement weather or extraordinary circumstances during the Ohio State Fair. The reserve can be used if admission revenues for the 2001 Ohio State Fair are less than \$2,920,000 and less than \$3,010,000 for the 2002 fair due to inclement weather. The Ohio Expo Commission must declare a state of fiscal exigency and request the release of funds from the Director of Budget and Management. Also, the Director of Budget and Management may approve or disapprove the request, may increase or decrease the amount, and may place conditions on the use of said funds. The Director of Budget and Management may also transfer appropriation authority from FY 2002 to FY 2003. If the Commission is facing a temporary cash shortage that precludes them from meeting obligations, the Commission may request the Director of Budget and Management to approve use of the State Fair Reserve to meet those obligations. The request must include a plan describing how the Commission will eliminate the cash shortage. The Commission must reimburse Fund 640 by the thirtieth day of June of that same fiscal year through an intrastate transfer voucher. The bill also provides that the amount reimbursed is appropriated.

Section: 53

No change.

As Introduced

As Passed by the House

Temporary Law Changes**334 Subject: Appointment of Legal Counsel for the Governor****Section: 55****ALI: 040-321**

Allows the Governor to expend a portion of appropriation item 040-321, Operating Expenses, to hire or appoint legal counsel to be used in proceedings involving the Governor in the Governor's official capacity or the Governor's office only, without the approval of the Attorney General, notwithstanding sections 109.02 and 109.07 of the Revised Code.

Section: 54

No change.

As Introduced

As Passed by the House

Permanent Law Changes**335 Subject: Public Hospital Agencies****section: 140.01**

No provision.

Modifies the definition of a public hospital agency to include a new community authority organized under Chapter 349. of the Revised Code (New Community Organization Law). This provision also includes hospital facilities within the definition of a "community facility" under Chapter 349. of the Revised Code.

This amendment will allow a new community authority to issue revenue bonds to finance hospital facilities and to use the community development charge to cover all or part of the cost of the acquisition, construction, operation, maintenance, and debt service charges of hospital facilities.

As Introduced

As Passed by the House

Permanent Law Changes**336 Subject: Ohio Health Care Data Center**

**sections: 2317.02, 2317.022, 3702.17, 3902.23, 4121.44 ;
Chapter 3729**

Repeals Chapter 3729. of the Revised Code. This chapter established and outlined the duties and responsibilities of the Ohio Health Care Data Center. According to the Department, due to a lack of resources, the Department cannot complete the reporting requirements mandated in this chapter. The repeal of this chapter will lead to a decrease in expenditures of approximately \$140,000 for the Department.

No change.

337 Subject: Ohio Hepatitis C Advisory Commission

section: 3701.92

No provision.

Creates the Ohio Hepatitis C Advisory Commission within the Department of Health. The commission will have 15 members, who shall serve without compensation. If the Department is required to provide administrative support for the commission, it would incur a minimal increase in expenditures.

As Introduced

As Passed by the House

Permanent Law Changes**338 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.

As Introduced

As Passed by the House

Permanent Law Changes**339 Subject: Additional Fee for Nursing Homes****section: 3721.02**

Requires the Department to charge each nursing home and nursing home unit of a home for the aging an additional annual fee of \$500 for each 50 persons, or part thereof, of the home or unit's licensed capacity. Provides for the Department to use the fees to administer and enforce the law governing nursing home licensure and for providing advice and technical assistance and conducting on-site visits of Medicaid-certified nursing homes for the purpose of improving resident outcomes. The Technical Assistance Program (TAP) was established as part of Sub. H.B. 403 of the 123rd General Assembly. The current annual licensing and inspection fee is \$100 for each 50 persons or part thereof of a home's licensed capacity. This change will allow the Department to charge an additional annual fee of \$500 for each 50 persons or part thereof of the home's licensed capacity. The Department estimates additional revenue of approximately \$1.2 million.

No provision.

As Introduced

As Passed by the House

Permanent Law Changes**340 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.

As Introduced

As Passed by the House

Permanent Law Changes**341 Subject: Agricultural Labor Camp License Fee Increase****section: 3733.43**

Increases the agricultural labor camp license fee. The current annual fee is \$20 with an additional fee of \$3 per housing unit. For license applications made after the April 15 deadline, the annual license fee is \$40 and the additional per housing unit fee is \$6.

Under the provisions in the bill, the fees described above will be doubled. The new annual fee will be \$40 (\$80 if after April 15) and the new per unit housing additional fee will be \$6 (\$12 if after April 15). The Department estimates that these fees will yield an additional \$10,000 in license fee revenue. Currently, fee revenue only accounts for 5 percent of program costs. With this increase, fee revenue will account for 10 percent of program costs. The remaining 90 percent of this program will still be funded with GRF dollars.

No provision.

As Introduced

As Passed by the House

Permanent Law Changes**342 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.

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.

No provision.

As Introduced

As Passed by the House

Permanent Law Changes**343 Subject: Child Highway Safety Fund****section: 4511.81**

No provision.

Makes technical corrections with respect to the existing authority of the Department of Health to use part of the Child Highway Safety Fund for designating hospitals as Level II pediatric trauma centers. This provision has no fiscal effect.

As Introduced

As Passed by the House

Temporary Law Changes

344 Subject: Pneumococcal Disease Vaccinations**ALI: 440-418**

No provision.

Section: 55.01

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.

345 Subject: Title XX Transfer for Abstinence-only Education**ALI: 440-611**

No provision.

Section: 55.01

Establishes State Special Revenue appropriation item 440-611, Title XX Transfer (Fund 3W5), and appropriates \$500,000 per fiscal year. This provision also earmarks these funds to be used for the purposes of abstinence-only education program for teenagers with the purpose of decreasing unplanned pregnancies and abortion. Under the earmark, education activities include advertising campaigns and direct training in schools and other locations.

As Introduced

As Passed by the House

Temporary Law Changes**346 Subject: Hemophilia Services****Section: 56****ALI: 440-406**

Requires \$205,000 in each fiscal year of appropriation item 440-406, Hemophilia Services, be used to implement the Hemophilia Insurance Pilot Project.

Requires \$245,000 in each fiscal year of appropriation item 440-406, Hemophilia Services, to provide grants to the 9 hemophilia treatment centers to provide prevention services for persons with hemophilia and their family members affected by AIDS and other blood borne pathogens.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes**347 Subject: Cancer Registry System****Section: 56****ALI: 440-412**

Requires \$50,000 in each fiscal year of appropriation item 440-412, Cancer Incidence Surveillance System, be provided to the Northern Ohio Cancer Resource Center. The remaining moneys in that appropriation item are to be used to maintain and operate the Cancer Incidence Surveillance System.

Requires the Ohio Cancer Incidence Surveillance Advisory Board to report to the General Assembly no later than March 1, 2002 on the effectiveness of the cancer incidence surveillance system and the partnership between the Department and the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute of The Ohio State University.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

348 Subject: Child and Family Health Services**Section: 56****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.

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.

Section: 55.01

- 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.

As Introduced

As Passed by the House

Temporary Law Changes

349 Subject: Hepatitis B Vaccinations**Section: 56****ALI: 440-418**

No provision.

Section: 55.01

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.

350 Subject: HIV/AIDS Prevention/Treatment**Section: 56****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.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes**351 Subject: Infectious Disease Prevention****Section: 56****ALI: 440-446**

Requires \$200,000 per fiscal year of appropriation item 440-446, Infectious Disease Prevention, be used for the purchase of drugs for sexually transmitted diseases (STDs).

Requires \$60,000 of that appropriation be used by the Department to reimburse boards of county commissioners for the cost of detaining indigent persons with tuberculosis (TB) and states that any portion of the \$60,000 allocated for detainment not used for that purpose must be used to make payments to counties pursuant to section 339.77 of the Revised Code.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

352 Subject: Help Me Grow**Section: 56****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.

(2) This provision also 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 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.

Sections: 55.01, 3701.61

(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.

(2) No change.

As Introduced

As Passed by the House

Temporary Law Changes

353 Subject: Poison Control Network**Section: 56****ALI: 440-504**

Requires appropriation item 444-504, Child Injury Prevention, be used for grants to the consolidated Ohio Poison Control Center to provide poison control services to Ohio citizens.

Section: 55.01

Same as Executive, but changes name of the appropriation item to Poison Control Network.

354 Subject: TANF Family Planning**Section: 56****ALI: 440-642**

Requires OBM to transfer \$250,000 per fiscal year via intrastate transfer voucher (ISTV) no later than the 15th day of July of each fiscal year, cash from GRF appropriation item 600-410, TANF State, to GSF Fund 5C1 in the Department of Health for the purpose of family planning services for children or their families whose income is at or below 200 percent of the official poverty guideline.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

355 Subject: Maternal Child Health Block Grant**Section: 56****ALI: 440-601**

Requires \$2,091,299 in each fiscal year of appropriation item 440-601, Maternal Child Health Block Grant, be used for the purpose of abstinence-only education consistent with Title V of the "Social Security Act," 42 U.S.C.A. 510.

States that a portion of the appropriation item may be used to ensure that current information on sudden infant death syndrome is available for distribution by local health districts. Requires the Director of Health to develop guidelines for the establishment of abstinence programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion.

Section: 55.01

No change.

356 Subject: Genetics Services**Section: 56****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.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

357 Subject: Sickle Cell Fund**Section: 56****ALI: 440-610**

Requires appropriation item 440-610, Sickle Cell Disease Control, be used to administer programs authorized by section 3701.131 of the Revised Code and that the source of the funds is as specified in section 3701.23 of the Revised Code.

Section: 55.01

No change.

358 Subject: Safety and Quality of Care Standards**Section: 56**

Allows the Department to use Fund 471, Certificate of Need, to administer sections 3702.11 to 3702.20 and 3702.30 of the Revised Code.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

359 Subject: Medically Handicapped Children Audit**Section: 56**

Allows moneys collected from audits of hospitals and recoveries from third-party payers to be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits. This provision also allows moneys to be expended for payments for diagnostic and treatment services on behalf of medically handicapped children, as defined in section 3701.022 (A) of the Revised Code and Ohio residents above 21 years of age who are suffering from cystic fibrosis. Moneys from this fund may also be expended for administrative costs incurred by the Department of Health operating the Medically Handicapped Children's Program.

Section: 55.01

No change.

360 Subject: Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund**Section: 56**

Transfers cash from the Liquor Control Fund (Fund 043) to the Alcohol Testing and Permit Fund (Fund 5C0) to meet the operating needs of the alcohol testing and permit program. Before any funds are transferred, the Department must submit a plan to OBM outlining the cash transfer schedule.

Section: 55.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes**361 Subject: Medically Handicapped Children - County Assessments****Section: 56****Section: 55.01****ALI: 440-607**

Requires appropriation item 440-607, Medically Handicapped Children - County Assessments, be used to make payments pursuant to section 3701.023 (E) of the Revised Code. These payments include, but are not limited to, diagnosis, treatment, service coordination, supportive services, transportation, and accessories and their upkeep, provided to medically handicapped children, provided that the provision of the goods or services is authorized by the Department.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

362 Subject: Health Care Workforce Shortage Task Force

No provision.

Section: 55.02

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.

As Introduced

As Passed by the House

Temporary Law Changes**363 Subject: Continuation of Moratorium on Certificate of Need for Long-term Care Beds****Sections: 132, 133****Sections: 141, 142**

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.

As Introduced

As Passed by the House

Temporary Law Changes**364 Subject: Commission on Hispanic/Latino Affairs Progress Review****Section: 57**

No provision.

Requires the Hispanic/Latino Affairs Commission to submit to the ranking minority member of the Human Services Subcommittee of the Finance and Appropriations Committee of the House of Representatives a report that demonstrates the progress that has been made toward meeting the Commission's mission statement. This report must be submitted no later than December 31, 2001. There may be minimal fiscal effects due to the preparation of the report.

As Introduced

As Passed by the House

Temporary Law Changes

365 Subject: Detailed Budget Plan

ALI: 360-502

No provision.

Section: 58

Requires Historical Society to submit a detailed budget plan to the Controlling Board in order for the Director of OBM to release moneys from GRF appropriation item 360-501, Operating Subsidy to the Historical Society for the second quarter of FY 2002. This payment would equal \$1,867,944.

366 Subject: Site Operations

ALI: 360-502

No provision.

Section: 58

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.

As Introduced

As Passed by the House

Temporary Law Changes

367 Subject: Historical Grants

ALI: 360-508

No provision.

Section: 58

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.

368 Subject: Subsidy Appropriation

Section: 58

Specifies the release of moneys to the Historical Society in quarterly amounts and the requirements for an audit of funds and fiscal records of the Society. This language provides for the continued release of subsidies for operations of the Ohio Historical Society. Appropriations made to the Ohio Historical Society are to be considered to be contractual consideration provided by the state to support the State's offer to contract with the Ohio Historical Society under section 149.30 of the Revised Code.

Section: 58

No change.

As Introduced

As Passed by the House

Temporary Law Changes**369 Subject: Hayes Presidential Center****Section: 58****ALI: 360-506**

Requires the Ohio Historical Society to make arrangements with the National Park Service or other United States government agency for the efficient transfer of operations or maintenance should such an agency decide to take over the Hayes Presidential Center. The Center is located in Fremont in Sandusky County. If the Hayes Presidential Center were transferred, the annual savings in GRF subsidies would be \$737,711 in FY2002 and \$695,253 in FY2003.

Section: 58

Same as Executive provision, but appropriation authority is lowered for Hayes Presidential Center. If the Center were transferred, the annual savings would now be \$708,203 in FY2002 and \$695,253 in FY2003.

As Introduced

As Passed by the House

Temporary Law Changes**370 Subject: Special Investigations****Section: 60****ALI: 965-602**

Permits the use of up to \$100,000 in each fiscal year of appropriation item 965-602, Special Investigations, for investigative costs, pursuant to section 121.481 of the Revised Code.

Section: 60

No change.

As Introduced

As Passed by the House

Temporary Law Changes**371 Subject: Market Conduct Examination****Section: 61**

Allows the Superintendent of Insurance to assess the costs of the examination against the insurer when conducting a market conduct examination of any insurer doing business in this state. The superintendent may enter into consent agreements to impose administrative assessments or fines for conduct discovered that might be violations of statutes or regulations administered by the superintendent. All costs, assessments, or fines collected must be deposited to the credit of the Department of Insurance Operating Fund (Fund 554).

Section: 61

No change.

372 Subject: Examinations of Domestic Fraternal Benefit Societies**Section: 61**

Allows the Superintendent of Insurance to transfer funds from the Department of Insurance Operating Fund (Fund 554) to the Superintendent's Examination Fund (Fund 555) only for the expenses incurred in examining domestic fraternal benefit societies as required by section 3921.28 of the Revised Code.

Section: 61

No change.

As Introduced

As Passed by the House

Permanent Law Changes**373 Subject: Family Services Stabilization Fund****sections: 131.41, 131.44**

States that it is the intent of the General Assembly to maintain a \$100 million balance in the Family Services Stabilization Fund and requires the Office of Budget and Management to transfer any surplus revenue remaining after the Budget Stabilization Fund is funded to the Family Services Stabilization Fund as necessary to bring its balance up to \$100 million.

The current balance of the Family Services Stabilization Fund is \$100 million.

(See also Temporary Law Changes under same subject.)

Removes the Executive provision and abolishes the Family Services Stabilization Fund.

(See also Temporary Law Changes under same subject and subject "Elimination of the Family Services Stabilization Fund.")

374 Subject: Family Violence Prevention and Services Act**sections: 181.51, 5101.251, 5103.07**

Transfers from JFS to the Office of Criminal Justice Services the administration of funds received under the federal Family Violence Prevention and Services Act.

(See also Temporary Law Changes under subject, "Family Violence Prevention Program" for fiscal effect and Permanent and Temporary Law Changes in the Office of Criminal Justice Services under similar subject.)

No change.

As Introduced

As Passed by the House

Permanent Law Changes**375 Subject: County Public Assistance Identification Cards****sections: 329.19, 5101.19, 5101.541, 5107.10, 5107.14**

Eliminates the involvement of JFS in issuing identification cards for certain public assistance recipients and permits a county department of job and family services to issue, at the county department's expense, identification cards to recipients of benefits or services under any assistance program the county department administers.

No change.

As Introduced

As Passed by the House

Permanent Law Changes

376 Subject: Prevention, Retention, and Contingency Program

**sections: 2329.66, 2715.041, 2715.045, 2716.13, 2921.13
4123.27, 5101.36, 5101.80, 5101.83, 5108.01,
5108.03, 5108.05, 5108.06, 5108.07, 5108.08,
5108.09, 5108.10, 5153.165**

Eliminates a restriction under which the Prevention, Retention, and Contingency (PRC) Program may serve only assistance groups that include at least one minor or a pregnant woman. Provides that benefits and services provided under the PRC program must be an allowable use of federal TANF funds, except that they may not be "assistance" as defined by federal TANF regulation. Provides that the JFS model design and the policies of a county department of job and family services for the PRC program may establish eligibility requirements for, and specify benefits and services to be provided to, types of groups that share a common need for the benefits and services. Provides that the JFS model design and a county department's policies may specify benefits and services that the county department may provide for the general public. Provides that benefits and services provided under the PRC program are inalienable whether by way of assignment, charge, or otherwise and are exempt from execution, attachment, garnishment, and other like processes.

By eliminating the restriction that the PRC program serve only assistance groups that include at least one minor or a pregnant woman, the PRC program as permitted by

No change.

As Introduced

As Passed by the House

Permanent Law Changes

federal law may serve non-custodial parents who otherwise meet the requirements of the PRC program. In effect this broadens the population that may be served in this program. Any increased cost would be felt as a reallocation of funds within the PRC program, or as a reduction in the existing TANF reserve funds.

377 Subject: Children's Trust Fund Fee**section: 3109.14**

Increases the additional fee charged for a certified copy of a birth record, certification of birth, copy of a death record, filing for a divorce decree or dissolution that goes to the Children's Trust Fund.

The fee increase is expected to generate additional revenue of approximately \$1.3 million annually. The additional revenue generated from the fee increase will expand the local purchasing power of the programs by approximately 27 percent.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**378 Subject: Calculation of Reduction in County Child Welfare Allocation****section: 5101.14**

Eliminates the requirement that the Department reduce a county's child welfare allocation if the county reduced the amount it expended for services to children from federal social services (Title XX) funds. Provides that a reduced allocation of funds to the county due to a sanction is no longer an excuse for the county's reduction of expenditures.

Without consideration of Title XX funds, a county's welfare allocation could potentially be reduced by a lesser amount than before. However, with the inclusion of amounts paid for a sanction, the allocation could potentially be reduced by a greater amount. According to JFS, the counties have been spending the full amount of their allocations and the Department has not recently imposed any sanctions. Therefore, it is unlikely this provision will have a fiscal effect.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**379 Subject: Child Welfare Services Report****section: 5101.14**

Eliminates the requirement that JFS prepare an annual report, detailing on a county-by-county basis, the services provided with child welfare allocations.

JFS has been unable to produce the report due to limitations of its accounting system and the level of detail that the statute requires. Therefore elimination of this reporting requirement will not generate any administrative cost savings for the Department.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**380 Subject: Funding of the Ohio Child Welfare Training Program****sections: 5101.141, 5153.78**

Eliminates a restriction under which the federal funds for administrative and training costs, incurred in the operation of foster care maintenance and adoption assistance programs that JFS withholds (up to 2%) from public children services agencies, may be used only to fund the Ohio Child Welfare Training Program. It also provides that JFS is permitted, rather than required, to use available federal and state funds to fund the Ohio Child Welfare Training Program adequately.

Historically, JFS has withheld the full 2% and expended it all on training. JFS will continue to withhold the full 2%. However, the change in the law will enable the Department to spend the funds on other child welfare efforts.

Increases to 3% the amount JFS may withhold from the Title IV-E federal financial participation funds received by JFS for administrative and training costs incurred in the operation of the foster care maintenance and adoption assistance program.

Restores the current law that requires Title IV-E federal financial participation funds be used only to fund the Ohio Child Welfare Training Program and provides that the funds may also be used to fund the University Partnership Program, which provides tuition assistance to college students majoring in social work who have committed to work for a public children services agency upon graduation.

Since this provision limits the use of these funds to the Ohio Child Welfare Training Program, the additional funds JFS withholds may provide additional funds for this training program as well as funds for the University Partnership Program.

As Introduced

As Passed by the House

Permanent Law Changes**381 Subject: Child Welfare Training Fund****section: 5101.143**

Eliminates a provision that allows each private agency or government entity to request that JFS determine what portion of an amount an entity charges for foster care maintenance for an eligible child qualifies for reimbursement under Title IV-E of the Social Security Act. The bill also, eliminates the Child Welfare Training Fund and the requirement that JFS levy a special assessment on each private agency or government entity seeking a foster care maintenance rate determination.

The federal government never approved this use of Title IV-E funds. In addition, there are currently no funds in the Child Welfare Training Fund. This provision has no fiscal effect.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**382 Subject: Form for Reporting Foster Care and Adoption Assistance and Medicaid Reimburse****section: 5101.145**

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. It also 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.

383 Subject: Food Stamp Benefits

**sections: 329.042, 5101.184, 5101.54, 5101.541, 5101.54
5101.543, 5739.02, 5747.122**

Eliminates the requirement that a system for mail issuance of food stamp benefits be maintained and recognizes the statewide practice of issuing food stamp benefits in electronic form. This provision could result in a minimal administrative savings.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**384 Subject: Indigent Burial Expenses****sections: 5101.52, 5101.521**

Eliminates the law under which persons entitled to receive payment for funeral, cremation, cemetery, and burial expenses of certain deceased public assistance recipients may receive state funds to defray those expenses.

Elimination of the indigent burial provisions requires the counties to decide how such expenses will be paid at the local level. In FY 2000, JFS expended \$786,688 of the \$1,465,911 appropriated for this purpose.

JFS reimburses counties for these expenses. The cost JFS is currently authorized to pay is \$750, if the deceased person was age 11 or older, or \$500 if under age 11.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**385 Subject: ODJFS's Ohio Works First Reports****section: 5101.80**

Provides that the Ohio Works First report that JFS must prepare each January and July must contain information on individuals exhausting the Ohio Works First time limit, rather than a county-by-county breakdown of individuals who cease to participate in Ohio Works First and the reasons the individuals ceased to participate. This provision eliminates a requirement that has not been implemented. Therefore, repealing the requirement will have no fiscal effect.

No change.

386 Subject: TANF Federal Fund**section: 5101.821**

Creates the Temporary Assistance for Needy Families Federal (TANF) Fund to receive federal funds for Ohio Works First; the Prevention, Retention, and Contingency Program; and other purposes consistent with state and federal laws. Federal funds for these two programs have in previous fiscal years been included in the GRF. This provision allows these moneys to be received in a Federal Special Revenue fund. New line items are created to fund TANF activities (600-689, TANF Block Grant; 600-690, Wellness; and 600-691, TANF Child Welfare).

No change.

As Introduced

As Passed by the House

Permanent Law Changes**387 Subject: Kinship Care Navigator Program****sections: 5101.85, 5101.851, 5101.852, 5101.853**

Eliminates the requirement that JFS establish a program providing support services to kinship caregivers and replaces it with a Kinship Care Navigator program. The new program is to provide kinship caregivers information and referral services and assistance in obtaining the support services that were required to be provided under the eliminated support service program.

This program is to be paid for out of appropriation item 600-689, TANF Block Grant. According to JFS, the Governor's intent (included in the Governor's Blue Book) is to spend \$3 million each fiscal year on this program.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**388 Subject: Ohio Child Welfare Training Program****section: 5103.031**

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 its 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.

As Introduced

As Passed by the House

Permanent Law Changes**389 Subject: Foster Care Training Stipend****sections: 5103.0312, 5103.0316**

Provides for JFS to reimburse the recommending public and private children services agencies for payments to foster caregivers for attending training courses rather than pay the foster caregivers directly. It also provides for the payments to be based on a stipend rate rather than a per diem rate.

JFS must process approximately 150,000 payments annually for such training reimbursement. By requiring the children services agencies to reimburse the foster caregiver and then seek reimbursement from JFS, the administrative cost of processing the payments is divided between JFS and the public children services agency. For example, under current law, if 30 foster caregivers are recommended by one public children services agency then JFS must process 30 separate payments. Under the bill, JFS would process one payment to each recommending agency and the recommending agency would process one payment for each foster caregiver that the agency recommended.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**390 Subject: Pregnant Minors' Ohio Works First Responsibilities****section: 5107.02**

Provides that a minor, who is at least six months pregnant and a member of an assistance group that does not include an adult, is a minor head of household under Ohio Works First and therefore subject to the minor head of household requirements, including entering into a self-sufficiency contract and satisfying work responsibilities. The provision expands the definition of minor head of household and subjects these individuals to program requirements. Any cost savings or increased costs that result depend on whether this provision is likely to reduce the number of such individuals who participate in the program. If there is a cost increase, it would be felt as a reallocation of funds with the OWF program, or as a reduction in the existing TANF reserve funds.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**391 Subject: Ohio Works First Time Limit****section: 5107.18**

Provides that the Ohio Works First time limit applies to an assistance group that includes an individual who has participated in the program for 36 months as an adult or minor head of household or spouse of an adult or minor head of household. Permits a county department of job and family services to exempt not more than 20% of the average monthly number of Ohio Works First assistance groups, rather than participants, from the time limits on the basis of hardship.

The provision clarifies which assistance groups are subject to the 36 month time-limit and specifies that it is the number of assistance groups and not the number of participants that is the basis for calculating the 20% exemption. These clarifications could result in a savings in so far as it applies to the participation of minor head of household. With regard to the change in the basis for calculating the 20% exemption, this could also result in a cost savings since the trend in the size of assistance groups has been declining. If that trend was to reverse, however, such a savings would not be realized, and there could instead be an increased cost. The magnitude of these potential savings or costs is not possible to estimate. Any cost, however, would be felt as a reallocation of funds within the OWF program or as a reduction in the existing TANF reserve funds. Any savings

No change.

As Introduced

As Passed by the House

Permanent Law Changes

would also be felt as a reallocation funds within the OWF program or as an increase in the existing TANF reserve funds.

392 Subject: Medicaid Single State Agency

section: 5111.01

Makes explicit the current practice that JFS acts as the single state agency to supervise the administration of Medicaid. The section also provides that JFS's Medicaid rules are binding on other agencies that administer Medicaid components and prohibits other agencies from establishing a Medicaid policy that is inconsistent with a JFS Medicaid policy. This provision has no fiscal effect.

No change.

393 Subject: Breast and Cervical Cancer Treatment Programs

section: 5111.0110

No provision.

Requires that the Director of JFS submit a state Medicaid plan amendment to the U.S. Secretary of Health and Human Services to implement the Breast and Cervical Cancer Prevention and Treatment Act of 2000, under which certain uninsured women under age 65 receive Medicaid during the period treatment for breast or cervical cancer is needed.

(See also Temporary Law Changes under same section.)

As Introduced

As Passed by the House

Permanent Law Changes**394 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.

395 Subject: Prescription Drug Rebates Fund

section: 5111.081

Creates the Prescription Drug Rebates Fund and requires all rebates paid by drug manufactures to JFS in accordance with a rebate agreement required under federal law to be credited to the Fund. The section also requires JFS to use money credited to the Fund for Medicaid services and contracts. This section simply moves drug rebates from the GRF to the State Special Revenue Fund. Therefore, this provision has no net fiscal effect.

No change.

(See also Temporary Law Changes under same subject.)

As Introduced

As Passed by the House

Permanent Law Changes**396 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.

As Introduced

As Passed by the House

Permanent Law Changes**397 Subject: Hospital Care Compliance Fund****section: 5111.171**

Provides for fines imposed on managed care organizations that fail to meet performance standards or other requirements 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.

As Introduced

As Passed by the House

Permanent Law Changes**398 Subject: Medicaid Reimbursement of Nursing Facilities**

**sections: 5111.20, 5111.23, 5111.231, 5111.25, 5111.251
5111.255, 5111.29, 5111.341**

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 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

No change.

As Introduced

As Passed by the House

Permanent Law Changes

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.

399 Subject: Change of Operators and Facility Closures

**sections: 5111.20, 5111.25, 5111.251, 5111.28, 5111.34 i
5111.3415, 5111.58, 5123.195**

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.

As Introduced

As Passed by the House

Permanent Law Changes

400 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.

401 Subject: Medicaid Long-Term Care Reimbursement Study Council

sections: 5111.231, 5111.34

Abolishes the Medicaid Long-term Care Reimbursement Study Council.

Restores the Medicaid Long-Term Care Reimbursement Study Council.

As Introduced

As Passed by the House

Permanent Law Changes**402 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.

No change.

(See also Temporary Law Change under same subject.)

As Introduced

As Passed by the House

Permanent Law Changes**403 Subject: Interagency Agreements for Administration of Medicaid Components****sections: 173.40, 5111.86, 5111.87, 5111.88**

Authorizes JFS to enter into interagency agreements with other state agencies for the administration of Medicaid components or aspects of Medicaid components. These sections require a state agency that enters into such an interagency agreement to (1) comply with JFS Medicaid rules and (2) reimburse JFS for the cost to JFS of performing, or contracting for the performance of, a fiscal audit of the Medicaid component or aspect the agency administers, if rules require that a fiscal audit be conducted. These sections also provide for the reimbursements to be deposited into the Medicaid Administrative Reimbursement Fund. JFS plans to obtain appropriation authority at the Controlling Board, since there is no way to determine the necessary appropriation at this time.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

404 Subject: Alcohol and Drug Addiction Services Transfer**Section: 62.01****ALI: 600-410**

Transfers \$3,500,000 in appropriation authority from GRF appropriation item 600-410, TANF State, to State Special Revenue (SSR) Fund 5B7, appropriation item 038-629, TANF Transfer-Treatment, and transfers \$1,500,000 from GRF appropriation item 600-410 to SSR Fund 5E8, appropriation item 038-630, TANF Transfer-Mentoring, in the Department of Alcohol and Drug Addiction Services.

(See Temporary Law Changes in the Department of Alcohol and Drug Addiction Services under same subject.)

Section: 62.01

No change.

405 Subject: Job and Family Services Report to the General Assembly**Section: 62.01**

No provision.

Requires the Department of Job and Family Services to report at the request of the House Finance and Appropriations Committee to the General Assembly, no later than June 30, 2002, on the department's performance in carrying out its mission and include in the report at least the following: the long-term planning and vision of the various elements of the department and an analysis of the fund balances and cash flow in the department's budget.

As Introduced

As Passed by the House

Temporary Law Changes

406 Subject: Disability Assistance**Section: 62.02****ALI: 600-511**

Sets the schedule that must be used to determine monthly grant levels in the Disability Assistance Program. This provision has the effect of maintaining the current monthly grant levels for the Disability Assistance program.

Section: 62.02

No change.

407 Subject: Adult Emergency Assistance Program**Sections: 62.03, and section 5101.86****ALI: 600-512**

Provides that appropriations for each fiscal year in ALI 600-512, Non-TANF Emergency Assistance, shall be used for the Adult Emergency Assistance Program established under section 5101.86 of the Revised Code.

(See also Temporary Law Changes under "TANF Federal Block Grant Transfers" and "Single Allocation for County Departments of Job and Family Services.")

Sections: 62.03, and section 5101.86

No change.

As Introduced

As Passed by the House

Temporary Law Changes

408 Subject: Health Care/Medicaid

Section: 62.04

ALI: 600-525

Provides that the appropriation item 600-525, Health Care/Medicaid, is not limited by state law that requires an appropriation made to a specific fiscal year be expended only to pay liabilities incurred within that fiscal year.

Section: 62.04

No change.

409 Subject: Breast and Cervical Cancer Treatment Program

Section: 62.04

ALI: 600-525

No provision.

Section: 62.04

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.)

As Introduced

As Passed by the House

Temporary Law Changes

410 Subject: Child Support Collections/TANF Maintenance of Effort

Section: 62.05

Section: 62.05

ALI: 600-658

Requires appropriation item 600-658, Child Support Collections, be used by JFS to meet the TANF maintenance of effort (MOE) requirements of Pub. L. No. 104-193. After the state has met the MOE requirement, JFS may use the funds from appropriation item 600-658 to support public assistance activities.

No change.

411 Subject: Medicaid Program Support Fund - State

Section: 62.06

Section: 62.06

ALI: 600-671

Requires appropriation item 600-671, Medicaid Program Support, be used by JFS to pay for Medicaid services and contracts.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

412 Subject: Hospital Care Assurance Match Fund

Section: 62.07

ALI: 600-650

Requires appropriation item 600-650, Hospital Care Assurance Match, be used by JFS for distributing funds to hospitals in accordance with division (B) of section 5112.18 of the Revised Code.

Section: 62.07

No change.

As Introduced

As Passed by the House

Temporary Law Changes

413 Subject: TANF County Incentives**Section: 62.08**

Permits the Department of Job and Family Services to use appropriation item 600-689, TANF Block Grant, to provide financial incentives to those county departments of job and family services that have exceeded performance standards adopted by the state department, where the board of county commissioners has entered into a partnership agreement. These incentive funds are to be used by the county department for additional or enhanced services, or may, with the permission of the state department, may be transferred to other funds. The county departments may retain or expend such funds without regard to the state or county fiscal year in which the financial incentives were earned or paid. Requires each county department of job and family services to file an annual report on the expenditure of these incentive funds and an evaluation of the effectiveness of the county department's use of these funds.

Section: 62.08

No change.

As Introduced

As Passed by the House

Temporary Law Changes

414 Subject: TANF Fatherhood Programs**Section: 62.08****ALI: 600-689**

Requires up to \$5,000,000 in each fiscal year of appropriation item 600-689, TANF Block Grant, be used to support local fatherhood programs. Of this \$5,000,000, \$300,000 per year is to be used for the operation of a Fatherhood Commission, and \$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.

Section: 62.08

Same as Executive, but adds the following:

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.

415 Subject: Title XX Transfer for Civilian Conservation Corps**Section: 62.08****ALI: 600-689**

No provision.

Section: 62.08

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.

As Introduced

As Passed by the House

Temporary Law Changes

416 Subject: TANF Education

Section: 62.08

ALI: 600-689

No provision.

Section: 62.08

Transfers \$76,156,175 in fiscal year 2002 and \$98,843,825 in fiscal year 2003 from Fund 3V6 (TANF Block Grant) in the Department of Job and Family Services to State Special Revenue Fund 3W6 (TANF Education), in the Department of Education, which is created by the provision, for the purpose of providing allowable services to TANF-eligible individuals. Increases the appropriation authority in appropriation item 600-689, TANF Block Grant, by the same amount of the transfer. The amendment would also require the Department of Education to comply with all TANF requirements.

Transfers in FY 2003 an additional \$35,000,000 in appropriation authority from appropriation item 600-689, TANF Block Grant, to State Special Revenue Fund 3W6 (TANF Education), in the Department of Education.

As Introduced

As Passed by the House

Temporary Law Changes

417 Subject: TANF Adult Literacy and Child Reading Programs

Section: 62.08

ALI: 600-689

Requires up to \$5,000,000 in each fiscal year from appropriation item 600-689, TANF Block Grant, be used to support local adult literacy and child reading programs.

Section: 62.08

No change.

418 Subject: Talbert House

Section: 62.08

ALI: 600-689

No provision.

Section: 62.08

Earmarks \$100,500 in each fiscal year from appropriation item 600-689, TANF Block Grant, to be provided to the Hamilton County Department of Job and Family Services to contract with the Talbert House for the purpose of providing allowable services to TANF-eligible individuals. Also requires the Hamilton County Department of Job and Family Services and the Talbert House to agree on reporting requirements that meet all TANF reporting requirements.

As Introduced

As Passed by the House

Temporary Law Changes

419 Subject: Appalachian Workforce Development and Job Training

Section: 62.08

ALI: 600-689

No provision.

Section: 62.08

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-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.

As Introduced

As Passed by the House

Temporary Law Changes**420 Subject: DYS Comprehensive Strategies****Section: 62.08****ALI: 600-689**

Requires the Director of Budget and Management to transfer, no later than July 15, 2001, \$5,000,000 in appropriation authority from ALI 600-689, TANF Block Grant, in the Department of Job and Family Services, to ALI 470-614, TANF Transfer - Comprehensive Strategies, in the Department of Youth Services (DYS). These funds shall be used to make grants to local communities to establish models of inter-system collaboration to prevent children from entering the juvenile justice system. DYS must require the grantees to use the funds only to plan, develop, or enhance collaborative models and may not be used for any type of direct or purchased services. The provision also requires the Department of Youth Services to comply with all TANF requirements.

Section: 62.08

No change.

As Introduced

As Passed by the House

Temporary Law Changes

421 Subject: TANF Transfer to Down Payment Assistance and Family Shelter Program

Section: 62.08

ALIs: 600-689, 195-497

No provision.

Section: 62.08

Requires Director of Budget and Management to transfer \$5,200,000 in FY 2002 and \$6,500,000 in FY 2003 in appropriation authority from appropriation item 600-689, TANF Block Grant, to appropriation item 195-497, CDBG Operating Match, in the Department of Development. The funds will be used to provide down payment assistance and supportive housing services for low-income families. The funds cannot be used to match federal funds. The amendment also requires that the Department of Development comply with all TANF requirements.

Allows provision of supportive services related to housing or homelessness, down-payment assistance, emergency home repair, and other emergency housing services.

As Introduced

As Passed by the House

Temporary Law Changes

422 Subject: TANF Federal Block Grant Funds and Transfers**Sections: 62.08, 62.09, 62.10****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).
- 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 62.09--and \$2,500,000 is to be

Sections: 62.08, 62.09, 62.10

- 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 – 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,

As Introduced

As Passed by the House

Temporary Law Changes

used by Child Nutrition (ALI 200-251 in Dept. of Educ.--see related section 62.10),

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.

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 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;

As Introduced

As Passed by the House

Temporary Law Changes

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.

423 Subject: Title XX Transfers for Community-based Correctional Facilities

Section: 62.08

ALI: 600-689

No provision.

Section: 62.08

Transfers \$1,800,000 in FY 2002 and \$5,400,000 in FY 2003 from funds transferred from TANF Block Grant and credited to the Social Services Block Grant for the purpose of increasing the appropriation level in the Department of Rehabilitation and Correction's GRF appropriation item 501-501, Community Residential Programs-CBCF, by those same amounts in each fiscal year.

As Introduced

As Passed by the House

Temporary Law Changes

424 Subject: Ohio Association of Second Harvest Food Banks**Section: 62.09****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, and \$2,500,000 for Child Nutrition Services in the Department of Education.

Section: 62.09

Requires the Director of Budget and Management to deposit into Fund 5E6, State Option Food Stamps, from receipts from the TANF Block Grant that have been credited to the Social Services Block Grant \$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.

425 Subject: Child Nutrition Services**Section: 62.10****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.

Section: 62.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

426 Subject: Title XX Transfer to Non-TANF Adult Assistance

Sections: 62.10, 62.10

ALI: 600-689

No provision.

Sections: 62.10, 62.10

Transfers funds from the TANF Block Grant that have been credited to the Social Services Block Grant. In each fiscal year, \$1,000,000 in such funds are employed and transferred to Department of Job and Family Services SSR appropriation item 600-696, Non-TANF Adult Assistance (Fund 3W3), which is established in this amendment.

427 Subject: Prescription Drug Rebate Fund

Section: 62.11

ALI: 600-692

Requires appropriation item 600-692, Health Care Services, be used by JFS in accordance with section 5111.081 of the Revised Code.

(See also Permanent Law Change under same subject.)

Section: 62.11

No change.

As Introduced

As Passed by the House

Temporary Law Changes

428 Subject: Agency Fund Group

Section: 62.12

Requires that the Agency Fund Group be used to hold revenue until the appropriate fund is determined or until they are directed to the appropriate governmental agency other than JFS. If it is determined that additional appropriation authority is necessary, such amounts are appropriated.

Section: 62.12

No change.

429 Subject: Holding Account Redistribution Group

Section: 62.12

ALIs: 600-643, 600-644

Requires that appropriation items 600-643, Refunds and Audit Settlements, and 600-644, Forgery Collections, in the Holding Account Redistribution Fund Group, be used to hold revenues until they are directed to the appropriate accounts or until they are refunded. If it is determined that additional appropriation authority is necessary, such amounts are appropriated.

Section: 62.12

No change.

As Introduced

As Passed by the House

Temporary Law Changes**430 Subject: Family Services Stabilization Fund****Section: 62.12**

In the event that moneys are transferred from the Family Services Stabilization Fund to the General Revenue Fund pursuant to section 131.41 of the Revised Code, appropriates such amounts in those appropriation items designated by the Director of Budget and Management. If the appropriation items contain both federal and state share, the amount of the transfer are to constitute the state share. The federal share of such amounts is appropriated in appropriation items designated by the Director of Budget and Management.

(See also Permanent Law Changes under same subject.)

Section: 62.12

No provision.

As Introduced

As Passed by the House

Temporary Law Changes

431 Subject: Single Allocation for County Departments of Job and Family Services**Sections: 62.13, 62.08**

Permits the Department of Job and Family Services to establish a single allocation for county departments of job and family services that are subject to a partnership agreement, using funds from the following appropriation items: 600-610, Food Stamps and State Administration; 600-410, TANF State; 600-689, TANF Block Grant; 600-620, Social Services Block Grant; 600-522, County Social Services; 600-413, Day Care Match/Maintenance of Effort; 600-617, Day Care Federal; 600-534, Adult Protective Services, and 600-614, Refugee Services. Provides that the county department is not required to use all of the money from one or more of these appropriation items for the purpose of the specific appropriation item, so long as it is used for one of the purposes of one of the other of the above appropriations.

Sections: 62.13, 62.08

Same as Executive, but adds provision that appropriation item 600-695, Adult Protective Services (Fund 3W3), is to be used to provide adult protective services in accordance with section 5101.62 of the Revised Code, and that appropriation item 600-696, Non-TANF Adult Assistance (Fund 3W3) shall be used to provide funding to the Adult Emergency Assistance Program in accordance with section 5101.86 of the ORC.

Adds provisions that the Hippy Program (Fund 3W8, ALI 600-638), be funded at \$62,500 per year, that the Adoption Connection program (Fund 3W9, ALI 600-640) be funded at \$50,000 per year. Both programs are to receive funding using funds transferred from the TANF Block Grant that have been credited to the Social Services Block Grant.

As Introduced

As Passed by the House

Temporary Law Changes**432 Subject: Transfer of Funds****Section: 62.14**

Requires the Department of Job and Family Services (JFS) to transfer \$12,783,463 in fiscal year 2002 and \$13,039,133 in fiscal year 2003, through intrastate transfer vouchers, cash from State Special Revenue Fund 4K1, ICF/MR Bed Assessments, to fund 4K8, Home and Community-Based Services, in the Ohio Department of Mental Retardation and Developmental Disabilities.

This section also requires that JFS to transfer through intrastate transfer vouchers, cash from State Special Revenue Fund 4J5, Home and Community-Based Services for the Aged, to fund 4J4, PASSPORT, in the Department of Aging. It requires the sum of the transfers to be equal to the amounts appropriated in fiscal year 2002 and fiscal year 2003 in appropriation item 490-610, PASSPORT/Residential State Supplement.

These transfers may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

Section: 62.14

No change.

As Introduced

As Passed by the House

Temporary Law Changes**433 Subject: Transfers of IMD/DSH Cash****Section: 62.14**

Requires that the Department of Job and Family Services (JFS) transfer through intrastate transfer vouchers, cash from Fund 5C9, Medicaid Program Support, to the Department of Mental Health's (DMH) Fund 4X5, OhioCare, in accordance with an interagency agreement, which delegates authority from JFS to DMH to administer specified Medicaid services.

Section: 62.14

No change.

As Introduced

As Passed by the House

Temporary Law Changes

434 Subject: Consolidation of State Grants**Section: 62.15**

Permits JFS, with the consent of a county, to combine into a single and consolidated grant state funds provided to the county for child welfare services and kinship care. In FY 2003, the grant is to also include unspent funds remaining from any grant provided to the county under this provision in FY 2002. The counties must use the funds to meet the expenses of its children services program under Chapter 5153. of the Revised Code, however, these funds are not subject to any statute or rule that would otherwise govern allowable uses. Funds are to be paid to the counties not later than 30 days after the beginning of each calendar quarter and are to be deposited into the children services fund (a county fund). Counties must return to JFS any unspent balance in the consolidated grant, unless this provision is renewed for a subsequent period of time.

Combining state funds into a single and consolidated grant would provide a county with greater flexibility to use these funds to meet that particular county's needs.

Section: 62.15

No change.

As Introduced

As Passed by the House

Temporary Law Changes

435 Subject: Employer Surcharge**Section: 62.16****ALI: 600-607**

Continues the authority to collect the surcharge that was levied for 1997, 1998, and 1999. There is still about \$900,000 in accounts receivable, and collectable, from those years. The bill also provides that, effective July 1, 2001, the funds collected go to the special administrative fund instead of the employer surcharge account, because the amounts are frequently too small to warrant maintaining a separate account.

Section: 62.16

No change.

436 Subject: Ohio Access Project**Section: 62.17**

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.

Section: 62.17

No change.

As Introduced

As Passed by the House

Temporary Law Changes

437 Subject: Funding for Ohio Access Success Pilot**Section: 62.18**

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.

Section: 62.18

No change.

438 Subject: Funding for Institutional Facility Audits**Section: 62.19**

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.

Section: 62.19

No change.

As Introduced

As Passed by the House

Temporary Law Changes

439 Subject: Waiver Redesign**Section: 62.20****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. This section requires JFS to reduce the maximum number of individuals the Ohio Home Care Waiver program may serve by the number of individuals transferred to the new or modified home and community-based services waiver program. 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 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

Section: 62.20

No change.

As Introduced**As Passed by the House**

Temporary Law Changes

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.

As Introduced

As Passed by the House

Temporary Law Changes

440 Subject: Medicaid Waiver**Section: 62.21**

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.

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

Section: 62.21

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.

As Introduced

As Passed by the House

Temporary Law Changes**441 Subject: Refund of SETS Penalty****Section: 62.22**

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.

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.

Section: 62.22

No change.

442 Subject: Medicaid Waiver Components**Section: 62.23**

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.)

Section: 62.23

No change.

As Introduced

As Passed by the House

Temporary Law Changes**443 Subject: Health Care Compliance Fund****Section: 62.24**

Identifies the Health Care Compliance Fund created by section 5111.171 of the Revised Code as the same fund as the Health Care Compliance Fund created by the Controlling Board in October 1998.

(See also Permanent Law Changes under subject "Hospital Care Compliance Fund.")

Section: 62.24

No change.

As Introduced

As Passed by the House

Temporary Law Changes

444 Subject: Continue the PACE Program, Transfer to Aging

ALIs: 600-525, 322-639

No provision.

Section: 62.25

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.

As Introduced

As Passed by the House

Temporary Law Changes

445 Subject: Medicaid Coverage of Anti-Obesity Drugs

Section: 62.26

No provision.

Revokes the Director of JFS's authority to adopt a rule excluding drugs for the treatment of obesity from coverage under the Medicaid program and requires the Director to evaluate and issue a report on whether the Medicaid program should cover anti-obesity agents that have been approved by the U.S. Food and Drug Administration for the treatment of obesity and obesity's related co-morbidities.

446 Subject: Child Protective Services

Section: 62.28

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.

As Introduced

As Passed by the House

Temporary Law Changes**447 Subject: Preferred Option Evaluation****Section: 62.30**

No provision.

Requires that the Director of Job and Family Services evaluate the Preferred Option component of Medicaid's managed care system and submit a report on the evaluation to the Governor and legislative majority leaders no later than June 30, 2003.

As Introduced

As Passed by the House

Temporary Law Changes

448 Subject: Local Public Employment Offices

No provision.

Section: 62.31

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

As Introduced

As Passed by the House

Temporary Law Changes

449 Subject: Investment Income**Section: 127**

Provides that in each fiscal year, notwithstanding section 131.41 of the Revised Code, investment income of the Family Services Stabilization Fund be credited to the GRF.

(See also Temporary and Permanent Law Changes under subject "Family Services Stabilization Fund.")

Section: 127

No provision.

450 Subject: Hospital Care Assurance Program**Sections: 134, 135**

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.

Sections: 134, 135

No change.

As Introduced

As Passed by the House

Temporary Law Changes**451 Subject: Coverage of Return to Long-Term Care Facility****Sections: 136, 137**

Extends, until October 16, 2003, a requirement that if certain conditions exist each health insuring corporation policy that provides benefits for skilled nursing care through a closed panel plan provide reimbursement for medically necessary covered skilled nursing care services an enrollee receives in a skilled nursing facility, continuing care facility, or home for the aging, even if the facility or home does not participate in the closed panel plan. Health insuring corporations that provide benefits for skilled nursing care through a closed panel plan could incur the additional costs of allowing access to providers outside the network. This provision of the bill could, therefore, result in increases in Medicaid costs to the state if a health insuring corporation chooses to pass any additional costs on to state's Medicaid program.

Sections: 136, 137

No change.

As Introduced

As Passed by the House

Temporary Law Changes**452 Subject: Elimination of Family Services Stabilization Fund****Section: 137**

No provision.

Transfers 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.

As Introduced

As Passed by the House

Temporary Law Changes

453 Subject: Budget Stabilization Fund Transfers for the Department of Job and Family Service**Section: 139**

No provision.

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.

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 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).

As Introduced

As Passed by the House

Temporary Law Changes

454 Subject: Family Violence Prevention Program**Section: 142**

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.

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

Section: 142

No change.

As Introduced

As Passed by the House

Temporary Law Changes**455 Subject: State Council of Uniform State Laws****Section: 63****ALI: 018-321**

Allows up to \$60,000 in FY 2002 and up to \$63,000 in FY 2003 in GRF appropriation item 018-321, Operating Expenses, be used to pay the expenses of the State Council of Uniform State Laws, including membership dues to the National Conference of Commissioners on Uniform State Laws.

Section: 63

No change.

As Introduced

As Passed by the House

Temporary Law Changes

456 Subject: Ohio Jury Instructions Fund**Section: 63****ALI: 018-601**

Specifies the revenue stream in the Ohio Jury Instructions Fund (Fund 403) consists of grants, royalties, dues, conference fees, bequests, devises, and other gifts received for the purpose of supporting costs incurred by the Conference in dispensing education and informational data to the state's judicial system and that those moneys be used by the Conference to pay expenses incurred in dispensing educational and informational data to the state's judicial system. This provision also appropriates all revenue accruing to Fund 403 from July 1, 2001 to June 30, 2003. This means that, if Fund 403's revenue exceeds its appropriation authority as set in the executive budget, \$200,000 in each of FYs 2002 and 2003, its appropriation authority is automatically increased to reflect that additional revenue, without legislative action or Controlling Board approval. Also included is language prohibiting the Director of Budget and Management or the Controlling Board from transferring moneys from Fund 403 to any other fund.

Section: 63

No change.

As Introduced

As Passed by the House

Temporary Law Changes

457 Subject: Law-Related Education**Section: 64****ALI: 005-406**

Requires the Supreme Court of Ohio to distribute moneys appropriated to GRF appropriation item 005-406, Law-Related Education, directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs. This amounts to \$209,169 in FY 2002 and \$215,444 in FY 2003. An analogous GRF appropriation item and related temporary law are part of the Office of the Attorney General's budget (appropriation item 055-405, Law-Related Education).

Section: 64

Same as Executive, but reduces the amounts that will be distributed directly to the Ohio Center for Law-Related Education to \$200,802 in FY 2002 (a decrease of \$8,367 or 4.0 percent) and \$206,826 in FY 2003 (a decrease of \$8,618 or 4.0 percent).

As Introduced

As Passed by the House

Temporary Law Changes

458 Subject: Ohio Commission for Legal Education Opportunity**Section: 64****Section: 64****ALI: 005-502**

Requires appropriation item 005-502, Commission for Legal Education Opportunity, be used to fund the activities of the Commission for Legal Education Opportunity, which was formed by the Chief Justice of the Supreme Court of Ohio for the purpose of assisting minority, low-income, and educationally disadvantaged college graduates in the transition to legal education (\$0 in FY 2002 and \$685,000 in FY 2003). This provision also states that the moneys may be used to establish and provide an intensive course of study, provide annual stipends for students, and pay the program's administrative costs.

Same as Executive, but reduces the appropriation authority in FY 2003 to \$657,600 (a decrease of \$27,400 or 4.0 percent).

As Introduced

As Passed by the House

Temporary Law Changes

459 Subject: Continuing Judicial Education**Section: 64****ALI: 005-601**

Specifies the revenue stream in the Continuing Judicial Education Fund (Fund 672) consist of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education and requires moneys appropriated to its related appropriation item 005-601, Continuing Judicial Education, be used to pay expenses for continuing education courses for judges and court personnel. This provision also: (1) allows the Supreme Court of Ohio 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 Fund 672 to any other fund; (3) credits to the Fund any interest earned on its moneys.

Section: 64

No change.

As Introduced

As Passed by the House

Temporary Law Changes

460 Subject: Attorney Registration**Section: 64****ALI: 005-605**

Permits the Supreme Court of Ohio to use moneys appropriated to 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.

Section: 64

No change.

As Introduced

As Passed by the House

Temporary Law Changes

461 Subject: Supreme Court Admissions**Section: 64****ALI: 005-606**

Requires appropriation item 005-606, Supreme Court Admissions, be used to compensate Court employees who are primarily responsible for administering the Attorney Admissions Program, and permits those moneys to be used to fund any 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 Supreme Court Admissions Fund (Fund 6A8) to any other fund; (3) credits to the Fund any interest earned on its moneys.

Section: 64

No change.

As Introduced

As Passed by the House

Temporary Law Changes

462 Subject: Continuing Legal Education**Section: 64****ALI: 005-607**

Requires appropriation item 005-607, Commission on Continuing Legal Education Fund, be used to compensate employees of the Commission on Continuing Legal Education, and permits those moneys to be used to fund other activities of the Commission 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 Continuing Legal Education Fund (Fund 643) to any other fund; (3) credits to the Fund any interest earned on its moneys.

Section: 64

No change.

As Introduced

As Passed by the House

Temporary Law Changes

463 Subject: Federal Miscellaneous**Section: 64****ALI: 005-603**

Specifies the revenue stream in the Federal Miscellaneous Fund (Fund 3J0) consists of grants and other moneys awarded to the Supreme Court of Ohio by the federal government, the State Justice Institute, or other entities that receive moneys directly from the federal government or the State Justice Institute, and requires any moneys appropriated to its related appropriation item 005-603, Federal Grants, be used in a manner consistent with the purpose of the grant or award. 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 Fund 3J0 to any other fund; (3) credits or transfers any interest earned on the Fund's moneys to the state's GRF.

Section: 64

No change.

As Introduced

As Passed by the House

Temporary Law Changes

464 Subject: Cash Transfer**Section: 65****ALI: 780-602**

Requires the Executive Director of the Ohio Lake Erie Office, with the approval of the Lake Erie Commission, to, not later than November 30th of each fiscal year, certify to the Director of Budget and Management the cash balance in the Lake Erie Resources Fund (Fund 5D8) in excess of amounts needed to meet operating expenses of the Lake Erie Office. Allows the Ohio Lake Erie Office to request that the Director of Budget and Management transfer excess funds from the Lake Erie Resources Fund (Fund 5D8) to the Lake Erie Protection Fund (Fund 4C0). The Director of Budget and Management may transfer the requested amount or a different amount up to the certified amount. Cash transferred must be used for the purposes described in division (A) of section 1506.23 of the Revised Code. Provides that the amount transferred is appropriated to appropriation item 780-601, Lake Erie Protection Fund, which is to be increased by the amount transferred.

The Lake Erie Protection Fund is used for research and program grants that support the protection and restoration of Lake Erie. The fund has experienced a decrease in revenues from its license plates sales over the last three years. In order to help support ongoing and future grants, the transfer from the Lake Erie Resources Fund, which funds operations, is requested. Am. Sub. H.B. 215 of the 122nd General Assembly authorized the transfer of

Section: 65

No change.

As Introduced**As Passed by the House**

Temporary Law Changes

\$750,000 from the Lake Erie Protection Fund to the Lake Erie Resources Fund to supplement operations. The Lake Erie Commission anticipates transferring \$1,000,000 in FY 2002.

As Introduced

As Passed by the House

Permanent Law Changes**465 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.

As Introduced

As Passed by the House

Temporary Law Changes

466 Subject: Operating Expenses

Section: 68

ALIs: 035-321, 035-403

No provision.

Section: 68

Requires the Director of Budget and Management to certify to the Director of the Legislative Service Commission (LSC), on or before August 1, 2001, the total amount of unexpended, unobligated appropriation in appropriation items 035-321, Operating Expenses, and 035-403, Legislative Budget Office, for fiscal year 2001. Additional appropriation authority, equal to those amounts though not to exceed \$500,000, is appropriated to appropriation item 035-321, Operating Expenses, for fiscal year 2002.

This provision will increase FY 2002 appropriation authority within LSC's operating appropriation item, providing there are unexpended, unobligated balances left in appropriation items 035-321 and 035-403 at the end of fiscal year 2001.

As Introduced

As Passed by the House

Temporary Law Changes

467 Subject: Legislative Task Force on Redistricting

Section: 68

ALI: 035-407

No provision.

Section: 68

Requires the Director of Budget and Management to certify to the Director of the Legislative Service Commission (LSC), on or before August 1, 2001, the total amount of unexpended, unobligated appropriation in appropriation item 035-407, Legislative Task Force on Redistricting, for fiscal year 2001. Additional appropriation authority, equal to that amount, is appropriated to appropriation item 035-407, Legislative Task Force on Redistricting, for fiscal year 2002.

This provision will increase FY 2002 appropriation authority within the Legislative Task Force on Redistricting appropriation item, providing there is an unexpended, unobligated balance remaining in the appropriation item at the end of fiscal year 2001.

As Introduced

As Passed by the House

Temporary Law Changes

468 Subject: ATMS Replacement Project**Section: 68****ALI: 035-406**

Authorizes that any amounts in GRF appropriation item 035-406, ATMS (Advanced Text Management System) Replacement Project, not used for the ATMS project may be used to pay the operating expenses of the Legislative Service Commission.

Section: 68

No change.

469 Subject: National Associations**Section: 68****ALI: 035-409**

Requires \$10,000 in each fiscal year from GRF appropriation item 035-409, National Associations, be used for the State and Local Legal Center.

Section: 68

No change.

As Introduced

As Passed by the House

Temporary Law Changes**470 Subject: Legislative Office of Education Oversight****Section: 68****Section: 68****ALI: 035-404**

Requires appropriation item 035-404, Legislative Office of Education Oversight, be used to support the legislative oversight activities of the Legislative Committee on Education Oversight established in section 3301.68 of the Revised Code.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

471 Subject: Ohioana Rental Payments**Section: 69****ALI: 350-401**

Requires appropriation item 350-401, Ohioana Rental Payments, be used to pay the rental expenses for the Martha Kinney Cooper Ohioana Library Association pursuant to section 3375.61 of the Revised Code.

Section: 69

No change.

472 Subject: Regional Library Systems**Section: 69****ALI: 350-502**

Requires appropriation item 350-502, Regional Library Systems, be used to support regional library systems eligible under section 3375.90 of the Revised Code.

Section: 69

No change.

As Introduced

As Passed by the House

Temporary Law Changes

473 Subject: Netwellness

Section: 69

ALI: 350-505

Requires appropriation item 350-505, Netwellness, be used to fund the Netwellness program, a joint venture of the University of Cincinnati, Case Western Reserve University, and The Ohio State University.

Section: 69

No provision.

As Introduced

As Passed by the House

Temporary Law Changes**474 Subject: Ohio Public Library Information Network****Section: 69****Section: 69****ALI: 350-604**

Provides funding for an information telecommunications network linking public libraries in the state and others as may be certified as participants by the Ohio Public Library Information Network (OPLIN) Board. The OPLIN Board consists of eleven members who are appointed by the State Library Board. The State Library acts as the fiscal agent for the network and has fiscal accountability for the expenditure of funds.

No change.

Libraries with OPLIN terminals are required to adopt policies that control access to obscene and illegal materials. The OPLIN Board is required to assist or advise local libraries with emerging technologies that may help in controlling access to obscene and illegal materials.

OPLIN, InfoOhio, and OhioLink are required to coordinate and cooperate in the purchase of electronic databases for the users.

As Introduced

As Passed by the House

Temporary Law Changes

475 Subject: Transfer to OPLIN Technology Fund

Section: 69

ALI: 350-604

Requires that the Director of Budget and Management transfer \$6,361,095 from Fund 065, Library and Local Government Support Fund, to Fund 4S4, OPLIN Technology Fund, in FY 2002 and \$6,477,962 in FY 2003.

Section: 69

No change.

As Introduced

As Passed by the House

Permanent Law Changes

476 Subject: Multi-State Lottery

sections: 3770.02, 3770.03, 3770.06

Authorizes the Director of the State Lottery commission to enter into, and the Governor to sign, agreements with other lottery jurisdictions to conduct joint lottery games. Requires that the net proceeds of a joint lottery game be used to fund primary, secondary, vocational, and special education programs. Requires the State Lottery Commission to adopt special rules to govern joint lottery games.

No provision.
The removal of the multi-state lottery games language decreases estimated ticket sales included in the Executive Proposal from \$4.07 billion to \$3.90 billion over the biennium. Transfers from operations to the Lottery Profits Education Fund may be reduced by \$55 million due to the decrease in estimated ticket sales. Total transfers to the Lottery Profits Education Fund may decline to \$1.25 billion from an estimated \$1.31 billion in the Executive budget.

477 Subject: Transfers from the State Lottery Fund to the Lottery Profits Education Fund

section: 3770.06

Eliminates the 30% limitation on transfers by the Director of Budget and Management of excess funds from the State Lottery Fund to the Lottery Profits Education Fund.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

478 Subject: Operating Expenses

Section: 6

Establishes appropriation items in amounts necessary for the purchase and printing of tickets, consultant services, and advertising. This provision also allows the Controlling Board to authorize additional moneys for operating expenses of the Lottery Commission.

Section: 71

No change.

479 Subject: Prizes, Bonuses, and Commissions

Section: 6

Appropriates additional amounts for prizes, bonuses, and commissions.

Section: 71

No change.

As Introduced

As Passed by the House

Temporary Law Changes

480 Subject: Annuity Prizes

Section: 6

Transfers cash from the State Lottery Fund Group (Fund 044) to the Deferred Prizes Trust Fund (Fund 871) in order to fund deferred prizes.

Section: 71

No change.

As Introduced

As Passed by the House

Permanent Law Changes**481 Subject: No Reduction in Fee for Certificate to Practice Medicine****section: 4731.14**

Eliminates the law under which the amount the State Medical Board charges for a certificate to practice medicine or osteopathic medicine is reduced by the amount paid for a training certificate issued not more than four months earlier. This provision is revenue neutral for the Board.

No change.

482 Subject: Podiatric Internship, Residency, or Clinical Fellowship Program**sections: 4731.53, 4731.573**

Requires an individual applying for a certificate to practice podiatry to present to the State Medical Board proof of completion of one year of postgraduate training in a podiatric internship, residency, or clinical fellowship program. Requires an individual seeking to pursue an internship, residency, or clinical fellowship program in podiatric medicine to apply to the Board for a training certificate, unless the individual holds a certificate to practice podiatry. The fee for the training certificate is \$75. This provision will lead to an increase in revenue for the Board.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**483 Subject: ADAMH Board Interaction with Public Children Services Agencies****section: 340.16**

Requires that DMH and Department of Job and Family Services (JFS) adopt rules for prior notification and service coordination between public children services agencies (PCSAs) and ADAMH boards. Requires DMH and JFS to formulate a plan that delineates the funding responsibilities that apply to Medicaid-covered community mental health services provided to children in PCSA custody.

No change.

484 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.

As Introduced

As Passed by the House

Permanent Law Changes**485 Subject: Certification and Evaluation of Community Mental Health Providers****sections: 5119.01, 5119.61**

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.

486 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.

As Introduced

As Passed by the House

Permanent Law Changes**487 Subject: Oversight of DRC Mental Health Programs****section: 5119.06**

Eliminates DMH's oversight and audit duties regarding the Department of Rehabilitation and Correction's (DRC's) mental health programs. Eliminates the requirement that DMH and DRC jointly develop standards for audits of DRC mental health programs. According to the Department, this will result in minimal cost savings for DMH staff time that was devoted to DRC oversight activities.

(See Permanent Law Changes in DRC under same subject.)

No change.

As Introduced

As Passed by the House

Temporary Law Changes**488 Subject: Community Mental Health Services Waiver****Section: 62.21**

Requires that the Department of Job and Family Services (JFS), with the assistance of the Department of Mental Health (DMH), submit an application for a waiver of federal Medicaid requirements to allow community mental health services to be covered by Medicaid according to the priorities set by DMH and boards of alcohol, drug addiction, and mental health services (ADAMH boards).

(See Temporary Law Changes in JFS under subject "Medicaid Waiver.")

Section: 62.21

No change.

As Introduced

As Passed by the House

Temporary Law Changes

489 Subject: Forensic Services**Section: 72****ALI: 332-401**

Requires that appropriation item 332-401, Forensic Services, be:

- (1) Used to provide psychiatric services to courts of common pleas;
- (2) Allocated through community mental health boards to certified community agencies.

And also allows the appropriation item to be used to:

- (1) Provide forensic training to community mental health boards and to forensic psychiatry residency programs in hospitals operated by DNH;
- (2) Provide evaluations of forensic patients in DMH facilities prior to conditional release to the community;
- (3) Support projects involving mental health, substance abuse, courts, and law enforcement to identify and develop appropriate alternative services to institutionalization for nonviolent mentally ill offenders;
- (4) Provide linkage to community services for severely mentally disabled offenders released from institutions operated by the Department of Rehabilitation and Correction;
- (5) Provide forensic monitoring and tracking in addition to community programs serving persons of forensic status on conditional release or probation.

Section: 73

No change.

As Introduced

As Passed by the House

Temporary Law Changes

490 Subject: Residency Traineeship Programs**Section: 72****ALI: 333-402**

Requires that appropriation item 333-402, Resident Trainees, be used to fund training agreements entered into by DMH for the development of curricula and the provision of training programs to support public mental health services.

Section: 73

No change.

491 Subject: Pre-Admission Screening Expenses**Section: 72****ALI: 333-403**

Requires that appropriation item 333-403, Pre-Admission Screening Expenses, be used to ensure that uniform statewide methods for pre-admission screening for persons in need of mental health services or for whom institutional placement in a hospital or in another inpatient facility is sought.

Section: 73

No change.

As Introduced

As Passed by the House

Temporary Law Changes

492 Subject: Rental Payments to the Ohio Public Facilities Commission**Section: 72****Section: 73****ALI: 333-415**

Sets an aggregate limit of \$51,030,200 that DMH may pay to the Ohio Public Facilities Commission from appropriation item 333-415, Lease Rental Payments, pursuant to leases and agreements made under section 154.20 of the Revised Code.

No change.

493 Subject: Community Mental Health Board Risk Fund**Section: 72.01****Section: 73.01****ALI: 334-636**

Requires that appropriation item 334-636, Community Mental Health Board Risk Fund, be used to make payments pursuant to section 5119.62 of the Revised Code.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

494 Subject: Community Medication Subsidy**Section: 72.03****ALI: 335-419**

Requires that appropriation item 335-419, Community Medication Subsidy, be used to provide subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization, because of lack of medication and to provide subsidized support for methadone costs.

Section: 73.03

No change.

495 Subject: General Community Mental Health Programs**Section: 72.03****ALI: 335-502**

Requires that appropriation item 335-502, Community Mental Health Programs, be distributed on a per capita basis to community mental health boards. The purpose of the appropriation is to provide subsidy for general mental health services. The range of mental health services eligible for funding must be defined in a Department of Mental Health rule. Community mental health boards must allocate funds in support of these services in accordance with the mental health needs of the community.

Section: 73.03

No change.

As Introduced

As Passed by the House

Temporary Law Changes

496 Subject: Mental Health Services for Severely Mentally Disabled Persons**Section: 72.03****Section: 73.03****ALI: 335-508**

Requires that appropriation item 335-508, Services for Severely Mentally Disabled, be used to serve the severely mentally disabled as specified in this provision. It also earmarks \$100,000 in each fiscal year to be used to fund family and consumer education and support. Lastly, it sets aside \$2.7 million in each fiscal year to be transferred from the GRF to Fund 4N8, Family Stability Incentive.

No change.

497 Subject: Mental Health Services to Juvenile Offenders Projects**Section: 72.03****Section: 73.03****ALI: 333-609**

Requires that any cash transferred for juvenile offenders projects from the Department of Youth Services, the Department of Job and Family Services, the Office of Criminal Justice Services, or other state agencies to the Department of Mental Health (DMH) shall be used by DMH to fund local mental health services for juvenile offenders projects that are designed to address the mental health needs of juvenile offenders with serious mental illness.

No change.

As Introduced

As Passed by the House

Temporary Law Changes**498 Subject: Behavioral Health Medicaid Services****Section: 72.03****ALI: 333-607**

Requires DMH to administer specified Medicaid services as delegated by the Department of Job and Family Services (JFS) in an interagency agreement, and to allow the use of funds in appropriation item 333-607, Behavioral Health Medicaid Services, to make payments for free-standing psychiatric hospital inpatient services, as defined in an interagency agreement with JFS.

Section: 73.03

No change.

As Introduced

As Passed by the House

Permanent Law Changes

499 Subject: MR/DD Medicaid Waiver Application

sections: 5111.042, 5111.87, 5111.872, 5111.873, 5123.0
5123.044, 5123.049, 5123.0410, 5123.0413,
5123.71, 5123.76, 5126.01, 5126.042, 5126.046
5126.047, 5126.051, 5126.054, 5126.056, 5126.
5126.357, 5126.431, 5705.091, 5705.41, 5705.4

No provision.

Permits the Department of Job and Family Services to seek federal approval for one or more Medicaid waivers under which home- or 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 included in this provision are a requirement that a county board of MR/DD give individuals who are eligible for Medicaid-funded home- or 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

As Introduced

As Passed by the House

Permanent Law Changes

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 provision 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 oversights 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;
 - Provides for DMR to certify providers of Medicaid-funded home- or community-based services administered by DMR;
 - 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 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.
-

As Introduced

As Passed by the House

Temporary Law Changes

500 Subject: Lease-Rental Payments**Section: 73.01****ALI: 320-415**

Sets an aggregate limit of \$51,030,200 that the Department of Mental Retardation and Developmental Disabilities (DMR) may pay to the Ohio Public Facilities Commission from appropriation item 320-415, Lease-Rental Payments, pursuant to leases and agreements made under section 154.20 of the Revised Code.

Section: 74.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

501 Subject: Residential and Support Services**Section: 73.02****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, 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

Section: 74.02

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.

As Introduced

As Passed by the House

Temporary Law Changes

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.

502 Subject: Family Support Services

Section: 73.02

ALI: 322-451

Allows the Department to implement programs funded by appropriation item 322-451, Family Support Services, to provide assistance to persons with mental retardation or developmental disabilities and their families who are living in the community pursuant to rules adopted by the Department.

Section: 74.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

503 Subject: Case Management**Section: 73.02****ALI: 322-452**

Allocates funding to the county boards of mental retardation and developmental disabilities for the purpose of providing case management services and to assist in bringing state funding for all department-approved case managers within county boards to the level authorized in division (D) of section 5126.15 of the Revised Code. The Department may request approval from the Controlling Board to transfer any unobligated appropriation authority from other state GRF appropriation items within the Department's budget to appropriation item 322-452, Case Management, to be used to meet the statutory funding level in division (D) of section 5126.15 of the Revised Code. No county may receive less than its allocation in FY 1995.

Section: 74.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

504 Subject: State Subsidies to MR/DD Boards**Section: 73.02****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, 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

Section: 74.02

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.

As Introduced

As Passed by the House

Temporary Law Changes

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.

505 Subject: Intersystem Services for Children**Section: 73.02****ALI: 322-645**

Requires that appropriation item 322-645, Intersystem Services for Children, be used to support direct grants to county family and children first councils to be used as partial support payment and reimbursement for locally coordinated treatment plans for multi-needs children that come to the attention of the Family and Children First Cabinet Council. The Department may use up to five percent of this appropriation for administrative expenses associated with the distribution of funds to the county councils. Any child referred for funding under this program must have an individualized education plan (IEP) in place.

Section: 74.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

506 Subject: Waiver - Match**Section: 73.02****ALI: 322-604**

Requires that appropriation item 322-604, Waiver-Match, be used as state matching funds for the home- and community-based waivers. This provision also allows the Department of Job and Family Services to enter into an interagency agreement with the DMR allowing the DMR to operate the program.

Section: 74.02

No change.

507 Subject: Developmental Center Program to Develop a Model Billing Services Rendered**Section: 73.02**

Allows the Department to develop a methodology for recovery of all costs associated with the provision of services by the developmental centers to persons with mental retardation or developmental disabilities living in the community or to providers of services to these persons.

Section: 74.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

508 Subject: Continuation and Modification of Moratorium on DMR/DD Residential Facility Beds**Sections: 140, 141****Sections: 155, 156**

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. Permits DMR to license a facility currently licensed as a nursing home if the sole purpose of the issuance is the relocation of existing beds within the same county.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

509 Subject: Lupus Program

Section: 74

ALI: 149-502

Requires appropriation item 149-502, Lupus Program, be used for providing grants for programs in patient, public, and professional education on systemic lupus erythematosus; encouraging and developing local centers on lupus information gathering and screening; and providing outreach to minority women.

Section: 75

No change.

As Introduced

As Passed by the House

Permanent Law Changes**510 Subject: Motor Vehicle Collision Repair Operators - Definitions****section: 4775.01**

Defines "collision" and "collision repair" and redefines "motor vehicle collision repair operator" and "motor vehicle collision repair facility" so as to broaden the jurisdiction of the Board.

(See also Permanent Law Changes under subject, "Motor Vehicle Collision Repair Operators - Registration Fees" for fiscal effect.)

No change.

511 Subject: Motor Vehicle Collision Repair Operators - Enforcement**section: 4775.02**

Makes conducting or attempting to conduct business as a motor vehicle collision repair operator in violation of the Motor Vehicle Collision Repair Registration Law an unfair and deceptive act or practice under the consumer Sales Practices Law, which gives consumers private remedies and permits the Attorney General to intervene in a private action or appeal.

This provision permits state involvement in cases through the Attorney General's Office and therefore, could create unknown expenses associated with hearings.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**512 Subject: Motor Vehicle Collision Repair Operators - Registration Fees****section: 4775.08**

With the changes in definitions in section 4775.01 of the Revised Code, the board may make the fine for failure to register as a vehicle collision repair operator (after the board has notified or attempted to notify the operator), an amount equal to the initial fee for registration then in effect for each year that the operator was not registered after such notification or attempted notification.

Increases the initial fee and annual renewal fee for the registration of motor vehicle collision repair operators from \$100 to \$150 (while continuing to allow the board, with the approval of Controlling Board, to increase or decrease that amount by up to 50%).

This provision would generate approximately \$130,000 in revenue per year, based upon the registration of 2,600 of the known shops subject to registration.

(See also Temporary Law Changes under similar subject.)

No change.

As Introduced

As Passed by the House

Permanent Law Changes**513 Subject: Motor Vehicle Collision Repair Operators - Fines and Penalties****section: 4775.99**

Allows the board, in addition to any other action it may take or penalty it may impose, to impose an administrative fine on the violator of (1) not more than \$1,000 on a first offense or (2) not less than \$1,000 or more than \$5,000 on each subsequent offense; and, at the request of the board, requires the Attorney General to commence a civil action to collect the administrative fine if it is not paid.

This permissive provision would generate unknown revenue, but could also create unknown expenses in the form of legal costs associated with hearings for violators.

No change.

As Introduced

As Passed by the House

Temporary Law Changes**514 Subject: Motor Vehicle Collision Repair Operators - Registration/Renewal Fees****Section: 147**

Establishes that the current registration fee is \$100; and permits the Motor Vehicle Collision Repair Registration Board to adjust the current registration fee of \$100 for each business location as provided in division (A) of section 4775.08 of the Revised Code.

(See also Permanent Law Changes under subject, "Motor Vehicle Collision Repair Operators - Registration Fees" for fiscal effect.)

Section: 147

No change.

As Introduced

As Passed by the House

Permanent Law Changes**515 Subject: Payment for Insurance Covering a State Agency****sections: 9.821, 9.822, 9.832, 1533.13**

Eliminates the self-insured blanket fidelity bond program on behalf of the Division of Wildlife. Wildlife's bond program effectively ended with the establishment of a point of sale program for wildlife license salespersons. Am. Sub. H.B. 283 of the 123rd General Assembly provided for the transfer of unencumbered moneys for the administration of the point of sale program for wildlife officers from the Department of Administrative Services to the Wildlife Fund (Fund 015). The official abolishment of the program in this bill will not have a fiscal effect because the program has not operated for two years.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**516 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.

As Introduced

As Passed by the House

Permanent Law Changes

- 517 Subject: Abolition of the Forestry Development Trust Fund and the Forestry Development F**
sections: 1503.011, 1503.35, 1503.351

Abolishes the Forestry Development Trust Fund (a custodial fund of the Treasurer of State consisting of gifts, donations, bequests, and other money contributed to the Division of Forestry) and the Forestry Development Fund (a fund in the state treasury consisting of investment earnings of the Forestry Development Trust Fund, as well as gifts, grants, and other contributions, used to make grants for urban and rural forest resource improvement and development projects). This provision will have little fiscal effect because the funds were little used; spending for the Forestry Development Fund in FY 2000 was \$3,915 and in FY 2001 was \$0.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**518 Subject: Chief Engineer's Duties**

sections: 1501.01, 1507.01, 1507.12, 1521.04

Eliminates all provisions related to the state's ownership and operations of the Burr Oak water system due to the transfer of ownership to the Burr Oak Water District. Am. Sub. H.B. 283 of the 123rd General Assembly required the Department of Natural Resources, upon the creation of a regional water district, to transfer ownership of the system to the district. The water district serves portions of Athens, Morgan, Hocking, and Perry counties and surrounding areas. On October 15, 2000, ownership of the system was transferred to the new Burr Oak Water District.

In FY 2000 expenditures in the Burr Oak Water Plant appropriation item were \$1,271,728, so the state would save at least this amount. FY 2001 expenditures have been higher, but these expenses include start-up costs for the Burr Oak Water District that would not have been incurred had the state retained ownership of the system.

This provision also eliminates the requirement that the Chief Engineer coordinate the Department's emergency response activities with the Emergency Management Agency.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**519 Subject: Approval to Plug or Restore Oil or Gas Wells****section: 1509.071**

Eliminates the requirement that Controlling Board approval be obtained before the Chief of the Division of Mineral Resources Management may expend money from the Oil and Gas Well Fund on an improperly plugged or abandoned oil or gas well.

No change.

520 Subject: Excess Fee Refunds to Coal Mining Operators**section: 1513.10**

No provision.

Requires excess permit fees paid by an operator of a coal mining operation to be refunded to the operator and creates the Reclamation Fee Fund for that purpose. The treasurer of state shall place \$40,000 from collected fees into the fund. As money is spent from the fund, the treasurer of state shall credit the fund with the amount needed to keep the balance at \$40,000. The remainder of the fees collected shall be deposited with the treasurer of state to the credit of the coal mining administration and reclamation reserve fund.

As Introduced

As Passed by the House

Permanent Law Changes**521 Subject: Creation of the Ohio Water Resources Council****section: 1521.19**

Codifies the authority and responsibilities of the already existing Ohio Water Resources Council. This provision has no fiscal effect.

No change.

522 Subject: Motor Vehicle Fuel Tax**sections: 1531.35, 5735.051**

Increases from 0.75% to 1.0% the percentage of motor vehicle fuel tax revenue that is statutorily attributable to the operation of watercraft. One-half of the additional revenue would be allocated to the Waterways Safety Fund and the other half would be used for the Wildlife Boater Angler Fund.

This provision also creates the Wildlife Boater Angler Fund that may be used for capital and possibly other projects to enhance boating and fishing. The bill provides for 0.125% of motor vehicle fuel tax revenues for this program. This percentage would generate approximately \$1.75 million annually.

Same as the Executive, but revises the purposes for which the Wildlife Boater Angler Fund is to be used by requiring the Fund to be used for Boating access construction, improvements, and maintenance on lakes on which the operation of gasoline-powered watercraft is permissible.

As Introduced

As Passed by the House

Permanent Law Changes**523 Subject: Establishing Hunting and Fishing License Fees by Rule**

**sections: 1533.10, 1533.101, 1533.11, 1533.111, 1533.11
1533.13, 1533.32**

Allows the amount of the fees for the issuance of the hunting or fishing licenses, wetlands habitat stamp, and deer or wild turkey permit, or fur taker permit, including the issuing clerk's or agent's fee, to be revised by rules adopted by the Chief of the Division of Wildlife. This provision could streamline the process of changing rules for the Department, making it easier to increase fees. Therefore, there is a potential for an increase in revenues resulting from this provision.

No provision.

524 Subject: Elimination of Free Hunting and Fishing Licenses for Seniors

section: 1533.12

Repeals language that authorizes free hunting licenses for senior citizens (age 66 or older).

No provision.

As Introduced

As Passed by the House

Permanent Law Changes**525 Subject: Watercraft Registration, Livery Registration, and Dealer or Manufacturer Registrat****sections: 1547.52, 1547.54, 1547.541, 1547.542, 1547.54**

Authorizes the Chief of the Division of Watercraft in the Department of Natural Resources to revise the Watercraft registration fee, livery registration, and dealer or manufacturer registration by rule in lieu of the statutory fee.

No provision.

526 Subject: Maximum Marine Patrol Grants**section: 1547.67**

Increases the maximum annual watercraft grant amount for marine patrols to a political subdivision, conservancy district, or state department from \$30,000 to \$35,000. The bill also excludes the Department of Natural Resources from this cap. If the same number of grants is awarded as was awarded in FY 2000, the expenditures from the Waterways Safety Fund could increase by 15% for this program. In FY 2000, \$500,000 in grants was awarded to 27 agencies for marine patrols.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**527 Subject: Abolition of the Division of Civilian Conservation**

**sections: 121.04, 1501.04, 1553.01, 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 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

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.")

As Introduced

As Passed by the House

Permanent Law Changes

appropriation item 725-625, Civilian Conservation Corps Operations, Fund 162.

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

528 Subject: Assessment of a Mine Safety Training Fee

sections: 1514.11, 1561.26

Authorizes the Chief of Mineral Resources Management to establish a fee, by rule, for mine safety and first aid classes and requires the fee to be credited to the Surface Mining Fund. These fees would decrease training costs for the Division.

No change.

529 Subject: Increased Receipts for the Recycling and Litter Prevention Fund

section: 5733.122

Requires the full amount of revenue from the litter stream products tax imposed on manufacturers and sellers of such products, less an administrative charge to be retained by the Department of Taxation, be credited monthly to the Recycling and Litter Prevention Fund, rather than \$5 million every six months.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**530 Subject: Amounts and Uses of the Severance Tax****section: 5749.02**

Increases by one cent the tax rate on industrial minerals, as follows: (1) From 4 cents to 5 cents per ton of salt; (2) From 2 cents to 3 cents per ton of limestone, dolomite, sand, or gravel; (3) From 1 cent to 2 cents per ton of clay, sandstone or conglomerate, shale, gypsum, or quartzite. These increases would be used for geological mapping, unreclaimed mine lands, and surface mining regulation and safety. The annual increase in revenue is estimated to be \$1.4 million for the state.

Increases the share of tax rate on industrial minerals that is credited to the Geological Mapping Fund: (1) From 15% to 28.5% of the salt revenue (the rest continues to be credited to the Unreclaimed Lands Fund); (2) From 7.5% to 14.5% of the limestone, dolomite, sand, and gravel revenue (the portion going to the Unreclaimed Lands Fund is reduced from 42.5% to 35.5%, the rest continues to be credited to the Surface Mining Fund); (3) From 0% to 9.1% of the clay, sandstone or conglomerate, shale, gypsum, and quartzite revenue (the rest continues to be credited to the Surface Mining Fund). These changes provide an increase of at least \$400,000 for geological mapping.

No provision.

As Introduced

As Passed by the House

Temporary Law Changes

531 Subject: TANF Federal Block Grants and Transfers

Section: 76.02

ALI: 725-625

No provision.

Section: 62.08

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.)

532 Subject: Natural Resources General Obligation Debt Service

Section: 76.01

ALI: 725-903

Requires the payment of debt service and financing costs from appropriation item 725-903, Natural Resources General Obligation Debt Service, during the period July 1, 2001 to June 30, 2003. The Natural Resources General Obligation Debt Service item funds debt service on capital improvements to land and water recreational facilities, soil and water protection equipment and facilities, and other improvements related to the state's natural resources programs.

Section: 77.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

533 Subject: Conservation General Obligation Debt Service**Section: 76.01****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.

Section: 77.01

No change.

534 Subject: Lease Rental Payments**Section: 76.01****ALI: 725-413**

Requires appropriation item 725-413, OPFC Lease Rental Payments, be used to meet all payments at the times they are required to be made during the period from July 1, 2001, to June 30, 2003 pursuant to leases and agreements made under section 154.22 of the Revised Code, but limited to the aggregate amount \$30,490,500.

Section: 77.01

No change.

This provision allows for continued payments and payments for increased rents.

As Introduced

As Passed by the House

Temporary Law Changes

535 Subject: Fountain Square**Section: 76.01****ALIs: 725-404, 725-664**

Requires that appropriation item 725-404, Fountain Square Rental Payments - OBA, be used to meet all payments required to be made to the Ohio Building Authority during the period from July 1, 2001 to June 30, 2003, pursuant to leases and agreements with the OBA under section 152.241 of the Revised Code, but limited to the aggregate amount of \$2,181,500.

Requires the Director of Natural Resources to make payments to the GRF from funds other than the GRF to reimburse the GRF for the other funds' shares of the lease rental payments to the OBA. The transfers from the non-General Revenue funds must be made within ten days of the payment to OBA for the actual amounts necessary to fulfill the leases and agreements. This provision allows for continued payments and increases in rents. Requires that appropriation item 725-664, Fountain Square Facilities Management, be used for payments associated with maintenance of the buildings. Fountain Square is the building complex that houses the administrative offices for the Department and is located in north Columbus.

Section: 77.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

536 Subject: Central Support Indirect**Section: 76.02****ALI: 725-651**

Requires DNR, with the approval of the Director of Budget and Management, to utilize a methodology for determining each division's payments into the Central Support Indirect Fund (Fund 157). The methodology is to contain the characteristics of administrative ease and uniform application. Prior to this bill, the central support charges incurred by the Division of Wildlife were paid out of the GRF. The executive recommendations include an increase in the Wildlife Fund to cover a portion of central support charges for the Division of Wildlife.

Section: 77.02

No change.

537 Subject: Wildlife License Reimbursement**Sections: 76.02, 143****ALI: 725-425**

Requires that no payments be made from the GRF to the Wildlife Fund (Fund 015) during fiscal years 2002 and 2003. This change may increase costs for the Wildlife Fund, depending on fees established by the Division of Wildlife by rule. The amount of reimbursement paid in FY 2000 and 2001 was \$1,000,000. The increase in expenses for the Wildlife Fund will probably not be as high as the reimbursement levels in the past. The GRF will experience a savings of \$1,000,000.

Section: 77.02

No provision.

As Introduced

As Passed by the House

Temporary Law Changes

538 Subject: Soil and Water Districts**Section: 76.02****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.

Section: 77.02

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.

As Introduced

As Passed by the House

Temporary Law Changes

539 Subject: Division of Soil and Water**Section: 76.02****ALI: 737-321**

Requires \$220,000 of appropriation item 737-321, Division of Soil and Water, be distributed in each fiscal year for the Water Quality Laboratory at Heidelberg College.

Section: 77.02

No change.

540 Subject: Canal Lands**Section: 76.02****ALI: 725-456**

Requires that appropriation item 725-456, Canal Lands, be used to transfer funds to the Canal Lands Fund (Fund 430) to provide operating expenses for the State Canal Lands Program. The transfer shall be made using an intrastate transfer voucher and is subject to the approval of the Director of Budget and Management. This provision allows for continued services in the State Canal Lands program.

Section: 77.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

541 Subject: Watercraft Marine Patrol**Section: 76.02****ALI: 725-506**

Requires that not more than \$200,000 in each fiscal year be expended from appropriation item 739-401, Division of Watercraft, for the purchase of equipment for marine patrols. Proposals for equipment must accompany the submission of documentation for receipt of a marine patrol subsidy and must be loaned to eligible marine patrols pursuant to a cooperative agreement between the Department and the eligible marine patrol.

Section: 77.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

542 Subject: Fund Consolidation**Section: 76.02****ALI: 740-401**

Requires the Director of Budget and Management, on July 15, 2001, or shortly thereafter, to transfer the cash balances of the Wildlife Education Fund (Fund 81A) as of June 30, 2001 and any amounts that accrue to that fund after that date, to the Wildlife Education Fund (Fund 015). The Director is to cancel any remaining outstanding encumbrances against appropriation item 725-612, Wildlife Education, and reestablish them against appropriation item 740-401, Division of Wildlife Conservation. Provides that the amounts of any encumbrances canceled and reestablished are appropriated. This provision has no net fiscal effect.

Requires the Director of Budget and Management, on July 15, 2001, or shortly thereafter, to transfer the cash balances of the Cooperative Boat Harbor Projects Fund (Fund 880) as of June 30, 2001 and any amounts that accrue to that fund after that date, to the Waterways Safety Fund (Fund 086). The Director is to cancel any remaining outstanding encumbrances against appropriation item 725-614, Cooperative Boat Harbor Projects, and reestablish them against appropriation item 739-401, Division of Watercraft. Provides that the amounts of any encumbrances canceled and reestablished are appropriated. This provision has no net fiscal effect.

Section: 77.02

Same as Executive, but requires that the cash balance in the Burr Oak Water Plant Fund (Fund 519) be transferred to the Burr Oak Regional Water District instead of the GRF.

As Introduced

As Passed by the House

Temporary Law Changes

Requires the Director of Budget and Management, on July 15, 2001, or shortly thereafter, to transfer the cash balances of the Forestry Development Fund (Fund 4B8) as of June 30, 2001 and any amounts that accrue to that fund after that date, to the State Forest Fund (Fund 509). The Director is to cancel any remaining outstanding encumbrances against appropriation item 725-617, Forestry Development Fund, and reestablish them against appropriation item 725-602, State Forest. Provides that the amounts of any encumbrances canceled and reestablished are appropriated. This provision has no net fiscal effect.

Requires the Director of Budget and Management, on July 15, 2001, or shortly thereafter, to transfer the cash balances of the Burr Oak Water Plant Fund (Fund 519) to the GRF. The Burr Oak Water Plant Fund provided payments for the operations of the water treatment plant that serviced parts of Athens, Morgan, Hocking, and Perry counties. During FY 2000 the operations of the water plant were assumed by the newly formed Burr Oak Water District. This provision does not have a fiscal effect, because ownership of the water plant was transferred to the water district prior to this bill.

As Introduced

As Passed by the House

Temporary Law Changes**543 Subject: Civilian Conservation Corps****Section: 76.02****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.")

Section: 77.02

No provision.

As Introduced

As Passed by the House

Temporary Law Changes**544 Subject: Oil and Gas Well Plugging****Section: 76.02****ALI: 725-677**

Requires that appropriation item 725-677, Oil and Gas Well Plugging, be used exclusively for the purpose of plugging wells and restoring the land surface of idle and orphan oil and gas wells. No funds from the appropriation item are to be used for administrative purposes, except for those directly attributed to the plugging of an idle or orphan well. Appropriation authority from this line item is not to be transferred to any other fund or line item.

Section: 77.02

No change.

As Introduced

As Passed by the House

Permanent Law Changes**545 Subject: Board of Nursing Fees****sections: 4723.08, 4723.79**

Increases the amount the Board of Nursing charges for biennial renewal of a nursing license from \$35 to \$45 for all licenses that expire on or after September 1, 2003. The bill also increases the fee for biennial renewal of a certificate of authority to practice in an advanced nursing role to \$100 for certificates that expire on or before August 31, 2005. Under the bill, a nurse who pays the biennial renewal fee for a certificate of authority is not required to pay the biennial renewal fee for a nursing license.

Also creates a \$100 fee for reinstatement of a dialysis technician certificate and a \$25 fee for processing checks returned to the Board for nonpayment.

Provides that \$5 from each biennial certificate to practice nursing in an advanced role be transferred from the Occupational Licensing and Regulatory Fund (4K9) to the Nurse Education Assistance Fund. Under current law, \$5 from the revenue collected for nursing license renewals is transferred to the Nurse Education Assistance Fund.

Same as Executive, but removes the provision that states that a nurse who pays the biennial renewal fee for a certificate of authority is not required to pay the biennial renewal fee for a nursing license.

As Introduced

As Passed by the House

Temporary Law Changes

546 Subject: Nursing Special Issues

Sections: 77, and section 4723.062

No provision.

Sections: 4723.062, and Section 78 of the bill

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.

As Introduced

As Passed by the House

Temporary Law Changes

547 Subject: Transcript and Other

Section: 82

ALI: 124-601

Allows the agency to use the appropriation item 124-601, Transcript and Other, to cover the cost of printing and distributing transcripts and other documents. Requires that the revenue generated by charges for transcripts and other documents be deposited in the Transcripts and Other Fund (Fund 636).

Section: 83

No change.

As Introduced

As Passed by the House

Permanent Law Changes**548 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.

As Introduced

As Passed by the House

Temporary Law Changes**549 Subject: Pharmacy Board Operating Fund****Section: 83****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.

Section: 83

No provision.

As Introduced

As Passed by the House

Permanent Law Changes**550 Subject: Updated Reference to a Supreme Court Rule**

**sections: 120.06, 120.16, 120.26, 120.33, 2953.21, and
Section 167 of the bill**

Changes outdated references to Rule 65 of the Rules of Superintendence for Courts of Common Pleas to Rule 20 of the Rules of Superintendence for the Courts of Ohio. Existing law refers to an outdated Supreme Court of Ohio rule number (Rule 65). Rule 20 is identical to former Rule 65. To be eligible for reimbursement, counties must assure that attorneys appointed to represent indigent clients in capital cases are certified under Rule 20. If attorneys are not certified as such, reimbursement is denied. If this rule reference is not updated, it could be confusing to readers of the public defender statute, and may cause disputes regarding reimbursement in capital cases. Thus, to the degree that updating these references has any fiscal effect, it might be in saving any time and money that might otherwise have been expended in clarifying the applicable Supreme Court rule.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**551 Subject: Surcharge on Civil Filing Fees to Support Legal Aid Societies****sections: 1901.26, 1907.24, 2303.201**

Makes permanent the increase from \$4 to \$15 in filing fees in each new civil action or proceeding for the support of legal aid societies that became effective January 1, 1993 and was scheduled to expire on December 31, 2002. If the increase in the filing fee was allowed to expire as scheduled, then the amount of revenue collected for the purpose of providing financial assistance to legal aid societies would drop by approximately \$4.5 million annually.

No change.

As Introduced

As Passed by the House

Permanent Law Changes

552 Subject: County Public Defender Reimbursement Fund

section: 2949.091

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

As Introduced

As Passed by the House

Temporary Law Changes

553 Subject: Indigent Defense Office**Section: 85****ALIs: 019-404, 019-610**

Requires moneys appropriated to GRF appropriation item 019-404, Trumbull County - State Share, and State Special Revenue appropriation item 019-610, Trumbull County - County Share, be used to support an indigent defense office for Trumbull County. The Public Defender Commission currently maintains a branch office in the City of Warren that provides indigent defense services in Trumbull County. Funding for the Trumbull office is drawn solely from these two appropriation items. Trumbull County's contribution to the indigent defense office is deposited in the state treasury to the credit of Fund 4X7 (appropriation item 019-610, Trumbull County - County Share).

Section: 87

No change.

As Introduced

As Passed by the House

Temporary Law Changes

554 Subject: Multi-County Office**Section: 85****ALIs: 019-403, 019-601**

Requires moneys appropriated to GRF appropriation item 019-403, Multi-County: State Share, and State Special Revenue appropriation item 019-601, Multi-County: County Share, be used to support the Public Defender Commission's Multi-County Branch Office Program. Under the Program, the Commission currently provides indigent defense services to a ten-county region that covers the south and southeastern part of Ohio, including Adams, Athens, Brown, Fayette, Jackson, Meigs, Pickaway, Pike, Ross, and Washington counties. The Program's regional office is located in Athens County, with branch offices situated in Ross and Washington counties. Funding for the Multi-County Branch Office Program is drawn solely from these two appropriation items. The local contribution provided by each of the ten participating counties is deposited in the state treasury to the credit of Fund 4C7 (appropriation item 019-601, Multi-County: County Share).

Section: 87

No change.

As Introduced

As Passed by the House

Temporary Law Changes

555 Subject: Training Account**Section: 85****ALI: 019-405**

Requires moneys appropriated to GRF appropriation item 019-405, Training Account, be used to provide legal training programs at no cost for private appointed counsel who represent at least one indigent person at no cost (pro bono), and for state and county public defenders and attorneys who contract with the Ohio Public Defender to provide indigent defense services. This GRF appropriation item essentially supports the Commission's Pro Bono Training Program that uses contracts with private and non-profit training companies to provide continuing legal education (CLE) certified seminars to attorneys who practice criminal indigent defense law.

Section: 87

No change.

556 Subject: Federal Representation**Section: 85****ALI: 019-608**

Requires federal appropriation item 019-608, Federal Representation, serve as the depository for reimbursement payments received by the Ohio Public Defender from the federal courts for providing legal representation in federal court cases at the request of the federal courts.

Section: 87

No change.

As Introduced

As Passed by the House

Temporary Law Changes**557 Subject: County Emergency Preparedness Grants****Section: 86****ALI: 763-501**

Requires appropriation item 763-501, County Emergency Preparedness Grants, be used for grants to qualifying countywide emergency management agencies, regional authorities for emergency management, and county emergency management agencies as provided for in a formula to be approved by the Director of Public Safety.

Creates an emergency management advisory committee to establish minimum standards for emergency management practice and recommendations for a formula to allocate the grants. Committee members will not be compensated, but may be reimbursed for reasonable and necessary expenses related to their duties. Within 180 days after the effective date, Committee must forward recommendations regarding the minimum capabilities for emergency management, the formula for distribution of county grant funds, and the methodology to evaluate accomplishments of minimum standards to the Director of Public Safety. The Committee is to cease to exist not later than 240 days after the effective date of the section. However, the Director of Public Safety is authorized to grant the committee an extension of no more than 60 days upon written request of the executive director.

No provision.

As Introduced

As Passed by the House

Temporary Law Changes

558 Subject: Ohio Task Force One - Urban Search and Rescue Unit**Section: 86****ALI: 763-403**

Requires \$200,000 in each fiscal year of appropriation item 763-403, Operating Expenses-EMA, be used to fund the Ohio Task Force One - Urban Search and Rescue Unit and for other urban search and rescue programs around the state to create a stronger search and rescue capability statewide.

Section: 88

No change.

559 Subject: IFG - State Match**Section: 86****ALI: 763-507**

Requires appropriation item 763-507, Individual/Family Grant-State, be used to fund the state match required by the federal government to provide grants to families and individuals in cases of disaster. The amount appropriated are \$93,765 in FY02 and \$93,123 in FY03.

Section: 88

Reduces to \$90,014 in FY02 and \$89,398 in FY03 state match funding required by the federal government to provide grants to families and individuals in cases of disaster.

As Introduced

As Passed by the House

Temporary Law Changes

560 Subject: Biomass Energy Program**Section: 87****ALI: 870-611**

Specifies that the Biomass Energy Program Fund created by section 4905.87 of the Revised Code is the same fund, with a new name, as the Biofuels/Municipal Waste Technology Fund created by the Controlling Board in January 1988.

Section: 89

No change.

As Introduced

As Passed by the House

Temporary Law Changes**561 Subject: State Capital Improvements General Obligation Debt Service****Section: 88****Section: 90****ALI: 150-907**

Requires appropriation item 150-907, State Capital Improvements General Obligation Debt Service, be used to pay debt service, and authorizes either the Office of the Sinking Fund or the Director of Budget and Management to make any necessary fund transfers to accomplish that.

No change.

This provision has no net fiscal effect.

As Introduced

As Passed by the House

Permanent Law Changes

562 Subject: Receipts of the State Racing Commission Operating Fund

section: 3769.08

Restructures the current method of distributing the horse racing wager tax and eliminates the \$2.5 million cap on the Racing Commission Operating Fund (Fund 565). The horse racing wager tax represents a percent of the total of all moneys wagered on thoroughbred, harness, and quarter horse racing, and is paid by each permit holder authorized to host live and simulcast racing programs in Ohio. This provision retains the requirement that 25 percent of the tax be paid to the PASSPORT Fund, then stipulates that the \$2.5 million revenue cap that currently limits the amount of tax revenue that may be distributed to the Racing Commission Operating Fund is removed. Following payment to the PASSPORT Fund, the Commission's Operating fund should receive its statutorily prescribed share from any tax balance remaining. After these two payments, and after the tax reductions granted to permit holders for undertaking capital improvements at their racing facilities, any tax remaining should be distributed to the Ohio Fairs Fund, Ohio Thoroughbred Fund, Ohio Standardbred Development Fund, and Ohio Quarterhorse Fund according to statutorily prescribed distributions. If sufficient funds are not available to pay the latter four funds in full, the Tax Commissioner must prorate on a proportional basis the amount paid to each of these funds.

Generally restores current law, but maintains the elimination of the \$2.5 million cap on the Racing Commission Operating Fund. This will allow the Operating Fund to collect more revenue from the horse racing wager tax.

The Commission estimates that this provision, combined

As Introduced**As Passed by the House**

Permanent Law Changes

with one that lowers the permissible level of major capital improvement tax reductions to permit holders to one-half of one percent, will generate an additional \$1.1 million in revenue for the Racing Commission Operating Fund.

As Introduced

As Passed by the House

Permanent Law Changes

563 Subject: Tax Credits for Racetrack Capital Improvements

sections: 3769.08, 3769.20

Lowers the percentage by which permit holders may reduce the amount they pay in horse racing wager taxes when they implement major capital improvement projects at their tracks. Under current law, the amount of the reduction is one percent (and can only be applied to taxes paid in excess of the amount paid to PASSPORT). The amount is reduced to one-half of one percent, and can only be applied to taxes paid in excess of the amounts paid to PASSPORT and to the Racing Commission Operating Fund (Fund 565). The provision removes language stipulating that tax reductions for minor capital improvements may be taken only if they were approved by the Ohio State Racing Commission prior to September 19, 1996.

Of Ohio's seven racing permit holders, those currently taking advantage of major capital improvement tax abatements will be required to pay more in horse racing wager taxes. Also, the removal of the September 19, 1996 provision may result in recent minor capital improvements being approved for tax reductions, thereby lowering the amount of horse racing wager tax distributed to the Ohio Fairs Fund and the three racing development funds (thoroughbred, standardbred, and quarterhorse).

Restores existing law, in that the one percent tax reduction for major capital improvement projects is reinstated, and removes the provision requiring the tax reduction be taken only after payments made into PASSPORT and the Racing Commission Operating Fund.

Also removes current law's stipulation that tax reductions granted for major capital improvements are in addition to tax reductions granted for minor capital improvements approved by the Racing Commission prior to March 29, 1988. The March 29, 1988 stipulation is removed.

For minor capital improvements, the definition of "capital improvement" is expanded, and "approved cost" is defined.

Also, for minor capital improvements that commenced after March 29, 1988, the bill stipulates that the three-quarters of one percent tax reduction -- that under current law may continue for 10 years, and the total tax reduction may not exceed 70 percent of the approved cost of the minor capital improvement -- applies only until the effective date of this bill. After the bill's effective date, the tax reduction may continue until the total tax reduction reaches 100 percent of the approved cost of the minor capital improvement.

As Introduced

As Passed by the House

Permanent Law Changes

These provisions will provide Ohio's racetracks with higher savings in the form of tax reductions when they undergo capital improvement projects.

As Introduced

As Passed by the House

Permanent Law Changes**564 Subject: Ohio Instructional Grants**

sections: 3333.12, and Section 7.07 of the bill

ALI: 235-503

Specifies the maximum amounts of the stipends that may be awarded and also raises the income limits of eligible applicants and their families. A similar set of tables in uncodified, or temporary, law (section 7.07 of the bill) overrides these permanent-law tables in order to provide for lower grant amounts in the first year of the biennium; thus, these permanent-law tables will apply to the biennium's second year.

Under the Ohio Instructional Grant program, the Board of Regents pays stipends to Ohio residents who are enrolled in an associate's or bachelor's degree program at any public, private, or proprietary institution of higher education in the state to help defray educational costs associated with those programs. Grant amounts are based on the income of the applicant or the applicant's family.

The fiscal effect of this provision, together with the effect of the uncodified-law provision of section 7.07, can be estimated by the difference between the budgeted amounts for the appropriation item 235-503, Ohio Instructional Grants, for the current and new biennium; this difference is \$29,619,000.

Same as Executive, but changes the fiscal effect:

The reduction in the appropriations for both fiscal years of the new biennium reduces the estimate of the fiscal effect to \$23,669,000.

As Introduced

As Passed by the House

Permanent Law Changes**565 Subject: Higher Education Retirement Plans**section: *3305.061*

No provision.

Provides an upper limit to the percentage of employees' compensation that an institution of higher education must pay the state retirement system if the institution's employees opt to participate in an alternative retirement plan (ARP). The percentage may not exceed the percentage that the state retirement system charges employers of members of the state system who opt to participate in the state system's own ARP.

Current law requires an institution of higher education that maintains an alternative retirement plan (ARP) to pay the state retirement system to which the institution's ARP participants would otherwise belong an amount equal to a percentage of those participants' compensation.

This payment is intended to mitigate the negative financial impact on the state retirement system caused by those employees' opting to participate in the institution's ARP.

This provision has no fiscal effect.

As Introduced

As Passed by the House

Permanent Law Changes**566 Subject: Interactive Video Teleconferencing of Board of Regents Meetings****section: 3333.02**

Permits the Board of Regents to form a quorum and take votes at meetings conducted by interactive video teleconference as long as it provides for attendance by the public at any teleconference location. This provision has no fiscal effect.

No change.

567 Subject: Board of Regents: Chancellor Authority to Appoint Employees/Staff**section: 3333.03**

Authorizes the Chancellor to appoint and fix the compensation of the employees and staff of the Board without seeking approval of the Board. Under current law, the Board of Regents fixes the compensation of all employees of the Board and all appointments made by the Chancellor are subject to Board approval. This provision has no fiscal effect.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**568 Subject: Transfers to the Ohio Public Facilities Commission****section: 3333.13**

Specifies that only the Board may receive appropriations made for lease payments to the Public Facilities Commission or the Treasurer of State. Under current law, either the Board of Regents or an institution of higher education may be the recipient of such appropriations.

No change.

Specifies that the Vice-chancellor 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.

The bill requires that certification of amounts needed to make lease payments to the Public Facilities Commission must include the amounts to be credited to the Higher Education Capital Facilities Bond Service Fund. This provision has no fiscal effect.

As Introduced

As Passed by the House

Permanent Law Changes**569 Subject: Academic Scholarship Program****section: 3333.21**

No provision.

Changes the specified annual amount of each scholarship award from \$2,000 to "not less than" \$2,000.

570 Subject: Academic Scholarship Program**section: 3333.22**

No provision.

Changes the specified annual amount of each scholarship award from \$2,000 to "not less than" \$2,000.

As Introduced

As Passed by the House

Permanent Law Changes**571 Subject: Higher Education - Board of Trustees****section: 3345.35**

No provision.

No provision.

572 Subject: Environmental Education Fund Scholarships**section: 3745.22**

No provision.

Expands eligibility for Environmental Education Fund scholarships to include students attending private non-profit colleges and universities. Currently the scholarships are available to students of only state-assisted colleges and universities.

As Introduced

As Passed by the House

Temporary Law Changes

573 Subject: State Share of Instruction**Section: 7.01****ALI: 235-501**

Gives authority and direction to the Board of Regents for the allocation of the State Share of Instruction (SSI) among the various higher education institutions. The allocation method is based on the institutions' enrollments, as broken out among sixteen curriculum models (called expenditure models), each of which "earns" a certain subsidy amount per full-time-equivalent student enrolled in it. Each campus's subsidy is the difference between its "aggregate expenditure requirements" and the "income to be derived from the local contributions assumed in calculating the subsidy entitlements". The total subsidy for a campus is the sum of its expenditure model subsidies.

Features and adjustments in the allocation method include the following: (1) Of the sixteen curriculum models (expenditure models), the General Studies and Technical models are to be adjusted to remain the same despite any changes in the overall local share; the adjustment is made by a lower-division fee differential. (2) Non-resident students are excluded from the number of full-time-equivalent (FTE) students used in the formula.

Section: 92.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

574 Subject: Aggregate Expenditure Per Full-time Equivalent Student**Section: 7.01****Section: 92.01****ALI: 235-501**

Provides instructions and per-student subsidy amounts for the calculation of the first of the two main categories in the formula that allocates the State Share of Instruction appropriation among the campuses; this category is called the Aggregate Expenditure per FTE Student. There are two enrollment-based components in this category: the Instruction and Support Services and the Student Services.

No change.

Increases, for each fiscal year, the dollar subsidy amount per student FTE in each of fourteen non-doctoral program expenditure (curriculum) models used in both components in this category. These amounts are increased from the current FY 2001 amounts by from 4.4 percent for the Technical II model to 19.1 percent for General Studies I. The three General Studies models receive the largest increases, followed by the three Masters and Professional models.

Provides for the Student Services component by listing a different cost for each of the fourteen program expenditure models individually. Previously the formula for this component used the same cost for all fourteen models.

Creates a new program expenditure (curriculum) model, called the Blended MPD I model, to include the education and business masters-degree curriculums. These

As Introduced**As Passed by the House****Temporary Law Changes**

curriculums have been included in both masters and doctoral models. The new model, to be subsidized at a lower-than-doctoral level of allocation, is intended to keep these two curriculums' subsidies appropriate to their scholastic statuses and costs. It will also preserve funds for the true doctoral programs. As a transition, for the first two years the subsidy amount for this new model will be a blend of the masters and doctoral amounts. The addition of this new model increases the number of non-doctoral program expenditure models to fourteen.

As Introduced

As Passed by the House

Temporary Law Changes

575 Subject: Plant Operation and Maintenance (POM)**Section: 7.01****ALI: 235-501**

Provides instructions and parameters for calculating the second of the two subsidy categories in the SSI allocation formula: Plant Operation and Maintenance (POM). This category has two components: the square-foot based subsidy and the activity-based subsidy.

For the square-foot based POM subsidy, for FY 2002 the bill provides little or no increase in the per-square-foot subsidy amounts for each of the seven types of space (classrooms, laboratories, offices, etc.). For FY 2003 the increases are 4.2 percent for each type of space.

For the activity-based POM subsidy, the bill increases, for each fiscal year, the subsidy amount for each of the fourteen non-doctoral program expenditure models. The increases among these models range from 3.2 percent to 29.1 percent for FY 2002 and from 3.2 percent to 16.9 percent for FY 2003. In general, the largest increases are given to the Masters and Professional II and III models; the smallest increases are given to the Baccalaureate I and III and the two Medical models.

Includes a hold-harmless provision in the calculation of the POM subsidy for each campus. The hold-harmless provision calls for the POM subsidy to be the greater of the square-foot-based POM subsidy component or the activity-

Section: 92.01

No change.

As Introduced**As Passed by the House****Temporary Law Changes**

based POM subsidy component of the core subsidy entitlement.

Deletes an exception to this hold-harmless provision. The exception says that the total activity-based POM subsidy will not exceed 161 percent of the square-foot based POM subsidy in fiscal year 2000 and will not exceed 177 percent of the square-foot-based subsidy in fiscal year 2001.

As Introduced

As Passed by the House

Temporary Law Changes

576 Subject: Calculation of Core Subsidy Entitlements**Section: 7.01****ALI: 235-501**

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.

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.

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 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.

Section: 92.01

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.

As Introduced

As Passed by the House

Temporary Law Changes**577 Subject: Annual Hold Harmless Provision****Section: 7.01****ALI: 235-501**

Includes language concerning the State Share of Instruction annual guarantee: For each of the fiscal years 2002 and 2003, a campus will receive not less than 100 percent of the SSI allocation it received in the previous fiscal year.

Section: 92.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

578 Subject: Calculation of Core Subsidy Entitlements and Adjustments**Section: 7.01****Section: 92.01****ALI: 235-501**

Provides instructions and parameter values for several calculations in the subsidy allocation formula for the State Share of Instruction, including the uses of the student FTE's.

No change.

Describes certain exceptions to the normal application of the formula, such as the use of a different FTE in the calculation of the Medical II model, the use of all-terms vs. annualized FTE data, the use of the greater of the two components of the calculated POM subsidy amounts as a campus's POM subsidy, and the exceptions made for the calculation of the subsidies for the Doctoral I and II models, both the percentage of the total SSI earmarked for doctoral subsidies and the amounts of the doctoral reserves.

Contains two other adjustments to the formula's result: the annual hold harmless provision and the capital component deduction. These are described in other entries.

As Introduced

As Passed by the House

Temporary Law Changes

579 Subject: Capital Component Deduction**Section: 7.01****ALI: 235-501**

Requires the appropriation to be distributed to each campus for which the estimated campus debt service attributable to new qualifying capital projects is less than the campus's formula-determined capital component allocation. Also restricts the uses of the campuses' proceeds from this appropriation: they may be used only for capital projects.

Section: 92.01

No change.

580 Subject: Reductions in Earnings**Section: 7.01****ALI: 235-501**

Requires that, if the campuses' total earned state subsidy should exceed the appropriation for the State Share of Instruction, then Regents will reduce each campus's share proportionately so that the system-wide total subsidy equals the available appropriation.

Section: 92.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

581 Subject: Distribution of State Share of Instruction**Section: 7.01****ALI: 235-501**

Provides for the State Share of Instruction payments to the campuses to be made in "substantially equal monthly amounts during the fiscal year", unless the Director of Budget and Management determines otherwise. The first six months' payments will be based on estimated enrollments; the second six months' payments will be made after approval by the Controlling Board.

Section: 92.01

No change.

582 Subject: Exceptional Circumstances**Section: 7.01****ALI: 235-501**

Provides for the Board of Regents to adjust the State Share of Instruction payments to the campuses in order to allow for "exceptional circumstances".

Section: 92.01

No change.

As Introduced

As Passed by the House

Temporary Law Changes

583 Subject: Law School Subsidy**Section: 7.01****ALI: 235-501**

Calls for the State Share of Instruction for law schools to be calculated by using the lesser of two different measures of the schools' full-time equivalent students.

Section: 92.01

No change.

584 Subject: Eminent Scholars Program**Section: 7.02****ALI: 235-451**

Specifies that the appropriation is to be used to address problems of "vital statewide significance" and to foster the growth in eminence of Ohio's academic programs. The program provides grants of \$750,000 (for science and technology) and \$500,000 (for other areas) to higher-education institutions to match endowment gifts from non-state sources. The grants are used by the campuses to attract and sustain scholar-leaders who will assist the state in improving Ohio's economic development, strengthening the state's system of K-12 education, and improving public health and safety.

Section: 92.02

No provision.

As Introduced

As Passed by the House

Temporary Law Changes

585 Subject: Jobs Challenge**Section: 7.02****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.

(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.

(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.

Section: 92.02

(1) No change.

(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.

(3) Same as Executive, but reduces the earmark amounts to \$3,130,087 in FY 2002 and \$2,875,953 in FY 2003.

As Introduced

As Passed by the House

Temporary Law Changes

(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.

(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,

(4) Same as Executive, but reduces the earmark amounts to \$2,991,513 in FY 2002 and \$3,629,797 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.

As Introduced

As Passed by the House

Temporary Law Changes

586 Subject: Access Challenge**Section: 7.02****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.

(2) No provision.

(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.

(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.

(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

Section: 92.02

(1) Same as Executive, but eliminates the requirement of a freeze of instructional and general fees.

(2) Limits resident lower-division undergraduate instructional and general fee increases to 3 percent per academic year.

(3) No change.

(4) Changes the enrollment adjustment method for Cleveland State University to make it the same as that for Youngstown State University

(5) No change.

As Introduced

As Passed by the House

Temporary Law Changes

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.

(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.

(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.

(8) States that the fee restraints or reductions will not apply in the case of a 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.

(6) No provision.

(7) No provision.

(8) No provision.

As Introduced

As Passed by the House

Temporary Law Changes

(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.

587 Subject: Success Challenge

Section: 7.02

ALI: 235-420

Specifies that the Success Challenge appropriation is to be used to promote degree completion by students enrolled at main campuses of state-assisted universities. Two-thirds of the appropriation will be distributed to campuses in proportion to their shares of the statewide total bachelor's degrees granted by those campuses to "at-risk" students. One-third of the appropriation will be distributed to campuses in proportion to their shares of the statewide total bachelor's degrees granted to students who completed their degrees in a "timely manner" in the previous fiscal year. The term "timely manner" normally means four years.

Section: 92.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

588 Subject: Research Challenge**Section: 7.02****ALI: 235-454**

Specifies that the appropriation is intended to enhance the basic research capabilities of public higher education institutions. The appropriation is used to strengthen academic basic research toward the pursuit of Ohio's economic redevelopment goals by providing competitive grants that fractionally match funds obtained from external sources.

Section: 92.02

No change.

589 Subject: Computer Science Graduate Education**Section: 7.02****ALI: 235-554**

Names the appropriation item Computer Science Graduate Education (it is currently Priorities in Graduate Education). The appropriation is used to support improvements in graduate programs in computer science at state-assisted universities.

Earmarks up to \$200,000 in each fiscal year to be used to support collaborative efforts to improve graduate programs in computer science. This continues the prior earmark amount.

Section: 92.02

No change.

As Introduced

As Passed by the House

Temporary Law Changes

590 Subject: Higher Education - Board of Trustees**Sections: 7.03, 3345.35**

(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: 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 exclusive prerogative over administrative decisions.

Section: 92.03

(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.

As Introduced

As Passed by the House

Temporary Law Changes

591 Subject: OSU Limited Tuition Cap Exemption**Section: 7.03**

(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".

Section: 92.03

(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.

As Introduced

As Passed by the House

Temporary Law Changes

592 Subject: Medical School Subsidies**Section: 7.04**

Provides instructions and earmarks regarding the several appropriation items in the Board of Regents' Medical Support program series.

Limits the subsidy for the Case Western Reserve School of Medicine to no more than the level given to state-supported medical schools. The main medical school subsidies are to be distributed by the Board of Regents. The OSU Clinic Support appropriation item will be divided between the veterinary and dental colleges. And Regents is to develop and maintain plans for the disbursements of funds in several appropriation items.

Provides one earmark under this subject heading:
 (1) To Wright State University, for its operation of the Ellis Institute's clinic to serve greater Dayton: \$160,000 in each fiscal year

Section: 92.04

No change.

As Introduced

As Passed by the House

Temporary Law Changes

593 Subject: Performance Standards for Medical Education**Section: 7.04**

Requires the Board of Regents to develop performance standards for medical education, with emphasis on ensuring that at least 50 percent of medical students enter residency as primary-care physicians. Regents will monitor the schools' performances. This continues past policy requirements.

Reduces a medical school's funding from the appropriation by 5 percent if the school has not provided a plan to Regents for the use of the funds.

Section: 92.04

No change.

594 Subject: Area Health Education Centers**Section: 7.04**

ALI: 235-474

Provides language calling for the appropriation to be used to support the medical school regional area health centers' educational programs.

Provides two earmarks:

(1) Ohio University's College of Osteopathic Medicine: \$200,000 in each fiscal year

(2) Ohio Valley Community Health Information Network (OVCHIN) project: \$150,000 in each fiscal year

Section: 92.04

No change.

As Introduced

As Passed by the House

Temporary Law Changes

595 Subject: Midwest Higher Education Compact**Section: 7.05****ALI: 235-408**

Requires the appropriation to be distributed pursuant to section 3333.40 of the Revised Code. This Code section concerns the compact alone, which was established among Midwestern states to provide greater higher education opportunities and services in the Midwestern region.

Section: 92.05

No change.

596 Subject: College Readiness Initiatives**Section: 7.05****ALI: 235-404**

Requires the appropriation to be used to support programs that improve the ability of high school students to enroll and succeed in higher education.

Section: 92.05

No change.

As Introduced

As Passed by the House

Temporary Law Changes

597 Subject: Mathematics and Science Teaching Improvement**Section: 7.05****ALI: 235-403**

Requires the appropriation to support programs that raise the quality of mathematics and science teaching in primary and secondary education.

Section: 92.05

No change.

598 Subject: Ohio Learning Network**Section: 7.05****ALI: 235-417**

Requires the appropriation to support the continued implementation of the Ohio Learning Network. The title of this appropriation item had been Technology.

Section: 92.05

No change.

As Introduced

As Passed by the House

Temporary Law Changes

599 Subject: Displaced Homemakers

Section: 7.05

ALI: 235-509

Requires the appropriation to continue funding several pilot projects that assist single parents to attend college. The centers that will receive funds are Cuyahoga Community College, University of Toledo, Southern State Community College, and Stark Technical College.

Provides an earmark:

(1) Baldwin Wallace's Single Parents Reaching Out for Unassisted Tomorrows program: \$30,000 in each fiscal year

Section: 92.05

No change.

600 Subject: Ohio Aerospace Institute

Section: 7.05

ALI: 235-527

Requires the appropriation to be distributed to the institute according to Revised Code section 3333.042.

Section: 92.05

No change.

As Introduced

As Passed by the House

Temporary Law Changes

601 Subject: Productivity Improvement Challenge**Section: 7.05****Section: 92.05****ALI: 235-455**

Specifies that the nominal recipient of the Productivity Improvement Challenge appropriations will be the EnterpriseOhio Network itself instead of the network's Business and Industry Training Centers. The centers are located at Ohio's two-year campuses. Further, rather than using the funds just for activities developed through the network, the language states that the funds will be used to support multi-campus collaboration and best-practice dissemination, in addition to the currently stated capacity-building.

No change.

Provides an earmark:

(1) Sinclair College's job profiling program: \$208,000 in each fiscal year

As Introduced

As Passed by the House

Temporary Law Changes

602 Subject: Access Improvement Projects**Section: 7.05****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.

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.

(2) No provision.

(3) No provision.

Section: 92.05

Same as Executive, but adds two earmarks:

(1) No change.

(2) The University of Rio Grande Site Improvement Planning project: \$50,000 in fiscal year 2002

(3) The Access Appalachia Project: \$135,000 in fiscal year 2002

As Introduced

As Passed by the House

Temporary Law Changes

603 Subject: Ohio Supercomputer Center**Section: 7.05****ALI: 235-510**

Requires the appropriation to support the operation of the Ohio Supercomputer Center. The center's policies are established by a governance committee representative of Ohio's research universities and private industry. Members are appointed by the Chancellor.

Section: 92.05

No change.

604 Subject: Ohio Academic Resources Network (OARNET)**Section: 7.05****ALI: 235-556**

Requires the appropriation to support the operations of the network, including support for higher education institutions' network connections.

Section: 92.05

No change.

As Introduced

As Passed by the House

Temporary Law Changes

605 Subject: Pledge of Fees**Section: 7.06**

Requires that any new pledge of fees made by a higher education institution in the new biennium to secure bonds must be approved by the Board of Regents. This continues past policy.

Section: 92.06

No change.

606 Subject: Higher Education General Obligation Debt Service**Section: 7.06****ALI: 235-909**

Includes a paragraph, under the heading Higher Education General Obligation Debt Service, to accommodate the inclusion of general obligation debt among the Board of Regents' financing methods for campuses' capital projects. The paragraph calls for the appropriation under the new appropriation item 235-909, Higher Education General Obligation Debt Service, to be used to pay all required debt service during the biennium. The Office of the Sinking Fund or the Director of Budget and Management is to make the payments by interstate transfer vouchers.

Section: 92.06

No change.

As Introduced

As Passed by the House

Temporary Law Changes

607 Subject: Lease Rental Payments**Section: 7.06****ALI: 235-401**

Provides language, under the heading Lease Rental Payments, to the effect that the appropriation item 235-401, Lease Rental Payments, will be used to meet all required payments during the biennium. However, for the current biennium the total payments are limited to the aggregate amount of \$563,969,000 (which equals the biennial appropriation for the appropriation item).

(This appropriation item is currently called Rental Payments to the Ohio Public Facilities Commission.)

Section: 92.06

No change.

As Introduced

As Passed by the House

Temporary Law Changes

608 Subject: Ohio Instructional Grants**Sections: 7.07, 3333.12****ALI: 235-503**

Provides a program of higher education grants to students with families below certain thresholds of gross income.

The bill also overrides, for FY 2002 only, the six permanent-law tables of OIG maximum grant amounts as updated by the bill. 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.

The bill provides the set of six tables of maximum grant amounts. There are two types of students: financially dependent and financially independent. For each type of student there are three types of higher educational institutions: private, proprietary and state-assisted. The combinations produce six tables of maximum grant amounts, based on income level and number of family dependents. The bill revises upward the maximum gross family incomes under which students are eligible for OIG's: \$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. The bill also revises upward the tables' maximum grant amounts.

Section: 92.07

Same as Executive, but makes a technical change to one of the six tables, several erroneous grant amounts are corrected. This provision has no fiscal effect.

As Introduced

As Passed by the House

Temporary Law Changes

609 Subject: War Orphans Scholarships**Section: 7.07****ALI: 235-504**

Requires the appropriation to provide reimbursements and grants to state-assisted institutions that provide waivers of tuitions and fees and other benefits to war orphans.

Section: 92.07

No change.

610 Subject: Part-time Student Instructional Grants**Section: 7.07****ALI: 235-549**

Requires the appropriation to support the grant program for part-time undergraduate students who are Ohio residents and who are enrolled in degree-granting programs. The grants are awarded on the basis of need.

Section: 92.07

No change.

As Introduced

As Passed by the House

Temporary Law Changes

611 Subject: Capitol Scholarship Programs**Section: 7.08****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.

Section: 92.08

No provision.

612 Subject: Student Choice Grants**Section: 7.08****ALI: 235-531**

Requires the appropriation to support the Student Choice Grant Program, under section 3333.27 of the Revised Code.

Section: 92.08

No change.

As Introduced

As Passed by the House

Temporary Law Changes

613 Subject: Academic Scholarships**Section: 7.08****ALI: 235-530**

Provides scholarships under section 3333.22 of the Revised Code.

Includes language giving the purpose of the appropriation, which is to provide academic scholarships to students pursuant to the same section 3333.22. The annual scholarship amount will be \$2,000 for each year of the biennium.

Section: 92.08

Same as Executive, but changes the amounts of the scholarships to \$2,100 in FY 2002 and \$2,205 in FY 2003. This provision has no fiscal effect.

614 Subject: Physician Loan Repayment**Section: 7.08****ALI: 235-604**

Requires the appropriation to be distributed according to sections 3702.71-3702.81 of the Revised Code, which provides for the state to repay the education loans of medical students who choose to become primary-care physicians in certain areas of the state.

Section: 92.08

No change.

As Introduced

As Passed by the House

Temporary Law Changes**615 Subject: Nursing Loan Program****Section: 7.08****ALI: 235-606**

Requires the appropriation to support the administration of the program.

Provides an earmark:
(1) Operating expenses: \$159,600 in FY 2002 and \$167,580 in FY 2003.

Section: 92.08

No change.

As Introduced

As Passed by the House

Temporary Law Changes

616 Subject: Cooperative Extension Service**Section: 7.09****ALI: 235-511**

Funds the Ohio State University Cooperative Extension Service.

Provides several earmarks at the same levels as for FY 2001:

(1) County agent staffing: \$210,000 in each fiscal year

(2) Enterprise Center for Economic Development: \$210,000 in each fiscal year

(3) Farm labor mediation and education: \$65,000 in each fiscal year

(4) OSU Marion Enterprise Center: \$215,000 in each fiscal year

(5) Ohio Watersheds Initiative: \$910,500 in each fiscal year

Section: 92.09

No change.

(1) No change.

(2) No change.

(3) No change.

(4) No change.

(5) No change.

As Introduced

As Passed by the House

Temporary Law Changes

617 Subject: Ohio Agricultural Research and Development Center**Section: 7.09****Section: 92.09****ALI: 235-535**

Provides an appropriation to support the center.

Same as Executive, but changes the appropriation item name "Agricultural Research and Development Center" to "Ohio Agricultural Research and Development Center".
This provision has no fiscal effect.

Provides several earmarks at their FY 2001 levels:

(1) Piketon Agricultural Research and Development Center: \$950,000 in each fiscal year

(1) No change.

(2) Raspberry/Strawberry Ellagic Acid Research program: \$250,000 in each fiscal year

(2) No change.

(3) Ohio Berry Administrator: \$50,000 in each fiscal year

(3) No change.

(4) Crop development: \$100,000 in each fiscal year

(4) No change.

As Introduced

As Passed by the House

Temporary Law Changes

618 Subject: Cooperative Extension Service and OARDC**Section: 7.09**

Requires the payments under both appropriation items 235-511, Cooperative Extension Service, and 235-535, Agricultural Research and Development Center (OARDC), to be made monthly by the Board of Regents to the Ohio State University. This continues past requirements.

Provides an exemption: the OARDC will not be required to pay OSU for cost reallocation assessments on state appropriations to the center

Provides an earmark at the same level as in FY 2001:
(1) For the purchase of equipment: \$540,000 in each fiscal year

Section: 92.09

Same as Executive, but changes the appropriation item name "Agricultural Research and Development Center" to "Ohio Agricultural Research and Development Center".
This provision has no fiscal effect.

619 Subject: Student Support Services**Section: 7.10****ALI: 235-502**

Requires the appropriation to be distributed to institutions that incur disproportionate costs in the provision of support services to disabled students.

Section: 92.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

620 Subject: Central State Supplement**Section: 7.10****ALI: 235-514**

Requires the entire appropriation to be used to keep the campus's undergraduate fees below the statewide average.

Section: 92.10

No change.

621 Subject: Sea Grants**Section: 7.10****ALI: 235-402**

Requires the appropriation to be disbursed to the Ohio State University for the conduct of research on fish in Lake Erie.

Section: 92.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

622 Subject: Information System**Section: 7.10****ALI: 235-409**

Provides that the appropriation item 235-409, Information System, will be used to "operate the Higher Education Information System".

Section: 92.10

No change.

623 Subject: Shawnee State Supplement**Section: 7.10****ALI: 235-520**

Requires the university to use the appropriation to (A) keep its undergraduate fees below the statewide average and (B) employ new faculty to develop and teach new degree programs that meet the needs of Appalachia.

Section: 92.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

624 Subject: Police and Fire Protection**Section: 7.10****ALI: 235-524**

Provides at least \$5,000 per fiscal year to each of several municipalities to assist in providing police and fire protection for the central campus of the state-affiliated university located within the municipality.

Section: 92.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

625 Subject: School of International Business**Section: 7.10****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

Section: 92.10

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.

As Introduced

As Passed by the House

Temporary Law Changes

626 Subject: Dayton Area Graduate Studies Institute**Section: 7.10****ALI: 235-553**

Requires the appropriation to support the institute, which is an engineering graduate consortium of three universities in the Dayton area.

Section: 92.10

No change.

627 Subject: Long-term Care Research**Section: 7.10****ALI: 235-558**

Requires the appropriation to be distributed to Miami University for long-term care research.

Section: 92.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

628 Subject: Capital Component**Section: 7.10****ALI: 235-552**

Requires Board of Regents to implement the capital funding policy for state-assisted colleges and universities established in Am. H.B. 748 of the 121st General Assembly. These moneys are restricted to capital related purposes.

Section: 92.10

No change.

629 Subject: Bowling Green State University Canadian Studies Center**Section: 7.10****ALI: 235-561**

Requires the appropriation to be used by Bowling Green State University to study opportunities for Ohio and Ohio business to benefit from the Free Trade Agreement.

Section: 92.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

630 Subject: Urban University Programs**Section: 7.10****ALI: 235-583**

Provides this appropriation item whose funds are dedicated completely to earmarks. The bill also specifies that universities receiving funds to support ongoing programs must certify periodically that program funds are being matched on a one-to-one basis with equivalent continuing resources. The funds must be substantially under the control of the university's designated Urban University Program representative.

Provides several earmarks:

(1) Requires a specified amount of funds to be distributed in each fiscal year to Cleveland State University in support of the Maxine Goodman Levin College of Urban Affairs (currently in support of the Urban Center of the College of Urban Affairs). The earmarked amount is \$2,200,643 in each fiscal year.

(2) Requires a specified amount of funds to be distributed in each fiscal year among the Northeast Ohio Research Consortium (currently the Northeast Ohio Interinstitutional Research Program), the Urban Linkages Program, and the Urban Research Technical Assistance Grant Program. The earmarked amount is \$2,200,643 in each fiscal year. Includes a requirement that the allocation of funds among the three programs be determined by the chairman of the Urban University Program.

Section: 92.10

Same as Executive, but reduces the amounts of the earmarks to meet the reduced appropriation, as follows:

(1) Earmark reduced to \$2,156,629 in each fiscal year.

(2) Earmark reduced to \$2,156,630 in each fiscal year.

As Introduced

As Passed by the House

Temporary Law Changes

(3) Cleveland State University's public communication outreach program (WCPN): \$380,000 in each fiscal year (same amounts as for FY 2001)

(3) Earmark reduced to \$372,400 in each fiscal year.

(4) Cleveland State University's Center for the Interdisciplinary Study of Education and the Urban Child: \$180,000 in each fiscal year (same amounts as for FY 2001)

(4) Earmark reduced to \$176,400 in each fiscal year.

(5) Kent State University's Learning and Technology Project: \$260,000 in each fiscal year (same amounts as for FY 2001)

(5) Earmark reduced to \$254,800 in each fiscal year.

(6) Kent State University's Ameritech Classroom/Center for Research: \$100,000 in each fiscal year (same amounts as for FY 2001)

(6) Earmark reduced to \$98,000 in each fiscal year.

(7) The University of Akron's Polymer Distance Learning Project: \$1,000,000 in each fiscal year (same amounts as for FY 2001)

(7) Earmark reduced to \$980,000 in each fiscal year.

(8) Kent State University's Cleveland Design Center Program: \$50,000 in each fiscal year (same amounts as for FY 2001)

(8) Earmark reduced to \$49,000 in each fiscal year.

(9) The University of Akron's Bliss Institute: \$250,000 in each fiscal year (same amounts as for FY 2001)

(9) Earmark reduced to \$245,000 in each fiscal year.

(10) The University of Akron's Advancing-Up Program: \$15,000 in each fiscal year (same amounts as for FY 2001)

(10) Earmark reduced to \$14,700 in each fiscal year.

As Introduced

As Passed by the House

Temporary Law Changes

These provisions have no fiscal effect.

631 Subject: International Center for Water Resources Development

Section: 7.10

Section: 92.10

ALI: 235-595

Requires the appropriation to support the center, located at Central State University.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

632 Subject: Rural University Projects**Section: 7.10****ALI: 235-587**

Provides for this appropriation item's funds to be dedicated completely to earmarks.

Provides several earmarks:

- (1) Bowling Green State University's Center for Policy Analysis and Public Service (currently "the public administration program"): \$216,400 in each fiscal year
- (2) Ohio University's Institute for Local Government Administration and Rural Development: \$756,099 in each fiscal year
- (3) Miami University's Center for Public Management and Regional Affairs: \$331,125 in each fiscal year
- (4) Washington State Community college's day care center: \$25,000 in each fiscal year
- (5) OAD/ILGARD/GOA Appalachian Leadership Initiative: \$75,000 in each fiscal year

Also provides a sub-earmark that requires a small portion of the Ohio University earmark to be used for the Institute for Local Government Administration and Rural Development's State and Rural Partnership with the

Section: 92.10

Same as Executive, but reduces the amounts of the earmarks to meet the reduced appropriation, as follows:

- (1) Earmark reduced to \$212,072 in each fiscal year
- (2) Earmark reduced to \$740,977 in each fiscal year
- (3) Earmark reduced to \$324,503 in each fiscal year
- (4) Earmark reduced to \$24,500 in each fiscal year
- (5) Earmark reduced to \$73,500 in each fiscal year

These provisions have no fiscal effect.

As Introduced

As Passed by the House

Temporary Law Changes

Governor's Office of Appalachia and the Appalachian delegation of the General Assembly.

633 Subject: Ohio Resource Center for Mathematics, Science, and Reading**Section: 7.10****Section: 92.10****ALI: 235-588**

Requires the appropriation to support a resource center for mathematics, science and reading to be located at a state-assisted university for the purpose of identifying best educational practices in primary and secondary schools and establishing methods for communicating them to colleges of education and school districts. The location of the center has been selected; it will be at the Ohio State University in Columbus, with offices at the National Eisenhower Clearing House.

No change.

634 Subject: Hazardous Materials Program**Section: 7.10****Section: 92.10****ALI: 235-596**

Requires the appropriation to support a program to certify Ohio firefighters for the handling of hazardous materials.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

635 Subject: National Guard Scholarship Program**Section: 7.10****ALI: 235-599**

Requires the appropriation to be disbursed by the Board of Regents at the direction of the Adjutant General. The Adjutant General administers the program, while Regents is the fiscal manager.

Section: 92.10

No change.

636 Subject: Ohio Higher Educational Facility Commission Support**Section: 7.10****ALI: 235-602**

Requires the appropriation 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 Fund 461 to Fund 4E8 for this purpose.

Section: 92.10

No change.

As Introduced

As Passed by the House

Temporary Law Changes

637 Subject: Breakthrough Investments: Ohio Plan Study Committee**Section: 7.11****Section: 92.11****ALI: 235-426**

(3) 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.

(1) No provision. The appropriation item, which provided \$10 million in FY 2002 and \$30 million in FY 2003, is also deleted.

(2) No provision.

(2) Establishes the Ohio Plan Study Committee, which is to determine appropriate ways to fund the Ohio Plan for Technology and Development. 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.

As Introduced

As Passed by the House

Temporary Law Changes

638 Subject: Breakthrough Investments: Appalachian New Economy Partnership**Section: 7.11****Section: 92.11****ALI: 235-428**

Describes the use of the appropriation under the new appropriation item 235-428, Appalachian New Economy Partnership. This program is to begin a multi-campus and multi-agency coordinated effort under the leadership of Ohio University to link Appalachia to the new economy.

No change.

639 Subject: Repayment of Research Facility Investment Fund Moneys**Section: 7.12****Section: 92.12**

Requires all repayments of Research Facility Investment fund loans to be made to the Bond Service Trust Fund; and requiring all repayments made prior to the effective date of this section to be transferred by the Director of Budget and Management to the Bond Service Trust Fund.

No change.

Requires campuses to make timely repayments of Research Facility Investment fund loans according to a schedule established by the Board of Regents. In case a campus's payment is overdue, Regents may deduct the amount of the payment from the campus's periodic subsidy distribution and credit the campus for the repayment,

As Introduced

As Passed by the House

Temporary Law Changes

640 Subject: Veterans' Preferences**Section: 7.12**

Requires the Board of Regents to work with the Governor's Office of Veterans' Affairs to develop specific veterans' preference guidelines for higher education institutions. The guidelines must ensure that these institutions' hiring practices are in accordance with the intent of Ohio's veterans' preference laws.

Section: 92.12

No change.

641 Subject: Central State University**Section: 7.13**

Provides fiscal standards and instructions for Central State University for its operations under the Office of Budget and Management's fiscal oversight.

Section: 92.13

No change.

As Introduced

As Passed by the House

Permanent Law Changes**642 Subject: Allow Certain Unions to Bid on Contracts to Operate Private Prisons**

section: 9.06

No provision.

Designates employee organizations that represent employees at state correctional institutions as "persons or entities" that may bid on privatization contracts to operate and manage those institutions and that may become "contractors" with respect to that operation and management. This provision has no fiscal effect.

643 Subject: Oversight of DRC Mental Health Programs

section: 5119.06

Eliminates: (1) the duty of the Department of Mental Health (DMH) relative to the oversight and monitoring of the Department of Rehabilitation and Correction's (DRC) institutional mental health programs; (2) the requirement that DMH and DRC jointly develop standards for audits of DRC mental health programs. The elimination of these DMH oversight and auditing duties will have no fiscal effect on DRC.

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

No change.

As Introduced

As Passed by the House

Temporary Law Changes

644 Subject: Institutional Operations**ALI: 501-321**

No provision.

Section: 93

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.

645 Subject: Ohio Building Authority Lease Payments**Section: 90****ALI: 501-406**

Requires moneys appropriated to GRF appropriation item 501-406, Lease Rental Payments, be used for payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance capital projects through the state's Adult Correctional Building Fund (Fund 027).

Section: 93

No change.

As Introduced

As Passed by the House

Temporary Law Changes**646 Subject: Prisoner Compensation****Section: 90****ALI: 501-403**

Requires moneys appropriated to GRF appropriation item 501-403, Prisoner Compensation, be transferred on a quarterly basis by intrastate transfer voucher (ISTV) to Fund 148 (appropriation item 501-602, Services and Agricultural) for the purposes of paying prisoner compensation. Although inmates are paid from non-GRF appropriation item 501-602, Services and Agricultural, for jobs performed while in prison, the actual money for these payments is transferred from GRF appropriation item 501-403, Prisoner Compensation.

Section: 93

No change.

As Introduced

As Passed by the House

Temporary Law Changes

647 Subject: CBCF Title XX Funds

ALI: 501-501

No provision.

**Sections: 93, 62.09 TANF Federal Block Grant Fund:
and Transfers**

Transfers \$1.8 million in FY 2002 and \$5.4 million in FY 2003 from the Department of Job and Family Services' Fund 3W3, Adult Special Needs, to the General Revenue Fund for the purpose of increasing the appropriation level in the Department of Rehabilitation and Correction's (DRC) GRF appropriation item 501-501 by those same amounts in each fiscal year to provide additional financial assistance to community-based correctional facilities (CBCFs). This uncodified law provision works in concert with a related uncodified law provision in the Department of Job and Family Services' budget that deposits \$1.8 million in FY 2002 and \$5.4 million in FY2003 from funds that have been credited to the Social Services Block Grant to Fund 3W3.

Even with this GRF appropriation increase, DRC will still fall short of the annual funding it requested as being necessary to deliver the CBCF Program's existing level of services in the next biennium. This remaining shortfall, based on DRC's calculations, would be \$5.0 million in FY 2002 and \$3.1 million in FY 2003. The additional GRF funding provided as a result of the transfer of cash from Fund 3W3 will, however, reduce the number of CBCF beds that might otherwise have been eliminated as a result of the funding levels contained in the executive-recommended budget. This additional GRF funding may

As Introduced

As Passed by the House

Temporary Law Changes

also prevent some reductions in the amount and intensity of various services provided to offenders participating in CBCF programs.

648 Subject: Inmate Development Program

Section: 90

ALI: 503-321

Requires at least \$30,000 in each fiscal year from GRF appropriation item 503-321, Parole and Community Operations, be used for an inmate development program.

Section: 93

No change.

As Introduced

As Passed by the House

Temporary Law Changes

649 Subject: Appropriation Transfers**Section: 90**

Permits the Director of Budget and Management, at the request of the Director of the Department of Rehabilitation and Correction, to transfer appropriations within the same fiscal year, between or among the following GRF appropriation items: 501-321, Institutional Operations; 502-321, Mental Health Services; 505-321, Institution Medical Services; 506-321, Institution Education Services; 507-321, Institution Recovery Services. The amount of funding appropriated to these GRF appropriation items as a group under the executive budget totals \$1.05 billion in FY 2002 and \$1.10 billion in FY 2003. Under current law, the authority to approve such fund transfers lies with the state's Controlling Board.

Section: 93

No provision.

650 Subject: Institution Recovery Services**Section: 90****ALI: 507-321**

Requires \$50,000 in each fiscal year from GRF appropriation item 507-321, Institution Recovery Services, be used to fund a demonstration project using innovative alcohol and substance abuse treatment methods.

Section: 93

No change.

As Introduced

As Passed by the House

Temporary Law Changes

651 Subject: Services for People with Disabilities

Sections: 94, 62.08

ALI: 415-506

No provision.

Requires the Department of Job and Family Services to deposit \$600,000 in fiscal year 2002 and \$897,052 in fiscal year 2003, in receipts from TANF Block Grant funds credited to the Social Services Block Grant to State Special Revenue Fund 3W2 in RSC. Upon receipt of revenue into that fund, the Director of Budget and Management is required to transfer those funds to the GRF. Those funds are appropriated in appropriation line 415-506, Services for People Disabilities.

652 Subject: Stand Concessions Fund

Section: 91

Section: 94

Requires the Treasurer of State and the Director of the Office of Budget and Management ensure that the requirements of section 3304.35 of the Revised Code are met when crediting interest and other income earned on Business Enterprise Program moneys deposited in Fund 467.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

653 Subject: Personal Care Assistance

Section: 91

ALI: 415-401

Requires appropriation item 415-401, Personal Care Assistance, be used in addition to, rather than in lieu of, federal Social Security reimbursement funds to provide personal care assistance services. These funds are not to be used in lieu of Social Security reimbursement funds.

Section: 94

No change.

654 Subject: MR/DD Services

Section: 91

ALI: 415-404

Requires appropriation item 415-404, MR/DD Services, be used as state matching funds to provide vocational rehabilitation services to mutually eligible clients between RSC and the Department of Mental Retardation and Developmental Disabilities (DMR).

The bill also requires RSC to provide DMR with a report on the number and status of mutually eligible clients and the status of the funds and expenditures for those clients.

Section: 94

No change.

As Introduced

As Passed by the House

Temporary Law Changes

655 Subject: Vocational Rehabilitation/Job and Family Services**Section: 91****ALI: 415-405**

Requires appropriation item 415-405, Vocational Rehabilitation/Job and Family Services, be used as state matching funds to provide vocational rehabilitation services to mutually eligible clients between RSC and the Department of Job and Family Services (JFS).

The bill also requires RSC to provide JFS with a report on the number and status of mutually eligible clients and the status of the funds and expenditures for those clients.

Section: 94

No change.

656 Subject: Office for People with Brain Injury**Section: 91****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 or private entities.

Section: 94

No change.

As Introduced

As Passed by the House

Temporary Law Changes

657 Subject: Services for the Deaf

Section: 91

ALI: 415-508

Requires appropriation item 415-508, Services for the Deaf, be used in addition to, rather than in lieu of, federal Social Security reimbursement funds to provide grants to community centers for the deaf.

Section: 94

No change.

658 Subject: Services for the Elderly

Section: 91

ALI: 415-509

Requires appropriation item 415-509, Services for the Elderly, be used as matching funds for vocational rehabilitation services for eligible elderly persons with disabilities.

Section: 94

No change.

As Introduced

As Passed by the House

Temporary Law Changes

659 Subject: Social Security Reimbursement Funds**Section: 91****ALIs: 415-601, 415-605, 415-607, 415-608, 415-610**

Specifies that reimbursement funds received from the Social Security Administration, U.S. Department of Health and Human Services, for the costs of providing services and training to return disability recipients to gainful employment be used in the Social Security Reimbursement Fund (Fund 3L1). Appropriation items paid out of that fund must be used as follows:

- (1) Appropriation item 415-601, Social Security Personal Care Assistance, to provide personal care services in accordance with section 3304.41 of the Revised Code;
- (2) Appropriation item 415-605, Social Security Community Centers for the Deaf, to provide grants to community centers for the deaf in Ohio for services to individuals with hearing impairments;
- (3) Appropriation item 415-607, Social Security Administration Cost, to provide administrative services to administer the Social Security reimbursement program;
- (4) Appropriation item 415-608, Social Security Special Programs/Assistance, to provide vocational rehabilitation services to individuals with severe disabilities who are social security beneficiaries. (This appropriation item includes funds to assist with the Personal Care Assistance

Section: 94

No change.

As Introduced

As Passed by the House

Temporary Law Changes

Program, Community Centers for the Deaf, and the Independent Living Program to pay their share of indirect costs as mandated by the federal government.)

(5) Appropriation item 415-610, Social Security Vocational Rehabilitation, to provide vocational rehabilitation services to individuals with severe disabilities to achieve a noncompetitive employment goal such as homemaker.

660 Subject: Administrative Expenses

Section: 91

ALI: 415-606

Requires appropriation item 415-606, Administrative Expenses, be used to support RSC's administrative functions related to providing vocational rehabilitation, disability determination, and ancillary program services.

Section: 94

No change.

661 Subject: Independent Living Council

Section: 91

ALI: 415-402

Specifies that funds in appropriation item, 415-402, Independent Living Council, be used to fund the operations of the State Independent Living Council.

Section: 94

No change.

As Introduced

As Passed by the House

Temporary Law Changes

662 Subject: Mental Health Services**Section: 91****ALI: 415-403**

Requires appropriation item 415-403, Mental Health Services, be used as state matching funds to provide vocational rehabilitation services to mutually eligible clients between RSC and the Department of Mental Health (DMH).

Also requires RSC to provide DMH with a report on the number and status of mutually eligible clients and the status of the funds and expenditures for those clients.

Section: 94

No change.

663 Subject: Independent Living Services**Section: 91****ALIs: 415-520, 415-612**

Requires appropriation item 415-520, Independent Living Services, along with ALI 415-612, Federal Independent Living Centers or Services, be used to support state independent living centers or independent living services pursuant to Title VII of the Rehabilitation Act Amendments of 1992, 106 Stat. 4344, 29 U.S.C.A. 796d.

Section: 94

No change.

As Introduced

As Passed by the House

Temporary Law Changes

664 Subject: Independent Living/Vocational Rehabilitation Programs

Section: 91

Section: 94

ALI: 415-617

Requires appropriation item 415-617, Independent Living/Vocational Rehabilitation Programs, be used to support vocational rehabilitation programs, including, but not limited to, Projects with Industry and Training Grants.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

665 Subject: Additional Appropriations**Section: 93**

Specifies that appropriation items in Section 93 of the bill are to be used for the purpose of administering and distributing the designated revenue distributions fund according the Revised Code. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated.

Section: 96

No change.

As Introduced

As Passed by the House

Temporary Law Changes

666 Subject: Temporary Stabilization of Local Government Distributions**Section: 131**

Freezes amounts of state tax receipts that are deposited into and distributed from the Local Government Fund and the Local Government Revenue Assistance Fund at the levels of fiscal year 2001. Although June 2001 deposits and July 2001 distributions will be made under existing law (amounts credited one month are distributed the next), the bill makes adjustments to the July 2001 deposits and August 2001 distributions so that the freeze effectively begins with the June 2001 deposits and July 2001 distributions.

The same freeze applies to amounts deposited into and distributed from the Library and Local Government Support Fund, except that distributions to each county undivided library and local government support fund will be further reduced by the county's pro-rata share of any transfers made from the Library and Local Government Support Fund to the OPLIN (Ohio Public Library Information Network) Technology Fund.

The freezes affect deposits of receipts from the public utilities excise tax, the corporate franchise tax, the sales tax, the use tax, the personal income tax, and the kilowatt hour tax. Tax receipts that would otherwise have been credited to local funds will instead be credited to the General Revenue Fund (an adjustment is made to capture

Section: 138

No change.

As Introduced

As Passed by the House

Temporary Law Changes

for the General Revenue Fund the June 2001 deposit of kilowatt hour taxes). Similarly, amounts that would have been transferred from the Income Tax Reduction Fund to the local government funds will also be transferred to the General Revenue Fund.

The Office of Budget and Management estimates that the freezes will add \$59.4 million to the GRF in FY 2002 and \$132.5 million to the GRF in FY 2003.

As Introduced

As Passed by the House

Permanent Law Changes**667 Subject: Fees for Initial and Renewal Licenses****section: 4736.12**

Increases fees for Sanitarians and Sanitarians-in-Training. The fees for a Sanitarian-in-Training and an Advancement to Registered Sanitarian license are increased from \$55 to \$57. Renewal fees are increased from \$58 to \$61. Registered Sanitarian Application fees are raised from \$110 to \$114. If the number of applications and renewals were to remain constant at FY2000 levels, the fee increases would generate \$4,489 annually.

No change.

668 Subject: Eliminates Residency Requirement for Registration through Reciprocity**section: 4736.14**

Eliminates requirement that a person be a resident of the state of Ohio before the Board may issue a certificate of registration based on the person's registration by any other state. The requirement that a person be a resident of Ohio has been deemed unconstitutional. This provision has no fiscal effect.

No change.

As Introduced

As Passed by the House

Permanent Law Changes

669 Subject: Additional Work Under the Classroom Facilities Assistance Program

section: 3318.04

No provision.

Permits a district whose project is under construction and that meets prescribed conditions related to the discovery of oversights or deficiencies in the initial assessment or plan to receive additional assistance to correct those conditions.

If a school district is unable to meet its portion of the additional cost, then the School Facilities Commission will enter into an agreement with the school district whereby the state will pay the portion of the increase (interest-free). The school district will then be required to reimburse the state within five years.

670 Subject: Ohio School Facilities Commission Executive Director and Other Employees

section: 3318.31

Requires the Commission to employ and fix the compensation of an executive director who in turn is authorized to employ and fix the compensation of subordinate employees who serve at the pleasure of the director. This provision has no fiscal effect.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**671 Subject: Loan Guarantee Program for Start-Up Community Schools****section: 3318.50**

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 \$10,000,000 of its capital appropriations in fiscal year 2002 to be deposited into a special fund that is established for this program.

As Introduced

As Passed by the House

Temporary Law Changes

672 Subject: Lease Rental Payments**Section: 10****ALI: 230-428**

Limits the aggregate amount of all lease payments required to be made during the period from July 1, 2001 to June 30, 2003 to \$79,299,600.

Section: 100

No change.

673 Subject: Common Schools General Obligation Debt Service**Section: 10****ALI: 230-908**

Requires the Office of the Sinking Fund or the Director of Budget and Management to effectuate required debt service and financing costs between July 1, 2001 and June 30, 2003. This payment shall be made via an intrastate transfer voucher.

Section: 100

No change.

As Introduced

As Passed by the House

Temporary Law Changes

674 Subject: Operating Expenses**Section: 10****ALI: 230-644**

Requires the Executive Director of the School Facilities Commission to certify to the Director of Budget and Management the amount of cash to be transferred from Fund 032, School Building Assistance Fund or Fund 021, Public School Building Fund, to Fund 5E3, Ohio School Facilities Commission Fund within 10 days of the effective date of the section.

Section: 100

No change.

675 Subject: School Facilities Encumbrances and Reappropriation**Section: 10**

Allows the Director of Budget and Management, at the request of the Executive Director of the School Facilities Commission, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within one year of Controlling Board approval. The Executive Director of the Commission shall certify the amounts of the canceled encumbrances to the Director of Budget and Management on a quarterly basis.

Section: 100

No change.

As Introduced

As Passed by the House

Temporary Law Changes

676 Subject: Disability Access Projects**Section: 10****ALI: 230-649**

Reappropriates the unencumbered and unallotted balances of this appropriation item as of June 30, 2001. For disability access grants received prior to January 1, 1999, the Commission is authorized to transfer a portion of appropriation item CAP-622, Public School Buildings, to CAP-777, Disability Access Projects.

Section: 100

No change.

677 Subject: Extreme Environmental Contamination of School Facilities**Section: 10.01**

Allows the School Facilities Commission to provide assistance under the Exceptional Needs Pilot Program to any school district, regardless of wealth, for the purpose of the relocation or replacement of school facilities required as a result of extreme environmental contamination.

Section: 163

No change.

As Introduced

As Passed by the House

Temporary Law Changes

678 Subject: Canton City School District

Section: 10.02

Section: 164

Allows the School Facilities Commission to commit up to \$35,000,000 to the Canton City School District for construction of a facility in lieu of a high school that would otherwise be authorized under Chapter 3318. of the Revised Code.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**679 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.

As Introduced

As Passed by the House

Temporary Law Changes

680 Subject: Interactive Video Distance Learning Program**Section: 11****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.

(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.

(3) No provision.

Section: 101

(1) Same as Executive, but the unencumbered and unallotted balances in appropriation item 228-650, Interactive Distance Learning are reappropriated each fiscal year.

(2) No change.

(3) Requires the Director of Budget and Management to transfer \$4,086,000 from the General Revenue Fund to Fund 5G0, Interactive Distance Learning.

As Introduced

As Passed by the House

Temporary Law Changes

681 Subject: SchoolNet Plus Program**Section: 11****ALI: 228-698**

(1) Reappropriates 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.

(2) No provision.

(3) No provision.

(4) No provision.

Section: 101

(1) No change.

(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) 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) 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

Temporary Law Changes

682 Subject: Technical and Instructional Professional Development**Section: 11****Section: 101****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.

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 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.

As Introduced

As Passed by the House

Temporary Law Changes

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.

683 Subject: Education Technology**Section: 11****ALI: 228-539**

Earmarks up to \$5,200,000 in each year to contract with instructional television.

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.

Section: 101

No change.

As Introduced

As Passed by the House

Temporary Law Changes**684 Subject: Distance Learning****Section: 11****ALI: 228-634**

Requires that appropriation item 228-634, Distance Learning, be distributed on a grant basis to school districts to establish distance learning in the district.

Requires the Director of Budget and Management to transfer to fund 4X1 any investment earnings from moneys paid to the office or Commission by any telephone company as part of a settlement agreement between the company and the PUC in FY 1995.

Section: 101

No change.

As Introduced

As Passed by the House

Temporary Law Changes**685 Subject: Electrical Infrastructure****Section: 11****ALI: 228-690**

Reappropriates unencumbered and unallotted balances as of June 30, 2001 in appropriation item 228-690, Electrical Infrastructure, to fund projects related to Electrical Infrastructure.

Requires that these funds be distributed to school districts to renovate existing buildings with sufficient electrical service to safely operate educational technology consistent with their SchoolNet and SchoolNet Plus technology plans.

Limits the amount of the grant awards to \$1,000,000 for a single school district.

Section: 101

No change.

As Introduced

As Passed by the House

Permanent Law Changes**686 Subject: Fee Schedule for Corporate and Business Filing Fees****section: 111.16**

Revises the required filing fees predominantly associated with corporate and business filings processed through the Secretary of State's Business Services Division.

Creates some new filing fees, eliminates some current fees, and for the majority of filing types, increases the amount of existing fees.

Establishes that fees may be accepted by credit card, in addition to cash, check, and money order.

This provision increases revenue to the Secretary of State.

No change.

687 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.

This provision enables the Secretary of State to operate their Business Services Division as a self-funded entity.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**688 Subject: Expedited, Bulk, Alternative, and Title XVII Filings and Forms****sections: 111.23, 111.25, 1309.402**

Requires the Secretary of State to establish and prescribe guidelines and fees for use of expedited filing service and for all filings with the Secretary of State under Title XVII.

Allows the Secretary of state to establish and prescribe guidelines and fees for bulk filing service and alternative filing procedures.

Requires the Secretary of State to prescribe forms for use in filings under Title XVII.

This provision adds costs of forms, however, costs are offset by filing revenue.

No change.

689 Subject: Expansion of Township Boards of Trustees for Eligible Home Rule Boards**section: 504.03**

No provision.

Permits a limited home rule township to increase, in a specified manner, the number of members of its board of township trustees from the current permissible members to five members.

As Introduced

As Passed by the House

Permanent Law Changes**690 Subject: Calendar Year 2000 Pay Increase for Township Trustees and Township Clerks**

section: 505.24

No provision.

Increases calendar year 2000 pay for township trustees and township clerks in townships with budgets of more than \$6 million. For townships with budgets between \$6 million and \$10 million, the pay for township trustees is raised from \$52 per day to \$70 per day, for no more than 200 days. For those townships with budgets greater than \$10 million, the pay is increased to \$90 per day for no more than 200 days. Increases from \$17,600 to \$20,900 the calendar year 200 pay for township clerks. These increases will result in additional costs to local governments, depending on the number with budgets over \$6 million.

691 Subject: Distribution of Fees Collected under Secured Transaction Law to CUCCF Fund

sections: 1309.40, 1309.42

Revises the distribution of fees for filing, indexing, copying, and handling administration of secured transactions so that 100% of fees are deposited into the CUCCF Fund instead of the current 50/50 split between the CUCCF and the GRF.

The operations of the Secretary of State, other than the Division of Elections, may be fiscally supported by revenues from security and transaction fees.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**692 Subject: Secretary of State's Business Technology Fund****section: 1309.401**

Requires that the Business Technology Fund will receive 1% of the money credited to the CUCCF to be used for the purpose of training employees in the use of equipment and to conduct the Secretary of State's business under Title XIII or XVII of the Revised Code.

The operation of the Secretary of State, other than the Division of Elections, may be fiscally supported by revenue from secured transaction fees.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**693 Subject: Foreign Nonprofit Corporation Filing Requirements****sections: 1703.041, 1703.27**

Requires the Secretary of State to provide a form for filing changes to the name or address of an agent or for the revocation of an agent who represents a foreign corporation for profit.

Requires the Secretary of State to provide a form for the filing of any changes in information on the required certificate that authorizes a foreign nonprofit corporation to exercise its corporate privileges in Ohio.

This provision adds materials and administration costs to the Secretary of State's operation of its Business Services Division.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**694 Subject: Domestic and Foreign Limited Liability Company and Partnership Provisions**

**sections: 1705.55, 1775.63, 1775.64, 1782.04, 1782.08,
1782.09**

Requires the Secretary of State to provide a form for the filing of changes to the name or address of an agent or the revocation of an agent who represents a foreign limited liability company or a limited liability partnership.

Changes the cycle for the required filing of a verification and information report for a domestic limited liability partnership or foreign registered limited liability partnership from the current annual filing to a biennial filing during July in odd-numbered years.

Removes the provision specifying that the Secretary of State must cancel the registration of the limited liability company when that company fails to file an annual report as described above.

Prohibits the Secretary of State from accepting the filing of a limited liability partnership unless the signatures that are presented represent the agreement of both parties (general partners or their agents) in the partnership; and in the case of an agent, a written appointment (designated by the signatures of an authorized officer or general partner of the limited partnership) of that agent is filed.

Allows an agent of a limited liability company or limited liability partnership to resign by filing a form prescribed by

No change.

As Introduced**As Passed by the House****Permanent Law Changes**

the Secretary of State.

Allows for the revocation of an agent by filing the revocation with the Secretary of State on a form prescribed by the Secretary of State.

This provision adds administrative costs to the Secretary of State's operation of its Business Services Division.

As Introduced

As Passed by the House

Temporary Law Changes

695 Subject: Board of Voting Machine Examiners**Section: 95****ALI: 050-610**

Requires appropriation item 050-610, Board of Voting Machine Examiners, be used to pay for the services and expenses of board members and the board's authorized services from the Board of Voting Machine Examiners Fund. Moneys not used are to be returned to the person or entity submitting the equipment for examination. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated.

Section: 102

No change.

696 Subject: Holding Account Redistribution Group**Section: 95****ALIs: 050-605, 050-606**

Requires the holding of revenues in appropriation items 050-605 and 050-606, the Holding Account Redistribution Fund Group, until they are directed to the appropriate accounts or until they are refunded. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated.

Section: 102

No change.

As Introduced

As Passed by the House

Temporary Law Changes

697 Subject: Additional Appropriations

Section: 97

Designates appropriation items in the Commissioners of the Sinking Fund section for the purpose of paying on bonds or other instruments of indebtedness of the state issued pursuant to the Ohio Constitution and acts of the General Assembly. Appropriates additional amounts, if necessary, for the purpose of paying on bonds or other instruments of indebtedness.

Section: 104

No change.

As Introduced

As Passed by the House

Temporary Law Changes

698 Subject: Transfers from Specified Funds**Section: 123**

Requires the Commissioners of the Sinking Fund to transfer any remaining balance after payment of all outstanding bonds or notes, coupons, and charges, from the Improvement Bond Retirement Fund, the Public Improvement Bond Retirement Fund, and the Development Bond Retirement Fund to the GRF as expeditiously as possible upon the bill taking effect.

Requires the Commissioners of the Sinking Fund to transfer any remaining balance after payment of all outstanding bonds or notes, coupons, and charges, from the Highway Improvement Bond Retirement Fund to the Highway Operating Fund as expeditiously as possible upon the bill taking effect.

Section: 130

No change.

As Introduced

As Passed by the House

Permanent Law Changes

699 Subject: Abolish the State and Local Government Commission

section: 105.45

No provision.

Abolishes the State and Local Government Commission.

As Introduced

As Passed by the House

Permanent Law Changes**700 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.

701 Subject: Tax Exemption-Certain Tangible Personal Property**section: 5709.17**

No provision.

Exempts from taxation certain tangible personal property held by the federally chartered Corporation for the Promotion of Rifle Practice and Firearms Safety.

As Introduced

As Passed by the House

Permanent Law Changes**702 Subject: Administration of the Excise Tax on Self-Assessing Purchasers of Electricity****section: 5727.81**

Clarifies that the per-kilowatt-hour excise tax on self-assessing purchasers of electricity is to be \$.00075 per kilowatt hour on the first 504 million kilowatt hours distributed to a meter or location during the registration year (rather than \$.00075 per kilowatt hour on not more than 504 million kilowatt hours); requires an annual application for registration as a self-assessing purchaser; prescribes that the registration begin on May 1; and allows an electricity user, any time during the registration year, to apply as a self-assessing purchaser for the remainder of the registration year.

No change.

703 Subject: Effective Date of the Excise Tax on Natural Gas**sections: 5727.811, and sections 138, 139 of the bill**

Provides that the excise tax on natural gas distributed in Ohio will first be applied to the measurement period that includes July 1, 2001, rather than on and after July 1, 2001.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**704 Subject: Corporate Job Training Expenses Tax Credit****section: 5729.07**

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.

705 Subject: Franchise Tax Base for Certain Multistate Financial Institutions**section: 5733.056**

Extends through tax year 2003 the option given to multistate financial institutions that have at least 10% of their deposits in Ohio and have been involved in certain types of mergers to base their corporation franchise taxes on their deposits rather than on an apportionment of their sales, property, and payroll factors.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**706 Subject: Increased Receipts for the Recycling and Litter Prevention Fund**section: **5733.122**

Requires that the full amount of revenue from the litter stream products tax imposed on manufacturers and sellers of such products, less an administrative charge to be retained by the Department of Taxation, is to be credited monthly to the Recycling and Litter Prevention Fund, rather than \$5 million every six months.

(See Permanent Law Changes in the Department of Natural Resources under same subject.)

No change.

707 Subject: Sales tax- Coin-operated telephone callssection: **5739.01**

No provision.

Provides that local telephone calls made with coins from coin-operated telephones are not "sales" for purposes of the sales tax law. This provision removes those receipts from the sales tax base and thus decreases GRF revenue.

As Introduced

As Passed by the House

Permanent Law Changes**708 Subject: Late-Payment Lodging Tax Penalty and Hotels with Less Than Five Rooms****section: 5739.024**

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.

As Introduced

As Passed by the House

Permanent Law Changes**709 Subject: Amounts and Uses of the Severance Tax****section: 5749.02**

Increases by one cent the severance tax rate on industrial minerals, as follows: (1) From 4 cents to 5 cents per ton of salt; (2) From 2 cents to 3 cents per ton of limestone, dolomite, sand, or gravel; (3) From 1 cent to 2 cents per ton of clay, sandstone or conglomerate, shale, gypsum, or quartzite. These increases will be used for geological mapping, unreclaimed mine lands, and surface mining regulation and safety. The annual increase in revenue is estimated to be \$1.4 million for the state.

Increases the share of severance tax on industrial minerals that are credited to the Geological Mapping Fund: (1) From 15% to 28.5% of the salt revenue (the rest continues to be credited to the Unreclaimed Lands Fund); (2) From 7.5% to 14.5% of the limestone, dolomite, sand, and gravel revenue (the portion going to the Unreclaimed Lands Fund is reduced from 42.5% to 35.5%, the rest continues to be credited to the Surface Mining Fund); (3) From 0% to 9.1% of the clay, sandstone or conglomerate, shale, gypsum, and quartzite revenue (the rest continues to be credited to the Surface Mining Fund). These changes provide an increase in revenue of at least \$400,000 annually for geological mapping.

No provision.

As Introduced

As Passed by the House

Permanent Law Changes**710 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.

As Introduced

As Passed by the House

Temporary Law Changes

711 Subject: Income Tax Distribution to Counties**Section: 114**

Appropriates sufficient funds to the credit of the General Revenue Fund to assure that at least 50 percent of state personal income tax collections are returned to the county of origin as required by Section 9 of Article XII of the Ohio Constitution.

Section: 102

No change.

712 Subject: Litter Control Tax Administration Fund**Section: 101****ALI: 110-606**

Requires that \$594,726 during FY 2002 and \$625,232 during FY 2003 of the Corporate Franchise Tax revenues be credited to the Litter Control Tax Administration Fund (Fund 437) to cover the cost of administering the tax.

Section: 107

No change.

As Introduced

As Passed by the House

Temporary Law Changes**713 Subject: International Registration Plan Audit****Section: 101****ALI: 110-616**

Requires appropriation item 110-616, International Registration Plan, be used for the audits of persons with vehicles registered under the International Registration Plan.

Section: 107

No change.

As Introduced

As Passed by the House

Temporary Law Changes

714 Subject: Homestead Exemption, Property Tax Rollback, and Tangible Tax Exemption**Section: 101****Section: 107****ALIs: 110-901, 110-906**

Earmarks appropriation item 110-901, Property Tax Allocation -- Taxation, to pay a portion of the State's costs incurred due to the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback.

No change.

The Tax Commissioner is to distribute these moneys directly to the local taxing districts, except school districts. The amounts due to school districts for these programs are appropriated through the Department of Education.

Requires appropriation item 110-906, Tangible Tax Exemption -- Taxation, to be used to pay a portion of the State's cost incurred due to the tangible personal property tax exemption.

The Tax Commissioner is to distribute these moneys to the appropriate county treasurer for all local taxing districts located in the county except school districts. The amounts due to the school districts for these programs are appropriated through the Department of Education.

The language also provides that if insufficient funds are appropriated to cover the rollbacks and exemptions, then additional funds are automatically appropriated.

As Introduced

As Passed by the House

Temporary Law Changes

715 Subject: Tax Refunds**Section: 101****ALI: 110-635**

Requires appropriation item 110-635, Tax Refunds, be used to pay refunds as provided in section 5703.052 of the Revised Code. If it is determined that additional appropriations are necessary, such amounts are appropriated.

Section: 107

No change.

716 Subject: Corporate Research and Development Tax Credit

No provision.

Section: 155

Delays for 2 years commencement of the 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.

As Introduced

As Passed by the House

Temporary Law Changes

717 Subject: Tax Amnesty

No provision.

Section: 173

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.

As Introduced

As Passed by the House

Temporary Law Changes

718 Subject: Aviation Lease Payments**Section: 102****ALIs: 777-473, 777-471**

Requires appropriation item 777-473, Rickenbacker Lease Payments - State, be used to meet scheduled payments for the Rickenbacker Port Authority and authorizes the Director of Budget and Management to transfer any of the appropriation not needed for lease payments to item 777-471, Airport Improvements - State.

Could increase spending on airport improvements, without exceeding overall appropriation levels.

Section: 108

No change.

719 Subject: Transfer of Appropriations - Public Transportation**Section: 102****ALIs: 775-451, 775-456, 775-458**

Authorizes the Director of Budget and Management to approve requests from the Department of Transportation to transfer appropriations among the following appropriation item numbers: 775-451, Public Transportation - State; 775-456, Public Transportation/Discretionary Capital; 775-458, Elderly and Disabled Fare Assistance. Any such transfers must be reported to the Controlling Board.

This provision has no net fiscal effect.

Section: 108

Same as Executive, but removes a reference to appropriation item 775-456, Public Transportation/Discretionary Capital. The appropriation for that item was reduced to zero.

As Introduced

As Passed by the House

Temporary Law Changes

720 Subject: Railroad Crossing and Grade Separation**Section: 102****ALI: 776-466**

Requires appropriation item 776-466, Railroad Crossing and Grade Separation, be used to fund the Rail Crossing Safety Initiative, which will provide improvements to communities most affected by rail traffic and related issues.

This provision has no fiscal effect.

Section: 108

No change.

721 Subject: Motor Fuel Tax Task Force

No provision.

Section: 177

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.

As Introduced

As Passed by the House

Temporary Law Changes

722 Subject: Office of the Sinking Fund**Section: 103.01****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.

Section: 109.01

No change.

723 Subject: Police and Fire Death Benefits**Section: 103.02****ALI: 090-575**

Requires that these funds be disbursed by the Treasurer of State in quarterly payments at the beginning of each quarter to the Board of Trustees of the Ohio Police and Fire Pension Fund. Also requires that by the twentieth day of June of each year, the Board of Trustees of the Ohio Police and Fire Pension Fund certify to the Treasurer of State the amount disbursed in each quarter of the current fiscal year to make payments required by section 742.63 of the Revised Code and shall return to the Treasurer of State moneys received from this item but not disbursed.

Section: 109.02

Changes the distribution of appropriations by the Treasurer of State for Police and Fire Death Benefits Fund from quarterly to annual payments, reflecting current practices.

As Introduced

As Passed by the House

Temporary Law Changes

724 Subject: Release of Funds**Section: 106**

Releases appropriation items 743-501, 746-501, 747-501, 748-501, 749-501, 750-501, 751-501, 752-501, 753-501, 754-501, 755-501, 756-501, 757-501, 758-501, and 759-501 with the Director of Budget and Management approval.

Section: 113

No change.

725 Subject: American Ex-Prisoners of War**Section: 106**

Permits the American Ex-Prisoners of War to share an office with the Veterans of World War I.

Section: 113

No change.

As Introduced

As Passed by the House

Temporary Law Changes

726 Subject: Central Ohio United Services Organization**Section: 106****ALI: 751-501**

Requires \$50,000 in each fiscal year of appropriation item 751-501, State Support, Vietnam Veterans of America, be used to support the Central Ohio USO.

Section: 113

No change.

727 Subject: Veterans Service Commission Education**Section: 106****ALI: 753-501**

Requires up to \$20,000 in each fiscal year of appropriation item 753-501, State Support, Veterans of World War II-Korea-Vietnam, be used to provide money to the Association of County Veterans Service Commissioners to reimburse county veterans service commissions' members for costs incurred while carrying out educational outreach duties required under divisions (E) and (F) of section 5901.03 of the Revised Code. When presented with an itemized statement, the Office of Veterans Affairs is to direct the Auditor of State to issue a warrant upon the state treasury to the association to reimburse members. The association must establish uniform procedures for reimbursing member commissions.

Section: 113

No change.

As Introduced

As Passed by the House

Permanent Law Changes**728 Subject: Renewal Fee Increase****section: 4741.17**

Increases the biennial renewal fees currently paid by veterinarians. The fee increase will be used to support the operations of the Veterinary Board. The increase is to \$200 from \$155. If the number of veterinarians registering remains constant, this increase will result in additional revenue each biennium of approximately \$140,000.

No provision.

As Introduced

As Passed by the House

Permanent Law Changes

729 Subject: Abolish the Women's Policy Commission
section: 121.51

No provision.

Abolishes the Women's Policy Commission.

As Introduced

As Passed by the House

Permanent Law Changes**730 Subject: Transfer of the Administration of Federal Juvenile Justice Grants****sections: 181.51, 5139.11, and Sections 6, 7, and 8 of the**

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.

As Introduced

As Passed by the House

Permanent Law Changes**731 Subject: Juvenile Justice Coordinating Councils**

sections: 181.51, 181.54, 181.56, 5139.01, and Sections 7, and 8 of the bill

Expands existing law permitting a county or counties to form a criminal justice coordinating council to include authority to form a juvenile justice coordinating council. This provision reflects the executive recommendation to transfer control of the state's federal juvenile justice and delinquency prevention programs from the Office of Criminal Justice Services to the Department of Youth Services. The costs of establishing and maintaining a juvenile justice coordinating council are unclear, however, these costs are only triggered if a county or combination of counties opt to form such a council. Additionally, one would think that, to the degree possible, such a county or combination of counties would try to integrate a juvenile justice coordinating council into the operation of its existing criminal justice coordinating council, assuming of course that one exists.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**732 Subject: Definition of "Comprehensive" Plan**

sections: 181.51, 5139.01, and Sections 6, 7, and 8 of the

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.

As Introduced

As Passed by the House

Permanent Law Changes**733 Subject: Administrative Planning Districts**

**sections: 181.51, 181.56, 5139.01, and Sections 6, 7, and
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.

As Introduced

As Passed by the House

Permanent Law Changes

734 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 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

No change.

As Introduced

As Passed by the House

Permanent Law Changes

appropriation item 470-501, Rehabilitation Subsidy). This will affect 19 county rehabilitation and treatment centers.

735 Subject: Metropolitan County Criminal Justice Services Agencies

sections: 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.

As Introduced

As Passed by the House

Temporary Law Changes

736 Subject: Ohio Building Authority Lease Payments**Section: 109****ALI: 470-412**

Requires moneys appropriated to GRF appropriation item 470-412, Lease Rental Payments, be used for payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance capital projects through the state's Juvenile Correctional Building Fund (Fund 028).

Section: 115

No change.

737 Subject: RECLAIM Ohio**Section: 109****ALI: 470-401**

Instructs the Department of Youth Services in how to calculate the amount of money necessary to fund its RECLAIM Ohio program, which includes computing the number of "state target youth" pursuant to section 5139.01 of the Revised Code and ensuring that there are sufficient moneys to provide not less than \$98 per day for each state target youth and not less than \$20,000 per year for each state target youth.

Section: 115

No change.

As Introduced

As Passed by the House

Temporary Law Changes

738 Subject: Employee Food Service and Equipment

Section: 109

ALI: 470-609

Permits moneys appropriated to appropriation item 470-609, Employee Food Service, from the sale of surplus property to be used to purchase any food operational items. Existing permanent law, which creates the Employee Food Service Fund that generates the revenue used to support appropriation item 470-609, already specifies that all of its moneys shall be used to purchase food, supplies, and cafeteria equipment for the Department's institutions. Thus, this provision is consistent with existing permanent law, as well as current practice.

Section: 115

No change.

739 Subject: Education Reimbursement

Section: 109

ALI: 470-613

Requires moneys appropriated to appropriation item 470-613, Education Reimbursement, be used to fund the operational expenses of providing educational services to youth supervised by the Department of Youth Services, and prohibits using any of those moneys for capital expenses.

Section: 115

No change.

As Introduced

As Passed by the House

Temporary Law Changes**740 Subject: Financial Assistance for Juvenile Detention Facilities****Section: 109****Section: 115****ALI: 470-502**

Requires financial assistance provided to county detention centers pursuant to section 5139.281 of the Revised Code be in the amount of 50 percent of the center's approved annual operating cost, but not in excess of \$156,928 in a fiscal year.

No change.

As Introduced

As Passed by the House

Temporary Law Changes

741 Subject: Federal Program Transfer of Juvenile Justice from the Office of Criminal Justice §

Section: 109

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.

Section: 115

No change.

As Introduced

As Passed by the House

Permanent Law Changes**742 Subject: Community Organizations Access**section: *103.33*

No provision.

Enacts the Community Organizations Access Procedure Act to allow counties and tax-exempt not-for-profit organizations, if consistent with federal law, to participate in federal grant program intended for the state whenever a state agency cannot or decides that it will not participate itself.

743 Subject: Use of a County Credit Card by a Public Children Services Agencysection: *301.27*

No provision.

Permits a public children services agency to use a county credit card to make purchases for children in the agency's custody or care under the existing mechanism for monitoring the use of county credit cards through the board of county commissioners and county auditors.

As Introduced

As Passed by the House

Permanent Law Changes**744 Subject: Fees Charged by Sheriff for Services****section: 311.17**

No provision.

Increases in various amounts the fees charged by a sheriff for the service and return of writs and orders, and for other specified actions, in relation to civil and criminal actions and proceedings in the court of common pleas. Also allows a sheriff to charge an additional dollar for the aforementioned service and return of various writs and orders for the purpose of purchasing, upgrading, and maintaining automated fingerprint technology, mobile data terminals, and other computer information technology and software, or automated data processing equipment. Finally, the amendment specifies that the proposed \$5 fee (\$4 currently) for receiving, or discharging or surrendering, a prisoner does not apply in relation to prisoners involved in certain work-release programs.

745 Subject: Formula Changes for Sheriff's Furtherance of Justice Fund**section: 325.071**

No provision.

Changes the formula for the sheriff's furtherance of justice fund, a fund for "expenses that the sheriff incurs in the performance of ... official duties and in the furtherance of justice."

As Introduced

As Passed by the House

Permanent Law Changes**746 Subject: Contributions for Unfunded Actuarial Liability****section: 3305.061**

No provision.

Provides that the percentage of an alternative retirement plan (ARP) participant's compensation contributed by an institution to a state retirement system under the institution's ARP cannot exceed the percentage of compensation employers or participants in the system's ARP are required to pay to mitigate negative financial impact on the system of participation in its ARP. Any change in the percentage of compensation contributed by an institution under an ARP, as required by this provision, takes effect on the same day a change in the percentage of compensation takes effect for a state retirement system.

747 Subject: Sale of Tax Certificates**section: 5721.30**

No provision.

Requires that the population threshold be lowered from 1,400,000 to 1,300,000 to determine whether a county treasurer may negotiate the sale of tax certificates instead of selling them by public auction.

As Introduced

As Passed by the House

Temporary Law Changes

748 Subject: Unclaimed Funds Transfer

Section: 117

Requires the Director of Commerce, at the request of the Director of Budget and Management, to transfer up to \$30 million from Unclaimed Funds (Fund 543) to the General Revenue Fund. This would be an amount remaining after the Mortgage Insurance Fund and the Minority Business Bonding Fund, both administered by the Department of Development, have received their portion of unclaimed funds as prescribed in ORC 169.05(A).

No change.

As Introduced

As Passed by the House

Temporary Law Changes

749 Subject: Satisfaction of Judgments and Settlements Against the State**Section: 115**

Allows any appropriation (except an appropriation from a fund into which the proceeds of bonds, notes, or other obligations are deposited or an appropriation for the payment of guarantees by or on behalf of the state or for or relating to lease payments or debt service on bonds, notes, and similar obligations) to be used to satisfy: (1) judgments or settlements in connection with civil actions against the state in federal court that are not barred by sovereign immunity (that is, immunity against the state's being sued in its own courts without its consent) or the Eleventh Amendment to the United States Constitution (which prevents a federal court from hearing an action between a state and a person who is not a citizen of that state); or (2) judgments, settlements, or administrative awards ordered or approved by the Court of Claims in connection with civil actions against the state.

Section: 121

No change.

As Introduced

As Passed by the House

Temporary Law Changes

750 Subject: General Obligation Debt Service Payments**Section: 119**

Appropriates any additional amounts needed to pay debt service and financing costs on general obligation bonds or notes of the state.

Section: 126

No change.

751 Subject: Lease Payments to OPFC, OBA, and Treasurer of State**Section: 120**

Appropriates any additional moneys needed for the purpose of making lease payments pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority of the Treasurer of State or, previously, by the Ohio Public Facilities Commission.

Section: 127

No change.