COMPARISON DOCUMENT

Amended Substitute House Bill 66
126th General Assembly

Representative Charles Calvert, Sponsor

Main Operating Appropriations Bill

As Introduced
As Passed by the House
As Passed by the Senate

This document is prepared for the Conference Committee.
*Items on which the House and Senate are in agreement are **not** shown.*

Legislative Service Commission
June 9, 2005

Introduction

The Comparison Document provides brief descriptions and estimates of fiscal effect for the provisions that make up the As Introduced version and subsequent versions of the biennial budget bill, H.B. 66. The document is arranged in alphabetical order by state agency. It also includes two nonagency items for which appropriations are made, Accrued Leave Liability and Revenue Distribution Funds, as well as Local Government, Retirement Systems, Tax Provisions, Tobacco Use Prevention and Control Foundation, and Miscellaneous sections. A Table of Contents follows this Introduction. An Index is located at the end of the document, and gives the page number of each particular item within the sections.

Generally within an agency's section, items that involve Revised Code changes come first, followed by items that involve uncodified (i.e., temporary) law provisions. If an item consists of more than one Revised Code or uncodified section, and some of the sections are auxiliary to the primary provision, the auxiliary sections are listed after the primary section. If an item affects more than one agency, it is described under each of the affected agencies, with an appropriate cross-reference.

Each particular item is also assigned a unique identification number that will not change in subsequent versions of the Comparison Document. This number begins with the letters CD (the abbreviation for Comparison Document) and includes the agency's three-letter Central Accounting System code. For example, an item in the Department of Development section might have an identification number CD-510-DEV. A reader who wants to track an item across several versions of the Comparison Document may find the identification number useful.

The Comparison Document does not include appropriation amounts for the agencies. Please see the Legislative Service Commission's Budget in Detail spreadsheet for that information. For a complete discussion of the statutory changes in H.B. 66, see the Legislative Service Commission's Bill Analysis.

Note for Conference Committee

This version of the Comparison Document is prepared for the Conference Committee. Items on which the House and Senate are in agreement are not shown. Duplicate items that were included in more than one agency and cross-referenced in previous versions of the Comparison Document have been consolidated into a single entry for this version. Items that have been removed are noted in the consolidated entry.

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As Introduced (Executive)	As Passed by the House	As Passed by the Senate
1 (CD-887-ADJ) National Guard Life Insurance and Death Benefits		
	R.C. *5919.31, 5919.33*	**R.C. *5919.31, 5919.33***
No provision.	(1) Creates the National Guard Benefit Fund in the state treasury consisting of transfers of moneys or receipts made in accordance with the law. Moneys in the fund are to be used to fund Ohio National Guard members' life insurance and death benefits.	(1) Eliminates the House provision that creates the National Guard Benefit Fund, but maintains the provisions that provide life insurance and death benefits to Guard members or their beneficiaries. Also clarifies that only Guard members on active duty pursuant to a federal order or a proclamation of the Governor are eligible for the insurance reimbursement benefit.
	(2) Requires the Adjutant General to adopt rules, pursuant to Chapter 119. of the Revised Code, to reimburse any active duty Ohio National Guard members who choose to purchase life insurance pursuant to the "Servicemembers' Group Life Insurance Act." Allows the Adjutant General to seek additional appropriations from the Controlling Board when necessary.	(2) Same as the House, but exempts the Adjutant General from section 111.15 or Chapter 119. of the Revised Code requirements in prescribing and enforcing regulations for the reimbursements.
	(3) Increases the death benefit payable to an Ohio National Guard member's beneficiary from $20,000 to $100,000 to be paid from the National Guard Benefit Fund. Extends the death benefit to all active duty members instead of only state active duty members as under current law.	(3) Same as the House, except the elimination of the proposed National Guard Benefit Fund.
	Fiscal effect: Appropriates $1.0 million in each fiscal year to GRF appropriation item 745-407, National Guard Benefits, to fund National Guard members' life insurance and death benefits. Additional funding, if needed, may be provided by the Controlling Board.	Fiscal effect: Appropriates $1.4 million in each fiscal year to GRF appropriation item 745-407, National Guard Benefits, to fund National Guard members' life insurance and death benefits. Additional funding, if needed, may be provided by the Controlling Board.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
2 (CD-1190-ADJ National Guard Benefits		
		Section: ***203.09***
No provision.	No provision.	Specifies that GRF appropriation item 745-407, National Guard Benefits, be used for purposes of sections 5919.31 and 5919.33 of the Revised Code, including for administrative costs of the associated programs. Specifies that death benefit payments be provided to beneficiaries of Ohio National Guard members who died after October 7, 2001.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
3 (CD-370-DAS) Responsibilities of DAS Under the Civil Service Law		
R.C. ***124.01, 124.02, 124.04, 124.07, 124.09, 124. 124.133, 124.14, 124.15, 124.20, 124.23, 124.231, 124.241, 124.25, 124.26, 124.27, 124.29, 124.30, 124.31, 124.311, 124.32, 124.321, 124.322, 124.323, 124.324, 124.325 124.33, and 124.34; Section 618.06.***		**R.C.** ***124.01, 124.02, 124.04, 124.07, 124.09, 124.11, 124.133, 124.14, 124.15, 124.20, 124.23, 124.231, 124.241, 124.25, 124.26, 124.27, 124.29, 124.30, 124.31, 124.311, 124.32, 124.321, 124.322, 124.323, 124.324 124.325, 124.33, 124.34; Section 618.06.***
Eliminates the duty of the Director of DAS to perform various functions with regard to officers and employees of, and to provide various services to, counties and general health districts under the Civil Service Law; instead, confers these duties and functions upon the boards of health in the case of general health districts and the boards of county commissioners in the case of counties.	No provision.	Same as the Executive, but for a county, confers these duties on the elected official, board, agency or other appointing authority.
No provision.	No provision.	Clarifies the responsibility of county appointing authorities and county personnel departments for administration of county civil service. Also requires that county employees designated to be in positions of unclassified civil service receive notice of their designation.
Fiscal effect: Decrease in expenditures for GRF appropriation item 100-406, County and University Human Resources Services. Possible increase in local costs for performing these functions.		Fiscal effect: Decrease in expenditures for GRF appropriation item 100-406, County and University Human Resources Services. Possible increase in local costs for performing these functions. (The corresponding item entitled "Responsibilities of DAS Under the Civil Service Law" in the Local Government Provisions section of this document has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
4 (CD-1309-DAS Charges to State Agencies for Services Performed		
		R.C. *124.07*
No provision.	No provision.	Requires DAS to issue a report biennially regarding the components of the formula DAS uses to charge state agencies and state-supported colleges or universities for payroll service and the enforcement of civil service standards, and requires DAS to decrease these charges as the percentage of the state agency's or state-supported college or university's employees in the unclassified civil service increases and to negotiate the amount of these charges with state agencies in which all of the employees are in the unclassified civil service. Fiscal effect: Reduces payroll and civil service-related "check-offs" for agencies in proportion to the number of unclassified staff they employ. Presumably benefits agencies with high ratios of unclassified-to classified staff, or those with no classified staff. By requiring such charges to be negotiated with applicable state agencies, would likely reduce DAS revenue derived from these specified check-offs.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
5 (CD-1403-DAS Charges to Political Subdivisions for Human Resource Services		
		R.C. ***124.07***
No provision.	No provision.	Allows DAS to enter into an agreement with a municipal corporation or other political subdivision to furnish the Department's services and facilities in the administration of functions related to human services. Requires such an agreement to provide for DAS to be reimbursed for the services provided and facilities furnished. Fiscal effect: No apparent net fiscal effect of the division of human resources.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
6 (CD-1305-DAS Layoffs as a Result of Position Abolishment		
R.C. ***124.321, 124.328***		**R.C.** ***124.321, 124.328***
Defines for appointing authorities two of continuing law's bases for determining a lack of continued need that may result in the layoff of an employee: (1) A reorganization for the efficient operation of an appointing authority is to be based on the appointing authority's decision to restructure delivery of services, change organizational emphasis or organizational goals, or maintain productivity or effective services with diminished resources. And (2) reasons of economy generally must be based on the appointing authority's estimated amount of savings with respect to salary, benefits, and other matters associated with the abolishment of position or positions. Fiscal effect: Uncertain direct impact related to change in layoff justification language; potential increase in court costs to various counties as well as litigation costs for the state if a State Personnel Board of Review decision is appealed to a common pleas court.	No provision.	Modifies the executive provision by defining for appointing authorities when "reasons for economy" exist that may result in the abolishment of a position and the layoff of the employee holding the position. Permits an appointing authority to appeal a State Personnel Board of Review decision pertaining to a classified employee's layoff to the appropriate court of common pleas under the Administrative Procedure Act. Fiscal effect: Uncertain direct impact related to change in layoff justification language; potential increase in court costs to various counties as well as litigation costs for the state if a State Personnel Board of Review decision is appealed to a common pleas court.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
7 (CD-1301-DAS Purchase of Furniture by State Agencies		
		R.C. *125.09*
No provision.	No provision.	Requires that preference in the purchase of furniture by a state agency must be given to furniture produced in Ohio and specifies that bidders whose furniture is produced in states bordering Ohio may qualify for the award of a contract only if compliance with the proposed preference would result in the state agency involved paying an excessive price for the furniture or acquiring disproportionately inferior furniture. Fiscal effect: Uncertain impact on purchase costs, as variables such as furniture needs and quality would determine what supplier might obtain a contract under this preference program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
8 (CD-1290-DAS Transfer of State Use Program to the Department of Administrative Services		
		R.C. ***125.11, 125.60, 125.601, 125.602, 125.603, 125.604, 125.605, 125.606, 125.607, 125.6(125.609, 125.6010, 125.6011, 125.6012, 127.16, 307.86, 731.14, 731.141, 4115.32, 4115.34, 4115.36, Section 203.12, 203.12.0 209.09.03,***
No provision.	No provision.	Transfers the state committee for the purchase of products and services provided by persons with severe disabilities, a procurement program currently housed within DMR, to DAS and modifies the program. Fiscal effect: Increased expenditures associated with implementing this program, offset by additional GRF appropriations of $248,040 in FY 2006, and $268,040 in FY 2007. (The corresponding item entitled "Transfer of State Use Program" in the Department of Mental Retardation and Developmental Disabilities has been removed from the Conference Committee Comparison Document.)

	As Introduced (Executive)	As Passed by the House	As Passed by the Senate
9	**(CD-369-DAS) Office of Information Technology**		
	R.C. ***125.18***	**R.C.** ***125.18, 125.041***	**R.C.** ***125.18, 125.041***
	Establishes the Office of Information Technology in DAS to advise the Governor regarding the superintendence and implementation of statewide information technology policy and to lead, oversee, and direct state agency activities regarding the development and use of information technology. Fiscal effect: Increase in expenditures to administer the duties of the Office of Information Technology, appropriated in 100-603, DAS Information Services (Fund 4P3), within the general services fund group.	Same as the Executive, but provides that the Office of Information Technology that the bill creates in DAS does not superintend the offices of state elected officials, other than the offices of the Governor and Lieutenant Governor, in their development or use of information technology.	Same as the House, but expands the list of state governmental bodies that would not be included within the jurisdiction of the proposed Office of Information Technology to include the five state retirement systems. (The corresponding item entitled "Office of Information Technology" in the Retirement Systems section has been removed from the Conference Committee Comparison Document.)
10	**(CD-1306-DAS) Debarment of Vendors and Contractors**		
			R.C. ***125.25, 153.02***
	No provision.	No provision.	Authorizes DAS to debar vendors and contractors based on specified factors and establishes procedures governing the debarment, including notice and hearing requirements. Fiscal effect: Potential increase, not likely to be significant, in administrative costs associated with DAS sending notices of proposed debarment, determining the length of the debarment period, and maintaining a list of all vendors currently debarred.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
11 (CD-368-DAS) Changes to Fleet Management Law		
R.C. ***125.831, 125.832***	**R.C.** ***125.831, 125.832***	**R.C.** ***125.831, 125.832***
Authorizes proceeds from the disposition of motor vehicles under the Fleet Management Law to be deposited, in the discretion of the Director of DAS, to the credit of either the Fleet Management Fund (Fund 122) within the general services fund group or the Investment Recovery Fund (Fund 427) within the general services fund group, rather than just into the Fleet Management Fund. Changes the definitions of "state agency" and "law enforcement officer" as used in the Fleet Management Law to include or exclude various individuals or entities from those terms. Requires state agencies to submit data and other information to DAS about motor vehicles that otherwise are not subject to the Fleet Management Law.	Same as the Executive.	Same as the Executive, but excludes the State Highway Patrol from the motor vehicle acquisition and reporting requirements of the State Fleet Management Law. (The corresponding item entitled "Exclusion of State Highway Patrol from State Fleet Management Law" in the Department of Public Safety has been removed from the Conference Committee Comparison Document.)
No provision.	Includes cargo vans within the types of motor vehicles subject to the State Fleet Management Law.	Same as the House.
No provision	Generally requires state agencies subject to the State Fleet Management Law to acquire passenger motor vehicles by lease through the master leasing program established by DAS.	Same as the House.
No provision	Prohibits reimbursement of state employees who use their own motor vehicles for any mileage incurred above an amount DAS determines annually unless DAS approves the excess mileage in accordance with specified standards.	Same as the House.
No provision	Requires state institutions of higher education to use DAS's vehicle fleet management software system, DAS's fuel card program to pay for fuel and vehicle maintenance, and DAS's bulk fuel purchases contract to make bulk fuel purchases.	Requires state institutions of higher education to use DAS's vehicle fleet management software system, DAS's fuel card program to pay for fuel and vehicle maintenance, and DAS's bulk fuel purchases contract to make bulk fuel purchases

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		only when doing so, as certified annually by the Board of Regents, will result in reduced fleet management costs (including fuel costs) when compared to the fleet management costs associated with the practices the institution regularly employs and the institution calculates these reduced costs. (The corresponding item entitled "State Fleet Management Law Changes" in the Board of Regents has been removed from the Conference Committee Comparison Document.)
Fiscal effect: Potentially increases the revenues deposited in the Investment Recovery Fund instead of the Fleet Management Fund. According to DAS, the approximately $300,000 to $400,000 that is transferred to the Fleet Management Fund from GRF vehicle sales is not needed and instead will be transferred to the Investment Recovery Fund.	Fiscal Effect: Same as the Executive, but also results in a potential increase in use of the State Fleet Management program which may result in an increase in administrative expenditures in the Fleet Management Fund (Fund 122) as well as possible offsetting savings from the increased use of the program. Potential savings to state agencies who utilize the State Fleet Management Program.	Fiscal effect: Unknown impact resulting from the exclusion of all Highway Patrol vehicles, not just emergency vehicles, from the State Fleet Management Law. Potential slight administrative savings for DAS from not having to track these vehicles. Unknown impact from adding vehicles owned by institutions of higher education in the State Fleet Management Law, but there could be an increase in administrative expenditures as well as offsetting savings associated with adding vehicles to the program.

12 (CD-907-DAS) Medicaid Enterprise Data Warehouse

	R.C. *5111.915*	R.C. *5111.915, Section 206.66.10*
No provision.	Requires DAS to acquire a computer system to be known as the Medicaid Enterprise Data Warehouse to monitor Medicaid services administered by various state agencies. Fiscal effect: Unclear whether DAS or JFS would be required to pay for the purchase and development of the computer system. If DAS is responsible for this, there would be a possibly large increase in expenditures for the Office of Information Technology to purchase and/or develop this computer system.	Same as the House, but removes the name "Enterprise Data Warehouse"; requires DAS to contract with a "qualified vendor" as defined in the amendment; and requires JFS to seek enhanced federal funding for 90% of the funds required to establish the data system. (The corresponding item entitled "Medicaid Enterprise Data Warehouse" in the Department of Job and Family Services has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Allocates up to $6 million in state and federal funds in fiscal year 2006 and $4 million in state and federal funds in fiscal year 2007 to fund the data system upon receipt of approval of federal reimbursement. Fiscal effect: Allocated state and federal funding for the computer system, if secured, is likely to offset the costs of acquiring the computer system. While not specified directly, the language implies JFS, rather than DAS, would be responsible for the expenses associated with purchasing the computer system. (The corresponding item entitled "Medicaid Enterprise Data Warehouse" in the Department of Job and Family Services has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
13 (CD-1177-DAS Medicaid Information Technology System		
		Section: ***203.12.69***
No provision.	No provision.	Requires DAS to conduct a study to (1) comprehensively analyze the technology needs of all governmental agencies that administer components of the Medicaid program and (2) determine how to ensure that the technology needs of those governmental agencies may be integrated into a Medicaid Information Technology System.
No provision.	No provision.	Requires DAS to seek the most federal participation available for the conduct of the study, and requires JFS to seek the most federal participation available for the development and implementation of a Medicaid Information Technology System.
No provision.	No provision.	Fiscal effect: Potential increased expenditures associated with conducting the study. It is uncertain what costs could be recouped from federal funds.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
14 (CD-932-DAS) Efficiency Study to Create Reorganization Plan for the Executive Branch of State Government		
	Sections: ***315.03.03, 315.03.06, 315.03.09***	
No provision.	Requires by January 1, 2007, that, following a specified type of efficiency study by DAS, the Department prepare and submit to the Governor and legislative leaders a proposed reorganization plan for the executive branch of the state government, which provides for the transfer of the powers, duties, and functions of various state entities to nine "provisional" departments. Fiscal effect: Increase in expenditures to conduct a study and prepare such a plan for the Governor and legislative leaders.	No provision.
15 (CD-1295-DAS) Clark County Real Estate Conveyance		
		Section: ***506.06***
No provision.	No provision.	Authorizes the conveyance of the former Springview Developmental Center, operated by the Department of Mental Retardation and Developmental Disabilities, in Clark County to a purchaser to be determined. The real estate shall first be offered to a state entity at the appraised value, then to the board of County Commissioners of Clark County for a purchase price agreed upon by the Director of Administrative Services and the Board of County Commissioners of Clark County. Fiscal effect: The property has not been recently appraised. Revenue gain for the Mental Health Facilities Improvement Fund, dependent on sale price. Proceeds must be used to offset bond indebtedness for Springview capital projects.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
16 (CD-1307-DAS Temporary Work Level and Personnel Assignments		
		Section: ***569.03***
No provision.	No provision.	Specifies that with the written consent of an exempt employee, an appointing authority may, in cases where a vacancy does not exist, assign duties of a higher classification for a period of time not to exceed two years. The exempt employee will receive compensation at a rate commensurate with the duties of the higher classification.
No provision.	No provision.	Permits, if necessary, employees exempt from collective bargaining who are assigned to duties within their agency to maintain operations during the Ohio Administrative Knowledge System (OAKS) implementation to agree to a temporary assignment that exceeds a two year limit. Fiscal effect: Certain agencies that elect to permit an employee to take on the duties of a higher classification, as well as those with staff affected by the conversion to OAKS, could experience some new costs resulting from the pay increases that employee so designated would receive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
17 (CD-216-AGE) Penalty for Late Payment of Long-Term Care Facility Bed Fee		
R.C. ***173.26***	**R.C.** ***173.26***	**R.C.** ***173.26***
Provides that a long-term care facility that fails to pay the bed fee that supports regional long-term care ombudsman programs within 90 days of the due date is to be assessed twice the amount of the fee.	No provision.	Same as the Executive.
Fiscal effect: This provision may result in a revenue gain. However, the amount of additional revenue received will depend on the number of long-term care facilities that fail to pay the bed fee within 90 days.	Fiscal effect: Removing this provision retains current law, thus there would be no fiscal effect.	Fiscal effect: Same as the Executive.
18 (CD-243-AGE) Payment for Community-Based Long-Term Care Services		
R.C. ***173.39, 173.391, 173.392, 173.393, 173.40***	**R.C.** ***173.39, 173.391, 173.392, 173.393, 173.394, 173.395, 173.396, 173.397, 173.40***	**R.C.** ***173.39, 173.391, 173.392, 173.393***
Provides that a provider of community-based long-term care services under a program the Ohio Department of Aging (ODA) administers cannot receive payment unless the provider obtains certification or meets the terms of a contract that includes conditions of participation and service standards the provider must meet.	Same as the Executive, but eliminates the provision that permits a provider to meet the terms of a contract rather than obtain certification, with the result that all providers must be certified to receive payment.	Same as the Executive, but (1) excludes providers of Medicaid-funded community-based long-term care services, other than such services provided under the PACE program, from the Executive provision that permits providers to receive payment from ODA without obtaining certification if the provider meets contractual obligations and (2) provides that a part of a record of an evaluation conducted as part of the certification of a provider of community-based long-term care services is not to be released as a public record if the release would violate a federal or state law.
No provision.	Requires that ODA adopt rules establishing a fee for obtaining certification and establishes the Community-Based Long-Term Care Provider Certification Fund into which the fees are to be deposited.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: The bill requires ODA to adopt rules requiring the certification of community-based long-term care providers. The provision exempts providers from certification if the provider contracts with the Department, the contract includes detailed conditions of participation for the provider, and the provider complies with the contract. According to the Department, these provisions would allow ODA to develop a consistent statewide practice of conducting business with providers. The Department will develop uniform standards for certification and contracting with providers. The Ohio Department of Job and Family Services (ODJFS) will grant the provider a Medicaid provider agreement based upon ODA's certification process. Currently, ODA and local Area Agencies on Aging (AAA) do all the work related to this activity, thus there would not be any significant costs associated with this provision.	Fiscal effect: Same as the Executive, but allows the Department to charge a fee in an amount that will enable to Department to collect enough revenue to cover all the costs associated with this provision. Assuming such a fee is charged, the effect on the Department would be minimal.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
19 (CD-225-AGE) Long-Term Care Consultation Program		
R.C. ***173.42, 173.43, 5101.75, 5101.751 (repealed 5101.752, 5101.753 (repealed), 5101.754 (repealed), 5111.205 (repealed), 5111.62, Section 203.21.03***	**R.C.** ***173.42, 173.43, 5101.75, 5101.751 (repeale 5101.752, 5101.753 (repealed), 5101.754 (repealed), 5111.205 (repealed), 5111.62, Section 203.21.03***	**R.C.** ***173.42, 173.43, 5101.75, 5101.751 (repeale 5101.752, 5101.753 (repealed), 5101.754 (repealed), 5111.205 (repealed), 5111.62, Section 203.21.03***
Requires that the Department develop a long-term care consultation program.	Same as the Executive.	Same as the Executive, but (1) specifies that long-term care consultations are to be "provided," rather than "performed," and that the services may include the reviews, assessments, and determinations required under current law before an individual is admitted to a nursing facility, (2) requires long-term care consultations to be provided to nursing facility residents who are likely to "spend down" their resources within six months after admission to a level that qualifies them financially for Medicaid, (3) clarifies that long-term care consultations may be provided to persons who have already been admitted to a nursing facility, and (4) authorizes the adoption of rules specifying circumstances when it may be appropriate to provide a person's long-term care consultation after the person's admission to a nursing facility.
Eliminates current law that requires ODJFS to administer a similar program for potential residents of nursing facilities.	Same as the Executive.	Same as the Executive.
Fiscal effect: The bill requires ODA to develop a long-term care consultation program whereby individuals or their representatives are provided with information through professional consultations about options available to meet long-term care needs and about factors to consider in making long-term care decisions. In-person assessments are a more detailed needs assessment and are currently done for both the PASSPORT program and nursing facility admission. The local AAA's are currently implementing these screenings using certified individuals; therefore, there will be little or no additional administrative costs associated	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive, but the Department may see additional administrative costs associated with rules promulgation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
with the establishment of the long-term care consultation program. According to ODA, this would allow the Department more flexibility in performing in-person assessments. As a result, ODA would try to focus their resources on those individuals who would benefit most from an in-person assessment. This may result in an increase in the number of assessments performed and thus, could potentially increase costs. The more efficient use of in-person assessments could result in more individuals moving out of nursing homes and into less costly community and home-based settings. Should this occur, the state may experience the indirect effect of a reduction in Medicaid costs and a corresponding reduction in federal reimbursement for Medicaid expenditures.		

20 (CD-239-AGE) Nursing Home and Residential Care Facility Survey

R.C. *173.44, 173.99*	R.C. *173.44, 173.99*	R.C. *173.44, 173.99*
Permits ODA to conduct an annual survey, itself or by contract, of nursing homes and residential care facilities.	Same as the Executive.	Same as the Executive.
Provides that a nursing home or residential care facility that recklessly fails to complete the survey is subject to a $100 fine.	No provision.	Same as the Executive.
Fiscal effect: The annual long-term care survey is conducted by the Miami University's Scripps Gerontology Center as part of an ongoing research project that tracks long-term care utilization patterns in Ohio. In prior years, the survey was mandated by the Ohio Department of Health (ODH), which used the data for health planning. However, the mandate to complete the survey was removed for the FY 2004-2005 biennium. Consequently, the response rate fell from approximately 96% to approximately 60%. According to the	Fiscal effect: The removal of the fine for recklessly failing to complete the survey will not have a direct fiscal effect on the Department since it did not plan on collecting any revenue from the fee. However, it may result in response rates similar to those from the current biennium.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Department, ODA does not expect to collect any revenue from this provision, but expects to receive a higher response rate for the survey.		
21 (CD-196-AGE) Long-Term Care Consumer Guide		
R.C. ***173.45, 173.46, 173.47, 173.48, 173.49***	**R.C.** ***173.45, 173.46, 173.47, 173.48, 173.49***	**R.C.** ***173.45, 173.46, 173.47, 173.48, 173.49***
Requires that the Department publish the Ohio Long-Term Care Consumer Guide.	Same as the Executive, but eliminates provisions that require long-term care facilities to cooperate with an annual customer satisfaction survey and authorize the Director of Aging to apply to the Attorney General to seek an injunction against a facility for failure to cooperate.	Same as the House, but (1) requires that long-term care facilities cooperate with an annual customer satisfaction survey (without specifying a penalty for non-compliance), (2) does not require that the Ohio Long-Term Care Consumer Guide include information about county and district homes, and (3) authorizes the Department to use money in the Long-Term Care Consumer Guide Fund for costs associated with publishing the Guide including, but not limited to, costs incurred in conducting customer satisfaction surveys.
Fiscal effect: The Executive recommendations include an annual fee of $300 for residential care facilities and $400 for nursing facilities to fund the Guide. The Department expects to generate approximately $552,000 in annual revenue from these provider fees. The Department will survey nursing facility residents (FY 2007), residential care facility residents (FY 2007), and families of nursing facility residents (FY 2008) for the Guide. In FY 2006, no surveys will take place as the Departments collects revenue to fund future surveys.	Fiscal effect: The Department would realize a reduction in revenue proportional to the number of facilities that decide not to complete the satisfaction survey. It is not known at this time what effect any reduction in revenue received would have on the Department's ability to complete the survey statewide.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
22 (CD-219-AGE) Transfer of PACE Administrative Duties		
R.C. ***173.50, Section 490.03***	**R.C.** ***173.50, Section 490.03***	**R.C.** ***173.50, Section 490.03***
Requires that the Department carry out the day-to-day administration of the component of the Medicaid program known as the Program of All-Inclusive Care for the Elderly (PACE).	Same as the Executive.	Same as the Executive, but permits the Department to adopt rules for the PACE program if the rules (1) are authorized by the Ohio Department of Job and Family Services (ODJFS) and (2) address only those matters that are not addressed in ODJFS's rules for the PACE program.
Fiscal effect: The last budget act permitted ODJFS to transfer the day-to-day administration of the PACE program to ODA, subject to federal approval. The Department will be taking over full administration of the PACE program beginning in FY 2006.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive, but the Department may see increased administrative costs associated with additional rules promulgation.
23 (CD-214-AGE) Ombudsman Access to Long-Term Care Facilities and Sites		
R.C. ***173.99***	**R.C.** ***173.99***	**R.C.** ***173.99***
Establishes a maximum $500 fine for denying a representative of the Office of the State Long-Term Care Ombudsman Program access to a long-term care facility or community-based long-term care site.	No provision.	Same as the Executive.
Fiscal effect: This provision may result in a gain in revenue. However, the amount of revenue that may be received cannot be estimated since it will depend on the number of times Ombudsman are denied access to a long-term care facility.	Fiscal effect: Removing this provision retains current law, thus there would be no fiscal effect.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
24 (CD-1386-AGE Ambulette Services		
		R.C. ***4766.09, 4766.14, 612.12***
No provision.	No provision.	Exempts ambulette service providers from the Medical Transportation Law if they are operating under standards established in the Department's rules. Requires ambulette service providers, when exempted as described above, to make two-way communication available to their ambulette drivers; install or secure one isolation and biohazard disposal kit in ambulette vehicles; and obtain from an ambulette driver applicant a copy of a signed medical statement containing specified information from a licensed physician, the results of a chemical test for drug and alcohol abuse, certificates of completion of CPR and first aid courses, and the results of a criminal records check.
		Fiscal Effect: The fiscal effect of these provisions on the Department is uncertain. The Department is required to administer and enforce the provisions described above. Thus, the Department may see an increase in administrative costs associated with rules promulgation and enforcement activities.
		(The corresponding item entitled "Ambulette Services for Certain Agencies" in the Ohio Medical Transportation Board has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
25 (CD-160-AGE) PASSPORT		
Section: ***203.21.06***	**Section:** ***203.21.06***	**Section:** ***203.21.06***
Allows GRF appropriation item 490-403, PASSPORT, and the set aside for the PASSPORT program in appropriation item 490-610, PASSPORT/Residential State Supplement, (Fund 4J4) in the state special revenue fund group to be used to assess clients regardless of Medicaid eligibility and to support the Department's administrative costs associated with operating the program. Designates those two appropriation items to fund the state match for the PASSPORT Medicaid waiver program. Designates appropriation item 490-607, PASSPORT, (Fund 3C4) in the federal special revenue fund group to be used to fund the federal share of the PASSPORT program.	Same as the Executive.	Same as the Executive.
No provision.	Requires that up to $200,000 in fiscal year 2006 from GRF appropriation item 490-403, PASSPORT, be used for costs associated with an evaluation of the PASSPORT Program. (The corresponding item entitled "PASSPORT Evaluation Panel" in the Department of Jobs and Family Services has been removed from the Conference Committee Comparison Document.)	Same as the House, but (1) moves the PASSPORT Evaluation Panel from ODJFS to the Department of Aging, (2) increases to 18 (from eight) the number of members on the PASSPORT Evaluation Panel; (3) expands the scope of the evaluation of the PASSPORT program; and (4) earmarks up to $125,000 in each fiscal year in appropriation item 490-607, PASSPORT, Fund 3C4, in the Federal Special Revenue Fund Group, for an evaluation of the PASSPORT Program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
26 (CD-167-AGE) Transfer of Residential State Supplement Appropriations		
Section: *203.21.06*	**Section: *203.21.06***	**Section: *203.21.06***
Authorizes the Department to transfer cash in FY 2006 from GRF appropriation item 490-412, Residential State Supplement, and state special revenue fund appropriation item 490-610, PASSPORT/Residential State Supplement, to the Ohio Department of Job and Family Services' state special revenue Fund 4J5, Home and Community-Based Services for the Aged Fund, to make benefit payments to Residential State Supplement recipients.	Same as the Executive.	Same as the Executive, but allows ODA to transfer funds to the Department of Mental Health from appropriation items 490-412, Residential State Supplement, and 490-610, PASSPORT/Residential State Supplement, to make benefit payments to Residential State Supplement recipients in both fiscal years.
27 (CD-164-AGE) JCFS Elderly Transportation		
Section: *203.21.06*	**Section: *203.21.06***	**Section: *203.21.06***
Requires GRF appropriation item 490-416, JCFS Transportation for Elderly, be used for non-capital expenses related to transportation services for the elderly. Requires these funds to provide access to such things as healthcare services, congregate meals, socialization programs, and grocery shopping. Requires agencies receiving funding to coordinate services with other local service agencies.	Same as the Executive.	Same as the Executive, but earmarks the appropriation to the following agencies: (1) $30,000 in both fiscal years to Cincinnati Jewish Vocational Services; (2) $20,000 in both fiscal years to Wexner Heritage Village; (3) $20,000 in both fiscal years to Yassenoff Jewish Community Center; (4) $30,000 in both fiscal years to Cleveland Jewish Community Center.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
28 (CD-171-AGE) Transition Plan for Residential State Supplement		
Section: ***203.21.06***	**Section:** ***203.21.06***	**Section:** ***203.21.06***
Requires appropriation item 490-610, PASSPORT/Residential State Supplement, (Fund 4J4) in the state special revenue fund group be used in FY 2007 to transfer to the Ohio Department of Mental Health (ODMH) sufficient funds to make benefit payments for all Residential State Supplement (RSS) recipients who are less than 60 years of age, diagnosed with mental illness, mental retardation, and/or a developmental disability, and are enrolled in the program on June 30, 2006. Requires ODA and ODMH to jointly petition the Social Security Administration to approve changes to the RSS program. Requires that changes proposed by the two departments ensure that RSS program recipients on June 30, 2006 continue to receive benefit payments as long as they remain in the program. Allows any changes proposed by ODA and ODMH to include provisions that improve local accountability to county boards of mental health, maximize available funding, and improve the quality of residential settings approved for recipients.	Same as the Executive.	Same as the Executive, but (1) requires the Department to transfer sufficient funds from appropriation item 490-412, Residential State Supplement, in FY 2007, to the Department of Mental Health to make benefit payments for all Residential State Supplement recipients who are less than 60 years of age diagnosed with mental illness, mental retardation, or a developmental disability and are enrolled in the program on June 30, 2006; (2) allows the Director of Budget and Management to transfer appropriations from GRF appropriation item 490-412, Residential State Supplement, in the Department of Aging, to GRF appropriation item 335-505, Local Mental Health Systems of Care, in the Department of Mental Health for the Residential State Supplement benefit payments; (3) allows the Director of Budget and Management to transfer cash from Fund 4J4, PASSPORT Fund, in the Department of Aging into the General Revenue Fund and increase the appropriation in GRF appropriation item 335-505, Local Mental Health Systems of Care, in the Department of Mental Health by an equal amount; and (4) requires the Department of Aging to continue to be responsible for the Residential State Supplement program if the Social Security Administration does not approve the proposed changes to the program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
29 (CD-175-AGE) Transfer of Resident Protection Funds		
Section: *203.21.06*	**Section: *203.21.06***	**Section: *203.21.06***
Requires the Director of Budget and Management to transfer in FY 2006 $615,000 from Fund 4E3, Resident Protection Fund, from the Ohio Department of Job and Family Services (ODJFS), to Fund 5BA in ODA, to be used for program management for the Office of the State Long-Term Care Ombudsman.	Same as the Executive.	Same as the Executive, but requires the Director of Budget and Management to transfer in FY 2006 $350,000 from Fund 4E3, Resident Protection Fund, in ODJFS to Fund 5CE in ODA, to be distributed to the Ohio Alzheimer's Association for the development of a pilot person-centered training program for long-term care staff who interact with people with dementia.
30 (CD-1213-AGE) Aging and Disability Resource Center		
		Section: *203.21.09*
No provision.	No provision.	Permits the Department to apply for the 2005 Aging and Disability Resource Center (ADRC) Grant Initiative of the Administration on Aging (AOA) and the Centers for Medicare and Medicaid Services (CMS) and create an Aging and Disability Resource Center if the application is accepted.
No provision.	No provision.	Fiscal effect: ADRC programs provide citizen-centered, “one-stop” entry points into the long-term support system. Resource centers serve individuals needing long-term support, their family caregivers, and those planning for future long-term support needs. Currently, 24 states have received these grants and are developing resource centers. The AOA and CMS plan to fund up to 20 grants totaling up to $800,000 each for a 3-year period. Grantees are required to make a non-financial or cash recipient contribution (match) of at least 5% of the total grant award. The Department would see an increase in administrative costs associated with the grant application process if it decides to apply for the grant. Furthermore, if awarded the grant, the

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Department would be required to provide a 5% match.
31 (CD-1234-AGE Transferring Individuals from Nursing Facilities to PASSPORT		
		Section: ***206.66.64***
No provision.	No provision.	Provides for an individual admitted to a nursing facility while on a waiting list for the PASSPORT program to be enrolled in the PASSPORT program if it is determined that the PASSPORT program is appropriate for the individual and the individual would rather participate in the PASSPORT program than continue residing in the nursing facility.
No provision.	No provision.	Provides that the individuals enrolled in PASSPORT pursuant to this provision of the bill are to be in addition to the individuals enrolled in PASSPORT during fiscal years 2006 and 2007 based on the amount of money the bill initially appropriates for PASSPORT.
No provision.	No provision.	Fiscal effect: This provision requires each Area Agency on Aging (AAA) to determine each month during FYs 2006-2007 the number of individuals who are on the PASSPORT waiting list in their area and have been admitted to a nursing facility. The AAA must then forward the names of any such individuals to the Long-Term Care Consultation Program administrator serving that area. If the administrator determines the individual is appropriate for PASSPORT and the individual desires to enroll in the PASSPORT program, the administrator must notify the Department. The Department must then enroll the individual in PASSPORT program. The AAA's, Long Term Care Consultation Program, and the Department would see an increase in administrative costs associated with this provision. The bill requires the Department to quarterly certify to the Director of Budget and Management the estimated increase

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		in costs of the PASSPORT program for these individuals. Upon receipt of the estimated costs, the Director of Budget and Management must (1) transfer that state share of the amount from GRF appropriation item 450-525, Health Care/Medicaid, to GRF appropriation item 490-403, PASSPORT; (2) increase ODA appropriation item 490-607, PASSPORT, by the federal share of the estimated costs; and (3) increase ODJFS appropriation item 600-655, Interagency Reimbursement, by the federal share of the estimated costs. The provision may result in a savings to Medicaid to the extent to which individuals currently residing in nursing facilities enroll in PASSPORT, which is less expensive. However, the savings to Medicaid would depend on the number of individuals leaving nursing facilities and the individual's needs, which cannot be estimated at this time. Under the bill, any GRF money saved from transferring individuals from nursing facilities to PASSPORT would still remain in GRF line item 600-525, Health Care/Medicaid. If ODJFS spends this money, then there would ultimately be no savings to the state.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
32 (CD-329-AGR) Merger of Animal Industry Laboratory Fund and Laboratory Services Fund		
R.C. ***901.43***	**R.C.** ***901.43***	**R.C.** ***901.43, Sections 203.24 and 203.24.03***
Merges the existing Animal Industry Laboratory Fund (Fund 4V5) with the existing Laboratory Services Fund (Fund 652) and names the new, combined fund as the Animal and Consumer Analytical Laboratory Service Fund (Fund 652), and retains existing fund provisions concerning sources and uses of money. Fiscal effect: none	Same as the Executive.	Same as the Executive, except rather than naming the newly combined fund the Animal and Consumer Analytical Laboratory Service Fund, names the fund the Animal Health and Food Safety Fund. Also, changes the name of appropriation item 700-634, Animal and Consumer Analytical Laboratory, to 700-634, Animal Health and Food Safety, and changes the name of the Animal and Consumer Analytical Laboratory Services Fund to the Animal Health and Food Safety Fund (Fund 652).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
33 (CD-1254-AGR Background Information for Installation or Operating of a Concentrated Animal Feeding Facility		
		R.C. *903.05*
No provision.	No provision.	Expands the scope of background information that must be submitted to the Director of Agriculture by an applicant for a permit to install or permit to operate a concentrated animal feeding facility who has not operated such a facility in Ohio for at least two of the five years immediately preceding the submittal of the application by requiring such an applicant to submit information concerning all animal feeding facilities that the applicant has operated or is operating rather than requiring the applicant to submit information concerning only the concentrated animal feeding facilities that the applicant has operated or is operating as in current law, and exempts from the background information requirements a permit application that involves a small or medium concentrated animal feeding operation that must obtain a permit to install or permit to operate due to known water pollution issues. Fiscal effect: Minimal expenditure increase to review additional applicant background information.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
34 (CD-316-AGR) Fertilizers, Seed, Pesticides, Feed, Plants, and Metrology and Scale Certification Fund		
R.C. ***905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 921.02, 921.16, 923.44, 923.45, 923.46, 927. 1327.511***	**R.C.** ***905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 921.02, 921.16, 923.44, 923.45, 923.46, 927.69, 1327.511***	**R.C.** ***905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 921.02, 921.16, 923.44, 923.45, 923.46, 927.69, 1327.511, and Section 203.24.03***
Changes the annual schedule for fertilizer-related licensure and registration from July 1 of one year through June 30 of the subsequent year to December 1 of one year through November 30 of the subsequent year; changes the fertilizer tonnage report from a semiannual report to an annual report, and requires it to be submitted by November 30 each year. Increases the fertilizer inspection fee from 12¢ per ton to 25¢ per ton and from 13¢ per metric ton to 28¢ per metric ton, as applicable; increases the semiannual commercial feed distributor inspection fee from 10¢ per ton to 25¢ per ton, and increases the minimum fee from $10 to $25. Makes discretionary rather than mandatory the distribution of annual statements of fertilizer sales and the publishing of an annual report of an analysis of fertilizers inspected by the Director of Agriculture. Establishes a pesticide registration and inspection fee of $150 per product and an additional penalty fee of $75, and requires the new statutory fees to replace the current fees established by rule on January 1, 2007. Changes the fee for the inspection of agricultural products and their conveyances under the Plant Pest Program from $65 to an amount equal to the hourly rate of pay in the highest step in the pay range, including fringe benefits, of a plant pest control specialist multiplied by the number of hours worked by such a specialist in conducting an inspection.	Same as the Executive.	Same as the Executive, except clarifies that fertilizer tonnage reports due by November 30, 2005, must include information only for the period beginning on July 1, 2005, and ending on October 31, 2005.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Makes annual publishing of information concerning commercial feed by the Director discretionary rather than mandatory.		
Merges the Commercial Feed, Fertilizer, and Lime Inspection and Laboratory Fund (Fund 4C9) and the Seed Fund (Fund 5Z4) to create the Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund (Fund 4C9); changes the name of the Scale Certification Fund to the Metrology and Scale Certification Fund (Fund 5H2); and makes other changes.		
Fiscal effect: Increases Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund (Fund 4C9) revenues by $806,328 and increases Pesticide Program Fund (Fund 669) revenues by $650,000. Potential decrease in administrative costs if the Director of Agriculture chooses not to distribute discretionary reports regarding fertilizer sale and inspections and information concerning commercial feed.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
35 (CD-306-AGR) Bakery Registration Fee		
R.C. ***911.02***	**R.C.** ***911.02***	**R.C.** ***911.02, Sections 203.24.03, 203.99, and 203.99.54***
Increases the annual bakery registration fee from $30 to $60 for a production capacity of 1,000 pounds per hour or less and from $30 to $60 for each 1,000 pounds of bakery product per hour capacity, or part of it, in excess of 1,000 pounds of bakery product per hour, and increases the annual home bakery registration fee from $10 to $20. Fiscal effect: Increase of $21,790 in revenues to the Food Safety Fund (Fund 4P7).	Same as the Executive.	Eliminates the increase in annual bakery registration fees. Reduces appropriation item 195-676, Promote Ohio, in the Department of Development, by $21,790 in each fiscal year and reduces the amount transferred to the Promote Ohio appropriation item from unclaimed funds by the same amount in each fiscal year. Provides for a transfer from unclaimed funds to the Food Safety Fund (Fund 4P7) in the Department of Agriculture that totals $21,790 in each fiscal year. (The corresponding item entitled "Unclaimed Funds Transfer" in the Department of Development that addressed the transfer of $21,790 in each fiscal year has been removed from the Conference Committee Comparison Document.) Fiscal effect: The transfer of $21,790 to the Department of Agriculture's Fund 4P7 will replace the estimated amount of revenue the increase in bakery registration fees would have generated.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
36 (CD-1389-AGR Agricultural Commodity Handlers Law Definition Changes		
		R.C. *926.01*
No provision.	No provision.	Revises two definitions in the Agricultural Commodity Handlers Law governing the application of that Law as follows: (1) modifies the definition of "agricultural commodity handling" by specifying that it includes engaging in or participating in the business of purchasing from producers agricultural commodities for any use in excess of 30,000 bushels annually rather than, as in current law, engaging in or participating in the business of purchasing an agricultural commodity for sale, resale, processing, or any other use in volumes exceeding 30,000 bushels annually from producers, 100,000 bushels annually from agricultural commodity handlers, or 100,000 bushels annually from both producers and handlers, and (2) removes from the definition of "agricultural commodity handler" or "handler" the exclusion in current law of a person who does not handle agricultural commodities as a bailee and who purchases agricultural commodities in volumes of 30,000 or fewer bushels annually from producers or 100,000 or fewer bushels annually from agricultural commodity handlers unless the combined annual volume of purchases from producers and handlers exceeds 100,000 bushels. Fiscal effect: Potential revenue gain in commodity handling license and renewal revenue from handlers that were previously exempted from handling requirements. Potential increase in administrative cost to the Department to ensure additional handlers comply with statutory requirements.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
37 (CD-326-AGR) Permits for Large Capacity Scales and Large Meters		
R.C. ***1327.62, 1327.70, 1327.71, and 1327.99***	**R.C.** ***1327.62, 1327.70, 1327.71, and 1327.99***	
Prohibits a person from operating a large capacity scale or a large meter unless the operator holds a valid permit issued by the Director of Agriculture for the scale or meter; establishes permit application and issuance procedures, a permit fee and an annual renewal fee of $250, and civil and criminal penalties for violation of the permit requirement; authorizes the Director to adopt rules expanding the definitions in the bill of "large capacity scale" and "large meter"; creates the Weights and Measures Permit Fund (Fund 5BF) consisting of collected permit and renewal fees, to be used to pay costs associated with the weights and measures program. Fiscal effect: Increases Weights and Measures Permit Fund (Fund 5BF) revenues by $1,450,750.	Same as the Executive.	No provision. Fiscal effect: Though the provision is eliminated, the bill reestablishes GRF appropriation item 700-412, Weights and Measures, and appropriates a total of $1,100,000 in FY 2006 and $1,300,000 in FY 2007. Also, the bill eliminates appropriation item 700-643, Weights and Measures (Fund 5BF), in the State Special Revenue Fund Group.
38 (CD-1370-AGR) Advisory Council on Amusement Ride Safety		
		R.C. ***1711.52***
No provision.	No provision.	Requires the existing Advisory Council on Amusement Ride Safety to prepare and submit a report, not later than December 31, 2006, to the Governor, Speaker of the House of Representatives, President of the Senate, and Director of Agriculture concerning the Council's recommendations for alternative funding sources for the Amusement Ride Safety Program. Fiscal effect: Minimal increase in administrative expenses for preparing the report.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
39 (CD-1371-AGR Requirements for Electrical Connections for Amusement Rides		
		R.C. *1711.53, 1711.531*
No provision.	No provision.	Requires amusement rides that are operated from an electric light company source to be operated only through a properly installed fusible switch, enclosed circuit breaker, or panelboard. Fiscal effect: Potential increase in expenditures for the Department of Agriculture to inspect electrical connections on amusement rides.
40 (CD-1108-AGR Amusement Ride Permit Fee		
	R.C. *1711.53, Section 203.24*	**R.C. *1711.53, Section 203.24***
No provision.	Increases the fee for an annual amusement ride permit from $50 to $150 for a commercial amusement ride, and retains the $50 permit fee for a residential amusement ride. Fiscal effect: Increase in revenue to the Ride Inspection Fund (Fund 578) by approximately $250,000 in each fiscal year due to the increase in the permit fee.	Eliminates the provisions in the bill that establish separate annual permits for residential amusement rides and commercial amusement rides and increases the fee for all annual amusement ride permits from $50 to $150. Fiscal effect: Increase in revenue to the Ride Inspection Fund (Fund 578) by approximately $250,000 in each fiscal year due to the increase in the permit fee.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
41 (CD-1110-AGR National Pollution Discharge Elimination System Funding Transfer		
	Section: ***206.27***	**Section:** ***206.27***
No provision.	Transfers federal moneys for agricultural related aspects of the National Pollution Discharge Elimination System (NPDES) from the Ohio Environmental Protection Agency to the Ohio Department of Agriculture (AGR) through the Controlling Board once AGR's state program is submitted and approved by the United States EPA, and the federal moneys are disbursed. Fiscal effect: Increase in AGR's federal moneys to be used to issue permits pursuant to the US EPA NPDES program.	Specifies that Ohio EPA, the Department of Agriculture, and OBM shall calculate the amount of compensation to be made to either Ohio EPA or the Department of Agriculture from federal moneys disbursed and received for purposes of administering the National Pollutant Discharge Elimination System (NPDES) Program and shall calculate the amount of state matching funding that is required. The amendment specifies that if all federal moneys are awarded to one agency, that agency shall transfer the appropriate amount of money to the other agency in accordance with the calculations made. Fiscal effect: Potential increase in funding in proportion to the amount of NPDES work being carried out by the Department of Agriculture. (The corresponding item entitled National Pollution Discharge Elimination System Funding Transfer in the Environmental Protection Agency has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
42 (CD-783-AIR) Science and Technology Collaboration		
Section: ***203.27***	**Section:** ***203.27***	**Section:** ***203.27***
Establishes that the Air Quality Development Authority shall work in close collaboration with the Department of Development, the Board of Regents, and the Third Frontier Commission in relation to Alignment Programs and appropriation items and other technology-related programs and appropriation items in the Department of Development, Air Quality Development Authority, and the Board of Regents. Alignment programs shall be managed to build on existing competitive research strengths, encourage new and emerging discoveries and commercialization of ideas and products that will benefit the Ohio economy, and to ensure improved collaboration among Alignment Programs with programs administered by the Third Frontier Commission, and with other state programs that are intended to improve economic growth and job creation. Fiscal Effect: None	Same as the Executive.	Same as the Executive but adds technical changes to bring the language in this section in line with other similar sections.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
43 (CD-979-ADA) Behavioral Health Exclusion from Medicaid Care Management		
	R.C. *5111.16*	
No provision.	Excludes alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services from being included in any component of the Medicaid care management system, but permits recipients of such services to be included in the system for purposes of receiving other Medicaid services.	No provision.
No provision.		
	Fiscal effect: This provision would likely not change how these services are currently provided. However, there is a related item under which the Department could experience a minimal increase in administrative costs related to developing interagency agreements.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
44 (CD-1092-ADA Talbert House		
	Section: ***203.30***	
No provision.	Earmarks $50,000 in appropriation item 038-321, Operating Expenses, in each fiscal year, to be distributed directly to the Talbert House.	No provision. (See item entitled "TANF Earmarks" in the Department of Job and Family Services.)
	Fiscal effect: The Department has an appropriation of $1.13 million in the Operating Expenses line item, which provides funding for general administration of the Department. Earmarking this line item reduces the amount available to pay for Department operations and/or staffing.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
45 (CD-1173-AGC Investigation of Criminal Activity Related to Elections by BCII		
		R.C. *109.54*
No provision.	No provision.	Authorizes the Bureau of Criminal Identification and Investigation (BCII) to investigate criminal activity in Ohio related to the conduct of elections when requested to do so by the Secretary of State. Fiscal effect: At the time of this writing, the potential fiscal effects on BCII of exercising this investigative authority are unknown. Also problematic to predict is the frequency with which the Secretary of State might request BCII to conduct such investigations, as well as their scope and complexity.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
46 (CD-1174-AGC Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories		
		R.C. *109.60*
No provision.	No provision.	Requires each law enforcement agency that, in any calendar year, arrests any person for an offense under the Revised Code prohibiting the manufacture of, or the assembly of chemicals sufficient to produce, methamphetamine or a methamphetamine product to prepare, and send to BCII, an annual statistical report covering the calendar year that specifies the total number of such arrests made by the agency in that calendar year and the total number of illegal methamphetamine manufacturing laboratories at which any of those arrests occurred or that were discovered in that calendar year within the territory served by the agency but at which none of those arrests occurred, specifies that the reports cannot identify, or enable the identification of, any person who was arrested and whose arrest is included in the information contained in the report, and specifies that the reports in the possession of BCII are public records. Fiscal effect: Although LSC fiscal staff has not had ample opportunity to research this provision's fiscal effects, it would appear that this reporting duty will create, at most, a minimal ongoing administrative burden for affected state and local law enforcement agencies. (The corresponding item entitled "Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories" in Local Government Provisions has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
47 (CD-1176-AGC Funding the Ohio Peace Officer Training Academy		
		R.C. *109.79*
No provision.	No provision.	Allows fees for goods related to the Ohio Peace Officer Training Academy to be used to pay the costs of acquiring and equipping the Academy, in addition to General Assembly appropriations and gifts or grants as permitted under current law. Fiscal effect: As of this writing, the potential fiscal effect of this provision on the Academy's annual revenues and expenditures, if any, is uncertain.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
48 (CD-1033-AGC Sale of Debts Owed to the State to Private Parties		
	R.C. ***131.02, 131.022, Section 503.03***	**R.C.** ***131.02, 131.022, Section 503.03***
No provision.	Authorizes the selling of debts owed to the state to private parties, requires the Auditor of State to review state agencies' procedures for collecting debts owed them, and specifies when various classes of debts, such as unpaid tuition, reimbursed losses, rendered services or overpaid moneys, fall due for the purpose of when they must be certified to the Attorney General for collection.	Same as the House, but removes provisions that authorize the Attorney General to sell to private parties final overdue claims owed the state.
	Fiscal effect: The state fiscal effect of the sale or transfer of certain debts will likely be dependent on the following variables: (1) the expenditures saved by reducing the Attorney General's debt collections workload, (2) the revenues lost by the sale or transfer of debts owed to the state at some price that would potentially reflect only a percentage of the value of that debt, and (3) the revenues generated from the sale or transfer of debts owed to the state. The net fiscal effect will be determined by how the savings in debt collections operations compares to how much the state loses in foregone debt collections revenues. The magnitude, and direction of that potential fiscal effect, is uncertain at this time.	Fiscal effect: The fiscal effect, if any, on the state of specifying the time at which debts must be certified to the Attorney General for collection is uncertain.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
49 (CD-1358-AUD Financial Accountability of Recipients of Money from Government Entities		
		R.C. ***9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.2 9.237, 9.238, 9.239, 9.241***
No provision.	No provision.	Makes changes to the Revised Code in regards to the financial accountability of public money. The following provisions could create fiscal implications for the state and local governments: (1.) Imposes record keeping, reporting, auditing, and other requirements on persons who receive public money for the provision of services, with certain exceptions. (2.) Provides civil remedies for the misuse of such public money. (3.) Requires the Attorney General to adopt rules governing the terms of any contract entered into as defined by the bill. (4.) Requires the Auditor of State to adopt rules establishing standards for the preparation of the financial reports required under the bill. (5.) Creates the Government Contracting Advisory Council to make recommendations to the Attorney General and Auditor of State with respect to their rule-making functions under the bill. (The corresponding items entitled "Financial Accountability of Recipients of Money from Governmental Entities" in Attorney General and Local Government Provisions have been removed from the Conference Committee Comparison Document.) Fiscal Effects: Increases costs to the Auditor's Office for the production of necessary accounting forms. It is uncertain what the magnitude of the increased costs will be for the Attorney General. There may be annual compliance costs for governmental entities subjected to the bill's requirements.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
50 (CD-862-AUD) County, Township, Municipal, and Department of Transportation Force Account Limits		
	R.C. ***723.52, 117.16, 117.162, 723.53, 5517.02, 5543.19, 5575.01***	
No provision.	Requires the Auditor of State, by no later than January 31 of each year, to adjust county, township, municipal and Department of Transportation force account limits by the percentage increase of the consumer price index over the twelve month period ended on the last day of December of the immediately preceding year. The Auditor must post these new limits on the worldwide web no later than January 31 each year. These limits shall be effective for the following twelve month period beginning on the first day of February. (The corresponding item entitled "County, Township, Municipal and Department of Transportation Force Account Limits" in Local Government and Department of Transportation has been removed from the Conference Committee Comparison Document.) Fiscal effect: None for the Auditor of State.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
51 (CD-1183-AUD Billing Practices Pilot Review		
		Section: *203.51*
No provision.	No provision.	Increases appropriation item 070-321, Operating Expenses by $50,000 in FY 2006, and earmarks this amount for the Auditor to conduct a pilot program of billing practices of certain facilities licensed by the Department of Mental Health and Department of Job and Family Services.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
52 (CD-1271-OBM Transfers of Fiscal Year 2005 General Revenue Fund Ending Balances		
		Section: *312.01*
No provision.	No provision.	Transfers any surplus GRF revenue at the end of FY 2005 to the following funds: the first $60 million to the Public Assistance Reconciliation Fund (Fund 5AX), the next $40 million to the Disaster Services Fund (Fund 5E2), the next $100 million to the Budget Stabilization Fund (Fund 013), the next $100 million to the Public School Building Fund (Fund 021), and the remaining excess surplus revenue to the Budget Stabilization Fund (Fund 013).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
53 (CD-1129-CSF Jurisdiction of the Joint Legislative Ethics Committee		
	R.C. *102.01*	
No provision.	Designates the Joint Legislative Ethics Committee as the appropriate ethics commission for matters relating to the employees of the Capitol Square Review and Advisory Board. (The corresponding item entitled "Committee's Jurisdiction to Include Employees of the Capitol Square Review and Advisory Board" in the Joint Legislative Ethics Committee has been removed from the Conference Committee Comparison Document.)	No provision.
54 (CD-1340-CSF Financial Disclosure Statements		
		R.C. *102.02*
No provision.	No provision.	Requires the Executive Director and the members of the Capitol Square Review and Advisory Board to file financial disclosure statements under the Ethics Law. Fiscal effect: Minimal.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
55 (CD-897-CSR Hiring of the Executive Director of the Capitol Square Review and Advisory Board		
	R.C. ***105.41***	
No provision.	Requires that the hiring of the Executive Director of the Capitol Square Review and Advisory Board be approved by the President of the Senate and the Speaker of the House of Representatives. Fiscal effect: None.	No provision.
56 (CD-1323-CSF Increase in Membership of the Board		
		R.C. ***105.41***
No provision.	No provision.	Increases the membership of the Capitol Square Review and Advisory Board by one nonvoting member who must be a member of the Capitol Square Foundation and who is appointed by the Foundation's Board. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
57 (CD-1287-CON Ohio Residential Building Code Changes		
		R.C. ***307.37, 3781.07, 3781.10, 3781.102, 3781.191, 4740.14***
No provision.	No provision.	Makes changes to the enforcement of the Ohio Residential Building Code by doing all of the following:
No provision.	No provision.	(1) Specifies that the Ohio Board of Building Appeals does not have the authority to hear any case based on the Ohio Residential Building Code or to grant any variance to that Code.
No provision.	No provision.	(2) Clarifies that the local residential building code and the existing structures code adopted by a board of county commissioners may be enforced within the unincorporated areas of the county and the districts the board establishes in any part of the unincorporated area.
No provision.	No provision.	(3) Expands the list of persons who, if certified by the Board of Building Standards, may approve plans and conduct inspections on behalf of a municipal corporation, township, or county to include persons furnishing other services besides architectural or engineering services pursuant to a contract with a political subdivision.
No provision.	No provision.	(4) Specifies that expenses incurred by the Residential Construction Advisory Committee be paid from the Industrial Compliance Operating Fund.
No provision.	No provision.	(5) Adds a member to the Ohio Board of Building Standards and the Residential Construction Advisory Committee, respectively, chosen from a list submitted by the Ohio Municipal League and who is a mayor of a municipal corporation that meets specified requirements.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Fiscal effect: None related to item (4) above. H.B. 175 of the 125th General Assembly re-created the Residential Construction Advisory Committee under COM's control, but did not specify who would pay for committee expenses. It appears as though expenses would have been paid from the Industrial Compliance Operating Fund (Fund 556). Therefore, it appears that the provision only codifies this arrangement. For item (5), minimal increase in expenditures in the Industrial Compliance Operating Fund (Fund 556). The additional member of the Board of building standards will receive expenses and a salary pursuant to RC 125.15(J). The additional member of the Residential Construction Advisory Committee shall receive actual and necessary expenses and a per diem for each day in attendance at an official meeting of the committee.
58 (CD-1384-COM Safekeeping of investments securing payment		
		R.C. *1111.04*
No provision.	No provision.	Adds a federal home loan bank as eligible to be a qualified trustee for the safekeeping of investments that must be pledged to secure payments of trust companies engaging in trust business. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
59 (CD-1285-CON Changes to the Fireworks Laws		
		R.C. ***3743.01, 3743.02, 3743.04, 3743.05, 3743.(3743.15, 3743.17, 3743.18, 3743.19, 3743.! 3743.65, 3743.75***
No provision.	No provision.	Removes statutorily specified requirements for distances between buildings used for fireworks and other buildings and roadways and instead requires the State Fire Marshal to adopt rules establishing distance requirements. Allows a fireworks wholesaler or manufacturer to expand its licensed premises to include storage locations that are located on premises that are not contiguous with the licensed premises if the wholesaler or manufacturer meets the specified requirements. Fiscal effect: Potential minimal increase in administrative expenses for the State Fire Marshal due to rule-making responsibilities. Potentially offset by $100 fee per storage location for the inspection of each storage location.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
60 (CD-1284-CON Prevailing Wage Law Concerning Interested Parties		
		R.C. ***4115.03, 4115.032, 4115.071, 4115.16, 4115.21***
No provision.	No provision.	Eliminates the ability for interested parties to file a complaint with the Director of Commerce and to bring an action in a court of common pleas to enforce the provisions of the Prevailing Wage Law. Under existing law, "interested party" means a bidder for a public improvement, the bidder's subcontractor, or any labor organization or other association whose members are employees of the bidder of bidder's subcontractor. Fiscal effect: Potential decrease in expenditures for the Department of Commerce and courts of common pleas related to resolving complaints concerning the prevailing wage law
61 (CD-1281-CON Ski Area Sunday Sales Liquor Permit		
		R.C. ***4303.182***
No provision.	No provision.	Authorizes the issuance of a Sunday sales liquor permit to D-5 liquor permit premises (retail food service operation operating as a restaurant) located at a ski area, whether or not the Sunday sales have been approved in a local option liquor election. Fiscal effect: Potential minimal gain in liquor permit revenue from a potential increase in the number of liquor permits issued. The permit fee for a D-6 permit is $500. Liquor permit fees are deposited into Fund 066 and distributed to the GRF, Ohio Department of Alcohol and Drug Addiction Services (ODADAS) and local governments.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
62 (CD-619-COM Consolidation of Regulatory Boards		
Section: ***315.03***	**Section:** ***315.03***	**Section:** ***315.03***
Consolidates the occupational licensing boards into either the departments of Health, Public Safety, or Commerce in fiscal year 2007. The boards consolidated into the Department of Commerce are the: Accountancy Board of Ohio, State Boards of Examiners of Architects, Ohio Athletic Commission, Ohio State Barber Board, State Board of Cosmetology, Motor Vehicle Collision Repair Registration Board, State Board of Registration for Professional Engineers and Surveyors, Board of Embalmers and Funeral Directors, State Board of Sanitarian Registration, and Manufactured Homes Commission. Requires the directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety to appoint representatives to a transition team. This team shall develop a plan to address the details of the consolidation. The team shall also develop budgets for the respective departments and the consolidated boards and commissions. The team shall submit a report to the Governor containing recommendations and the details for the consolidation no later than December 31, 2005. A bill is to be introduced in fiscal year (FY) 2006 that will include necessary statutory changes and appropriations. Fiscal effect: Unknown at this time since the specifics of the transfer will not be addressed until FY 2006.	Removes the Accountancy Board, the State Boards of Examiners of Architects and Landscape Architects, and the State Board of Registration for Professional Engineers and Surveyors from the proposal to consolidate certain regulatory boards into the Department of Commerce. Fiscal effect: Unknown, but would presumably decrease operating costs that would otherwise occur if the consolidation takes place as proposed.	Same as the House, but adds three members to the transition team selected by the affected regulatory boards. Fiscal effect: Same as the House. (The corresponding items entitled "Consolidation of Regulatory Boards" in the affected boards and commissions have been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
63 (CD-1005-OCC Call Center for Consumer Complaints		
	R.C. ***4911.021, 4911.02***	**R.C.** ***4912.01, 4911.02, 4911.021***
No provision.	Prohibits the Office of Consumers' Counsel (OCC) from operating a telephone call center for residential consumer complaints. Consumers will still be able to register complaints at a call center operated by the PUCO (this would increase expenditures from the Public Utilities Fund 5F6 by $650,000 per year; CD-960-PUC) Fiscal effect: Reduces expenditures from Fund 5F5 by approximately $650,000 per year.	Requires OCC and the PUCO to establish a single call service for consumer complaints regarding utility service. The single telephone number will automatically route all calls regarding residential utility service to the OCC and all other calls to PUCO. The cost of establishing and operating the toll-free call service is to be borne equally by the OCC and PUCO. Both agencies are prohibited from operating any other telephone call center. Fiscal effect: Would likely increase expenditures from Fund 5F5. Assuming that the majority of calls currently received by PUCO relate to residential service, this provision would increase the call volume to OCC significantly.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
64 (CD-1279-CEE Consent Agreements in Civil Actions Involving the State		
		R.C. *131.51*
No provision.	No provision.	Provides that in any civil action in which the state is a party, prior to entering into a consent agreement in which the state must perform any action that requires additional appropriations, the state official who represents the state as a party in the action must obtain Controlling Board approval, and provides that a consent agreement cannot bind the General Assembly to appropriate funding unless the General Assembly is a party to the action and the consent agreement. Fiscal effect: As of this writing, the fiscal effect, if any, on the state of requiring Controlling Board approval of certain consent agreements is uncertain.
65 (CD-1278-CEE Approval of Collective Bargaining Agreements		
		R.C. *4117.10*
No provision.	No provision.	Requires the Controlling Board, instead of the General Assembly as under existing law, to accept or reject both of the following: (1) a collective bargaining agreement between a state public employer and an exclusive representative, and (2) a request for the funds necessary to implement the agreement. Fiscal effect: As of this writing, the fiscal effect, if any, on the state of requiring Controlling Board approval of certain collective bargaining agreements is uncertain.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
66 (CD-1277-CEE Disaster Services		
		Sections: ***203.81, and 312.01***
No provision.	No provision.	Allows the Controlling Board to approve transfers from the Disaster Services Fund (Fund 5E2) to the Department of Public Safety (DHS) and other state agencies that may request such transfers to assist political subdivisions with the costs associated with federally designated disasters or emergencies, as well as those that may be declared by the Governor, and, depending upon the size of the GRF revenue surplus at the end of FY 2005, transfers up to $40 million to Fund 5E2.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
67 (CD-1303-COS Location of Board of Cosmetology		
		R.C. *4713.02*
No provision.	No provision.	Requires the Board of Cosmetology to establish an office within Franklin County, Ohio, instead of in Columbus, Ohio. Fiscal effect: Potential increase in expenditures from the Occupational Licensing and Regulatory Fund (Fund 4K9) to pay for moving expenses to new office space. The total move cost would not be more than $50,000, according to DAS Real Estate estimates, however, this could result in potentially lower rent costs in the long term if the move results in lower rent costs.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
68 (CD-1017-CSV Scope of Practice of Certain Marriage and Family Therapists		
	R.C. ***4757.30***	
No provision.	Limits the scope of practice of marriage and family therapist and independent marriage and family therapist.	No provision.
	Fiscal effect: None.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
69 (CD-711-AFC) Operating Expenses		
Section: ***203.42***	**Section:** ***203.42***	**Sections:** ***203.42, R.C. 3383.09***
Requires that GRF appropriation item 371-321, Operating Expenses, be used by the Cultural Facilities Commission to carry out its statutory duties and responsibilities. Also requires the Director of Budget and Management to determine the amount of cash from interest earnings to be transferred from the Ohio Cultural Facilities Building Fund (Fund 030) to the AFC Administration Fund (Fund 4T8) by July 10, 2005, and again by July 10, 2006.	Same as the Executive.	Same as the Executive, but under section 3383.09 of the Revised Code, permits the Director of Budget and Management to transfer to the Ohio Cultural Facilities Administrative Fund, the premium paid on any bonds issued on behalf of the Commission and credited to the Cultural and Sports Facilities Building Fund that exceed federal arbitrage rebate requirements. Similar language added to temporary law section 203.42 requires the Director of Budget and Management to determine the amount of cash from the premium paid on each bond issuance to be transferred from Fund 030 to Fund 4T8.
70 (CD-1319-AFC) Changes in Appropriation to Capital Line Items		
		Sections: ***401.05, 403.09, and 403.10***
No provision.	No provision.	Eliminates an appropriation of $100,000 to the Fairfield Outdoor Theatre (CAP-836), made under Am. Sub. H.B. 189 of the 125th General Assembly (the capital reappropriation bill of the 125th G.A.), and increases an appropriation made to the Butler Palace Theatre (CAP-846) from $100,000 to $200,000 made under Am. Sub. H.B. 16 of the 126th General Assembly (the capital appropriation bill of the 126th G.A.).
No provision.	No provision.	Eliminates a $30,000 appropriation to the Becky Thatcher Showboat (CAP-828), made under Am. Sub. H.B. 189 of the 125th General Assembly (the capital reappropriation bill of the 125th G.A.) and transfers that appropriation to the Mid Ohio Valley Players (CAP-829), increasing its appropriation from $50,000 to $80,000.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Eliminates a $15,000 appropriation to the Kennedy Stone House (CAP-865), made under Am. Sub. H.B. 16 of the 126th General Assembly (the capital appropriation bill of the 126th G.A.) and reestablishes the appropriation to the same entity (CAP-068, Kennedy Stone House), but under the administration of the Department of Natural Resources. (The corresponding item entitled "Capital Appropriations - Kennedy Stone House" in the Department of Natural Resources has been removed in the Conference Committee Comparison Document).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
71 (CD-1331-DEV Alternative Fuel Transportation Grant Program		
		R.C. ***122.075, Section 203.99.45***
No provision.	No provision.	Establishes the Alternative Fuel Transportation Grant Program and the Alternative Fuel Transportation Grant Fund (Fund 5CG) to provide grants to businesses, nonprofit organizations, public school systems, and local governments for the purchase and installation of alternative fuel refueling facilities and the purchase and use of certain alternative fuels (blended biodiesel and blended gasoline). The Director of Development is required to adopt rules necessary for the administration of the program. Fiscal effect: $150,000 in each fiscal year is transferred from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Alternative Fuel Transportation Grant Fund (Fund 5CG) for the purpose of administering this new grant program. Additionally, the Department of Development may incur slight increases in administrative expenses developing rules and guidelines for the new program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
72 (CD-1329-DEV Grant Program for Certain Sporting Events		
		R.C. ***122.121, 122.12***
No provision.	No provision.	Requires the Director of Development to administer a grant program for eligible sporting events that meet the following criteria: the event is not to be held for longer than seven days; the event is either an amateur sporting event not regularly held in the state or is a professional sporting event that is not affiliated with the NFL, major league baseball, the NBA, the NHL, or major league soccer; and the event is administered by a sports commission or an Ohio convention and visitors bureau. Grants are not to comprise more than 2% of the direct costs associated with conducting the event (or not more than 2.5% if the event is to be televised nationally), and shall be spent only on costs associated with marketing, event operations, facility costs, and bid fees or financial guarantees required to secure the event. Fiscal effect: There is no identified funding source for this grant program, and no appropriation authority established to administer it. Therefore, the potential fiscal effect associated with implementation of the grant program is not known.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
73 (CD-1366-DEV Grants to Communities Affected by the BRAC Program		
		R.C. ***122.18, Sections 203.99 and 203.99.45***
No provision.	No provision.	Authorizes municipal corporations to enter into agreements for the purpose of retaining jobs at existing facilities recommended for closure under the U.S. Department of Defense's Base Realignment and Closure (BRAC) program. Also establishes the Defense Conversion Assistance Fund (Fund XXX) to provide grants to local communities for costs associated with the preparation and redevelopment of military installations slated for closure under the BRAC program. $1 million is transferred to Fund XXX from unclaimed funds during fiscal year 2006 (along with continuing appropriation authority of unspent funds in fiscal year 2007).
74 (CD-1328-DEV Development Financing Advisory Council		
		R.C. ***122.40***
No provision.	No provision.	Specifies that six members, rather than four as in current law, of the total membership of the Development Financing Advisory Council constitutes a quorum, and that an affirmative vote of six members is necessary for any action taken by the council. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
75 (CD-621-DEV) Minority Business Development Loan and Bonding Programs		
R.C. ***122.74, 122.71 to 122.73, 122.75, 122.751, 122.76, 122.78, 122.79, 122.82, and 122.83***	**R.C.** ***122.74, 122.71 to 122.73, 122.75, 122.751, 122.76, 122.78, 122.79, 122.82, and 122.83***	**R.C.** ***122.74, 122.71 to 122.73, 122.75, 122.751, 122.76, 122.78, 122.79, 122.82, and 122.83***
Recognizes and establishes the powers of regional economic development entities (defined under section 122.71 of H.B. 66) to recommend loan assistance for minority business enterprises to the Director of Development. This authority is in addition to the powers of the Minority Development Financing Advisory Board to recommend loan assistance for minority business enterprises.	Same as the Executive.	Same as the Executive.
Increases the membership of the Minority Development Financing Advisory Board from seven to ten and designates the Director of Development (or the Director's designee) as a voting member on the board. Seven members are to be appointed by the Governor, one member is to be a member of the Senate, and one member is to be a member of the House of Representatives. Also reduces the number of members necessary for a quorum from five to four and specifies that an affirmative vote of a majority of the quorum is necessary for any action taken by the board.	Same as the Executive.	Same as the Executive, but specifies that six members (rather than five as in current law and four as under the bill), of the total membership of the board constitutes a quorum and that an affirmative vote of six members is necessary for any action taken by the board (rather than five under current law and a majority of the quorum as under the bill).
Changes "Oriental" to "Asian" and adds "Latinos" to "Hispanics" and "African Americans" to "Blacks" as among the minority groups eligible to receive funding under the minority business development loan and bonding programs.	Same as the Executive.	Same as the Executive.
Eliminates a prohibition against lending funds for certain purposes (including office equipment, raw materials, small tools, supplies, inventories, and power-driven vehicles).	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	Fiscal effect: None.	Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
76 (CD-1333-DEV Industrial Site Improvement Fund		
		R.C. ***122.95, 122.951, Section 203.99.45***
No provision.	No provision.	Revises the Industrial Site Improvement Fund grant program that exists under current law in the following ways: (1) reduces the maximum grant award to eligible counties from $1 million to $500,000, (2) limits the amount of a grant to not more than 75% of the estimated total cost of the project, (3) prohibits more than 10% of a grant from being used for professional services related to the project, (4) prohibits an eligible county that receives a grant in one fiscal year from receiving any additional grant that same fiscal year or in the subsequent fiscal year, (5) allows grant money to be used to acquire commercial or industrial land or buildings, and (6) allows an eligible county to designate a port authority, community improvement corporation, or other economic development entity in the county to apply for a grant. Also revises the definitions of "eligible county" and "commercial or industrial areas" for purposes of awarding grants under the program. Fiscal effect: $2.5 million is transferred from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Industrial Site Improvement Fund (Fund 5AR) in each of fiscal years 2006 and 2007. Temporary law requires Fund 5AR to be used by the Director of Development to make grants to eligible counties for the improvement of commercial or industrial areas within Appalachian counties, counties designated as "distressed," and counties that experienced specific types of job loss within the previous calendar year.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
77 (CD-1140-DEV Prohibition Against Third Frontier Commission Funding Embryonic Stem Cell Research		
	R.C. ***184.02***	**R.C.** ***184.02***
No provision.	Prohibits the Third Frontier Commission from making any grants or loans to individuals, public agencies, private companies or organizations, or joint ventures for any activities involving embryonic stem cell research. Fiscal effect: Limits the use of funding available under the Third Frontier program, but not the level of funding.	Same as the House, but clarifies that stem cell research that involves the use of embryonic stem cells listed in the "Human Embryonic Stem Cell Registry" created by the National Institutes of Health in the U.S. Department of Health and Human Services is a permissible use of Third Frontier Commission grants and loans.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
78 (CD-1337-DEV Metropolitan Housing Authority Members		
		R.C. *3735.27*
No provision.	No provision.	Requires one resident member be appointed to a metropolitan housing authority when required by federal law. This generally replaces a current requirement for two additional members (at least one of whom is a resident member) when a district has 300 or more assisted housing units and no resident member on the metropolitan housing authority. However, authorities that already appointed two additional members, pursuant to current law, must continue to have those additional members. Also requires that if the resident member who is appointed because of a federal law, following his or her appointment, no longer qualifies as a resident, another resident member must be appointed by the "appointing authority who originally appointed the resident member" rather than by the "chief executive officer of the most populous city in the district." Fiscal effect: Minimal. Members of metropolitan housing authorities serve without compensation, but are reimbursed for necessary expenses. Authorities retaining two additional members may incur slightly higher reimbursement expenses than authorities with only one additional member. (The corresponding item entitled "Metropolitan Housing Authority Members" in the Local Government Provisions section of this document has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
79 (CD-447-DEV) Thomas Edison Program		
Section: ***203.99.03***	**Section:** ***203.99.03***	**Section:** ***203.99.03***
Requires that GRF appropriation item 195-401, Thomas Edison Program, be used for cooperative public and private efforts in technological innovation to promote the development and transfer of technology by and to Ohio businesses that will lead to the creation of jobs. Also specifies that no more than $2 million in FY 2006 and $2.3 million in FY 2007 may be used for operating expenses of the Technology Division for administering this program.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Earmarks $100,000 in fiscal year 2006 for technology recruitment, development, and construction.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
80 (CD-522-DEV) Travel and Tourism Grants		
Section: ***203.99.30***	**Section:** ***203.99.30***	**Section:** ***203.99.30***
Requires that GRF appropriation item 195-507, Travel and Tourism Grants, be used to provide grants to local organizations to support various local travel and tourism events in Ohio.	Same as the Executive, but makes the following earmarks: (1) $40,000 per fiscal year for the Cincinnati Film Commission (2) $40,000 per fiscal year for the Cleveland Film Commission (3) $50,000 per fiscal year for the Greene County Convention and Visitors Bureau (4) Up to $500,000 per fiscal year for The International Center for the Preservation of Wild Animals (5) $50,000 per fiscal year for the Wright Dunbar Historical Site (6) $45,000 per fiscal year for the Warren County Convention and Visitors Bureau (7) $25,000 in fiscal year 2006 for the Ohio Buckeye Junior Hereford Association (8) $25,000 in fiscal year 2006 for the Lorain County Visitors Bureau (9) $100,000 in fiscal year 2006 for the NCR U.S. Open Fiscal effect: A total of $875,000 is earmarked in fiscal year 2006 and a total of $725,000 is earmarked in fiscal year 2007.	Same as the House, but makes the following, additional earmarks: (1) Provides an additional $25,000 in fiscal year 2007 for the Lorain County Visitors Bureau (the Bureau already has a fiscal year 2006 earmark for the same amount) (2) $25,000 per fiscal year for the Sandusky/Erie County Visitors and Convention Bureau (3) $25,000 per fiscal year for the Ottawa County Convention and Visitors Bureau (4) $50,000 per fiscal year for the Lake Shore Railway Association, Inc. (5) $120,000 per fiscal year to support the outdoor dramas "Trumpet in the Land," "Blue Jacket," and "Tecumseh!" (6) $100,000 per fiscal year for the Cleveland Institute of Art (7) $25,000 per fiscal year for the Wood County Economic Development Commission (8) $50,000 per fiscal year for the Ohio River Trails program. (9) $12,500 per fiscal year for the Morgan County Community Improvement Corporation Fiscal effect: Each additional earmark also includes additional appropriation authority to appropriation item 195-507, Travel and Tourism Grants. Under the Senate, an additional $407,500 in fiscal year 2006 and $432,500 in fiscal year 2007 is appropriated and earmarked for local travel and tourism events in Ohio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
81 (CD-540-DEV) Energy Efficiency Revolving Loan Fund		
Section: *203.99.45*	**Section: *203.99.45***	**Section: *203.99.45***
Requires that SSR appropriation item 195-660, Energy Efficiency Loan and Grant, be used to provide financial assistance to customers for eligible energy efficiency projects for residential, commercial and industrial business, local government, educational institution, nonprofit, and agriculture customers. Moneys may also be used to pay for the program's administrative costs.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Transfers $2.5 million in cash in each of fiscal years 2006 and 2007 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Industrial Site Improvement Fund (Fund 5AR). (See the item entitled "Industrial Site Improvement Fund" in the Department of Development).
No provision.	No provision.	Transfers $500,000 in cash in each of fiscal years 2006 and 2007 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Rail Transload Facilities Fund (Fund 5CF) in the Department of Transportation for the Rail Transload Initiative pilot grant program. (The corresponding item entitled "Rail Transload Initiative " in the Department of Transportation has been removed from the Conference Committee Comparison Document).
No provision.	No provision.	Transfers $150,000 in cash in each of fiscal years 2006 and 2007 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Alternative Fuel Transportation Grant Fund (Fund 5CG). (See the item entitled "Alternative Fuel Transportation Grant

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Fund" in the Department of Development).
82 (CD-599-DEV) Unclaimed Funds Transfer		
Section: ***203.99.54***	**Section:** ***203.99.54***	**Section:** ***203.99.54***
Requires the Director of Commerce, upon the request of the Director of Budget and Management, to transfer up to $8 million in unclaimed funds to the Job Development Initiatives Fund (Fund 5AD) prior to June 30, 2006, and to transfer up to another $18 million in unclaimed funds to Fund 5AD prior to June 30, 2007.	Same as the Executive.	Same as the Executive.
Requires the Director of Commerce, upon the request of the Director of Budget and Management, to transfer up to $5 million in unclaimed funds to the State Special Projects Fund (Fund 4F2) prior to June 30, 2006, and to transfer up to another $5 million in unclaimed funds to Fund 4F2 prior to June 30, 2007.	Same as the Executive.	Same as the Executive, but reduces the amount of unclaimed funds transferred to Fund 4F2 in each fiscal year to $4,978,210.
No provision.	No provision.	Requires the Director of Commerce, upon the request of the Director of Budget and Management, to transfer $1 million in unclaimed funds to the Defense Conversion Assistance Fund (Fund XXX) prior to June 30, 2006.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
83 (CD-886-DEV) Local Government Services Collaboration Grant Program		
	Section: ***209.78.06***	
No provision.	Establishes the Local Government Services Collaboration Grant Fund (Fund 088) and requires the Director of Development to use the fund to administer a grant program that will provide local governments (counties, municipal corporations, townships, and fire/ambulance districts) with funding to conduct feasibility studies that address how, and in what manner, local governments may combine provisions of local government services (such as police and fire protection and trash collection). Grants are to be awarded on a competitive basis according to rules and guidelines developed by the Department of Development. Grants will be awarded according to a graduated scale; for a total of three local governments, a grant award shall be equal to 50% of the total cost of the feasibility study; for a total of eight or more local governments, a grant award shall be equal to 100% of the total cost of the feasibility study. (The corresponding item entitled "Local Government Services Collaboration Grant Program" in Local Government Provisions has been removed from the Conference Committee Comparison Document. See the item entitled "Additional Appropriations" in Revenue Distribution Funds) Fiscal effect: Local governments may realize cost savings if feasibility studies identify ways in which the provision of local government services may be combined. The use of state-funded colleges and universities to conduct the feasibility studies is encouraged and may, therefore, provide certain schools with additional revenue. Fund 088 is appropriated $5 million over the course of the biennium. Moneys deposited to the fund derive from the personal income tax. In December 2005, $5 million that would have been	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	deposited to the Local Government Fund will instead be deposited to Fund 088.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
84 (CD-946-EDU) Administration of Achievement Tests		
	R.C. ***3301.0710, 3301.079, 3301.0711, 3301.071 3301.0715***	**R.C.** ***3301.0710, 3301.079, 3301.0711, 3301.071 3301.0715***
No provision.	Specifies that the elementary achievement tests generally cannot be administered earlier than Monday of the week of May 1 beginning in the 2006-2007 school year and requires ODE to return these test results to school districts by June 15.	Same as the House.
	Eliminates the requirement for the State Board of Education to adopt diagnostic assessments for third grade science and social studies and for any subject in grades four through eight.	Same as the House.
	Specifies that the initial administration of each achievement test in grades three through eight is a public record and that at least 40% of the questions used to compute student scores on subsequent administrations of those tests are public records. The remaining questions may be redacted for re-use on future tests.	Same as the House, but makes this provision effective on July 1, 2005.
	Specifies that only the spring administration of the Ohio Graduation Tests is a public record.	Same as the House, but makes this provision effective on July 1, 2005.
	Fiscal Effect: Potential increase in expenditures for costs associated with new test-scoring contracts, due to the shortened time frame available for scoring the tests. ODE estimates $9,000,000 in savings in each fiscal year from the reduction in diagnostic assessments and the ability to use some test questions more than once.	Fiscal effect: Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
85 (CD-1377-EDU Montessori Schools		
		R.C. *3301.56*
No provision.	No provision.	Permits an accredited Montessori program that is licensed as a preschool program to combine three- to five-year-old preschool children with kindergarteners, provided that the maximum group size is 24 children and there is at least one staff member for every 12 children. Fiscal effect: None.
86 (CD-1212-EDU School District Performance Ratings		
		R.C. *3302.03, Section 206.10.27*
No provision.	No provision.	Excludes student performance data from a conversion community school primarily serving students at risk of dropping out of high school when calculating the sponsoring school district's academic performance for the district report card. Fiscal effect: None.
No provision.	No provision.	Directs ODE, when issuing school district performance ratings in 2005 and 2006, not to reduce a district's rating from the prior year based solely on one student subgroup's not meeting adequate yearly progress. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
87 (CD-1204-EDU Academic Distress Commission		
		R.C. *3302.10*
No provision.	No provision.	Requires the Superintendent of Public Instruction, beginning July 1, 2007, to establish an academic distress commission for each academic emergency school district that has failed to make adequate yearly progress for four or more consecutive school years.
No provision.	No provision.	Grants the commission authority over specified personnel, management, and budgetary decisions to improve the district's academic performance.
No provision.	No provision.	Prohibits the board of education of a school district with an academic distress commission from entering into a collective bargaining agreement that would render decisions of the commission unenforceable.
No provision.	No provision.	Restores to the board of a school district for which an academic distress commission has been established any management rights and responsibilities specified in the Collective Bargaining Law that the district board relinquished in a collective bargaining agreement entered into after the bill's effective date.
No provision.	No provision.	Fiscal effect: Funding is provided in GRF appropriation item 200-431, School Improvement Initiatives, for assistance and support to districts in academic watch or emergency. The commission's decisions regarding each affected district may have a fiscal effect on the district.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
88 (CD-679-EDU) Ohio/Educational Choice Scholarship Programs		
R.C. ***3310.02, 3310.01, 3310.03 - 3310.09, Sectio 206.10.03***	**R.C.** ***3310.02, 3310.01, 3310.03 - 3310.17, 3317.03, 109.57, 109.572, Section 206.10.0***	**R.C.** ***3310.02, 3310.01, 3310.03 - 3310.17, 3317.03, 109.57, 109.572, Section 206.10.0***
Establishes the Ohio Choice Scholarship Program beginning in FY 2007. The program provides scholarships of the lesser of the actual tuition or $3,500 to students in grades K-8 who have attended for at least one year a school district-operated school in which two-thirds or more of the students failed reading and math achievement tests for three consecutive school years. The scholarships may be used to attend participating chartered nonpublic schools. A scholarship student is eligible to continue receiving scholarships until the student completes the highest grade offered by the public school in which the student was enrolled immediately prior to receiving a scholarship, as long as the student takes the applicable achievement test and demonstrates progress. Students attending community schools or participating in the Pilot Project Scholarship Program are prohibited from participating in the Ohio Choice Scholarship Program. ODE is required to notify schools whose students are eligible for scholarships in the following year by July 1 of each year and to notify students whether they have received a scholarship no later than August 1 of each year. Requires that participating nonpublic schools administer state achievement tests to scholarship students. Prohibits a chartered nonpublic school from charging a scholarship student more than the scholarship amount.	Replaces the Ohio Choice Scholarship Program with the Educational Choice Scholarship Program. This program provides scholarships in FY 2007 of the lesser of the actual per pupil cost of the nonpublic schools, in which the scholarship student is enrolled, or up to $4,000 to students in grades K-4, $4,500 to students in grades 5-8, and $5,000 to students in grades 9-12. These maximum amounts are to be increased annually by the Consumer Price Index. Students who were enrolled in a public school (including a community school) in the year prior to obtaining the scholarship and whose resident districts are in academic watch or academic emergency are eligible for scholarships, except for students in Cleveland Municipal School District who are only eligible for the Pilot Project Scholarship Program. The scholarships may be used to attend registered nonpublic schools. A scholarship student is eligible to continue receiving scholarships through the twelfth grade. Requires that participating nonpublic schools administer state achievement tests to scholarship students. Requires that each participating private school file either a surety bond or a guarantee from a third party. Prohibits a registered private school from charging more than 105% of the scholarship amount to a student whose family income is at or below 200% of the federal poverty guidelines.	Modifies the House provision with several changes. Designates the program as a pilot program. Qualifies students of school district buildings that have been in academic emergency for three consecutive school years, including community school students who otherwise would attend school in those school buildings. Sets the scholarship amounts as the lesser of the school's tuition or the following maximum amounts in FY 2007: $4,250 for grades K to 8 and $5,000 for grades 9 to 12. In subsequent years, the maximum amounts must increase by the same percentage increase in the base-cost formula amount for school districts. Requires that scholarships be used only at chartered nonpublic schools. Requires scholarship students, as a condition of continued eligibility, to take state achievement tests and miss no more than 20 days of school per school year (not including absences for illness or injury documented by a physician). Deletes the requirement that each participating private school file either a surety bond or a guarantee from a third party. Prohibits a chartered nonpublic school from charging more than the scholarship amount to a student whose family income is at or below 200% of the federal poverty guidelines.
Provides that scholarship students not be counted in the average daily membership (ADM) of their resident school districts.	Includes students receiving scholarships in the formula ADM of school districts only for the calculation of base cost funding. However, also includes these students in the ADM when calculating valuation per pupil for purposes of a district's parity aid and state school facilities assistance. Deducts the amount of the scholarship from the districts'	Same as the House, but deducts $5,200 from the districts' state funding instead of the scholarship amount and states that these funds are to be used to fund scholarships under this program as well as under the existing Pilot Scholarship Program in Cleveland. Also clarifies that scholarship students be included in the ADM for purposes of calculating

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	state funding.	a district's poverty index and some components of poverty-based assistance funding for school districts.
Requires the Superintendent of Public Instruction to begin preparations to implement the Ohio Choice Scholarship Program no later than September 1, 2005. Requires the Superintendent to ensure that school districts, chartered nonpublic schools, students, and parents are informed of the program and how the program may affect them. Requires the Superintendent to provide program information in sufficient time for affected parties to meet any program deadlines for the 2006-2007 school year. Requires the State Board of Education to adopt rules pursuant to R.C. 3310.09 so that those rules are in effect and the program is operational by July 1, 2006.	Same as the Executive, and specifies that the Superintendent of Public Instruction award up to 18,000 scholarships in FY 2007. Also requires ODE to disclose on districts' SF-3 forms the aggregate and per pupil differences between the districts' state base cost funding and what it would have been if the scholarship students had not been included in the districts' ADM.	Same as the House, but reduces the number of scholarships in FY 2007 to 10,000.
Fiscal effect: The executive proposal recommends funding of $9,000,000 for the Ohio Choice Scholarship Program in FY 2007.	Fiscal effect: Scholarship students will be counted in the ADM of the resident school district to qualify for base cost funding ($5,399 in FY 2007). The amount of the scholarship will then be deducted from the state aid of the resident district (maximum of $5,000). The house budget removes the $9,000,000 appropriation for the Ohio Choice Scholarship program.	Fiscal effect: Same as the House, but the base cost funding amount in FY 2007 is higher ($5,403). Also, deducts $5,200 from the district instead of the scholarship amount, resulting in the districts retaining about $200 per scholarship student.

89 (CD-1202-EDU State Board Approval of Education Service Center Change

		R.C. ***3311.059***
No provision.	No provision.	Removes the requirement of current law that the State Board of Education approve any resolution adopted by a local school district board for severance of the district from its current educational service center and annexation to another before it can take effect.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
90 (CD-1376-EDU Legislative Approval of New School Districts		
		R.C. *3311.11*
No provision.	No provision.	Specifies that if the State Board of Education proposes the creation of a new school district that would begin operations in the 2005-2006 school year or later, the General Assembly must approve the district's creation by concurrent resolution. Fiscal effect: None.
91 (CD-682-EDU) Pilot Project Scholarship Program		
R.C. *3313.975, 3313.976 - 3313.978*	**R.C. *3313.975, 3313.976 - 3313.978***	**R.C. *3313.975, 3313.976 - 3313.978***
Expands eligibility for scholarships under the Pilot Project (Cleveland) Scholarship Program to eleventh and twelfth grade students who received a scholarship in a previous year. Codifies a long-standing practice to allow new students to enter the Pilot Project Scholarship Program in any of grades K to 8. Fiscal effect: The executive proposal recommends funding of $19.2 million in FY 2006 and $20.5 million in FY 2007 for the Pilot Scholarship Program.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Increases the base scholarship amount to $3,450 for grades K to 12 (from $3,000 for grades K to 8 and $2,700 for grades 9 to 12 as under current law), beginning in FY 2007.
No provision.	No provision.	Establishes the maximum tutorial assistance grant at $400 per student (instead of 20% of the average basic scholarship amount as under current law), beginning in FY 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
92 (CD-1145-EDU Internet or Computer Based Community Schools (E-schools)		
	R.C. ***3314.013, 3314.035, 3314.02, 3314.06, 3314.08, 3314.13***	**R.C.** ***3314.01, 3314.013, 3314.016, 3314.02, 3314.08, 3314.085, 3314.13, 3314.21 throu 3314.28, 3313.6410***
No provision.	Makes the following changes to laws regarding e-schools:	Makes the following changes to laws regarding e-schools:
No provision.	(1) Requires each e-school to provide a location within 50 miles of a student's residence for the student to take state achievement, diagnostic, or Ohio graduation tests.	(1) Same as the House, but also requires an e-school or a district-operated school that uses a computer-based instructional method to withdraw any student who has failed to participate in the spring administration of the state achievement tests for two consecutive school years, requires ODE to keep a list of such students, and prohibits any of these schools from enrolling any student on the list.
No provision.	(2) Requires students, other than kindergarteners, to have been enrolled in a public school for at least one semester out of the previous three school years prior to enrolling in an e-school.	(2) No provision.
No provision.	(3) Creates a one-year moratorium on the establishment of new e-schools.	(3) Modifies the House provision to prohibit a sponsor from entering into a contract for an e-school between May 1, 2005, and one year after the bill's effective date.
No provision.	(4) Disqualifies e-schools from receiving state parity aid, career-technical education weighted funding, DPIA, or poverty-based assistance payments, including payments for all-day kindergarten. Includes students enrolled in e-schools in the formula ADM of school districts only for the calculation of base cost and special education weighted funding. However, retains e-school students in the ADM used to calculate valuation per pupil for a school district's parity aid and state school facilities assistance.	(4) Same as the House, but also clarifies that e-school students be included in the ADM used to calculate each district's poverty index and some components of poverty-based assistance for school districts.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	(5) No provision.	(5) Requires ODE to select up to two entities by July 1, 2006, that will have sole authority to sponsor e-schools established after that date. If ODE is unable to select at least one entity, specifies that ODE will have sole authority to sponsor e-schools.
No provision.	(6) No provision.	(6) Defines an e-school as a community school "in which the enrolled students work primarily from their residences on assignments in nonclassroom-based learning opportunities provided via an Internet- or other computer-based instructional method."
No provision.	(7) No provision.	(7) Prohibits a residential facility (defined as a home, institution, foster home, group home, or other residential facility that receives or cares for children) from becoming an e-school.
No provision.	(8) No provision.	(8) Requires the State Board of Education, by June 30, 2006, to adopt rules establishing standards for the operation of e-schools, and requires e-schools in operation after the effective date of the provision to comply with the rules.
No provision.	(9) No provision.	(9) Requires an e-school to retain at least one teacher of record, defined as a teacher who is responsible for the overall academic development and achievement of a student, who is licensed in Ohio. Prohibits the school from relying exclusively on teachers engaged by any person or company from which the school has purchased its curriculum. Requires that each e-school student be assigned at least one teacher of record. Prohibits an e-school from assigning any teacher of record to be primarily responsible for more than 125 students. Requires each e-school to provide each student enrolled in the school with an in-person visit with an Ohio-licensed teacher at a rate of not less than one hour for every 230 hours of learning opportunities.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	(10) No provision.	(10) Limits a student enrolled in an e-school to no more than 10 hours of learning opportunities in each 24-hour period and prohibits the student's school from receiving credit toward the annual minimum number of hours each student must have for any time the student spends over that daily limit. Specifies that if an e-school operates on days rather than hours, one day must consist of a minimum of five hours of learning opportunities.
No provision.	(11) No provision.	(11) Requires each e-school annually to submit to its sponsor a plan for the provision of special education and related services for disabled students enrolled in the school. Requires sponsors to certify specified information regarding these plans to ODE annually based on guidelines developed by ODE.
No provision.	(12) No provision.	(12) Clarifies current law entitling each e-school student to a computer by specifically prohibiting an e-school from providing a stipend or other substitute in lieu of supplying a computer to the student.
No provision.	(13) No provision.	(13) Establishes a three-year pilot program, to operate in fiscal years 2007 through 2009, for making state base cost payments to e-schools. Under the program, each e-school receives 80% of the base-cost amount each year. If the school is in its first or second fiscal year of operation, it receives the remaining 20% for its start-up costs. If the school is beyond its second fiscal year, it may apply for a grant, up to the remaining 20% of the base cost amount, to operate additional services that are not minimally required of e-schools and that are intended to substantially enhance student learning. Requires the Superintendent of Public Instruction to adopt rules to operate the grant component of the pilot program and to report to the General Assembly, by December 1, 2008, the ODE's findings and conclusions concerning the pilot program and recommendations for a permanent method of calculating and paying base cost

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		funding to e-schools after FY 2009.
No provision.	Fiscal effect: The payment changes reduce the state aid credited to the resident districts of e-school students by any career-technical funding, parity aid, DPIA or poverty-based assistance that would otherwise be generated by the students. Reduces by an identical amount the deduction districts receive in state aid for each e-school student that is then transferred to the e-school. In FY 2005, e-schools have received approximately $2.0 million in DPIA and $4.0 million in parity aid. Provisions tending to limit enrollment in e-schools, to the extent e-schools attract nonpublic school students, could result in savings for the state and school districts.	Fiscal effect: Same as the House, but additional provisions tending to limit enrollment in e-schools, to the extent e-schools attract nonpublic school students, could result in savings for the state and school districts. In FY 2007 to FY 2009, e-schools open for two years will receive a lower base cost amount (80% of that for districts) unless they receive a grant to provide additional services.

93 (CD-1141-EDU Community Schools

	R.C. ***3314.03, 3314.013, 3314.015, 3314.02,3314.021, 3314.06, 3314.061, 3314.08, 3314.29, Section 206.10.09***	**R.C.** ***3314.013, 3314.015, 3314.02, 3314.021, 3314.03, 3314.06, 3314.061, 3314.08, 3314.084, 3314.12, 3314.17, 3314.18, 3314.19, 3314.22, 3314.35, 3314.36, Sectic 206.10.05, 206.10.09***
No provision.	Makes the following changes to laws governing all community schools:	Makes the following changes to laws governing all community schools:
No provision.	(1) Establishes a statewide cap, until July 1, 2007, on contracts for start-up community schools sponsored by the school districts in which the schools are located. The cap is 25 plus the number of such contracts in effect on the bill's effective date, but the cap does not include schools whose mission is solely to serve dropouts.	(1) Same as the House, but changes the cap to 25 more than the number of contracts in effect on the bill's effective date with schools that were actually open as of May 1, 2005, and exempts up to five schools that serve dropouts and students at risk of dropping out from the cap.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	(2) Extends the current statewide cap on the number of contracts for start-up community schools sponsored by entities other than school districts for two years to July 1, 2007, and increases the cap to 250 (from the current 225) for that period, but specifies the cap does not apply to schools whose sponsors are designated by a state university and schools whose mission is solely to serve dropouts.	(2) Same as the House, but changes the cap to 25 more than the number of contracts in effect on the bill's effective date with schools that were actually open on May 1, 2005, exempts up to five schools that serve dropouts and students at risk of dropping out, and removes the exemption for university-sponsored schools.
No provision.	(3) Limits an entity to sponsoring up to 35 community schools, but permits ODE to increase that limit to up to 50 schools, and does not apply the limit to sponsors designated by state universities. Also, does not include schools whose sole purpose is to serve dropouts in the limit. Requires ODE to assume sponsorship of any schools in excess of the number an entity is allowed to sponsor.	(3) Replaces the House provision with a provision that limits entities approved for sponsorship after July 1, 2005, to 15 community schools, but permits ODE to raise that limit to 50 schools. Limits all entities sponsoring prior to July 1, 2005, as follows: (1) to 35 schools if the entity sponsors 35 or fewer schools that had opened for operation as of May 1, 2005, (2) to the number of schools the entity sponsors that had opened for operation as of May 1, 2005, if the entity sponsors 36 to 50 schools that had opened as of that date, and (3) to the number of schools the entity sponsors that had opened for operation as of May 1, 2005, if the entity sponsors over 50 schools that had opened as of that date. Permits ODE to raise the caps on (1) and (2) to 50 schools on a case-by-case basis and requires the cap on (3) to be reduced by one whenever a community school sponsored by the entity closes for any reason and requires the cap on all other sponsors to be reduced by one for each school sponsored by the entity that is closed for academic reasons.
No provision.	(4) Requires entities, approved by ODE to sponsor community schools after the bill's effective date, to have a record of financial responsibility and successful implementation of educational programs. If the entities sponsor or operate community schools in another state, at least one of those schools must be performing as well as or better than Ohio schools in academic watch.	(4) Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	(5) Requires the contract between the sponsor and governing authority of a new community school to be adopted by March 15 prior to the school year in which the school will open.	(5) Same as the House.
No provision.	(6) Requires community schools, other than those that serve dropouts, to open by September 30 each school year, beginning in the 2006-2007 school year. If a school fails to open by September 30 in its initial year of operation, the school's contract with its sponsor is void.	(6) Same as the House.
No provision.	(7) Specifies that if a community school fails to open within one year after the adoption of the contract between the sponsor and the school's governing authority or permanently closes prior to the contract's expiration, the contract is void and the school may not seek another sponsor. Specifies that a voided contract does not count toward the statewide cap on the number of community schools.	(7) Same as the House.
No provision.	(8) Permits a community school to be established specifically to serve autistic students together with students who are not handicapped. However, unless total capacity for the school is filled, prohibits such a community school from denying admission to a student with any handicap on the basis of that handicap.	(8) Same as the House.
No provision.	(9) Requires ODE to administer a self-insurance program for participating community schools to pay surety claims up to $1 million per occurrence or $3 million aggregate.	(9) No provision.
No provision.	(10) Provides for payment to a community school (and corresponding deductions from the resident school districts of the community school's students) of per pupil amounts of the four new components of poverty-based assistance.	(10) Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	(11) No provision.	(11) Requires, beginning in the 2006-2007 school year, fall and spring administrations of reading and math assessments approved by ODE to community school students in grades 1-12 for schools that (1) are in continuous improvement, academic watch, or academic emergency, (2) have not been in operation for at least two school years, or (3) do not have a performance rating based on achievement test data. Directs ODE to establish standards for community schools regarding expected gains in student achievement and imposes specified sanctions on academic watch and academic emergency community schools and community schools that do not have a performance rating based on achievement test data if a specified percentage of the school's students do not show the expected gains. These sanctions increase in severity each year. Requires a community school to permanently close after failing to make expected gains for three consecutive school years and reduces by one the cap on the number of schools for its sponsor. Allows other community schools to be evaluated in the same manner. The evaluation method must be used for a minimum of three years if a school chooses to be evaluated in this way.
No provision.	(12) No provision.	(12) Requires the sponsor of each community school annually to submit to ODE a report describing the special education and related services provided to the school's students during the previous fiscal year and the school's expenditures for those services.
No provision.	(13) No provision.	(13) Requires any community school that is not an e-school but provides nonclassroom-based learning opportunities via an Internet- or other computer-based instructional method to provide a computer to any student that is required to access those opportunities from home if the opportunities are not supplemental or remedial and constitute a significant portion of the learning provided to the student and the student's home does not already have a computer the student may

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		use.
No provision.	(14) No provision.	(14) Prohibits a sponsor from charging fees to a community school for the sponsor's services, except for oversight and monitoring, beginning July 1, 2006.
No provision.	(15) No provision.	(15) Specifies that a student is considered enrolled in a community school beginning on the later of (1) the date on which the student actually enrolls in the school or (2) 30 days prior to the date on which the student is entered into the Education Management Information System (EMIS). Eliminates the 30-day period a community school has to withdraw a student after the student has missed 105 consecutive hours of learning opportunities without excuse.
No provision.	(16) No provision.	(16) For community schools established after the bill's effective date, increases to 100 (from 25 under current law for those schools established prior to that date) the minimum number of students that a school must serve; however, permits a school's sponsor to obtain a waiver from ODE.
No provision.	(17) No provision.	(17) Requires ODE by December 31, 2005, to make recommendations to the General Assembly regarding the payment of state parity aid to community schools in fiscal year 2007.
No provision.	(18) No provision.	(18) Requires each community school to participate in Battelle for Kids' Project SOAR. (Project SOAR is a pilot project that provides participating school districts and schools with analyses of the value-added academic growth of their students.) Requires each community school to cover the costs of participation in Project SOAR in FY 2006 and ODE to cover the costs after FY 2006.
No provision.	(19) No provision.	(19) Provides specific procedures for deductions from a school district and payments to a community school for a child living in a residential "home." Under those procedures,

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		the child's district of residence counts the child in the district's average daily membership for funding purposes, and ODE deducts from that district the amount of the payments to the community school.
No provision.	(20) No provision.	(20) Eliminates (1) the requirement that a community school's fiscal officer is responsible for reporting data to the Education Management Information System (EMIS) and (2) the authority of the Superintendent of Public Instruction to impose a $100 civil fine on a fiscal officer for failure to report accurate data.
No provision.	(21) No provision.	(21) Explicitly applies to community schools the EMIS sanctions for school districts by directing ODE to withhold 10% of the state funding due to a community school for the school's first incident of noncompliance with EMIS reporting requirements and an additional 20% of the funding for a second incident.
No provision.	(22) No provision.	(22) Requires ODE to examine the proficiency and achievement test data reported by each community school for completeness and accuracy.
No provision.	(23) No provision.	(23) Requires ODE to adopt procedures for a community school governing authority and sponsor to use when closing the community school.
No provision.	Fiscal effect: Provisions limiting the number of community schools may limit the amount of state aid deducted from school districts for community schools. In FY 2005, approximately $14.7 million in DPIA is provided to community schools.	Fiscal effect: As under the House, provisions limiting the number of community schools may limit the amount of state aid deducted from school districts for community schools. The bill earmarks $3,778,540 in FY 2007 of GRF appropriation item 200-439, Accountability/Report Cards, for a statewide pilot value-added progress dimension such as that provided by Project SOAR.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
94 (CD-554-EDU) Base Cost Funding		
R.C. ***3317, 3317.012, 3319.98, 3314.08, 3317.022, 3317.023, 3317.026, 3317.027***	**R.C.** ***3317, 3317.012, 3313.98, 3314.08, 3317.01, 3317.02, 3317.021, 3317.022, 3317.023, 3317.026, 3317.027, 3317.20, 3365.01***	**R.C.** ***3317, 3317.01, 3317.012, 3313.98, 3314.08, 3317.02, 3317.022, 3317.023, 3317.026, 3317.027, 3317.03, 3317.20, 3365.01, Sect 206.10.24***
Divides the base cost formula amount into three components for the purpose of determining its annual rate of increase: (1) salaries and non-health care benefits, which is inflated by the Employment Cost Index (ECI), wages only; (2) health care benefits, which is inflated by the ECI, benefits only; and (3) other goods and services, which is inflated by the Gross Domestic Product Deflator. Based on this breakdown and application of the inflation factors, the executive budget prescribes a formula amount for FY 2006 of $5,328 and for FY 2007 of $5,489, which represents annual increases of 3.1% and 3.0% respectively.	Removes the breakdown of the formula amount into components, instead provides annual increases of 2.2% for a formula amount of $5,283 in FY 2006 and $5,399 in FY 2007.	Replaces the Executive and House provisions with a "building blocks" provision that breaks the base cost into three components: (1) costs of base classroom teachers; (2) other personnel support; and (3) nonpersonnel support. Establishes a student to base classroom teacher ratio of 20:1 for the biennium and a level of base classroom teacher compensation equal to $53,680 in FY 2006 and $54,941 in FY 2007. States that the General Assembly shall determine the ratio of students to base classroom teachers and the level of base classroom teacher compensation for each fiscal year, and shall apply the annual percentage increase in base classroom teacher compensation to the other personnel support component. Also, states that nonpersonnel support shall increase by the projected Gross Domestic Product Deflator. These determinations result in a formula amount of $5,283 in FY 2006 and $5,403 in FY 2007, which represents annual increases of 2.2% and 2.3%, respectively.
Phases in the following four base funding supplements for school districts (but not joint vocational school districts). These supplements are calculated using the current year formula average daily membership (ADM) for the district and then added to the district's total base cost.	Delays the addition of these supplements until FY 2007.	Same as the Executive, with the following changes in the calculation of the supplements:
(1) 0.5% of the formula amount per pupil for academic intervention services phased in at 40% in FY 2006 and 60% in FY 2007 ($10.66 per pupil in FY 2006 and $16.47 per pupil in FY 2007).	(1) Same as the Executive, but funding is not provided in FY 2006 and is phased in at 50% in FY 2007 ($13.50 per pupil in FY 2007).	(1) Replaces the Executive calculation with one that provides 25 hours of large-group intervention, assuming a 20:1 student teacher ratio and an hourly rate of $20.00 in FY 2006 and $20.40 in FY 2007 ($25.00 per pupil in FY 2006

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		and $25.50 per pupil in FY 2007).
(2) 4.4484% of the formula amount per teacher (assuming student teacher ratio of 20:1) for professional development phased in at 40% in FY 2006 and 60% in FY 2007 ($4.74 per pupil in FY 2006 and $7.33 per pupil in FY 2007).	(2) Same as the Executive, but funding is not provided in FY 2006 and is phased in at 50% in FY 2007 ($6.00 per pupil in FY 2007).	(2) Same as the Executive, but provides 4.5% times the formula amount, assumes a student teacher ratio of 17:1, and phases in the supplement at 25% in FY 2006 and 50% in FY 2007 ($3.50 per pupil in FY 2006 and $7.15 per pupil in FY 2007).
(3) 0.1087% of the formula amount per pupil for data-based decision making ($5.79 per pupil in FY 2006 and $5.97 per pupil in FY 2007).	(3) Same as the Executive, but funding is not provided in FY 2006 ($5.87 per pupil in FY 2007).	(3) Same as the Executive, but provides 0.1% of the formula amount ($5.28 per pupil in FY 2006 and $5.40 per pupil in FY 2007).
(4) 7.9082% of the formula amount for 20% of teachers (assuming a student teacher ratio of 12:1 for Urban 21 districts and 17:1 for other districts) and 7.9082% of the formula amount per principal (assuming a teacher principal ratio of 20:1) for professional development for data-based decision making (for Urban 21 districts: $8.78 per pupil in FY 2006 and $9.04 per pupil in FY 2007, for all other districts: $6.20 per pupil in FY 2006 and $6.38 per pupil in FY 2007).	(4) Same as the Executive, but funding is not provided in FY 2006 (for Urban 21 districts: $8.90 per pupil in FY 2007, for all other districts: $6.28 per pupil in FY 2007).	(4) Same as the Executive, but provides 8.0% times the formula amount and assumes a student teacher ratio of 17:1 and a student to principal ratio of 340:1 for all districts ($6.22 per pupil in FY 2006 and $6.36 per pupil in FY 2007.
No provision.	No provision.	Specifies that the General Assembly intends that school districts spend the state funds provided for each component of the building blocks (including the supplements) according to each block's stated purpose.
Eliminates the cost-of-doing-business factor (CDBF) adjustment in calculating a school district's base cost.	Delays the elimination of the cost-of-doing-business factor adjustment until FY 2007.	Phases out the CDBF adjustment, applying a 5.0% range in FY 2006 and a 2.5% range in FY 2007.
Restores the use of the greater of current year formula ADM or three-year average formula ADM in the calculation of a district's base cost, instead of the use of just the current year formula ADM.	Returns to the use of current year ADM only and provides for two ADM counts, one in May of the prior fiscal year for use during the first six months of the fiscal year and the second in October of the current fiscal year for use in the last six months of the fiscal year.	Same as the House, but retains the current practice of having one ADM count in October to be used for the entire fiscal year. Also, requires the Superintendent of Public Instruction to recommend a plan to the General Assembly whereby a second formula ADM count may be used to guarantee a minimum level of state funding in the next fiscal year.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Guarantees that each school district's and each joint vocational school district's combined state and local shares of the base cost (including the base funding supplements) is not less than its combined state and local shares of the base cost in FY 2005.	Same as the Executive, but delays this guarantee until FY 2007 and bases the guarantee on FY 2006 total base cost.	Replaces the Executive and House provisions with a guarantee based on the state share of total base cost instead of the combined state and local shares. Guarantees that each district's state base cost payment is not less than its state aggregate or per pupil base cost payment in FY 2005, whichever is lower.
No provision.	Includes in the valuation upon which the charge-off is calculated the value of real property exempted from taxation in a tax increment financing (TIF) incentive district. Requires the Tax Commissioner to annually certify to ODE each district's TIF incentive district tax-exempt value.	No provision.
No provision.	Adds to each district's base cost charge-off one-half of the amount of total payments the district receives in lieu of taxes under tax exemptions granted by a municipal corporation, township, or county, except for TIF tax exemptions. Requires that district treasurers report these payments to the Director of Development, who is required to annually certify them to ODE. Authorizes ODE to revoke a treasurer's license for willful failure to comply.	No provision.
Fiscal effect: The formula amount increases 3.1% in FY 2006 and 3.0 % in FY 2007. In addition, new base funding supplements total $29.98 per pupil in FY 2006 and $38.82 per pupil in FY 2007 for Urban 21 districts and $27.40 per pupil in FY 2006 and $36.16 per pupil in FY 2007 for other districts. Elimination of the CDBF decreases state base cost funding for districts. Use of the three-year average formula ADM increases base cost funding for districts with declining enrollments. Overall SF-3 funding for school districts increases under the executive proposal by approximately 2.1% in FY 2006 and 2.7% in FY 2007.	Fiscal effect: Increases the formula amount by 2.2% per year, providing a lower formula amount than the executive proposal and delays the addition of the base funding supplements until FY 2007. These supplements total $34.27 per pupil for Urban 21 districts and $31.65 per pupil for other districts in FY 2007. Retention of the CDBF increases state base cost funding for districts as compared to the executive proposal in FY 2006. Use of only the current year ADM reduces base cost funding for districts with declining enrollments as compared with the executive proposal. Including value exempted in a TIF and including 1/2 of payments in lieu of taxes in districts' charge-off decrease base cost funding for districts. Overall SF-3 funding for school districts increases under the house proposal by approximately 2.1% in FY 2006 and 2.0% in FY 2007.	Fiscal effect: The formula amount increases 2.2% in FY 2006 and 2.3% in FY 2007. In addition, new base funding supplements total $39.99 per pupil in FY 2006 and $44.41 per pupil in FY 2007. Phase-out of the CDBF decreases state base cost funding for districts. Basing the guarantee on the state share instead of total base cost tends to increase base cost funding for districts as does the elimination of the House provisions including value exempted in a TIF and 1/2 of payments in lieu of taxes in districts' charge-offs. Overall SF-3 funding for school districts increases under the Senate proposal by approximately 2.2% in FY 2006 and 1.9% in FY 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
95 (CD-565-EDU) Poverty-Based Assistance for School Districts		
R.C. ***3317, 3317.029, 3314.03, 3314.08, 3314.13, 3317.0212, 3317.0217, Section 206.09.42***	**R.C.** ***3317, 3317.029, 3314.03, 3314.08, 3314.13 3317.0212, 3317.0217, Sections 206.09.37, 206.09.38***	**R.C.** ***3317, 3317.029, 3314.03, 3314.08, 3314.13 3317.0212, 3317.0217, Sections 206.09.37***
Renames disadvantaged pupil impact aid (DPIA) as poverty-based assistance and revises the subsidy as follows:	Provides a 2% increase in DPIA in FY 2006 to all districts receiving DPIA in FY 2005 except those that are on the DPIA guarantee which are flat funded. Delays and revises the changes made by the executive proposal as follows:	Same as the Executive, with the following changes:
(1) Uses the new poverty indicator in determining the poverty index that counts students whose families' incomes do not exceed the federal poverty guidelines and whose families participate in at least one of five programs: (a) Ohio Works First (OWF); (b) Food Stamps; (c) Medicaid; (d) the Children's Health Insurance Program (CHIP); or (e) the state Disability Assistance Program. The old indicator used participation in OWF only.	(1) Same as the Executive, but notwithstands the formulas in FY 2006 so does not use the new poverty indicator until FY 2007.	(1) Does not use the new poverty indicator, but instead uses a poverty indicator based only on participation in OWF.
(2) Continues funding for all-day kindergarten as it exists in current law, although use of the new poverty indicator increases the number of districts eligible for funding.	(2) Same as the Executive in FY 2007, but notwithstands the formulas and instead provides a 2% increase for districts in FY 2006.	(2) Same as the Executive, but also codifies the current practice that provides all-day kindergarten funding to districts that have received this funding in a prior year even if their poverty index falls below 1.0.
(3) Bases class-size reduction funding on an assumption that districts currently have a student teacher ratio of 20:1 in grades kindergarten through third instead of the current assumption of a ratio of 23:1.	(3) Same as the Executive in FY 2007, but notwithstands the formulas and instead provides a 2% increase for districts in FY 2006.	(3) Same as the Executive.
(4) Increases the poverty index required for eligibility for class-size reduction funding from 0.6 to 1.0 and decreases the poverty index above which districts receive full class-size reduction funding from 2.5 to 1.5. Funding is provided on a sliding scale for districts with indices between 1.0 and 1.5.	(4) Same as the Executive in FY 2007, but notwithstands the formulas and instead provides a 2% increase for districts in FY 2006.	(4) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(5) Increases the salary allowance for additional teachers under class-size reduction funding from $43,658 in FY 2003 to $56,465 in FY 2006 and $58,667 in FY 2007.	(5) Same as the Executive in FY 2007, but notwithstands the formulas and instead provides a 2% increase for districts in FY 2006.	(5) Bases the salary allowance for class-size reduction funding on the base classroom teacher compensation, which is $53,680 in FY 2006 and $54,941 in FY 2007.
(6) Changes the calculation of safety, security, and remediation funding. Under the current DPIA formulas, districts with indices between 0.35 and 1.0 receive $230 per poverty student. Districts with indices above 1.0 receive $230 adjusted by the district's index per poverty student. The executive budget phases in a two tier system. The first tier provides 2.0% of the formula amount per poverty student for districts with indices above 1.25, and funding on a sliding scale from 0.5% to 2.0% of the formula amount for districts with indices from 0.25 to 1.25. The second tier provides 14% of the formula amount per poverty student to districts with indices above 1.75, and funding on a sliding scale from 4% to 14% of the formula amount to districts with indices from 1.25 to 1.75. Total funding is equal to tier 1 plus tier 2 multiplied by phase-in percentages of 40% in FY 2006 and 60% in FY 2007.	(6) Same as the Executive in FY 2007, but phases in the funding at 50%. Notwithstands the formulas and instead provides a 2% increase for districts in FY 2006.	(6) Stipulates that this funding is for academic intervention programs instead of safety, security, and remediation programs and requires that districts spend the funding on these services. Replaces this calculation with a three-tier (large, medium, and small group intervention funding) system. All funding is based on hours of intervention at an hourly rate of $20.00 in FY 2006 and $20.40 in FY 2007. The first tier is based on a student teacher ratio of 20:1 and provides 25 hours in FY 2006 and 30 hours in FY 2007 per student to districts with indices above 0.75. Districts with indices from 0.25 to 0.75 are provided funding on a sliding scale from 0 to 25 hours in FY 2006 and from 0 to 30 hours in FY 2007. The second tier is based on a student teacher ratio of 10:1 and provides 100 hours in FY 2006 and 105 hours in FY 2007 per poverty student to districts with indices above 1.5. Districts with indices from 0.75 to 1.5 are provided funding on a sliding scale from 25 to 100 hours in FY 2006 and from 30 to 105 hours in FY 2007. The third tier is based on a student teacher ratio of 5:1 and provides 375 hours in FY 2006 and 415 hours in FY 2007 per poverty student to districts with indices above 2.5. Districts with indices from 1.5 to 2.5 are provided funding on a sliding scale from 25 to 375 hours in FY 2006 and from 30 to 415 hours in FY 2007. Total funding is equal to tier 1 plus tier 2 plus tier 3. Phases-in these payments at 60% in FY 2006 and 85% in FY 2007. Requires each district receiving funds under tier 2 or tier 3 to annually submit to ODE a plan describing how the district will deploy these funds. Specifies that no collective bargaining agreement entered into after the effective date of this provision can require use of the academic intervention payment for any other purpose.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(7) Phases in a new payment for limited English proficient (LEP) student intervention. Eligible districts have at least 2% of their students who were classified as LEP on the 2002-2003 local report card and a poverty index of at least 1.0. Eligible districts with an index of 2.0 or greater receive 25.702% of the formula amount per LEP student. Eligible districts with indices from 1.0 to 2.0 receive funding on a sliding scale from 12.851% to 25.702% of the formula amount. This funding is phased in at 40% in FY 2006 and 60% in FY 2007.	(7) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007.	(7) Same as the Executive, but eligible districts with an index of 1.75 or greater receive 25.0% of the formula amount per LEP student. Eligible districts with indices between 1.0 and 1.75 receive funding on a sliding scale from 12.5% to 25.0% of the formula amount. The phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007.
(8) Requires that ODE, by July 1, 2006 recommend a method of identifying the number of LEP students in a district for purposes of calculating the payment after FY 2007.	(8) Same as the Executive, but moves the date to December 31, 2006.	(8) Same as the House.
(9) Requires that districts use the LEP payment to (a) hire teachers or other personnel to provide intervention services to LEP students, (b) contract for intervention services for LEP students, or (c) provide other services to assist LEP students in passing the third grade reading achievement test and to provide other mandated intervention services to LEP students.	(9) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.	(9) Same as the Executive.
(10) Phases in a new payment for teacher professional development for districts with poverty indices of at least 1.0. For districts with indices greater than or equal to 2.0, funding of 4.4484% of the formula amount is provided for every 20 students. Funding is provided on a sliding scale for districts with indices between 1.0 and 2.0. This funding is phased in at 40% in FY 2006 and 60% in FY 2007.	(10) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007.	(10) Same as the Executive, but for districts with indices greater than or equal to 1.75, funding of 4.5% of the formula amount is provided for every 17 students. Funding is provided on a sliding scale for districts with indices between 1.0 and 1.75. The phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007.
(11) Does not restrict the use of the professional development payment to the provision of professional development, but stipulates that if the district chooses to use the funds for professional development the professional development be in either (a) data-based decision making, (b) standards-based curriculum models, or (c) research-based	(11) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.	(11) Same as the Executive, but does restrict the use of the professional development payment to the provision of professional development.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
and job-embedded activities. Unless the district receives a waiver it must choose a professional development program from a list approved by ODE.		
(12) Phases in a new payment for dropout prevention programs for the "Big 8" school districts. Each of these districts receives 0.5% of the formula amount multiplied by the district's poverty index per student. This funding is phased in at 40% in FY 2006 and 60% in FY 2007.	(12) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007.	(12) Same as the Executive, but the phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007.
(13) Requires that districts use dropout prevention payments for dropout prevention programs or for safety, security, and remediation measures. Unless districts receive a waiver, requires districts choosing to use the funds for drop out prevention programs to choose a program from a list approved by ODE.	(13) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.	(13) Same as the Executive, but also permits the payment to be spent on academic intervention services.
(14) Phases in a new payment for community outreach programs for the "Urban 21" school districts. These districts receive the community liaison personnel allowance for every 1,000 students. The allowance is $42,729 in FY 2006 and $44,396 in FY 2007. This funding is phased in at 40% in FY 2006 and 60% in FY 2007.	(14) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007.	(14) Replaces the Executive calculation with one that provides 0.5% of the formula amount multiplied by the district's poverty index per student to Urban-21 districts. The phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007
(15) Requires that districts use the community outreach payment for community liaison officers, attendance or truant officers, safety and security personnel, or safety, security, and remediation measures.	(15) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.	(15) Same as the Executive, but replaces the "safety, security, and remediation measures" usage with provisions allowing the payment to also be used for programs designed to ensure schools are free of drugs and violence and have a disciplined environment, and for academic intervention services.
(16) Replaces the current DPIA guarantee, which ensures districts receive at least as much DPIA as they received in FY 1998, with a new guarantee that ensures districts receive at least as much poverty-based assistance as the DPIA they received in FY 2005.	(16) Same as the Executive in FY 2007, but notwithstands the formulas and instead provides flat funding for districts on the DPIA guarantee in FY 2006.	(16) Same as the Executive, but subtracts from the FY 2005 base guaranteed amount the amount of payments that year to e-schools.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(17) Requires that districts spend their poverty-based assistance first to provide all-day kindergarten, if eligible for an all-day kindergarten payment. Districts must then follow the guidelines for each of the payments as described above. Current law specifies that districts with indices less than one are required to use 70% of their DPIA on one or more itemized services. The bill requires instead that they spend 100% of their poverty-based assistance on these services.	(17) Same as the Executive.	(17) Same as the Executive, but requires that districts follow the guidelines for each payment, as described above, first, then use the assistance for all-day kindergarten, then use the remaining assistance for itemized services.
(18) No provision.	(18) No provision.	(18) Expands the existing provision authorizing districts with poverty indices less than 1.0 to expend state poverty-based assistance funding for early childhood education and early learning programs (as well as Head Start of preschool, as under current law).
(19) Requires ODE to review the spending requirements for poverty-based assistance and to recommend any changes by July 1, 2006.	(19) Same as the Executive.	(19) Same as the Executive, but changes the date to March 31, 2007.
Fiscal effect: The executive budget provides approximately $434.2 million in FY 2006 and $481.1 million in FY 2007 for poverty-based assistance. This assistance will be distributed to approximately 436 districts. In FY 2005, the current DPIA program provides approximately $340.3 million to 349 districts.	Fiscal effect: The house budget provides approximately $346.6 million in FY 2006 for DPIA. This funding will be distributed to approximately 349 districts. The house budget provides approximately $449.8 million in FY 2007 for poverty-based assistance. This funding will be distributed to approximately 539 districts.	Fiscal effect: The senate budget provides approximately $379.0 million in FY 2006 and $428.9 million in FY 2007 for poverty-based assistance. This assistance will be distributed to approximately 405 districts.

96 (CD-566-EDU) Other School Funding Formula Changes

R.C.	R.C.	R.C.
3317, 3317.0212, 3314.08, 3317.013, 3317.0213, 3317.0217, 3317.024, 3317.081, Sections 206.09.21, 206.09.39, 206.09.42	***3317, 3317.0212, 3314.08, 3317.013, 3317.0213, 3317.16, 3317.216, 3317.0217, 3317.024, 3317.081, Sections 206.09.18, 206.09.21, 206.09.39, 206.09.42***	***3317, 3317.0212, 3314.08, 3317.013, 3317.0213, 3317.16, 3317.0216, 3317.0217 3317.024, 3317.081, Sections 206.09.21, 206.09.39, 206.09.42***
Makes the following other changes to the school funding (SF-3) formula and related provisions:	Makes the following other changes to the school funding (SF-3) formula and related provisions:	Makes the following other changes to the school funding (SF-3) formula and related provisions:

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(1) Extends the phase-in of parity aid by providing a phase-in percentage of 80% in FY 2006 and 85% in FY 2007. Requires that parity aid be calculated using the greater of a district's current year formula ADM or three-year average formula ADM instead of only the current year formula ADM.	(1) Same as the Executive, but uses only the current year ADM in the calculation.	(1) Same as the House, but reduces the millage rate used in the parity aid calculation from 9.5 mills to 7.5 mills and pays 100% beginning in FY 2006. States that the millage rate adjustment is to account for the General Assembly's policy decision to phase out the cost-of-doing-business factor in the base cost funding formula.
(2) Specifies that the weights for special education and related services weighted funding continue to be paid at 90% for FY 2006 and FY 2007, the same phase-in percentage as in FY 2005. Requires the ODE, by May 30, 2006 and 2007, to report to the Office of Budget and Management the amount of state and local shares of special education and related services weighted funding calculated for each school district and the amount of federal special education funds passed through to each district. (ODE currently is required to submit such a report on May 30, 2004 and 2005.)	(2) Same as the Executive.	(2) Same as the Executive.
(3) Maintains the personnel allowance of the speech service subsidy at $30,000 in FY 2006 and FY 2007 (same as provided for FY 2005).	(3) Same as the Executive.	(3) Same as the Executive.
(4) Notwithstands the transportation funding formulas for FY 2006 and FY 2007 and instead provides increases of 2% per year to school districts receiving transportation funding in FY 2005. However, the bill retains the use of the transportation funding formulas for the calculation of the local share of transportation funding that is used to calculate the excess cost supplement and the charge-off supplement. Requires that ODE recommend a new transportation funding formula by July 1, 2006. Specifies that no transportation funding be provided to a district in FY 2006 and FY 2007 if the district did not receive transportation funding in FY 2005.	(4) Same as the Executive, but increases the local share of transportation by 2% per year also, instead of using the formulas.	(4) Same as the House.
(5) Specifies that the personnel allowance for the GRADS subsidy, for programs for pregnant and parenting students, is $47,555 in FY 2006 and FY 2007 (same as provided for	(5) Same as the Executive.	(5) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
FY 2005 under current law).		
(6) Phases out funding for the fundamental aid guarantee for school districts and joint vocational school districts. This funding guarantees each school district receive at least as much fundamental aid as it received in FY 1998 and that each joint vocational school district receive at least as much SF-3 funding as it received in FY 1999. These guarantees are funded at 50% in FY 2006 and are eliminated in FY 2007.	(6) Funds these guarantees at 100% in FY 2006 and 50% in FY 2007.	(6) Eliminates these guarantees beginning in FY 2006.
(7) Provides transitional aid to school districts and joint vocational school districts. Transitional aid for school districts provides a 100% guarantee in FY 2006 and a 98% guarantee in FY 2007. That is, each district's total SF-3 funding plus charge-off supplement in FY 2006 is guaranteed to be at least equal to its funding in FY 2005 and in FY 2007 is guaranteed to be at least 98% of its funding in FY 2006. For joint vocational school districts in FY 2006 and FY 2007, the guarantee is 95% of each district's total joint vocational funding from the prior year.	(7) Same as the Executive, but provides a 100% guarantee in FY 2007 for school districts and no guarantee in FY 2006 for joint vocational school districts.	(7) Same as the House, but provides a 98% guarantee to joint vocational school districts in FY 2006 and FY 2007.
(8) Increases the catastrophic threshold amount for the special education catastrophic cost subsidy from $25,700 to $26,500 for special education categories two through five and from $30,800 to $31,800 for special education category six.	(8) Same as the Executive.	(8) Same as the Executive.
(9) Applies the formula funding changes made in the bill to funding for county MR/DD boards, community schools, interdistrict open enrollment, and the Post-Secondary Enrollment Options Program.	(9) Same as the Executive.	(9) Same as the Executive.
(10) Repeals the statute authorizing Equity Aid. Current law specifies that no Equity Aid payments be made after FY 2005.	(10) Same as the Executive.	(10) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(11) No provision.	(11) Establishes a new, three-year payment to phase out the charge-off supplement to school districts that become ineligible for the charge-off supplement after passing property tax or income tax levies in TY 2005 or thereafter. Such a district would receive 75% of their prior year's payment in the first year, 50% in the second, and 25% in the third.	(11) Same as the House.
(12) No provision.	(12) No provision.	(12) Adds to the revenue considered to be received by a school district for purposes of calculating eligibility for the charge-off supplement, revenues received as direct reimbursement for tax revenue lost due to the bill's proposed phase-out of the tangible personal property tax.
Fiscal effect: Overall SF-3 funding for school districts increases under the executive proposal by approximately 2.1% in FY 2006 and 2.7% in FY 2007. In addition, the executive budget provides $18.0 million in FY 2006 and $19.0 million in FY 2007 for the special education catastrophic cost subsidy.	Fiscal effect: Overall SF-3 funding for school districts increases under the house proposal by approximately 2.1% in FY 2006 and 2.0% in FY 2007. In addition, the house budget also provides $18.0 million in FY 2006 and $19.0 million in FY 2007 for the special education catastrophic cost subsidy. The phase-out of the charge-off supplement may initially increase state aid, but to the extent it encourages districts to pass levies, it would eventually decrease state funding for the charge-off supplement.	Fiscal effect: Same as the House, but overall SF-3 funding for school districts increases under the Senate proposal by approximately 2.2% in FY 2006 and 1.9% in FY 2007, and inclusion of TPP reimbursements result in lower charge-off supplement payments than if these revenues had not been included.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
97 (CD-1165-EDU Reporting and Spending of State Building Blocks Funds		
		R.C. ***3317.016, 3317.017***
No provision.	No provision.	Requires ODE to publish on its web site a spreadsheet for each district that specifies the constituent components of the district's "building blocks" funds. Included on the spreadsheet are a district's aggregate and per pupil state funds and combined state and local funds for compensation of base classroom teachers, other personnel support, nonpersonnel support, each base funding supplement, and each component of poverty-based assistance. (See items entitled "Base Cost Funding" and "Poverty-Based Assistance" for a description of these components.)
No provision.	No provision.	Requires the Superintendent of Public Instruction to adopt a rule authorizing the Superintendent to issue orders to school districts under academic watch or in a state of academic emergency that could require the districts to periodically report on their spending of state building blocks funds, require the districts to establish separate accounts for each of their state building block payments, or have the state Superintendent direct the spending of the districts' state building block funds.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
98 (CD-980-EDU) Removing Truants from a School District's Formula ADM		
	R.C. ***3317.02, 3317.034***	
No provision.	Requires school districts to report any student who is absent from school without legitimate excuse for 21 consecutive days or, if the student's school operates under an alternative attendance schedule, for 105 consecutive hours. Fiscal effect: Minimal. Requires ODE to remove any student absent without a legitimate excuse for 21 consecutive days or 105 consecutive hours from a district's formula ADM for school funding purposes. Requires ODE to remove a truant student plus the equivalent of one additional student from a school district's formula ADM if that school district has failed to report a truant student. Fiscal effect: Potentially decreases a school district's state aid as a result of removing truant students from the district's formula ADM.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
99 (CD-1214-EDU Public Utility Property Taxes and School Aid Computations		
		R.C. *3317.021, 5727.47*
No provision.	No provision.	Specifies that when the Tax Commissioner certifies to ODE information pertaining to public utility property taxes so that ODE can calculate state school aid, the Commissioner is not to certify amounts pertaining to taxes that a public utility contests and with respect to which the public utility withholds payment. Requires public utilities to make a binding election as to whether or not to pay contested property taxes at the time they file a petition for reassessment. (The corresponding item in the Department of Taxation has been removed from the Conference Committee Comparison Document.) Fiscal effect: Could increase state aid to districts with contested public utility property.
100 (CD-987-EDU Random Audits of School District ADM Reports		
	R.C. *3317.035*	
No provision.	Requires the Auditor of State to conduct annual audits of the ADM information reported by a random sample of school districts. (The corresponding item in the Auditor of State has been removed in the Conference Committee Comparison Document.) Fiscal effect: Potential increase in administrative costs for conducting such audits. The Auditor of State has the discretion as to the number of school districts to be audited in a given year. Presumably, this number would depend on the resources available within the Auditor's office in a given year.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
101 (CD-844-EDU) Handicapped Preschool Units		
	R.C. ***3317.05, 3323.20***	**R.C.** ***3317.05, 3323.20***
No provision.	Changes the date for determining the eligibility of children for handicapped preschool units based on their age from December 1 to the date on which the children must have attained the minimum age to start school in their districts (August 1 or September 30). Fiscal effect: None.	Replaces the House provision with a provision that requires children to be under age six on the date on which they must have attained the minimum age to start school in their school districts (August 1 or September 30) and at least age three on December 1 in order to qualify for handicapped preschool units. Fiscal effect: None.
No provision.	Requires ODE annually, beginning in FY 2007, to electronically report to the General Assembly the number of handicapped preschool children served the previous fiscal year disaggregated according to handicap. Fiscal effect: Minimal.	Replaces the House provision with a requirement that ODE annually report to the General Assembly the number of handicapped preschool children reported to the United States Department of Education in December of each year. Fiscal effect: Minimal.
No provision.	No provision.	Clarifies that related services units be approved for any statutorily-defined related services. Fiscal effect: None.
102 (CD-1207-EDU) Nonpublic Administrative Cost Reimbursement		
		R.C. ***3317.063***
No provision.	No provision.	Increases, from $250 to $275 per pupil, the cap on reimbursement payments to chartered nonpublic schools for mandated administrative expenses. Fiscal effect: The bill appropriates $56.8 million in FY 2006 and $58.1 million in FY 2007 for these reimbursements.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
103 (CD-1374-EDU School Bus Purchase Allocations		
		R.C. ***3317.07***
No provision.	No provision.	Modifies the payment to (1) a county MR/DD board for buses purchased for the transportation of children in special education programs operated by the board or (2) a school district for buses purchased for the transportation of handicapped and nonpublic school students from 100% of the cost incurred to a per pupil allocation. Fiscal effect: The bill earmarks up to 28% of GRF appropriation item 200-503, Bus Purchase Allowance, for these buses. This totals about $2.4 million in FY 2006 and about $4.0 million in FY 2007. This change will likely result in this funding being distributed more widely.
104 (CD-515-EDU Categorical Funding for State Institutions		
R.C. ***3317.201, 3317.03, 3317.05, 3317.052, 3317.053, 3323.091, 3323.16***	**R.C.** ***3317.201, 3317.03, 3317.05, 3317.052, 3317.053, 3323.091, 3323.16***	**R.C.** ***3317.201, 3317.03, 3317.05, 3317.052, 3317.053, 3323.091, 3323.16***
Requires the payment of a per pupil amount (weighted by category of handicap) to institutions operated by the Departments of Mental Health, Rehabilitation and Correction, and Youth Services (instead of a unit-funding amount as under current law) for special education. Guarantees each institution to receive no less under the new weighted funding per pupil formula than the unit funding the institution received in FY 2005. Leaves unchanged unit funding for preschool children receiving special education from institutions. Fiscal effect: The executive budget recommends funding of $46,857,775 in FY 2006 and $47,326,353 in FY 2007 to fund special education weights at these institutions as well as at county boards of mental retardation and developmental disabilities.	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Eliminates, effective July 1, 2005, authorization for ODE to award "units" for funding of state institutions operating vocational education programs and instead authorizes ODE to award grants to those institutions for those programs. Also, requires the institutions annually to report to ODE on the delivery of services and the performance of students and any other information required by ODE.

105 (CD-1209-EDU School District Internal Auditor

		R.C. ***3319.06***
No provision.	No provision.	Authorizes school districts to create the position of internal auditor and requires persons employed in that position to hold a valid permit to practice as a certified public accountant or public accountant. Fiscal effect: None.

106 (CD-985-EDU Reductions in Force of Teachers and Nonteaching Employees

	R.C. ***3319.081, 3319.17, 3319.172, Section 563.***	**R.C.** ***3319.081, 3319.17, 3319.172, Section 563.***
No provision.	Allows boards of education and governing boards of educational service centers to reduce the number of teachers for financial reasons.	Same as the House.
No provision.	Expands the reasons for which these boards may reduce the number of nonteaching employees to include the same reasons the board would reduce the number of teaching employees.	Same as the House.
No provision.	Specifies that teaching and nonteaching employees whose contracts are suspended have a right to restoration.	Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	Specifies that when reducing teaching or nonteaching employees, the school district or the educational service center must give preference first to employees with continuing contracts (tenure) and then to employees based upon seniority.	Same as the House.
No provision.	Allows, on a case-by-case basis, a board of education or an educational service center governing board to suspend an employee's contract in part rather than in whole.	Same as the House.
No provision.	Specifies that it is the intent of the General Assembly that the provisions authorizing reductions in force for financial reason of teachers and nonteaching employees apply to existing collective bargaining agreements.	Replaces the House provision with a provision that specifies that it is the intent of the General Assembly that these provisions do not affect collective bargaining agreements entered into prior to the bill's effective date. Also, specifies, in the codified language of these provisions, that these provisions prevail over conflicting provisions of collective bargaining agreements entered into after the provision's effective date.
No provision.	Fiscal effect: May give school districts and educational service centers more flexibility related to staffing costs.	Fiscal effect: Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
107 (CD-1067-EDU Termination of School District Transportation Staff		
	R.C. ***3319.081, 3319.0810, 4141.29***	**R.C.** ***3319.081, 3319.0810, 4141.29***
No provision.	Permits local or exempted village school districts (not city districts, which are civil service districts) to terminate the positions of transportation employees for reasons of economy and efficiency and to contract with an independent agent to provide student transportation services. Specifies that an individual who is terminated under this provision is not entitled to unemployment compensation benefits during the period between the academic term in which the individual's position is terminated and the next academic term unless not offered an employment opportunity for the next term. Fiscal effect: Possible savings for school districts.	Same as the House, but removes the provision specifying that staff terminated under this provision are not eligible for unemployment compensation benefits unless not offered an employment opportunity for the next term.
108 (CD-1013-EDU Adoption of a Statewide "Grade Acceleration" Policy		
	R.C. ***3324.10***	**R.C.** ***3324.10, Section 206.09.28***
No provision.	Requires the Superintendent of Public Instruction to adopt a statewide grade acceleration policy from among those currently used in school districts throughout the state and provide each district with a copy of the policy by March 31, 2006. Requires districts that currently do not have a policy to adopt the statewide policy. Fiscal effect: Minimal.	Replaces the House provision with a provision that requires the State Board of Education to adopt a model student acceleration policy by June 30, 2006, addressing at least the options of whole grade acceleration, subject area acceleration, and early high school graduation. The policy must address the recommendations of an acceleration study completed in 2005 under the Gifted Research and Demonstration Grant Program. Does not require districts to adopt the model policy.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
109 (CD-964-EDU) Post-Secondary Enrollment Options Program (PSEO)		
R.C. ***3365.02, Section 206.09.99***	**R.C.** ***3365.01, 3365.02, 3365.021, 3365.04, 3356.041, 3365.05, 3365.07, 3365.08, 3365.10, 3365.11, Section 206.09.99***	**R.C.** ***3365.02, Section 206.09.99***
Specifies that, after July 1, 2005, a high school student must be a resident of Ohio to participate in the Post-Secondary Enrollment Options Program (PSEO). Fiscal effect: Presumably this provision will only affect nonpublic school students. Funding for these students is paid through an earmark in GRF appropriation item 200-511, Auxiliary Services. If students who are not residents of Ohio are denied funding through the program, the likely result will be that more Ohio residents will be provided with funding.	Same as the Executive.	Same as the Executive.
No provision.	Specifies that the purpose of the PSEO is to provide enriched education opportunities that are beyond the opportunities offered by the students' high schools. Fiscal effect: None.	No provision.
No provision.	Requires reimbursement from a student or a student's parent for state funds paid to a college for a course in which a student does not obtain a passing final grade. Fiscal effect: Potentially decreases state or school district expenditures for the PSEO program.	No provision.
No provision.	Disqualifies students in nonchartered nonpublic high schools and students enrolled in physical education college courses from enrolling in Option B (the state pays for high school student enrollment in college courses for both high school and college credit) of the PSEO program beginning with the 2006-2007 school year. These students are still eligible to participate in Option A of the PSEO program whereby students or their parents pay for courses. Fiscal effect: Potentially reduces state expenditures for	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	students no longer able to receive state funding to participate in Option B of the PSEO program beginning in the 2006-2007 school year.	
No provision.	Allows a student participating in option A of the PSEO (the student pays the costs of the college courses) to receive high school credit for the courses as well as college credit. Fiscal effect: None.	No provision.
110 (CD-1211-EDU Use of Volunteers by School Districts		
		R.C. *4117.103*
No provision.	No provision.	Prohibits collective bargaining agreements entered into on or after the provision's effective date from barring school districts from using volunteers to assist with functions that are not required to be performed by persons holding a license, permit, or certificate issued by the State Board of Education or a school bus driver's certificate. Fiscal effect: May reduce districts' expenses if volunteers replace paid staff.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
111 (CD-1375-EDU Cosmetology Courses for Adults at High Schools		
		R.C. *4713.441*
No provision.	No provision.	Prohibits any school district from operating cosmetology courses for adult students, except continuing education cosmetology courses, if the school is within the same county or a contiguous county as a proprietary cosmetology school licensed by the State Board of Cosmetology, unless the district enters into an agreement with each cosmetology school in the same county or a contiguous county permitting the district to offer specific courses. If the school is outside of the same county or a contiguous county as a licensed cosmetology school, the school district may operate the program for adult students only with the approval of the State Board of Cosmetology and ODE. (The corresponding item entitled "Cosmetology Courses for Adults at High Schools" in the Board of Cosmetology has been removed for the Conference Committee Comparison Document.) Fiscal effect: Minimal.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
112 (CD-462-EDU) Phase-out of Tax on Some Tangible Personal Property		
R.C. ***5711.22, 5711.21, 5713.01, 5727.02, 5727.03, 5727.06, 5727.10, 5727.11, 5727.12***	**R.C.** ***5711.22, 5711.20, 5711.21, 5713.01, 5727.0, 5727.031, 5727.06, 5727.10, 5727.11, 5727.12, 5751.20-5751.22, Section 206.09.***	**R.C.** ***5711.22, 5711.20, 5711.21, 5713.01, 5727.0, 5727.031, 5727.06, 5727.10, 5727.11, 5727.12, 5751.20-5751.22, Section 206.09.***
Reduces the property tax on existing machinery and equipment by 50% in TY 2006 and completely eliminates the tax beginning in TY 2007. Exempts all machinery and equipment installed after TY 2004 from taxation. Accelerates the current phase-out of the tax on inventories by reducing the assessment rate on inventories from 21% in TY 2007 to 14% in TY 2008, 7% in TY 2009, and 0% beginning in TY 2010.	Same as the Executive, but also phases out the tax on furniture and fixtures over five years beginning in TY 2006, and adds the tax value loss from this phase-out to the reimbursements in the executive proposal. Also, requires that the Director of Budget and Management transfer $10,010,000 in FY 2006 and $70,210,000 in FY 2007 from the GRF to Fund 047, School District Property Tax Replacement - Business to reimburse districts for this additional tax value loss.	Same as the House, but phases out taxation of all business tangible personal property evenly, in one-fourth increments, over four years, eliminating the tax in TY 2009, except for new manufacturing equipment, which is exempted immediately. Makes corresponding changes in the school district reimbursement provisions. Direct reimbursements are to be phased out at a rate of 3/17 in the first two years and then at a rate of 2/17 per year for the remaining phase-out period.
Sets up a mechanism by which school districts and joint vocational school districts will be reimbursed for their tax revenue losses due to the phase-out of the tax on machinery and equipment and the acceleration of the phase-out of the tax on inventories. The tax revenue losses eligible for reimbursement are based on the value of this property in TY 2004 and TY 2004 effective tax rates plus any additional levies that become effective for TY 2005 before September 2, 2005. Reimbursement is provided through a combination of higher state aid resulting from districts' decreases in valuation (state education aid offset) and direct reimbursement.		
Reimburses fixed-sum levies (emergency and bond levies) above a 0.5 mill threshold. Emergency levies are fully reimbursed from TY 2006 until TY 2010 and will be reimbursed after TY 2010 if the levy is renewed. Bond levies are fully reimbursed for the duration of their existence.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Reimburses fixed-rate levy losses on machinery and equipment fully from TY 2006 until TY 2010. Direct reimbursements start to phase out in TY 2011 at a rate of 2/15 per year until completely eliminated after TY 2017.		
Reimburses fixed-rate levy losses on the acceleration of the inventory tax phase-out fully from TY 2006 until TY 2010. Direct reimbursements start to phase out in TY 2011 at a rate of 2/15 per year until completely eliminated after TY 2018.		
Fiscal effect: The executive budget provides $28.8 million in FY 2006 and $220.8 million in FY 2007 for direct reimbursements to school districts and joint vocational school districts through appropriation item 200-900, School District Property Tax Replacement - Business (Fund 047). Districts will not be reimbursed for potential losses from future levies or from machinery and equipment established after TY 2004. Districts will be reimbursed through the combination of state education aid increases and direct reimbursements. While state education aid increases will be permanent, direct reimbursements will eventually be phased-out.	Fiscal effect: Same as the Executive, but the House budget provides an additional $10,010,000 in FY 2006 for a total of $38,810,000 and an additional $70,210,000 in FY 2007 for a total of $291,010,000 for direct reimbursements to school districts and joint vocational school districts.	Fiscal effect: Same as the House, but appropriation item number for appropriation item 200-900, School District Property Tax Replacement - Business (Fund 047) is changed to 200-909.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
113 (CD-1104-EDU School District Income Taxes		
	R.C. ***5748.01, 5748.02, 5748.03, 5748.04, 5748.(***	
No provision.	Permits school districts to apply school district income taxes only to earnings, rather than to entire Ohio adjusted gross income less exemptions. The tax would be subject to approval by voters. (The corresponding item entitled "School District Income Taxes" in Tax Provisions has been removed from the Conference Committee Comparison Document.) Fiscal effect: By applying the school district income tax to a narrower base, school districts might obtain voter approval of levies that would otherwise be defeated. Alternatively, the narrower base might result in reduction of school district revenues from income taxation.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
114 (CD-389-EDU) Personal Services		
Section: *206.09.03*	**Section: *206.09.03***	**Section: *206.09.03***
Makes the following earmark of GRF appropriation item 200-100, Personal Services:	Makes the following changes to earmarks of GRF appropriation item 200-100, Personal Services:	Makes the following changes to earmarks of GRF appropriation item 200-100, Personal Services:
(1) Earmarks $1,581,181 in each fiscal year to provide vocational administration matching funds under 20 U.S.C. 2311.	(1) Same as the Executive.	(1) No provision. This funding is moved to GRF appropriation item 200-416, Career-Technical Education Match.
(2) No provision.	(2) Earmarks $1,000,000 in FY 2007 for ODE to administer the Educational Choice Scholarship Program.	(2) No provision. Funding for this purpose is provided in GRF appropriation item 200-421, Alternative Education Programs.
(3) No provision.	(3) Earmarks $65,000 in each fiscal year for the Southern State Community College's Pilot Post-Secondary Enrollment Options Program with Miami Trace High School.	(3) No provision. Funding for this purpose is provided in GRF appropriation item 200-431, School Improvement Initiatives.
115 (CD-388-EDU) Maintenance and Equipment		
Section: *206.09.03*	**Section: *206.09.03***	**Section: *206.09.03***
Makes the following earmarks to GRF appropriation item 200-320, Maintenance and Equipment:	Same as the Executive.	Makes the following changes to earmarks of GRF appropriation item 200-320, Maintenance and Equipment:
(1) Earmarks up to $25,000 in each fiscal year for State Board of Education out-of-state travel.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Earmarks $652,014 in each fiscal year to provide vocational administration matching funds under 20 U.S.C. 2311.	(2) Same as the Executive.	(2) No provision. This funding is moved to GRF appropriation item 200-416, Career-Technical Education Match.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
116 (CD-402-EDU) Early Childhood Education		
Section: ***206.09.06***	**Section:** ***206.09.06***	**Section:** ***206.09.06***
Earmarks up to 2% of GRF appropriation item 200-408, Early Childhood Education, for both fiscal years to be used by ODE for program support and technical assistance.	Same as the Executive.	Same as the Executive.
Specifies that a child is eligible for the program if the child is at least three years old, is not eligible for kindergarten, and is a member of a family that earns not more than 200% of the federal poverty level.	Same as the Executive.	Same as the Executive.
Permits school districts, joint vocational school districts, educational service centers, or community-based entities experienced in educating children that are licensed as a preschool or child day-care center to receive funds under the program.	Same as the Executive.	Same as the Executive, but eliminates the eligibility of community-based entities for this funding.
Requires that ODE provide an annual report with specified information about early childhood education programs. Permits ODE to reallocate unobligated or unspent money to districts for expansion and improvement of programs. Specifies that ODE may award new grants based on a competitive bidding process if current grantees voluntarily waive the funding or are denied the funding for not meeting program standards. Requires that these grantees transfer property to a new grantee.	Same as the Executive.	Same as the Executive.
Makes the following requirements for participating programs: (a) development and administration costs may not exceed 15% of the cost of each program, (b) fiscal records must be maintained, (c) a corrective action plan, approved by ODE, must be implemented if the program is found to not be meeting standards (ODE may deny funding if a program fails to successfully complete its plan), (d) teacher	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
qualification requirements prescribed by law must be met, including a requirement that teachers attend a minimum of twenty hours per year of professional development regarding implementation of content standards and assessments, (e) curriculum must be aligned to the early learning program guidelines for school readiness, (f) assessment requirements prescribed by law must be met, (g) child progress must be documented and reported, (h) families who earn more than the federal poverty level must be charged a fee based on a sliding schedule.		
Fiscal effect: The executive proposal recommends funding of $18,622,151 in each fiscal year for grants under this program. The 2% set aside for administration totals $380,044 in each fiscal year under the executive budget.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

117 (CD-461-EDU) Educator Training

Section: ***206.09.09***	**Section:** ***206.09.09***	**Section:** ***206.09.09***
Requires ODE to promote cultural competency in professional development programs.	Same as the Executive.	Same as the Executive.
Makes the following earmarks of GRF appropriation item 200-410, Educator Training:	Makes the following changes to GRF appropriation item 200-410, Educator Training:	Makes the following changes to GRF appropriation item 200-410, Educator Training:
(1) Earmarks up to $7,850,000 in FY 2006 and up to $8,250,000 in FY 2007 to reward teachers who have obtained National Board certification and to pay $2,000 of the application fee for up to 400 public and chartered nonpublic school teachers applying for certification in each fiscal year. Up to $300,000 of the earmark in each fiscal year may be used by ODE for administrative costs.	(1) Same as the Executive.	(1) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(2) Earmarks up to $9,515,817 in each fiscal year for teacher entry year programs for beginning teachers in school districts and chartered nonpublic schools.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks up to $250,000 in each fiscal year for Teacher Advancement Programs.	(3) Reduces earmark to $200,000 in each fiscal year.	(3) Same as the House.
(4) Earmarks $500,000 in each fiscal year for training and professional development of school administrators, treasurers, and business officials.	(4) Reduces earmark to $350,000 in each fiscal year.	(4) Same as the House.
(5) Earmarks $100,000 in each fiscal year for ODE to develop a report on the availability of quality educators and critical educator shortage areas in Ohio.	(5) Same as the Executive, but removes the earmark for FY 2006.	(5) Same as the House.
(6) Earmarks up to $1,106,740 in each fiscal year for educator recruitment programs targeting shortage areas. The funds may also be used to provide an alternative route to licensure for principals and other administrators.	(6) Reduces the earmark to $885,740 in each fiscal year.	(6) Same as the House.
(7) Earmarks up to $375,000 in each fiscal year for ODE to identify hard-to-staff schools and provide incentives for highly qualified teachers to teach in these schools.	(7) Reduces the earmark to $187,500 in each fiscal year and permits stipends to be provided to special education teachers in addition to middle or high school math or science teachers.	(7) Same as the House.
(8) Earmarks up to $63,000 in each fiscal year to support the Ohio University Leadership Program.	(8) Same as the Executive.	(8) Same as the Executive.
(9) Earmarks up to $4,371,000 in each fiscal year for districts to provide embedded professional development to teachers who teach reading, writing, mathematics, science, or social studies to ninth or tenth grade students. ODE will allocate funds on a per pupil basis to school districts in academic emergency or with a three-year average graduation rate of not more than 75%.	(9) Same as the Executive.	(9) No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(10) No provision.	(10) No provision.	(10) Earmarks $250,000 in each fiscal year to support the Ohio School Leadership Institute.
118 (CD-1237-EDU Career-Technical Education Match		
		Section: *206.09.10*
No provision.	No provision.	Specifies that GRF appropriation item 200-416, Career-Technical Education Match, be used to provide vocational administration matching funds under 20 U.S.C. 2311.
119 (CD-486-EDU Alternative Education Programs		
Section: *206.09.12*	**Section: *206.09.12***	**Section: *206.09.12***
Creates the Alternative Education Advisory Council.	Same as the Executive.	Same as the Executive.
Makes the following earmarks of GRF appropriation item 200-421, Alternative Education Programs:	Makes the following changes to earmarks of GRF appropriation item 200-421, Alternative Education Programs:	Makes the following changes to earmarks of GRF appropriation item 200-421, Alternative Education Programs:
(1) Earmarks up to $6,302,310 in each fiscal year for alternative education grants for the Urban 21 school districts.	(1) Reduces the earmark to $6,227,310 in each fiscal year.	(1) Same as the House.
(2) Earmarks up to $6,408,074 in each fiscal year for alternative education grants for suburban and rural school districts.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks up to $422,281 in each fiscal year for program administration, monitoring, technical assistance, support, research, and evaluation.	(3) Same as the Executive.	(3) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(4) Earmarks up to $258,497 in each fiscal year to contract with the Center for Learning Excellence at the Ohio State University to provide technical assistance and evaluation of the grant program.	(4) No provision.	(4) No provision.
(5) No provision.	(5) Earmarks $75,000 in each fiscal year to support the Toledo Tech Academy.	(5) Same as the House.
(6) No provision.	(6) Earmarks $100,000 in each fiscal year for Youth Opportunities United, Inc.	(6) Same as the House.
(7) No provision.	(7) No provision.	(7) Earmarks $675,000 in FY 2006 and $500,000 in FY 2007 for the administration of the Educational Choice Scholarship Pilot Program.

120 (CD-510-EDU) Ohio Educational Computer Network

Section: ***206.09.12***	**Section:** ***206.09.12***	**Section:** ***206.09.12***
Specifies that GRF appropriation item 200-426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance in support of the State Education Technology Plan. Makes the following earmarks:	Same as the Executive.	Same as the Executive, but makes the following changes to the earmarks of GRF appropriation item 200-426, Ohio Educational Computer Network:
(1) Earmarks up to $18,136,691 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet. Specifies that public school buildings include instructional buildings of any school district, community school, educational service center, Ohio School of the Deaf, Ohio School of the Blind, high schools chartered by the Department of Youth Services, and high schools operated by	(1) Same as the Executive.	(1) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
the Ohio Department of Rehabilitation and Corrections' Ohio Central School System.		
(2) Earmarks up to $1,700,000 in each fiscal year for the Union Catalog and InfOhio Network.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks up to $8,338,468 in each fiscal year to be used, through a formula and guidelines devised by ODE, to subsidize the activities of designated data acquisition sites to provide school districts and chartered nonpublic schools with computer-based student and teacher instructional and administrative information services.	(3) Same as the Executive.	(3) Same as the Executive.
(4) No provision.	(4) No provision.	(4) Earmarks up to $769,223 in each fiscal year for the INFOhio Network to support provision of electronic resources to public schools.
(5) Specifies that the remainder of the appropriation in each fiscal year be used to support a network of uniform and compatible computer-based informational and instructional systems. Allows ODE and data acquisition sites to jointly purchase equipment, materials, and services from funds provided under this appropriation for use by the network and to utilize the services of appropriate state purchasing agencies.	(5) Same as the Executive.	(5) Same as the Executive.

121 (CD-520-EDU) Academic Standards

Section: ***206.09.12***	**Section:** ***206.09.12***	**Section:** ***206.09.12***
Makes the following earmarks to GRF appropriation item 200-427, Academic Standards:	Makes the following changes to the earmarks of GRF appropriation item 200-427, Academic Standards.	Makes the following changes to the earmarks of GRF appropriation item 200-427, Academic Standards.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(1) Earmarks up to $2,547,912 in each fiscal year to provide funds to school districts that have teachers participating in the teacher-on-loan program.	(1) Reduces the earmark to $747,912 in each fiscal year.	(1) Same as the House.
(2) Earmarks up to $150,000 in each fiscal year to be used to support Ohio's Partnership for Continued Learning at the direction of the Office of the Governor. Specifies that these funds are to be used in combination with funding earmarked for this purpose in the Board of Regents' budget under appropriation item 235-321, Operating Expenses. (See the item entitled "Operating Expenses" under the Board of Regents)	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks $1,000,000 in each fiscal year for Project Lead the Way leadership and management oversight and initial and continuing support of the project's workforce development programs.	(3) Reduces the earmark to $500,000 in each fiscal year.	(3) Same as the Executive.
(4) Earmarks $2,600,000 for intensive teacher professional development institutes that focus on classroom implementation of the mathematics standards.	(4) Same as the Executive, but clarifies earmark is for each fiscal year.	(4) Same as the House.
(5) No provision.	(5) Earmarks up to $200,000 in each fiscal year for the Ohio Resource Center for Math and Science.	(5) Same as the House, but requires the Department to expend $200,000 instead of "up to $200,000."
(6) No provision.	(6) No provision.	(6) Earmarks up to $282,000 in each fiscal year for the JASON Expedition project.
(7) No provision.	(7) No provision.	(7) Earmarks $285,000 in each fiscal year for the Ohio Science Institute (OSCI).
Specifies that the remainder of the appropriation be used by ODE for the development and dissemination of academic content standards and curriculum models.	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
122 (CD-531-EDU) School Improvement Initiatives		
Section: *206.09.15*	**Section: *206.09.15***	**Section: *206.09.15***
Makes the following earmarks to GRF appropriation item 200-431, School Improvement Initiatives:	Makes the following earmarks to GRF appropriation item 200-431, School Improvement Initiatives:	Makes the following changes to the earmarks of GRF appropriation item 200-431, School Improvement Initiatives:
(1) Earmarks up to $14,972,949 in FY 2006 and $15,122,678 in FY 2007 to provide technical assistance to school districts that are in academic watch or academic emergency, support districts in the development and implementation of their continuous improvement plans, support a statewide comprehensive system of field relations that support local educators' abilities to foster student academic achievement, and provide technical assistance and support in accordance with Title I of the "No Child Left Behind Act of 2001."	(2) Same as the Executive.	(1) Reduces earmark to $13,972,949 in FY 2006 and to $13,672,678 in FY 2007 .
(2) Earmarks up to $315,000 in each fiscal year to reduce the dropout rate by addressing the academic and social problems of inner-city students through Project GRAD.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks $1,574,535 in FY 2006 and $2,753,985 in FY 2007 to create early college high schools. Specifies that these funds are to be used in combination with funding provided in the Board of Regents' budget under appropriation item 235-434, College Readiness and Access.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Earmarks up to $3,000,000 in FY 2006 and up to $5,000,000 in FY 2007 to convert existing large urban high schools into small, personalized high schools. Funds are to be used in partnership with nonprofit groups with expertise in this area. Specifies that priority in funding be given to districts without other sources of funding.	(4) Same as the Executive.	(4) Reduces the earmark to $2,935,000 in FY 2006 and to $4,935,000 in FY 2007. Also, modifies the earmark to remove prioritization for funding to be given to districts without other sources of funding.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(5) No provision.	(5) No provision.	(5) Earmarks $300,000 in FY 2006 and $450,000 in FY 2007 for Ohio's Rural Appalachian Leadership Development Initiative.
(6) No provision.	(6) No provision.	(6) Earmarks $1,000,000 in each fiscal year to support Jobs for Ohio Graduates (JOG), and requires a two to one match of local to state funding before the Department can release funds to JOG
(7) No provision.	(7) No provision.	(7) Earmarks $65,000 in each fiscal year to be provided to Southern State Community College for the Pilot Post-Secondary Enrollment Options Program with Miami Trace High School. Under the House version, funding was provided for this purpose in GRF appropriation item 200-100, Personal Services.
(8) No provision.	(8) No provision.	(8) Earmarks up to $601,165 in each fiscal year for ODE to contract with educational media centers to provide instructional resources and services to public schools.

123 (CD-552-EDU) Reading/Writing Improvement-Professional Development

Section: ***206.09.15***	**Section:** ***206.09.15***	**Section:** ***206.09.15***
Makes the following earmarks to GRF appropriation item 200-433, Reading/Writing Improvement-Professional Development:	Makes the following earmark changes to GRF appropriation item 200-433, Reading/Writing Improvement-Professional Development:	Makes the following earmark changes to GRF appropriation item 200-433, Reading/Writing Improvement-Professional Development:
(1) Earmarks up to $10,075,000 in each fiscal year for educator training in literacy for classroom teachers, administrators, and literacy specialists.	(1) Reduces earmark to $9,175,000 in each fiscal year.	(1) Increases earmark to $9,790,000 in each fiscal year.
(2) Earmarks up to $5,000,000 in each fiscal year to support literacy professional development partnerships between ODE, higher education institutions, literacy networks, and school districts.	(2) Same as the Executive.	(2) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(3) No provision.	(3) Earmarks up to $900,000 in each fiscal year to fund the Reading Recovery Training Network.	(3) Same as the House.
(4) No provision.	(4) Earmarks $250,000 in each fiscal year for the Waterford Early Reading Program.	(4) Same as the House.
Specifies that the remainder of the appropriation be used by ODE to provide administrative support of literacy professional development programs.	Same as the Executive.	Same as the Executive.

124 (CD-555-EDU) Accountability/Report Cards

Section: ***206.09.15***	**Section:** ***206.09.15***	**Section:** ***206.09.15***
Earmarks up to $200,100 in fiscal year 2006 and up to $2,778,540 in fiscal year 2007 of GRF appropriation item 200-439, Accountability/Report Cards, for ODE to incorporate a statewide pilot value-added progress dimension into performance ratings for school districts and to train regional specialists. Specifies that these funds are to be used in consultation with a credible nonprofit organization with expertise in value-added program dimensions.	Same as the Executive.	Same as the Executive, but increases the earmark to up to $3,778,540 in FY 2007.
Specifies that the remainder of the appropriation be used for the development of an accountability system that includes the preparation and distribution of school report cards.	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
125 (CD-605-EDU) Adult Literacy Education		
Section: *206.09.24*	**Section: *206.09.24***	**Section: *206.09.24***
Specifies that GRF appropriation item 200-509, Adult Literacy Education, be used to support adult basic and literacy education instructional programs and the State Literacy Resource Center Program, and makes the following earmarks:	Same as the Executive.	Same as the Executive, but makes the following changes to earmarks of GRF appropriation item 200-509, Adult Literacy Education:
(1) Earmarks up to $488,037 in each fiscal year for the support and operation of the State Literacy Resource Center.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Earmarks up to $175,000 in each fiscal year for state reimbursement to school districts for adult high school continuing education programs or for costs associated with awarding adult high school diplomas.	(2) Same as the Executive.	(2) Same as the Executive.
(3) No provision.	(3) No provision.	(3) Earmarks $130,000 in each fiscal year to support English as a Second Language programs. States that earmarked funds are to be distributed as follows for each fiscal year: $60,000 for the Jewish Community Federation of Cleveland; $25,000 for Yassenoff Jewish Community Center of Columbus; $30,000 for Jewish Family Services of Cincinnati; and, $15,000 for Jewish Family Services of Dayton.
Specifies that the remainder of the appropriation be used to continue to satisfy the state match and maintenance of effort requirements for the support and operation of the ODE-administered instructional grant program for adult basic and literacy education.	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
126 (CD-608-EDU) Postsecondary Adult Career-Technical Education		
Section: *206.09.24*	**Section: *206.09.24***	**Section: *206.09.24***
Specifies that GRF appropriation item 200-514, Postsecondary Adult Career-Technical Education, be used to provide postsecondary adult career-technical education under R.C. 3313.52 and 3313.53.	Same as the Executive.	Same as the Executive, but also earmarks $40,000 for statewide coordination of the Ohio Young Farmers.
127 (CD-612-EDU) Special Education Enhancements		
Section: *206.09.30*	**Section: *206.09.30***	**Section: *206.09.30***
Makes the following earmarks to GRF appropriation item 200-540, Special Education Enhancements:	Makes the following earmark changes to GRF appropriation item 200-540, Special Education Enhancements:	Makes the following earmark changes to GRF appropriation item 200-540, Special Education Enhancements:
(1) Earmarks up to $46,857,775 in FY 2006 and up to $47,326,353 in FY 2007 to fund special education and related services at county boards of mental retardation and developmental disabilities (MR/DD boards) and institutions.	(1) Reduces earmark to $46,357,775 in FY 2006 and to $46,826,353 in FY 2007.	(1) Same as the House, but changes the earmark to the remainder of the appropriation.
(2) Earmarks up to $2,906,875 in each fiscal year for home instruction for children with disabilities.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks up to $1,462,500 in each fiscal year for parent mentoring programs.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Earmarks up to $2,783,396 in each fiscal year for school psychology interns.	(4) Reduces earmark to $2,408,396 in each fiscal year.	(4) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(5) No provision.	(5) Earmarks up to $750,000 in each fiscal year for the Out of School Initiative of Sinclair Community College.	(5) Same as the House.
(6) No provision.	(6) Earmarks up to $500,000 in each fiscal year to fund the Research Based Reading Mentoring Programs for Students with Disabilities.	(6) No provision.
(7) No provision.	(7) Earmarks up to $315,000 in each fiscal year for the Collaborative Language and Literacy Instruction Project.	(7) No provision.
(8) No provision.	(8) No provision.	(8) Earmarks $200,000 in each fiscal year for a preschool special education pilot project in the Bowling Green City School District.
(9) No provision.	(9) No provision.	(9) Earmarks $100,000 in each fiscal year to support the Bellefaire Jewish Children's Bureau.
(10) Earmarks up to $79,194,060 in FY 2006 and up to $79,986,001 in FY 2007 for preschool special education and preschool supervisory units at county MR/DD boards, educational service centers, and school districts. Requires recipients to document child progress using research-based indicators prescribed by ODE and to report results annually.	(10) Same as the Executive.	(10) Same as the Executive, but requires that physical therapy and occupational therapy assistants that provide services funded through this earmark practice in accordance with the Revised Code and the Administrative Code.

128 (CD-613-EDU) Career-Technical Education Enhancements

Section: ***206.09.33***	**Section:** ***206.09.33***	**Section:** ***206.09.33***
Makes the following earmarks to GRF appropriation item 200-545, Career-Technical Education Enhancements:	Makes the following earmarks to GRF appropriation item 200-545, Career-Technical Education Enhancements:	Makes the following changes to earmarks to GRF appropriation item 200-545, Career-Technical Education Enhancements:

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(1) Earmarks up to $2,436,070 in each fiscal year to fund career-technical education units at institutions.	(1) Same as the Executive.	(1) Same as the Executive, but specifies that the earmark is for grants instead of units. (See also the item entitled "Categorical Funding for Institutions").
(2) Earmarks up to $2,621,507 in each fiscal year to fund competitive grants to tech prep consortia.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks $943,873 in FY 2006 to provide funds to eligible school districts for the replacement or updating of equipment essential for the instruction of students in career-technical programs. These funds are allotted to districts at 30%, 40%, or 50% of cost based on a rating developed by ODE using the state share percentage of base cost funding.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Earmarks up to $3,431,000 in each fiscal year for High Schools that Work programs.	(4) Same as the Executive.	(4) Reduces earmark to $3,401,000 in each fiscal year.
(5) Earmarks up to $466,992 in each fiscal year for the Ohio Career Information System.	(5) Same as the Executive.	(5) Same as the Executive.
(6) Earmarks up to $270,000 in each fiscal year for Agriculture 5th Quarter Project.	(6) Same as the Executive.	(6) Increases earmark to $300,000 in each fiscal year.

129 (CD-638-EDU) Foundation Funding

Section: ***206.09.36***	**Section:** ***206.09.36***	**Section:** ***206.09.36***
Provides the following concerning GRF appropriation item 200-550, Foundation Funding:	Makes the following changes concerning GRF appropriation item 200-550, Foundation Funding:	Makes the following changes concerning GRF appropriation item 200-550, Foundation Funding:
(1) Specifies that the appropriation include $85,000,000 in each fiscal year for the state education aid offset due to the	(1) Same as the Executive.	(1) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
change in public utility valuation as a result of Am. Sub. S.B. 3 and Am. Sub. S.B. 287, both of the 123rd G.A. Permits the Director of Budget and Management to increase or decrease the cash transfer from fund 053, appropriation item 200-900, School District Property Tax Replacement - Utility, upon certification by ODE of the actual state aid offset.		
(2) Earmarks up to $425,000 in each fiscal year to help defray the cost of educating children who are placed in a private institution, school, or residential treatment center by the order of an Ohio court.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Requires that an amount be available in each fiscal year for the cost of the reappraisal guarantee.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Requires that an amount be available in each fiscal year to fund up to 225 full-time equivalent approved GRADS teacher grants.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Requires that an amount be available in each fiscal year to provide a subsidy to school districts with high proportions of exempted valuation.	(5) Same as the Executive.	(5) Same as the Executive.
(6) Requires that an amount be available in each fiscal year to make payments to school districts for the excess cost supplement.	(6) Same as the Executive.	(6) Same as the Executive.
(7) Requires that an amount be available in each fiscal year to make guarantee payments to school districts with 150 or fewer students.	(7) Same as the Executive.	(7) Same as the Executive.
(8) Earmarks up to $30,000,000 in each fiscal year for payments to districts with large changes in valuation. Permits the Controlling Board to increase this amount if requested.	(8) Same as the Executive.	(8) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(9) Earmarks up to $18,000,000 in fiscal year 2006 and up to $19,000,000 in fiscal year 2007 to provide additional state aid to school districts for the special education catastrophic cost supplement.	(9) Same as the Executive.	(9) Same as the Executive.
(10) Earmarks up to $2,000,000 in each fiscal year for Youth Services tuition payments.	(10) Same as the Executive.	(10) Same as the Executive.
(11) Earmarks up to $52,000,000 in each fiscal year to fund the state reimbursement of educational service centers.	(11) Same as the Executive.	(11) Same as the Executive.
(12) Requires that an amount be available in each fiscal year for special education weighted funding.	(12) Same as the Executive.	(12) Same as the Executive.
(13) Requires that an amount be available in each fiscal year to be used by ODE for transitional aid to school districts and joint vocational school districts.	(13) Same as the Executive.	(13) Same as the Executive.
(14) Earmarks up to $1,000,000 in each fiscal year to be used by ODE to pay for educational services for youth who have been assigned by a juvenile court or other authorized agency to any of the facilities participating in the Private Treatment Facility Project.	(14) Same as the Executive.	(14) Same as the Executive.
(15) Earmarks up to $3,700,000 in each fiscal year to be used for school breakfast programs. Of this amount, ODE is required to use $900,000 in each fiscal year for the purpose of increasing participation in child nutrition programs. Specifies that the remainder of the earmark is to be used by ODE to partially reimburse school buildings required to have a school breakfast program by the state.	(15) Same as the Executive, but requires ODE to use the $900,000 set aside in each fiscal year to contract with the Children's Hunger Alliance to expand access to child nutrition programs.	(15) Same as the House, but requires the Children's Hunger Alliance to use at least $150,000 of the $900,000 contract with ODE to subcontract with appropriate organizations to expand summer food participation in underserved areas of the state.
(16) Earmarks up to $7,300,000 in FY 2006 and up to $8,600,000 in FY 2007 to be used by ODE to operate Cleveland Scholarship and Tutoring Program. Specifies that	(16) Same as the Executive.	(16) Same as the Executive, but increases the GRF earmark to up to $8,800,000 in FY 2006 and decreases the amount of Cleveland's state aid to be used for the program to up to

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
up to $11,901,887 of the funds in each fiscal year distributed to the Cleveland Municipal School District under this section also be used to operate the program.		$10,401,887 in FY 2006.
(17) Specifies that the remainder 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, career-technical education associated service funding, guarantee funding, teacher training and experience funding, poverty-based assistance, parity aid, charge-off supplement, and the excess cost supplement.	(17) Same as the Executive.	(17) Same as the Executive.
(18) Specifies that GRF appropriation item 200-502, Pupil Transportation, 200-521, Gifted Pupil Program, 200-540, Special Education Enhancements, and 200-550, Foundation Funding, other than specific set-asides, are collectively used in each fiscal year to pay state formula aid obligations for school districts and joint vocational school districts. Provides that the ODE seek Controlling Board approval to transfer funds among these items in order to meet state formula aid obligations.	(18) Same as the Executive.	(18) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
130 (CD-660-EDU) School District Property Tax Replacement - Business		
Section: ***206.09.63***	**Sections:** ***206.09.63, 206.09.61***	**Sections:** ***206.09.63, 206.09.61***
Specifies that appropriation item 200-900, School District Property Tax Replacement - Business (Fund 047), be used by ODE, in consultation with the Department of Taxation, to make direct reimbursements to school districts and joint vocational school districts for losses they incur due to the elimination of the tax on machinery and equipment and the acceleration of the phase-out of the tax on inventories. Also see the item entitled "Phase-out of Tax on Some Tangible Personal Property."	Same as the Executive, but also requires the Director of Budget and Management to transfer $10,010,000 in FY 2006 and $70,210,000 in FY 2007 from the GRF to Fund 047, to reimburse school districts for the phase-out of the tax on furniture and fixtures that is added in the House budget.	Same as the House, but changes the line item number for GRF appropriation item 200-900, School District Property Tax Replacement-Business, (Fund 047) to 200-909.
131 (CD-672-EDU) Required Eye Exam for Disabled Students		
Section: ***206.09.87***	**Section:** ***206.09.87***	**Sections:** ***206.09.87, R.C. 3323.19***
Requires each student identified with disabilities for the first time in the 2005-2006 and 2006-2007 school years to undergo a comprehensive eye examination within three months after beginning to receive special education services. Exempts from this requirement students who have undergone such an examination within nine months prior to being identified with disabilities. Specifies that a student who has not undergone the required eye examination may not be prohibited from receiving services prescribed in the student's individualized education program (IEP). Specifies that neither the state nor a school district will be responsible for paying the costs of the required eye examination except in cases where the student is entitled to a comprehensive eye examination in the identification of the student's disabilities, in the development of the student's IEP, or as a related service under the student's IEP.	Same as the Executive.	Same as the Executive, but codifies this provision and makes it permanent.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
132 (CD-673-EDU) Intervention Funding		
Section: ***206.09.90***	**Section:** ***206.09.90***	**Section:** ***206.09.90***
Requires school districts to report intervention costs by type of intervention provided, including both state and local funds used for intervention, no later than December 31, 2006 in a manner defined by ODE. Specifies that ODE will use the report from school districts that do not meet adequate progress standards to make recommendations on how state and local funding for intervention should be deployed in a more effective manner.	Same as the Executive.	Same as the Executive, but requires districts to include only the deployment of state intervention funding, changes the date of the report to September 30, 2006, and requires ODE to make recommendations only on how state funding for intervention should be deployed in a more effective manner.
133 (CD-509-EDU) School Funding Advisory Council		
Sections: ***206.09.96, R.C. 3317.012***	**Sections:** ***206.09.96, R.C. 3317.012***	
Establishes the School Funding Advisory Council to examine research for further defining a building-blocks methodology for school funding and to make recommendations by September 30, 2006. Fiscal effect: The bill specifies that members are to serve without compensation.	Same as the Executive.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
134 (CD-1004-EDU School District Consolidation Legislative Committee		
	Section: ***206.10.06***	
No provision.	Establishes a legislative committee, composed of six members including two majority party members and one minority party member from each house, to study the feasibility and economic impact of school district consolidation. The committee must recommend legislation to accomplish the consolidation if it determines that school district consolidation is feasible. The committee must report its findings to the General Assembly one year after the bill's effective date. After its report, the committee will be dissolved. Fiscal effect: Minimal.	No provision.
135 (CD-918-EDU School Employee Life and Health Benefits		
	Sections: ***203.12, 203.12.11, R.C. 9.901, 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 3314.03, 4117.03, 4117.08***	**Section:** ***206.10.07***
No provision.	Creates the School Employees Health Care Board to design life and medical plans for public school employees, with administrative support provided by the Department of Administrative Services (DAS).	Replaces the House provisions with a requirement that DAS contract with a third party to investigate the most cost effective method for funding school districts' health benefits and creation of the Health Care Task Force to use the data gathered by the third party to make recommendations regarding changes to the existing school employee health benefit purchasing system.
	Requires that all life and health care benefits provided to employees of school districts, joint vocational school districts, community schools, and educational service centers be provided by plans designed by the School Employees Health Care Board.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	Permits districts participating in a health care consortium including at least one other district or one other political subdivision and representing at least 5,000 employees as of January 1, 2005 to request permission, on an annual basis, from the Board to continue offering the plans of the consortium.	
	Permits school employees to bargain collectively for life and health benefits as long as plans are chosen from those designed by the Board. Also, allows employees, during bargaining, to agree to pay a higher percentage of the plans' premiums than that designated by the Board, but not a lower percentage.	
	Creates the School Employees Health Care Fund in the state treasury to receive premiums and pay out benefits for plans designed by the Board.	
	Fiscal effect: Potentially costs to school districts for health and life benefits could decrease significantly statewide. Some districts, however, may experience increases in costs. The bill appropriates $750,000 in FY 2006 and $250,000 in FY 2007 in the DAS budget in order to meet the initial administrative costs of the Board. These funds are to be reimbursed to the GRF when the balance in the School Employees Health Care Fund is sufficient.	Fiscal effect: Appropriates $750,000 in fiscal year 2006 in the DAS budget for the third party contract. (The corresponding items entitled "School Employee Life and Health Benefits" in Accrued Leave Liability and the Department of Administrative Services has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
136 (CD-969-EDU) School Physical Fitness and Wellness Advisory Council		
	Section: *206.10.12*	**Section: *206.10.12***
No provision.	Establishes the School Physical Fitness and Wellness Advisory Council to develop, by December 31, 2005, best practices guidelines and evaluation strategies for school districts regarding nutrition education, physical activity for students, and student wellness. Included on the council are members appointed by the Ohio Association for Health, Physical Education, Recreation and Dance, the Ohio School Food Service Association, the Ohio Dietetic Association, the Ohio State Medical Association, the Ohio Chamber of Commerce, the Ohio Parent Teacher Association, the Ohio Soft Drink Association, the Department of Education, and the Ohio Parks and Recreation Association. Fiscal effect: Minimal.	Same as the House, but adds to the council membership the Director of Health and one representative from the Ohio Children's Hunger Alliance.
137 (CD-1062-EDU) Earmark of Federal Grant Funds		
	Section: *206.10.15*	
No provision.	Earmarks up to $1.5 million in each fiscal year in federal grant funds from the State Grants For Improving Teacher Quality Program to the Columbiana County Educational Service Center for the Ohio Wyami Appalachian Teacher Cohorts Program.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
138 (CD-1208-EDU Disposal of School District Real Property		
		Section: ***206.10.21***
No provision.	No provision.	Permits a school district, until December 31, 2005, to dispose of real property by private sale in support of economic development, in lieu of offering the property for sale at public auction, or to a community school, or to another government entity, as otherwise required under current law, if certain conditions are satisfied. Fiscal effect: Temporarily gives districts more flexibility in the disposal of real property.
139 (CD-1200-EDU Refund of Motor Fuel Tax		
		Section: ***553.02.01***
No provision.	No provision.	Gives school districts and educational service centers (ESCs) that failed to file an application for a refund of that portion of the motor fuel tax that became effective on July 1, 2003, 60 days after the effective date of the bill to file the application. Fiscal effect: Districts and ESCs that take advantage of the additional time will receive additional funds from the state. (The corresponding item entitled "Refund of Motor Fuel Tax" in Tax Provisions has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
140 (CD-1387-FUN Funeral Director Apprenticeships		
		R.C. *4717.05*
No provision.	No provision.	Requires a person who desires to be licensed as a funeral director to satisfactorily complete, instead of "serve," as under existing law, a one-year apprenticeship under a licensed funeral director and, as an alternative to completing mortuary science college training, to satisfactorily complete, instead of serve, as under existing law, a two-year apprenticeship under a licensed funeral director, in addition to other requirements. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
141 (CD-1268-EPA Contaminated Site Cleanup		
		R.C. ***123.01, 3734.20, 3734.21, 3734.22, 3734.2: 3734.57, 3734.573***
No provision.	No provision.	Allows the Ohio Environmental Protection Agency (Ohio EPA) to enter into contracts independent of the Department of Administrative Services for certain clean-up activities if there is a threat to public health or safety or the environment.
No provision.	No provision.	Authorizes money in the existing Environmental Protection Remediation Fund to be used for certain clean-up activities.
No provision.	No provision.	Clarifies that existing contractual bidding requirements apply to hazardous waste clean-up activities conducted by Ohio EPA regardless of whether property has been acquired by Ohio EPA.
No provision.	No provision.	Makes it optional that clean-up agreements with landowners contain provisions for the reimbursement of the state for the costs of the cleanup and that unreimbursed portions of the cost of a cleanup be recorded at the office of the applicable county recorder.
No provision.	No provision.	Fiscal effect: Potential increase in expenditures from the Environmental Protection Remediation Fund and potential decrease in expenditures from the Hazardous Waste Cleanup Fund.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
142 (CD-1269-EPA Clean Diesel School Bus Fund		
		R.C. ***3704.144, Section 206.27***
No provision.	No provision.	Creates the Clean Diesel School Bus Fund (Fund 5CD) consisting of money from gifts, grants, and contributions for the purpose of adding pollution control equipment to diesel school buses, including contributions made pursuant to the settlement of an administrative or civil action brought at the request of Ohio EPA; requires Ohio EPA to use money in the Fund to make grants to Ohio school districts for the purpose of adding pollution control equipment to diesel buses and to pay Ohio EPA's related administrative costs; requires Ohio EPA to give priority to school districts meeting certain criteria; allows Ohio EPA to make grants to school districts to maintain pollution control equipment on school buses and to offset the additional costs of using ultra-low sulfur diesel fuel; and appropriates $650,000 in fiscal year 2006 and $850,000 in fiscal year 2007 from appropriation item 715-682, Clean Diesel School Buses. Fiscal effect: Allows Ohio EPA to make grants to school districts; the number and size of grants would depend on the income derived from the sources listed above, as well as program administration costs.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
143 (CD-924-EPA) Construction and Demolition Debris Disposal Fees		
	R.C. *3714.07*	**R.C. *3714.07, 1502.02, 3714.073***
No provision.	Specifies that the fee levied on the disposal of construction and demolition debris (C&DD) at a solid waste facility under the Construction and Demolition Debris Law does not apply if there is no licensed C&DD facility within 35 miles of the solid waste facility as determined by a facility's property boundaries rather than within 40 miles as in current law. Fiscal effect: None. (New C&DD disposal fee: See item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect of the new $0.25 per-ton fee on the disposal of C&DD.)	Same as the House, but also exempts from C&DD fees at a C&DD facility source separated materials exclusively composed of reinforced or nonreinforced concrete, asphalt, clay tile, building or paving brick, or building or paving stone when these materials are used as a fire prevention measure at a C&DD facility or as fill material for construction purposes at a C&DD facility or to bring the facility up to grade. Fiscal effect: Minimal. (New C&DD disposal fees: See item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect of the $0.25 per-ton fee on the disposal of C&DD to be used to fund the Soil and Water Conservation District Assistance Fund and the $0.75 per-ton fee to be used to fund the Recycling and Litter Prevention Fund.)
No provision.	No provision.	Specifies that the new C&DD fees imposed for the purposes of funding the Department of Natural Resources' Soil and Water Conservation District Assistance Fund and Recycling and Litter Prevention Fund do not apply to the disposal of C&DD at a solid waste facility if the owner or operator of that facility chooses to collect fees on the C&DD that are identical to the fees that are collected on the disposal of solid wastes at that facility. Fiscal effect: This limit on applicability is identical to the applicability limit placed on existing C&DD disposal fees; minimal fiscal impact.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
144 (CD-501-EPA) Solid Waste Management		
R.C. ***3734.57, 3745.015***	**R.C.** ***3734.57, 3734.01, 3745.015***	**R.C.** ***3734.57, 3734.01, 3745.015, 3734.573***
Extends from June 30, 2006, to June 30, 2008, the expiration date of the fee on the disposal of solid waste that is deposited into the Solid Waste Fund (Fund 4K3); allows the Ohio EPA to use the fund to provide compliance assistance to small businesses; continues the monthly reporting requirement for owners and operators of solid waste facilities, but also specifies that the monthly return indicate the total tonnage of solid waste received for disposal during that month and the total amount of fees required to be collected during that month; specifies how fees are to be calculated; establishes a discount for the timely submission of a return of fees; and specifies that the late submission of the return and fees results in a loss of the .75% payment discount and a charge of 10%, rather than 50%, of the amount of the fees for each month the fees are late.	Same as the Executive, but also specifies that if solid waste is first deposited at a transfer facility, disposal fees shall be collected at the transfer facility and that if solid waste first goes to a solid waste disposal facility, fees shall be collected at the disposal facility. Also specifies that fees levied on this waste do not apply to materials separated from a mixed waste stream for recycling by a generator or materials removed from the solid waste stream through recycling.	Same as the House.
No provision.	Excludes from the definition of solid wastes certain shale and clay products.	Same as the House, but also excludes from the definition of solid waste certain refinery catalysts, unless these catalysts are disposed of at a solid waste facility or are accumulated before being recycled. Also exempts from solid waste disposal and generation fees solid wastes generated as a result of certain clean-up activities involving public funds and conducted under contracts entered into by the United States Environmental Protection Agency, Ohio EPA, or the Department of Administrative Services on behalf of Ohio EPA.
Fiscal effect: Extends the current fee on disposal of solid waste that is deposited into the Solid Waste Fund (Fund 4K3) through the coming biennium; therefore, there is no new fiscal effect associated with this part of the provision. The establishment of the timely submission discount and the	Fiscal effect: Results in 360,000 more tons of solid waste for fee collection. Potential increased revenue of approximately $360,000 for the Solid Waste Fund (4K3) and potential increased revenue of approximately $360,000 that will be split between the Hazardous Waste Facility Management	Fiscal effect: Same as the House. No new fiscal effect associated with the exclusion of certain refinery catalysts from the definition of solid wastes, as the provision states that the exclusion does not apply if the catalysts are disposed of at solid waste facilities. Minimal fiscal effect

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
change in late submission charges will have minimal fiscal effect. Allowing Fund 4K3 to be used to provide compliance assistance to small businesses will have minimal fiscal effect.	Fund (Fund 503) and the Hazardous Waste Cleanup Fund (Fund 505).	associated with the exemption from disposal and generation fees of solid wastes generated as a result of certain clean-up activities.
145 (CD-484-EPA) Scrap Tire Management Program Funding		
R.C. ***3734.901, 3734.9010***	**R.C.** ***3734.901, 3734.9010***	**R.C.** ***3734.901, 3734.9010,3734.85***
Extends the sunset of the fee on the sale of new tires that is used to fund the Scrap Tire Management program from June 30, 2006, to June 30, 2011. Reduces the amount of money that the Department of Taxation receives to pay its costs in administering the fee on new tires that is used to fund the Scrap Tire Management program from 4% to 2%. (See the item entitled "Tire Tax Administration" in the Department of Taxation) Fiscal effect: The extension of the fee sunset authorizes Ohio EPA to continue collecting current fees; therefore, there is no new fiscal effect associated with this provision. The reduction in the amount of new tire fees paid to the Department of Taxation will result in Ohio EPA receiving 98% rather than 96% of the fee on new tire sales, resulting in slightly increased revenue in the Scrap Tire Management Fund (Fund 4R5) within the state special revenue fund group.	Same as the Executive, as it pertains to Ohio EPA. Proposes an additional $1.00 per tire fee on the sale of new tires, the proceeds of which will be credited to the Department of Natural Resources' Recycling and Litter Prevention Fund. (See the item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect on that agency.)	Same as the Executive. (See the item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect of the Senate-proposed elimination of the additional $1.00 per tire fee on the sale of new tires and replacement with a $0.75 per ton fee on the disposal of construction and demolition debris (C&DD) to be used to fund DNR's Recycling and Litter Prevention Fund.
No provision.	No provision.	Alters the cost recovery procedure for scrap tire removal actions taken by Ohio EPA by requiring Ohio EPA to record the costs and establish a lien on the property that was the subject of the removal action upon Ohio EPA's incurring of the costs rather than after a civil action has been adjudicated, and specifies that any money received or recovered shall be credited to the Scrap Tire Management Fund (Fund 4R5). Fiscal effect: Potential increased revenue in the Scrap Tire

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Management Fund.

146 (CD-437-EPA) Surface Water Protection Fee

R.C. *3745.114*	R.C. *3745.114*	R.C. *3745.114*
Establishes an application fee of $200 for a section 401 water quality certification under the Section 401 Certification/Wetlands Permitting program; requires the payment of review fees of $500 for each acre of wetland to be impacted, $10 per linear foot of each stream to be impacted, and $3 per cubic yard of dredged or fill material to be moved with respect to a lake; establishes caps on the total amount of the fee of $5,000 for applications submitted by counties, townships, and municipal corporations and $25,000 for all other applicants; requires fee proceeds to be credited to the Surface Water Protection Fund (Fund 4K4); and specifies that the fees do not apply to state agencies or to projects authorized by general or nationwide permits issued by the United States Army Corps of Engineers. Fiscal effect: Approximately $800,000 to $900,000 per year in revenue to the Surface Water Protection Fund (Fund 4K4).	Same as the Executive, but exempts coal mining and reclamation operations from the new section 401 water quality certification fees. (The corresponding item entitled "Exemption for Coal Mining from Section 401 Water Quality Certification Fees" in the Department of Natural Resources has been removed from the Conference Committee Comparison Document) Fiscal effect: A loss of approximately $200,000 from the Executive's proposal in annual revenue to the Surface Water Protection Fund (Fund 4K4) for a net effect of $600,000 to $700,000 in annual revenue to that fund.	Same as the Executive, but rather than imposing a stream review fee of $10 per linear foot of any type of stream to be impacted, specifies different fees for ephemeral ($3 per linear foot, or $200, whichever is greater), intermittent ($6 per linear foot, or $200, whichever is greater), and perennial streams ($10 per linear foot, or $200, whichever is greater); removes the House-passed exemption for coal mining and reclamation projects; and specifies that one-half of the review fees are due at the time of application for a section 401 water quality certification with the remainder due at the time of issuance. Fiscal effect: At the time of this analysis, it is uncertain how many streams of each type would be impacted; therefore the fiscal effect of this provision is uncertain. However, it is possible that this change in fee structure will result in decreased revenue compared to the Executive version associated with lower review fees for certain types of streams. Removal of the House-passed exemption for coal mining and reclamation projects will restore approximately $200,000 in fee revenue.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
147 (CD-1128-EPA Section 401 Water Quality Certifications		
	R.C. ***6111.0210, 6111.02, 6111.028, 6111.0211, 6111.0212, 6111.0213***	**R.C.** ***6111.30, 6111.02, 6111.0211, 6111.0212, 6111.0213 (removed from bill), 6111.30, 6111.31, 6111.32***
No provision.	Replaces existing administrative rules by establishing requirements governing the issuance of section 401 water quality certifications for wetlands that are not isolated wetlands and for three categories of streams, including different levels of review and criteria for the issuance or denial of certifications depending on the category and size of the wetland or stream that is subject to dredging and filling and pre-activity notice requirements; establishes requirements for public notice prior to the issuance of a section 401 water quality certification; and requires all standards, methods, processes, procedures, and policies that are used to determine the approval or denial of a mitigation proposal to be established or identified in accordance with specified provisions of the Administrative Procedure Act in order to have the force of law. Fiscal effect: The amendment does not exempt bodies of water from 401 certification, but provides for a different form of review; no new fiscal effect, but will likely accelerate permitting process.	Eliminates the House-passed section 401 water quality certification requirements but establishes procedural requirements regarding the issuance of certifications; establishes requirements specifying what must be submitted with a certification application; requires the Director of Environmental Protection to conduct a completeness determination regarding the application; establishes public notice, hearing, and comment requirements; establishes procedures and time frames for issuance or denial of a certification; requires wetland, stream, or lake mitigation standards to be adopted in accordance with specified provisions of the Administrative Procedure Act in order to have the force of law; and establishes certain mitigation requirements for impacts to wetlands and streams. Fiscal effect: The provisions clarify procedures to be used in issuing certifications and establish mitigation requirements; no fiscal effect. (See item titled "Surface Water Protection Fee" for the fiscal effect associated with section 401 water quality certification fee changes.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
148 (CD-936-EPA) Automobile Emissions Tests		
	Section: ***206.27***	**Sections:** ***206.27, RC 3704.035, 3704.14, 3704.142 (repealed), 3704.143, 3704.17 (repealed), 3704.99, 4503.103, and 5552.01***
No provision.	Creates the Auto Emissions Test Fund (Fund 5BY) and transfers $8,100,000 in FY 2006 and $15,200,000 in FY 2007 from the Tobacco Master Settlement Agreement Fund (Fund 087) to this newly created fund; and specifies that the fund shall be used to pay up to $19.50 per automobile emissions test in counties required to continue the testing. Fiscal effect: Decrease of $8,100,00 in fiscal year 2006 and $15,200,000 in fiscal year 2007 in the Tobacco Master Settlement Fund (that otherwise would be transferred to the Tobacco Use and Prevention and Cessation Trust Fund), and corresponding increase in the newly created Auto Emissions Test Fund, which will be offset by expenditures from the fund for automobile emissions tests. (The corresponding item entitled, "Automobile Emissions Tests" in the Tobacco Use Prevention and Control Foundation has been removed from the Conference Committee Comparison Document.)	Same as the House, except eliminates the appropriation for GSF appropriation item 715-681, Auto Emissions Test, and instead specifies that the Auto Emissions Test Fund shall be used to pay for the operation and oversight of the auto emissions testing programs beginning January 1, 2006, without providing a specific per-test amount to be covered. Also states that rather than transferring a specific amount of money from the Tobacco Master Settlement Agreement Fund (Fund 087), Ohio EPA, in consultation with the Office of Budget and Management (OBM), shall determine an amount to withhold and later transfer from that fund to the Auto Emissions Test Fund, and specifies that any money withheld but not transferred to the Auto Emissions Test Fund shall be transferred to the Tobacco Use Prevention and Cessation Trust Fund. Fiscal effect: Decrease in the Tobacco Master Settlement Fund and corresponding increase in the newly created Auto Emissions Test Fund. The amount will depend on the agreed amount of the auto emissions testing contract, and Ohio EPA administrative expenses.
No provision.	No provision.	Requires EPA to continue to implement an enhanced motor vehicle inspection and maintenance program only in any county of the state in which such a program is federally mandated; requires the program to expire on December 31, 2007, and prohibits the continuation of the program beyond that date unless otherwise federally mandated; and requires the EPA to adopt rules necessary to implement the program

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		in the applicable counties. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
149 (CD-1151-ETC eTech Ohio - Merger of SchoolNet and OETNC		
R.C. ***3353.02, 125.05, 183.28, 3301.80, 3314.074, 3317.06, 3317.50, 3317.51, 3319.22, 3319.23 3353.01, 3353.03, 3353.04, 3353.06, 3353.07 Sections 315.09, 315.10, 315.11***	**R.C.** ***3353.02, 125.05, 183.28, 3301.80, 3314.074 3317.06, 3317.50, 3317.51, 3319.22, 3319.235, 3353.01, 3353.03, 3353.04, 3353.06, 3353.07, Sections 315.09, 315.10, 315.11***	**R.C.** ***3353.02, 125.05, 183.28, 3314.074, 3317.0 3317.50, 3317.51, 3319.22, 3319.235, 3353.01, 3353.03, 3353.04, 3353.06, 3353. Sections 315.09, 315.10, 315.11, 316.03***
(1) Eliminates, as of July 1, 2005, the Ohio SchoolNet Commission and the Ohio Educational Telecommunications Network Commission as independent agencies and transfers their functions, assets, liabilities, and employees to an agency designated by the Governor, based upon recommendations of a task force appointed by the Governor.	(1) Same as the Executive.	(1) Effective July 1, 2005, transfers the functions, assets, liabilities, and employees of the existing Ohio SchoolNet Commission and the Ohio Educational Telecommunications Network Commission to a new agency called eTech Ohio.
(2) No provision.	(2) No provision.	(2) Requires the 11-member governing body of the eTech Ohio Commission to consist of (1) the Superintendent of Public Instruction, the Chancellor of the Board of Regents, the Director of Administrative Services, and four representatives of the public appointed by the Governor as voting members and (2) two members of the Senate and two members of the House of Representatives as nonvoting members. Subjects the Governor's appointees to Senate approval and permits the Governor to remove them for cause. Requires the Commission's chairperson to be one of the public members. Members of the Commission are to serve without compensation; however, members appointed by the Governor will be reimbursed for actual and necessary expenses related to their official duties.
(3) No provision.	(3) No provision.	(3) Requires the Commission to appoint an executive director following the term of an interim executive director appointed by the Governor and subjects the appointment of the interim executive director to Senate approval.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(4) No provision.	(4) No provision.	(4) Specifies that all employees of the Commission are in the unclassified service. Under current law some Ohio Educational Telecommunications Network Commission employees are in the classified service. Employees of the existing commissions must be either transferred to eTech Ohio or dismissed, effective July 1, 2005. Any transferred Ohio Educational Telecommunications Network Commission employees would no longer be part of any collective bargaining unit to which they once belonged.
(5) No provision.	(5) No provision.	(5) Requires the Commission to establish advisory groups to provide guidance on educational technology issues.
(6) No provision.	(6) No provision.	(6) Specifies that (unlike the Ohio Educational Telecommunications Network Commission under current law) the eTech Ohio Commission does not have authority to (a) own interconnection facilities, (b) own or operate transmission facilities and enter into agreements with educational television or radio broadcasting stations or radio reading services to transmit programs to them, (c) determine programming distributed through the Commission's educational telecommunications network, and (d) transfer equipment to educational television or radio broadcasting stations or radio reading services in exchange for services.
Fiscal effect: Places GRF funding for both agencies in GRF appropriation item 911-417, Educational Technology Fund, of the Controlling Board.	Fiscal effect: Same as the Executive.	Fiscal effect: Removes the GRF funding for educational technology that was held within the Controlling Board's budget and establishes the FY 2006-FY 2007 budget for eTech Ohio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
150 (CD-1162-ETC Operations		
		Section: ***206.31.03***
No provision.	No provision.	Requires eTech Ohio to enter into an agreement with the Department of Administrative Services (DAS) to provide for the maintenance of telecommunication towers currently maintained by the Ohio Educational Telecommunications Network Commission. Requires eTech Ohio and DAS to develop a plan by July 1, 2006, to address the best method for transferring ownership and control of all towers to DAS.
151 (CD-1152-ETC Statehouse News Bureau		
		Section: ***206.31.06***
No provision.	No provision.	Specifies that GRF appropriation item 935-401, Statehouse News Bureau, be used solely to support the operations of the Ohio Statehouse News Bureau.
152 (CD-1153-ETC Ohio Government Telecommunications Studio		
		Section: ***206.31.06***
No provision.	No provision.	Specifies that GRF appropriation item 935-402, Ohio Government Telecommunications Studio, be used solely to support the operations of the Ohio Government Telecommunications Studio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
153 (CD-1155-ETC Technical Operations		
		Section: ***206.31.06***
No provision.	No provision.	Specifies that GRF appropriation item 935-403, Technical Operations, be used to pay the expenses of the television and radio transmission infrastructure.
154 (CD-1156-ETC Telecommunications Operating Subsidy		
		Section: ***206.31.06***
No provision.	Earmarks $45,000 in each fiscal year from GRF appropriation item 911-417, Educational Technology Fund, of the Controlling Board to be used for a competitive grant for radio reading services (The corresponding item entitled "Radio Reading Services" in the Controlling Board has been removed from the Conference Committee Comparison Document.)	Same as the House except earmarks the funds from GRF appropriation item 935-404, Telecommunications Operating Subsidy, of eTech Ohio and explicitly requires the radio reading service contract to be awarded through a competitive bidding process. Also requires the Controlling Board's approval before funds can be disbursed.
No provision.	No provision.	Specifies that the remainder of the appropriation be distributed to Ohio's public television stations, radio reading services, and educational radio stations to support their operations pursuant to the allocation formula used by the Ohio Educational Telecommunications Network Commission unless and until a substitute formula is developed by eTech Ohio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
155 (CD-1157-ETC Technical and Instructional Professional Development		
		Section: ***206.31.09***
No provision.	No provision.	Specifies that GRF appropriation item 935-406, Technical and Instructional Professional Development, be used by eTech Ohio to make grants or provide services to qualifying public schools for the provision of hardware, software, telecommunications services, and staff development to support educational uses of technology in the classroom. Makes the following earmarks of GRF appropriation item 935-406, Technical and Instructional Professional Development:
		(1) Earmarks up to $200,000 in each fiscal year to provide competitive professional development grants to school districts.
		(2) Earmarks up to $1,260,000 in each fiscal year to be allocated equally among the 12 Ohio educational television stations and used with the advice and approval of eTech Ohio. Funds shall be used for the production of interactive instructional programming series for the poorest 200 school districts in the state.
		(3) Specifies that the remainder of the appropriation be used for professional development for teachers and administrators for the use of educational technology. eTech Ohio may make grants to provide technical assistance and professional development to school districts. Grants are to be made to entities on a contractual basis. Grant applications must be consistent with a school district's technology plan that meets the minimum specifications prescribed by eTech Ohio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
156 (CD-1158-ETC Education Technology		
		Section: ***206.31.12***
No provision.	No provision.	Requires eTech Ohio to monitor the operations of its networks and align its improvement efforts to coordinate network operations through the Office of Information Technology and the Third Frontier Network.
		Specifies that GRF appropriation item 935-539, Education Technology, be used to provide funding to suppliers of information services to school districts for the provision of hardware, software, and staff development in support of educational uses of technology in the classroom.
		Makes the following earmarks of GRF appropriation item 935-539, Education Technology:
		(1) Earmarks up to $1,829,240 in each fiscal year to be used to link all public K-12 classrooms to each other and the Internet, and to provide access to voice, video, and data educational resources for students and teachers through the OneNet Ohio Program.
		(2) Earmarks up to $4,139,551 in each fiscal year to contract with public television to provide Ohio public schools with instructional resources and services. Such instructional resources and services are also to be made available for purchase by chartered nonpublic schools or by school districts for the benefit of pupils attending chartered nonpublic schools. Specifies that funding be distributed based on the formula used by the Ohio SchoolNet Commission unless or until a substitute formula is developed by eTech Ohio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
157 (CD-1159-ETC Telecommunity		
		Section: *206.31.15*
No provision.	No provision.	Specifies that State Special Revenue Fund appropriation item 935-630, Telecommunity, be distributed by eTech Ohio on a grant basis to eligible school districts to establish "distance learning" through interactive video technologies in the school district.
158 (CD-1160-ETC Distance Learning		
		Section: *206.31.15*
No provision.	No provision.	Specifies that State Special Revenue Fund appropriation item 935-634, Distance Learning, be distributed by eTech Ohio on a grant basis to eligible school districts to establish "distance learning" in the school district.
159 (CD-1161-ETC Gates Foundation Grants		
		Section: *206.31.15*
No provision.	No provision.	Specifies that State Special Revenue Fund appropriation item 935-607, Gates Foundation Grants, be used by eTech Ohio to provide professional development to school district principals, superintendents, and other administrative staff for the use of education technology.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
160 (CD-1163-ETC Name conformity changes in capital appropriations bill and tobacco budget bill		
		Sections: ***401.05, 403.01***
No provision.	No provision.	Amends Am. Sub. H.B. 16, the capital appropriations bill of the 126th General Assembly, and Sub. H.B. 434, the tobacco budget bill of the 125th General Assembly, to make the name conformity changes to eTech Ohio.
161 (CD-1164-ETC Changes to capital reappropriations bill of the 126th G.A.		
		Section: ***403.10.01***
No provision.	No provision.	Amends Am. Sub. S.B. 189, the capital reappropriations bill of the 125th General Assembly, to make the eTech Ohio name conformity change and to increase the reappropriation for item CAP-001, Educational Television and Radio Equipment, to $3,378,684.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
162 (CD-271-DOH County Tuberculosis Control Programs and Detention Costs		
R.C. ***339.72, 339.77 (repealed), 339.88, 3701.146***	**R.C.** ***339.72, 339.73, 339.77 (repealed), 339.88, 3701.146***	**R.C.** ***339.72, 339.73, 339.77 (repealed), 339.88, 3701.146***
Repeals the requirement that the Department make financial assistance available to county tuberculosis programs.	Same as the Executive.	Same as the Executive.
Eliminates the option that a county or district tuberculosis unit be a county tuberculosis program receiving financial assistance from the Department.	Same as the Executive.	Same as the Executive.
No provision.	Provides that boards of county commissioners are permitted, rather than required, to pay for tuberculosis treatment to the extent that payment is not made through third-party benefits.	No provision.
Repeals the requirement that the Department reimburse boards of county commissioners for the cost of detaining indigent persons with tuberculosis.	Same as the Executive.	Same as the Executive.
Fiscal effect: According to the County Commissioners' Association, in FY 2004, the Department provided $250,000 for treatment for tuberculosis and $60,000 for detention costs. These dollars were distributed to counties that dealt with tuberculosis cases. As a result of this provision, the Department would no longer be required to allocate such funding to the county tuberculosis programs.	Fiscal effect: According to the County Commissioners' Association, most county commissioners will choose not to pay for tuberculosis treatment since it is permissive. As a result, this cost could shift to local health or general health districts. County commissioners will still be responsible for tuberculosis detention costs.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
163 (CD-937-DOH Bureau of Children with Medical Handicaps (Program for Medically Handicapped Children)		
	R.C. ***3701.021, 3701.023, Sections 206.42.12, 206.42.13***	**R.C.** ***3701.021, 3701.023, Sections 206.42.12, 206.42.13***
No provision.	Makes Medicaid-eligible individuals ineligible for the Program for Medically Handicapped Children except in limited circumstances.	Removes a provision of the House-passed version of the bill that would make individuals who are eligible for Medicaid ineligible for the Program for Medically Handicapped Children.
	Requires the Public Health Council to return financial eligibility requirements for fiscal years 2006 and 2007 to the levels in effect prior to October 13, 2003.	Same as the House.
	Eliminates a provision of current law that provides that a medically handicapped child is not required to apply for Medicaid as a condition of eligibility for the Program for Medically Handicapped Children if applying for or receiving Medicaid violates a religious belief of the child or child's parent or guardian.	Same as the House, but makes technical changes.
	Fiscal effect: Provides funding in GRF appropriation item 440-505, Medically Handicapped Children, at levels that will allow for the return of 5,000 families to the program (these children had been made ineligible in October of 2003 due to a change in financial eligibility requirements). This is assuming that the following conditions are met: religious exemption is implemented, Medicaid recipients are no longer enrolled on BCMH, Local Health District outreach contracts are eliminated, and there is more Help Me Grow coordination with the program for those clients three years old and under.	Fiscal effect: The Department has estimated that allowing Medicaid-eligible individuals to maintain eligibility for BCMH will cost approximately $800,000 in FY 2006 and $2 million in FY 2007. According to estimates provided by the Department, funding in GRF appropriation item 440-505, Medically Handicapped Children, should be sufficient to provide for the return of the 5,000 children that were made ineligible in October of 2003 due to a change in financial eligibility requirements and maintain current service levels (assuming that the religious exemption is implemented, Local Health District outreach contracts are eliminated, and there is more Help Me Grow coordination with the program for those clients three years old and under).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	Creates the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps to examine issues involving the Program's operation, services, and funding.	Modifies a provision of House-passed version of the bill establishing the Legislation Committee on the Future Funding of the Bureau for Children with Medical Handicaps (BCMH) by doing the following: (1) Replacing the Director of Budget and Management with one representative each from the Ohio Hospital Association, the Ohio Association of Health Commissioners, and the Ohio Nurses Association; (2) Allowing the Speaker of the House of Representatives and the President of the Senate to each appoint three members (instead of one member) of the public who suffer from a disease or disorder covered by BCMH or their family members; (3) Removing the authority of the Governor to appoint members of the Committee; (4) Changing the date by which the Committee must make recommendations from December 1, 2005 to December 1, 2006; (5) Requiring the Department of Health to contact all persons who lost eligibility for the BCMH program or their parents to inform them of rule changes that may affect their eligibility for BCMH services.
	Fiscal effect: The requirement for the creation of the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps would also increase expenditures for the Department. The amount of this increase is unknown at this time.	Fiscal effect: Same as the House.

164 (CD-1189-DOH Critical Access Hospitals

		R.C. ***3701.073***
No provision.	No provision.	Requires the Director of Health to designate certain rural hospitals as critical access hospitals.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Fiscal effect: The Department must survey each hospital in order for the hospital to receive a critical access hospital status. If additional hospitals are eligible for this status, costs to the Department could increase, dependent upon the number surveyed.
165 (CD-1201-DOH Physician Loan Repayment Program		
		R.C. *3702.71*
No provision.	No provision.	Adds psychiatrists to the primary care specialists eligible for the Physician Loan Repayment Program to fill a primary care need in underserved areas of the state.
		Fiscal effect: This provision will allow the Department to award physician loan repayments to psychiatrists who fill a primary care need in underserved areas of the state. The Department still chooses which eligible primary care specialists receive these loan repayments.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
166 (CD-485-DOH General Health District Office Space and Utilities		
R.C. ***3709.34, 3709.29***	**R.C.** ***3709.34, 3709.29***	**R.C.** ***3709.34, 3709.29***
Provides that a general health district levy can be used to cover the costs of office space and utilities. Generally, requires counties to provide office space and utilities to their general health district's board of health through fiscal year (FY) 2005; requires them to pay in FY 2006 through FY 2009 specified decreasing proportions of the cost of the office space and utilities; specifies that they have no obligation to provide or pay for the office space and utilities after FY 2009; permits them in FY 2010 and thereafter to contract to provide the office space and utilities; and permits them in any fiscal year in their discretion and notwithstanding the aforementioned fiscal year limitations, to provide the office space and utilities free of charge. Also, relieves a board of county commissioners of its office space and utilities obligations if the board of health of the county's general health district acquires office space on its own in any of several specified manners.	Same as the Executive.	Same as the Executive, but requires counties to instead provide office space and utilities to their general health district' board of health through FY 2006 and requires them to pay in FY 2007 through FY 2009 specified decreasing proportions of the cost of the office space and utilities.
Fiscal effect: Currently, a county is required to provide suitable quarters including utilities, phone, heat, water and light for the general health districts. As a result of this provision, counties will no longer have to provide these to general health districts. Instead, the general health district will have to dedicate funding from inside millage for this purpose or cut personnel or services to cover this expense. This will result in a decrease of expenditures for county governments and an increase in expenditures for general health districts beginning in FY 2006 . According to the Association of Health Commissioners, the costs for office space, utilities, etc. could increase expenditures to each general health district anywhere from $60,000 to $250,000 per year by FY 2009.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive, but the increase in expenditures for general health districts will not begin until FY 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(The corresponding entry entitled "General Health District Office Space and Utilities" in the Local Government Provisions Section has been removed from the Conference Committee Comparison Document.)		

167 (CD-272-DOH Nursing Home and Residential Care Facility Licensing Fees

R.C. *3721.02*		R.C. *3721.02*
Increases the licensing and inspection fee for nursing homes and residential care facilities to $170 for each 50 persons in a home or facility's licensed capacity (from $105).	No provision.	Same as the Executive.
Fiscal effect: Projected annual gain of $200,000 to be deposited into Fee Supported Programs (Fund 470) in the state special revenue fund group. These funds will be used to help cover operating expenses and to shift more of the cost sharing from the GRF to the nursing home providers.		Fiscal effect: Same as the Executive.

168 (CD-267-DOH Adult Care Facility Inspection Fees

R.C. *3722.04*		R.C. *3722.04*
Increases the adult care facility inspection fee to $20 per bed (from $10) and requires that the fee be paid following each inspection, as well as each issuance or renewal of a license.	No provision.	Same as the Executive.
Fiscal effect: Projected annual gain of $56,660 to be deposited into Fee Supported Programs (Fund 470) in the state special revenue fund group. These additional funds will be used to help cover operating expenses and to shift more of the cost sharing from the GRF to nursing home providers.		Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
169 (CD-250-DOH Child and Family Health Services		
Section: ***206.42.03***	**Section:** ***206.42.03***	**Section:** ***206.42.03***
Makes the following earmarks in GRF appropriation item 440-416, Child and Family Health Services:	Makes the following earmarks:	Makes the following earmarks:
(1) Earmarks not more than $1.7 million in each fiscal year for women's health services.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Earmarks not more than $270,000 in each fiscal year for the OPTIONS dental care access program.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks not more than $900,000 in each fiscal year for federally qualified health centers and federally designated look-alikes to provide services to uninsured low-income persons.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Earmarks not more than $500,000 in each fiscal year for abstinence-only education. Also, the Director of Health shall develop guidelines for the establishment of abstinence programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion.	(4) Same as the Executive.	(4) Same as the Executive.
(5) No provision.	(5) $10,000 in each fiscal year to the Jewish Community Center in Cleveland;	(5) Changes the earmark to the Jewish Family Services in Cleveland.
(6) No provision.	(6) $10,000 in each fiscal year to the Jewish Vocational Services in Cincinnati;	(6) Changes the earmark to the Jewish Family Services in Cincinnati.
(7) No provision.	(7) $10,000 in each fiscal year to the Wexner Heritage Village in Columbus;	(7) Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(8) No provision.	(8) $10,000 in each fiscal year to the Jewish Family Services in Dayton;	(8) Same as the House.
(9) No provision.	(9) $5,000 in each fiscal year to the Jewish Community Center in Akron;	(9) Same as the House.
(10) No provision.	(10) $5,000 in each fiscal year to the Jewish Community Center in Sylvania;	(10) Same as the House.
(11) No provision.	(11) $2,500 in each fiscal year to the Jewish Community Center in Youngstown; and	(11) Same as the House.
(12) No provision.	(12) $2,500 in each fiscal year to the Jewish Community Center in Canton.	(12) Same as the House.
(13) No provision.	(13) No provision.	(13) $10,000 in each fiscal year to the Jewish Family Services in Columbus;
(14) No provision.	(14) No provision.	(14) $16,667 in each fiscal year to the Yassenoff Jewish Community Center;
(15) No provision.	(15) No provision.	(15) $16,667 in each fiscal year to the Jewish Community Center in Cincinnati;
(16) No provision.	(16) No provision.	(16) $16,666 in each fiscal year to the Jewish Community Center in Cleveland;
(17) No provision.	(17) No provision.	(17) $450,000 in each fiscal year to the Visiting Nurse Association; and

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(18) No provision.	(18) No provision.	(18) $25,000 in each fiscal year to Clermont County's Comprehensive Suicide Prevention Program.
170 (CD-1357-DOH Transfer from the Tobacco Master Settlement Agreement Fund to Immunizations		
		Sections: ***206.42.09, 206.42, 312.24***
No provision.	No provision.	Transfers $800,000 in FY 2007 from the Tobacco Master Settlement Agreement Fund (Fund 087) to the GRF. Increases GRF appropriation item 440-418, Immunizations by the same amount. The amount being transferred would have otherwise been transferred to the Ohio's Public Health Priorities Trust Fund in fiscal year 2007.
No provision.	No provision.	Earmarks up to $800,000 in GRF appropriation item 440-418, Immunizations, in FY 2007 for the purchase of varicella vaccines.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
171 (CD-1339-DOH Free Clinic Liability Insurance		
		Sections: ***206.42.09, R.C. 2305, 2341***
No provision.	No provision.	Earmarks up to $20,000 in GRF appropriation item 440-431, Free Clinic Liability Insurance, in each fiscal year for the Department of Health for administrative expenses related to the Medical Liability Insurance Reimbursement Program. The remainder in each fiscal year shall be used to pay for medical liability insurance for free clinics (80% of premiums up to $20,000), including the clinics' staff and volunteer health care professionals and volunteer health care workers. The necessity and feasibility of the program shall be reviewed as part of the next biennial budget. The appropriation item is appropriated $275,000 in FY 2006 and $325,000 in FY 2007. (The corresponding entry entitled "Free Clinics' Medical Malpractice Insurance Premiums" in the Miscellaneous Provisions has been removed from the Conference Committee Comparison Document.)
172 (CD-307-DOH Targeted Health Care Services Over 21		
Section: ***206.42.09***	**Section:** ***206.42.09***	**Section:** ***206.42.09***
Requires that funds in GRF appropriation item 440-507, Targeted Health Care Services Over 21, be used for the administration of the cystic fibrosis and Hemophilia Insurance Premium Payment Program.	Same as the Executive.	Requires that $731,033 in each fiscal year in GRF appropriation item 440-507, Targeted Health Care Services Over 21, be used for the administration of the cystic fibrosis and Hemophilia Insurance Premium Payment Program.
No provision.	No provision.	Earmarks $900,000 in each fiscal year for essential medications for the cystic fibrosis program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
173 (CD-1095-DOH Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund		
	Sections: ***206.42.19, 206.42***	**Sections:** ***206.42.19, 206.42***
No provision.	Transfers cash totaling $200,000 in each fiscal year from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Health's Poison Control Fund (Fund 5CB) and earmarks $50,000 each for poison control centers in Cleveland, Cincinnati, Columbus, and Dayton. (The corresponding item entitled "Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund" in the Department of Commerce has been removed from the Conference Committee Comparison Document.)	Same as the House, but changes wording that poison control centers in Cleveland, Cincinnati, Columbus, and Dayton shall each "receive an allocation" of $50,000 rather than "be awarded a grant" of $50,000.
174 (CD-517-DOH Consolidation of Regulatory Boards		
Section: ***315.03***	**Sections:** ***315.03, 203.93, 209.03, 209.21, 209.42***	**Sections:** ***315.03, 203.93, 209.03, 209.21, 209.42***
Consolidates the occupational licensing boards into either the departments of Health, Public Safety, or Commerce in FY 2007. The boards consolidated into the Department of Health are the: Chemical Dependency Professionals Board; Board of Chiropractic Examiners; Counselor, Social Worker, and Marriage and Family Therapist Board; State Dental Board; Ohio Board of Dietetics; State Medical Board; Board of Nursing; Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board; Ohio Optical Dispensers Board; State Board of Optometry; State Board of Orthotics, Prosthetics, and Pedorthics; State Board of Pharmacy; State Board of Psychology; Ohio Respiratory Care Board; Board of Speech-Language Pathology and Audiology; and State Veterinary Medical Licensing Board.	Removes the following boards from the proposal to consolidate certain regulatory boards into the Department of Health: the State Dental Board, Medical Board, Board of Nursing, and the State Board of Pharmacy.	Same as the House, but adds three members to the transition team to be selected by the boards still affected by consolidation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Requires the Directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety to appoint representatives to a transition team. This team shall develop a plan and address the details of the consolidation. The team shall also develop budgets for the respective departments and the consolidated boards and commissions. The team shall submit a report to the Governor containing recommendations and the details for the consolidation no later than December 31, 2005. A bill is to be introduced in fiscal year (FY) 2006 that will include necessary statutory changes and appropriations.		
Fiscal effect: Unknown at this time since the specifics of the transfer will not be addressed until FY 2006. (The corresponding entries entitled "Consolidation of Regulatory Boards" under the affected boards have been removed for the Conference Committee Comparison Document.)	Fiscal effect: The boards listed above are appropriated for FY 2007 at FY 2006 recommended levels. The fiscal effect for the remaining boards are unknown at this time since the specifics of the transfer will not be addressed until FY 2006.	Fiscal effect: Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
175 (CD-489-HEF) Meetings by Teleconference		
R.C. ***3377.03***	**R.C.** ***3377.03***	
Makes an exception to the Open Meetings ("Sunshine") Law by allowing members of the Higher Education Facilities Commission to be considered present at meetings by interactive video teleconference or teleconference for the purpose of a quorum and to cast votes, as long as public attendance is allowed at the meeting's location. Fiscal effect: Since Commission members are reimbursed for their travel expenses, this provision could lead to a possible minimal decrease in expenditures.	Same as the Executive.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
176 (CD-1283-OHS Disbursement of Funds by the Ohio Historical Society		
		R.C. *149.30*
No provision.	No provision.	Requires the Historical Society to distribute money appropriated for grants or subsidies to other entities for site-related programs within 90 days of accepting a grant or subsidy application for the money and prohibits the Society from charging or retaining a fee for distributing the money to those entities.
		Fiscal effect: Under current practice, the Historical Society does not charge or retain a fee for distributing money from grants or subsidies to other sites. There should be no fiscal effect from this change.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
177 (CD-1118-OHS Historical Grants		
	Section: *206.51*	**Section: *206.51***
No provision.	Earmarks $35,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Castle Farm project in Mason, Ohio.	Same as the House.
No provision.	Earmarks $75,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Hebrew Union College in Cincinnati for the Center for Holocaust and Humanity Education.	Same as the House.
No provision.	Earmarks $100,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Western Reserve Historical Society in Cleveland.	Earmarks $250,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Western Reserve Historical Society in Cleveland.
No provision.	Earmarks $100,000 in fiscal year 2006 from GRF appropriation item 360-508, Historical Grants, for the Harbor Heritage Society Steamship Mather in Cleveland.	Earmarks $125,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Harbor Heritage Society Steamship Mather in Cleveland.
No provision.	Earmarks $100,000 in fiscal year 2006 from GRF appropriation item 360-508, Historical Grants, for the Great Lakes Historical Society in Vermilion.	Earmarks $225,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Great Lakes Historical Society in Vermilion.
No provision.	Earmarks $25,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Cincinnati Museum Center.	Earmarks $250,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Cincinnati Museum Center.
No provision.	No provision.	Earmarks $100,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Art Academy of Cincinnati.
No provision.	No provision.	Earmarks $12,500 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Roseville Historical Society.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
178 (CD-1380-INS Certificate of Authority to Establish a Medicaid Health Insuring Corporation		
		R.C. ***1751.03, 1751.04, 1751.05***
No provision.	No provision.	Removes the requirement that the Director of Health review the application to establish or operate a health insuring corporation (HIC) to cover solely recipients of assistance under Medicaid before the Superintendent of Insurance may issue or deny a certificate of authority to establish or operate the HIC. Lengthens from 45 days to 135 days the period of time given to the Superintendent of Insurance to issue or deny such a certificate of authority to establish or operate a HIC. The existing limit of 45 days is retained for all other types of certificate of authority applications. Fiscal effect: None for the Department of Insurance. The Department of Health could realize a minimal decrease in expenditures due to the removal of the review requirement.
179 (CD-1015-INS Performance Bonds for Medicaid Health Insuring Corporations		
	R.C. ***1751.271, 1751.03, 3903.14, 3903.421***	**R.C.** ***1751.271, 1751.03, 3903.14, 3903.421***
No provision.	Requires each health insuring corporation that provides coverage to Medicaid recipients to post a performance bond in the amount of $1 million with the Superintendent of Insurance. The company may deposit securities worth an equivalent value with the Superintendent in lieu of posting a bond, with any interest on the securities paid to the company. The bond or securities shall be payable to the Department of Insurance in the event that the health insuring corporation is placed in rehabilitation or liquidation. The Department is required to use the proceeds of any such payment to reimburse the company's creditors. Fiscal effect: None.	Same as the House, except that the required amount of the performance bond is increased from $1 million to $3 million. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
180 (CD-1302-INS Distribution of Claims from Health Insuring Corporation's Estate		
		R.C. *3903.42*
No provision.	No provision.	Advances to a higher priority (Class 2) the contracted providers of a health insuring corporation for purposes of the distribution of claims from the corporation's estate in a delinquency proceeding. Fiscal effect: None.
181 (CD-627-INS) Exemption for "Employer Insureds" from the Unauthorized Foreign Insurance Tax		
R.C. *3905.36, 3901.17*	**R.C. *3905.36, 3901.17***	**R.C. *3905.36, 3901.17***
Current law imposes a tax on out-of-state insurers and other persons engaged in the business of insurance that are not authorized to do business in Ohio if the insurer, its affiliate, or its agent takes any of a number of listed actions in Ohio. This tax has several exemptions, one of which is for contracts of insurance issued to an "employer insured," which is defined as an insured with at least 25 full-time employees and annual aggregate insurance premiums of at least $25,000, that procures insurance by the use of a full-time employee acting as an insurance manager or buyer or by the use of a continuously qualified insurance consultant. The bill ends this exemption. It also ends an exemption to a requirement that an Ohio insured that obtains insurance through an unauthorized foreign insurer annually return a statement to the Superintendent of Insurance providing specified information about that insurance coverage. Fiscal effect: Increase of $7 million to $12 million per year, depending on market conditions, to the GRF.	Same as the Executive.	Same as the Executive, except that provisions were added to clarify that the tax should not apply to parent organizations or individual owners of captive insurers, or to affiliates of the owners. Fiscal effect: No change from the Executive. The clarification does not change the Department of Insurance's interpretation of the intent of this provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
182 (CD-1255-JFS Joint Legislative Committee on Medicaid Technology and Reform		
		R.C. *101.391*
No provision.	No provision.	Creates the Joint Legislative Committee on Medicaid Technology and Reform, with five members of the Senate and five members and of the House of Representatives, and permits the committee to employ an executive director.
		Fiscal effect: The bill appropriates and earmarks $100,000 in each fiscal year in the Legislative Service Commission's GRF appropriation item 035-321, Operating Expenses, to be used to employ the executive director.
183 (CD-1050-JFS Audits of Medicaid Providers and Performance Audit of Medicaid Program		
	R.C. *117.10, Section 206.66.49*	**R.C. *117.10, Section 206.66.49***
No provision.	Expands the Auditor of State's authority to audit Medicaid providers by eliminating the limitation that the Department must first request the audit.	Same as the House.
No provision.	Authorizes the Auditor of State to conduct a single performance audit of the Medicaid program during fiscal years 2006 and 2007. (The corresponding item entitled "Audits of Medicaid Providers and Performance Audit of Medicaid Program" in Auditor of State has been removed from the Conference Committee Comparison Document.)	Requires the Department of Job and Family Services to reimburse the Auditor of State for the costs of the performance audit required by the bill.
	Fiscal effect: Agencies are responsible for paying the costs of audits that are conducted by the Auditor of State. Therefore, this provision could increase costs for the agencies that provide Medicaid services if the Auditor of State chooses to conduct a single performance audit of the	Fiscal effect: Makes the Department of Job and Family Services responsible for the audit costs.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	Medicaid program during fiscal years 2006 and 2007.	
184 (CD-1324-JFS Medicaid Eligibility Fraud		
		R.C. ***2307.65, 2913.401***
No provision.	No provision.	Prohibits and provides criminal and civil remedies for knowingly doing any of the following in an application for Medicaid benefits or in a document that requires a disclosure of assets for the purpose of determining eligibility to receive Medicaid benefits: making or causing to be made a false statement or false representation of a material fact; concealing an interest in property; or failing to disclose a transfer of property that occurred during the 36- or 60-month period, depending on the type of transfer, before submission of the application or document.
		Fiscal effect: The Department of Job and Family Services could recoup some money through these civil actions, however, the magnitude of the recoupment is unknown at this time. The fiscal effect on the Attorney General and justice system are also uncertain.
		(The corresponding items "Medicaid Eligibility Fraud" in Attorney General and Local Government Provisions have been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
185 (CD-513-JFS) Child Support Federal Incentives		
R.C. ***3125.191***	**R.C.** ***3125.191***	**R.C.** ***3125.191, and Sections 206.6691 and 206.66.92***
Creates in the state treasury the Child Support Operating Fund as a state special revenue fund. The Department may deposit into the fund a portion of the federal incentives related to the federal child support enforcement laws contained in Title IV-D of the Social Security Act that ODJFS receives from the U.S. Department of Health and Human Services. The provision permits ODJFS to use money in the fund for program and administrative purposes associated with the Child Support Enforcement Program.	Same as the Executive.	Same as the Executive.
Fiscal effect: The dollars that will be deposited into this fund are not new revenue for the Department. This provision is redirecting a portion of incentive dollars received from the federal government for the child support program to this new fund.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
No provision.	No provision.	Authorizes ODJFS to retain $1,820,000 of certain federal incentives received to reimburse ODJFS for the state share of payments it makes for mandatory contracts used by child support enforcement agencies in the Child Support Enforcement Program. Based on the actual usage of optional contracts by each county, authorizes ODJFS to retain a portion of certain federal incentives that are paid to child support enforcement agencies to reimburse the Department for the state share of the contractual obligation for the monthly use of optional contracts by each agency in the Child Support Enforcement Program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Fiscal effect: The bill contains an appropriation of $5.0 million in each fiscal year for state special revenue appropriation item 600-693, Child Support Operating, which is supported by federal incentives retained by the Department. If the amount of federal incentives that are retained by the Department exceeds $5.0 million per year, the Department will have to go to the Controlling Board for an increase in appropriation to spend any amount it retains over $5.0 million.

186 (CD-398-JFS) Nursing Home Franchise Permit Fee

R.C. ***3721.50, 3721.51, 3721.511 (repealed), 3721.52, 3721.541, 3721.56, 3721.561, 3721.58, 5111.231***	**R.C.** ***3721.50, 3721.51, 3721.511 (repealed), 3721.52, 3721.541, 3721.56, 3721.561, 3721.58, 5111.20, 5111.235, 5111.266***	**R.C.** ***3721.50, 3721.51, 3721.511 (repealed), 3721.52, 3721.541, 3721.56, 3721.561, 3721.58, 5111.20, 5111.235, 5111.266***
Extends to fiscal years 2006 and 2007 the increase in the nursing home franchise permit fee to $4.30 (from $1) per bed per day.	Provides that the nursing home franchise permit fee for fiscal years 2006 and 2007 is $6.25.	Same as the House.
Provides that the portion of the nursing home franchise permit fee that is deposited into the Nursing Facility Stabilization Fund is to be used for the same purposes in fiscal years 2006 and 2007 as it was in fiscal year 2005.	Provides that the portion of the nursing home franchise permit fee that is deposited into the Nursing Facility Stabilization Fund is to be used to make (1) Medicaid payments to nursing facilities and (2) quarterly payments beginning in the third quarter of calendar year 2005 to nursing facilities to reimburse the cost of the franchise permit fee.	Same as the House, but does not provide that the portion of the nursing home franchise permit fee that is deposited into the Nursing Facility Stabilization Fund is to be used to make quarterly payments to nursing facilities to reimburse the cost of the franchise permit fee. (See "Fiscal Year 2006 Medicaid Reimbursement Rate for Nursing Facilities" below.)
Authorizes the Department to withhold a Medicaid payment or terminate a Medicaid provider agreement if a facility subject to the nursing home franchise permit fee fails to pay the fee when due.	Same as the Executive.	Same as the Executive.
Eliminates the exemption from the nursing home franchise permit fee available to certain facilities because of a federal Medicaid waiver.	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Exempts a nursing home maintained and operated by the Ohio Veteran's Home Agency from the nursing home franchise permit fee.	Same as the Executive.	Same as the Executive.
Fiscal effect: The Executive estimates that the $4.30 franchise permit fee would generate a total of about $144.4 million per year in franchise permit fee revenues in FYs 2006 and 2007.	Fiscal effect: ODJFS estimates that this provision will generate approximately $80.9 million all funds ($32.5 million state share) in FY 2006 and $121.7 million all funds ($48.8 million state share) in FY 2007.	Fiscal effect: This provision eliminates the House provision that requires the Department to use money in the Nursing Facility Stabilization Fund to make quarterly payments to NFs regarding the nursing home franchise permit fee. Another provision ("Fiscal Year 2006 Medicaid Reimbursement Rate for Nursing Facilities") increases the reimbursement rate to NFs by the increase in the nursing home franchise permit fee. The net effect to the state of these two provisions when combined is zero. In other words, the net total payments to NFs in FY 2006 and FY 2007 will be the same as under the As Passed by the House version.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
187 (CD-1364-JFS Medicaid Managed Care - Prompt Payment and External Reviews		
		R.C. ***3901.3814, 1751.89, 5101.93, 5101.94***
No provision.	No provision.	Eliminates existing law provisions that exclude health insuring corporations covering Medicaid recipients from the statutes that would otherwise require them to make prompt payments and to offer external reviews of denials of coverage based on lack of medical necessity. Requires the Ohio Department of Job and Family Services (ODJFS) to apply for waivers of federal Medicaid requirements if necessary to implement the prompt payment and external review provisions. If a waiver is granted or determined to be unnecessary for the prompt payment provision, ODJFS is required to notify the Department of Insurance that this provision can be implemented and to notify health insuring corporations that provide coverage to Medicaid recipients of the requirement to comply with the prompt payment provisions. (The corresponding items under the Department of Insurance "Medicaid Managed Care - Prompt Payment" and "Medicaid Managed Care External Review" have been removed from the Conference Committee Comparison Document.)
		Fiscal effect: Requiring health insuring corporations to make prompt payments may increase their costs. In turn, this provision may have the indirect fiscal effect of increasing state Medicaid costs associated with future Medicaid managed care contracts with these entities. Potential increase in expenditures for the Department of Insurance to monitor prompt payment compliance and administer external reviews.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
188 (CD-387-JFS) Disciplinary Action in the Form of Increase in County Share of Public Assistance		
R.C. *5101.24*	**R.C. *5101.24***	**R.C. *5101.163, 5101.16***
Authorizes the Department to require a county to increase its share of public assistance expenditures by an amount equaling the amount of a reduction the county is responsible for in federal financial participation or in a federal grant or payment.	Authorizes the Department to increase a county's share of public assistance expenditures to the extent the county is responsible for the state being required to increase its maintenance of efforts requirements under the Temporary Assistance for Needy Families block grant.	Authorizes the Department to increase, without having to provide notice to a county and an opportunity for an administrative review, a county's share of public assistance expenditures if the federal government requires an increase in the state's TANF maintenance of effort because of one or more failures, resulting from the actions or inactions of one or more county family services agencies, to meet a federal TANF requirement.
No provision.	No provision.	Authorizes the Department to make the increase even if it results in a county having to pay more for public assistance expenditures than the cap established by current law permits.
Fiscal effect: Future reductions or sanctions will indicate the impact on counties this provision may have.	Fiscal effect: Future reductions or sanctions will indicate the impact on counties this provision may have.	Fiscal effect: Future reductions or sanctions will indicate the impact on counties this provision may have.
189 (CD-1226-JFS Recovery of Excess Payments Made to County Family Services Agencies		
		R.C. *5101.244*
No provision.	No provision.	Authorizes the Department to recover excess payments made to county departments of job and family services, public children services agencies, and child support enforcement agencies without following current law that governs the Department's actions against such agencies.
		Fiscal effect: The fiscal impact of payment recovery will depend on the number and amount of overpayments to the counties made by the Department.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
190 (CD-386-JFS) Eligibility Determinations for Public Assistance Programs		
R.C. *5101.47*	**R.C. *5101.47***	**R.C. *5101.47***
Adds the Food Stamp Program to the public assistance programs for which the Department may perform administrative activities such as accepting applications and determining eligibility and authorizes the Department to perform such activities for other programs for which the Department determines administrative cost savings and efficiency may be achieved by having the Department perform such activities. Adds eligibility re-determinations to the administrative activities the Department may perform for certain public assistance programs.	Same as the Executive, but provides that the Department may not perform the administrative activities for a program that current law or the bill otherwise authorizes the Department to perform if federal law requires that individuals apply in person.	Same as the House, but specifies that if federal law requires a face to face interview to complete an eligibility determination for a public assistance program, ODJFS may not conduct face to face interviews for the program.
Fiscal effect: This provision could result in program savings depending on the programs for which the director determines a change in eligibility criteria is necessary.	Fiscal effect: Limits the number of additional programs for which the Department may perform administrative activities. No fiscal effect should result.	Fiscal effect: Clarifies that the Department shall not conduct face to face intake interviews for any federal public assistance program which requires them. As under current practice, the county departments of job and family services conduct such interviews, no fiscal impact on the Department should result.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
191 (CD-868-JFS) Kinship Caregiver		
	R.C. ***5101.802, 2151.86, 3125.18, 5101.35, 5101.80, 5101.801, and 5153.16, Sections 120.07, 120.08, 120.09***	**R.C.** ***5101.802, 3125.18, 5101.35, 5101.80, 5101.801, and 5153.16; Section 206.67.08***
No provision.	Creates the Kinship Caregiver Subsidy Program under which a monthly subsidy is provided to a kinship caregiver to help care for a child in the place of the child's parents.	Replaces the House provision with a provision that creates the Kinship Permanency Incentive Program to provide an eligible kinship caregiver a one-time initial incentive payment and subsequent incentive payments at six month intervals, provides that the caregiver's family income may not exceed 200% rather than 120% of the federal poverty guidelines, eliminates the restriction that the caregiver and minor child may not be participating in Ohio Works First or have had participation terminated because of a sanction, eliminates the requirement that the caregiver and other adults in the household undergo a criminal records check, clarifies that in addition to those awarded legal custody through the Juvenile Court, kinship caregivers who are awarded guardianship by the Probate Court may participate in the Program, permits the Director of Job and Family Services to terminate or reduce funding for the program if funds are insufficient, and requires the Director to begin implementing the program by January 1, 2006, rather than immediately. Requires ODJFS to prepare and submit reports concerning the financial and permanency outcomes of the Program to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate in 2008 and 2010.
No provision.	Fiscal effect: $10 million of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year is earmarked in temporary law for the Kinship Caregiver Subsidy Program. (See item entitled "TANF Earmarks")	Fiscal effect: Same as the House, but renames the program the Kinship Permanency Incentive Program. (See item entitled "TANF Earmarks" in Job and Family Services)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate

192 (CD-383-JFS) Title IV-A Demonstration Program

R.C. ***5101.802, 3125.18, 5101.35, 5101.80, 5101.801, 5153.16***	**R.C.** ***5101.803, 3125.18, 5101.35, 5101.80, 5101.801, 5153.16***	**R.C.** ***5101.803***
Creates the Title IV-A Demonstration Program under which the Department may provide funding to government agencies and not-for-profit entities administering a project designed to meet one of the four purposes of the Temporary Assistance for Needy Families block grant.	Same as the Executive, but requires a government agency or private-not-for profit entity seeking to administer a non-statewide project under the program to provide the Department evidence that the agency or entity has notified the county department of job and family services of each county where persons may be affected by the implementation of the project.	Same as the House but provides that the effective date of the Revised Code section establishing the program is the 91st day after the act is filed with the Secretary of State, rather than January 1, 2006, and requires the Department of Job and Family Services to begin implementing the program by January 1, 2006.
Fiscal effect: The Department's TANF spending plan indicates that $10 million in each fiscal year will be designated for Title IV-A Demonstration Projects at the county level.	Fiscal effect: Negligible administrative cost for a local agency to notify a county department of job and family services that individuals in that county will be impacted by a proposed demonstration project.	Fiscal effect: Same as the House, but may increase the administrative costs to the Department to implement the program sooner than the House specified.

193 (CD-1218-JFS ABD Medicaid Eligibility

		R.C. ***5111.011***
No provision.	No provision.	Extends to thirteen months (from six months) the period during which ODJFS must exclude an institutionalized person's real property used as a homestead from being counted as a resource for purposes of determining Medicaid eligibility for aged, blind, and disabled persons.
		Fiscal effect: Current administrative rules consider a person's real property used as a homestead to not be the person's homestead for purposes of determining Aged,

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Blind, and Disabled Medicaid eligibility if the person has resided in a nursing home, intermediate care facility for the mentally retarded, or other medical institution for at least 6 months. This provision codifies this rule and extends it to 13 months. Under this provision, individuals or residents' real properties are to be exempted as resources for a longer period of time when determining eligibility. The state could incur an increase in Medicaid costs if some individuals are determined eligible for Medicaid for an additional seven months and the state is unable to eventually recover some of those costs from the sale of the property.
194 (CD-1243-JFS Medicaid Look-Back Period		
		R.C. *5111.011*
No provision.	No provision.	Requires that the Department apply for a federal Medicaid waiver to expand to five years the look-back period for determining whether any assets, not just assets in a trust, have been transferred for less than fair market value.
		Fiscal effect: By extending the look-back period and broadening the assets that are to be examined, fewer individuals may be determined to be eligible for Medicaid or their eligibility may be delayed. If this occurs, then Medicaid cost savings could be realized.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
195 (CD-954-JFS) Medicaid Co-Payment Program		
	R.C. ***5111.0112, 2913.40***	**R.C.** ***5111.0112, 2913.40***
No provision.	Requires the Department to institute a Medicaid co-payment program under which a co-payment requirement is established for each group of Medicaid recipients and services, other than generic drugs, that federal law permits.	Replaces the House provision with a provision that requires the Department to institute a copayment program for only dental services, vision services, and prescription drugs, other than generic drugs. Requires that the Department institute the copayment program not later than July 1, 2006.
	Fiscal effect: This provision could result in a gain in co-payment revenue.	Fiscal effect: Similar to the House, but less co-payment revenue would be generated because of limiting the provision to certain Medicaid services.
No provision.	Prohibits a provider from waiving a Medicaid recipient's obligation to pay the provider a co-payment.	Same as the House.
No provision.	Provides that under the Medicaid co-payment program, a provider whose routine business practice is to refuse service to an individual who has an outstanding debt may consider an unpaid co-payment an outstanding debt.	Same as the House, but explicitly states that the provider may refuse service if a Medicaid recipient owes the provider an outstanding debt.
	Fiscal effect: No direct fiscal impact on the state. This provision could have the indirect effect of discouraging some Medicaid recipients from having prescriptions filled, thus reducing prescription drug costs.	Fiscal effect: Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
196 (CD-1228-JFS Multiple State Prescription Drug Purchasing Program		
		R.C. *5111.0114*
No provision.	No provision.	Authorizes the Department to enter into or administer an agreement or cooperative arrangement with other states to create or join a multiple-state drug purchasing program for the purpose of negotiating with drug manufacturers for discounts or rebates for drugs dispensed under the Medicaid program.
		Fiscal effect: This provision could save the state money. However, the impact cannot be estimated at this time because the savings would be affected by unknown factors (e.g., which states Ohio would pool with, the impact of Medicare Part D).
197 (CD-446-JFS) Rules Governing State Medicaid Plan Services		
R.C. *5111.02, 317.08, 317.36, 340.03, 340.16, 5107.26, 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.025, 5119.61*	**R.C. *5111.02, 317.08, 317.36, 340.03, 340.16, 5107.26, 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.025, 5119.61***	**R.C. *5111.02, 317.08, 317.36, 340.03, 340.16, 5107.26, 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.025, 5119.61***
Provides that the rules R.C. 5111.02 authorizes the Department to adopt are for state Medicaid plan services and defines "state Medicaid plan service" as a service covered by the Medicaid program pursuant to the state Medicaid plan, or an amendment to the plan, approved by the United States Secretary of Health and Human Services and excludes a service provided under the Medicaid program's care management system or a Medicaid waiver.	Same as the Executive.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Requires that the rules adopted under R.C. 5111.02 include rules establishing procedures for enforcing rules governing state Medicaid plan services, including procedures for corrective action plans for, and imposing sanctions on, violators of the rules.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

198 (CD-1238-JFS Medicaid-Funded Community Mental Health Services

		R.C. *5111.023*
No provision.	No provision.	Extends the deadline for the Department to seek federal approval to provide assertive community treatment and intensive home-based mental health services under the Medicaid program from July 21, 2004, to July 21, 2006.
		Fiscal effect: The cost of seeking federal approval to provide assertive community treatment and intensive home-based mental health services under the Medicaid program would be minimal. If approved, federal reimbursement for such services could be received. However, it is possible that additional state and local costs could also be incurred.

199 (CD-1223-JFS Step Therapy System for Medicaid

		R.C. *5111.028*
No provision.	No provision.	Permits the Director of Job and Family Services to establish a step therapy system for the Medicaid program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Exempts antiretroviral agents from the step therapy system.
		Fiscal effect: Under a step therapy program, a prescribing physician must first try a basic therapy. If the initial medical treatment does not treat the symptoms or effect a cure, the physician must sequentially prescribe increasingly more costly treatments after providing proof that the previous treatment was unsafe or ineffective. Essentially, a step therapy requirement operates like a restrictive formulary. This provision could save money once implemented, but how much is unknown.

200 (CD-373-JFS) Recovery of Medicaid Overpayments

R.C. *5111.061, 5111.06, 5111.062, 5111.914*	R.C. *5111.061, 5111.06, 5111.062, 5111.914*	R.C. *5111.061, 5111.06, 5111.062, 5111.914*
Authorizes the Department to recover overpayments made to Medicaid providers and provides that the recovery may occur at any time.	Same as the Executive.	Same as the Executive, but changes the definition of "third-party" to be consistent with existing Medicaid laws that require third-party cooperation.
Requires that subsequent final fiscal audits or findings be reduced by the amount of any overpayments collected.	Same as the Executive.	Same as the Executive.
Permits a state agency that administers a component of the Medicaid program for the Department to commence actions to recover overpayments the state agency identifies but requires that the Department issue any final order resulting from a hearing the state agency holds regarding the overpayment.	Same as the Executive.	Same as the Executive.
Provides that the Department, and a state agency administering a component of the Medicaid program for the Department, is not required to hold a hearing for a provider if	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
notice of an opportunity for a hearing has been provided but the provider fails to make a timely request for the hearing.		
Fiscal effect: This provision could result in a gain in revenue to the state if the state recovers more overpayments from Medicaid providers.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

201 (CD-1083-JFS Long-Term Care Pharmacy Management Incentive Payment Program

R.C. *5111.072*

No provision.	Requires that the Department (1) resume operation of the Long-Term Care Pharmacy Management Incentive Payment Program beginning on July 1, 2005, (2) if necessary to resume the Program, apply to the United States Secretary of Health and Human Services for a waiver of federal Medicaid requirements, (3) require participation in the Program by any pharmacy that provides pharmacy services to institutionalized Medicaid recipients as a condition of being reimbursed for the services, and (4) distribute pharmacy management incentive payments on a quarterly basis each state fiscal year.	No provision.
No provision.	Authorizes the Department to (1) contract with a pharmacy benefits manager to oversee the Program and (2) adopt any rules necessary to implement and administer the Program.	No provision.
	Fiscal effect: The state could experience a decrease in prescription drug expenditures as a result of this provision.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
202 (CD-377-JFS) Supplemental Drug Rebate Program		
R.C. *5111.082*	**R.C. *5111.082***	**R.C. *5111.082***
Eliminates a requirement that any drug product approved by the federal government to treat mental illness, HIV, or AIDS be exempted from the Medicaid program's Supplemental Drug Rebate Program.	Same as the Executive.	Same as the Executive, but permits ODJFS to receive a rebate negotiated under the Supplemental Drug Rebate Program for a drug product dispensed to a Medicaid recipient pursuant to a prescription or a drug product purchased by a Medicaid provider to be administered to a Medicaid recipient in the provider's primary place of business.
Fiscal effect: The Executive estimates that the state could generate revenue totaling approximately $29.6 million all funds ($11.9 million state share) in FY 2007 as a result of receiving supplemental drug rebates for these drugs.	Fiscal effect: Same as the Executive.	Fiscal effect: This provision will increase the number of prescriptions for which the state may receive a supplemental rebate. Therefore, under this provision, the state may realize a gain in supplemental rebate revenue.
203 (CD-974-JFS) Update of Cost and Control Numbers for Medicaid Drugs		
	R.C. *5111.083*	**R.C. *5111.083***
No provision.	Requires the Department to establish a program to update, on a daily basis, the maximum allowable cost for each generic prescription drug and the control number for each general prescription drug available under Medicaid.	Requires the Director of Job and Family Services to establish a State Maximum Allowable Cost Program for purposes of managing reimbursement for certain prescription drugs available under Medicaid. Requires the Director to identify drugs to be included in the Program and to update and review, on a weekly basis, the drugs included in the Program and the per unit amount ODJFS reimburses terminal distributors of dangerous drugs for each drug included in the Program.
	Fiscal effect: This provision would increase the frequency of updating the maximum allowable cost for generic drugs. If a generic drug's cost changes, the state will incur the new	Fiscal effect: This provision would increase the frequency of updating the maximum allowable cost for certain drugs identified by the Director of Job and Family Services. If a

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	price sooner. This could result in an increase or decrease in prescription drug costs depending on whether the drug's cost goes up or down.	certain drug's cost changes, the state will incur the new price sooner. This could result in an increase or decrease in prescription drug costs depending on whether the drug's cost goes up or down.
204 (CD-1220-JFS Medicaid E-Prescribing System		
		R.C. *5111.084*
No provision.	No provision.	Permits the Director of Job and Family Services to establish an e-prescribing system under which certain Medicaid providers must use an electronic system when prescribing a drug for a Medicaid recipient.
No provision.	No provision.	Provides that a Medicaid provider must use the e-prescribing system for a fiscal year if the provider was one of the ten Medicaid providers that issued the most prescriptions for Medicaid recipients receiving hospital services during the calendar year that precedes the fiscal year.
No provision.	No provision.	Requires that the Director seek the most federal financial participation available for the development and implementation of the e-prescribing system.
		Fiscal effect: The Department would incur costs developing an e-prescribing system, a portion of which may be reimbursed by the federal government.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
205 (CD-1210-JFS Pharmacy and Therapeutics Committee		
		R.C. ***5111.085***
No provision.	No provision.	Modifies the composition of the Committee to include an additional pharmacist.
		Fiscal effect: It is unknown if members of the committee are compensated. If so, then this provision could have a minimal fiscal impact on the Department.
206 (CD-469-JFS) Medicaid Estate Recovery and Liens		
R.C. ***5111.11, 2113.041, 3721.15, 5111.111, 5111.112 (5111.113), 5111.112 (new), 5111.1 (5111.114), 5731.39, Section 206.66.48***	**R.C.** ***5111.11, 2113.041, 3721.15, 5111.111, 5111.112 (5111.113), 5111.112 (new), 5111.113 (5111.114), 5731.39, Section 206.66.48***	**R.C.** ***5111.11, 2113.041, 2117.061, 3721.15, 5111.111, 5111.112 (5111.113), 5111.112 (new), 5111.113 (5111.114), 5731.39, Secti 206.66.48***
Expands the Medicaid Estate Recovery Program to include any real and personal property and other assets in which an individual subject to recovery has any legal title or interest at the time of death, including assets conveyed to a survivor, heir, or assign of the individual through joint tenancy, tenancy in common, survivorship, life estate, living trust, or other arrangement.	Same as the Executive.	Same as the Executive.
Limits Medicaid estate recovery and liens to state Medicaid plan services.	Applies Medicaid estate recovery and liens to all Medicaid services, not just state Medicaid plan services.	Same as the House.
Revises state law governing Medicaid estate recovery and liens to make it more closely follow federal law.	Same as the Executive.	Same as the Executive, but (1) eliminates the requirement that the Department use criteria established by the federal government when determining whether to waive seeking an adjustment or recovery because of an undue hardship, (2) permits the Department to limit the duration of an undue

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		hardship waiver to the period during which the undue hardship exists, (3) revises the provisions regarding whether an individual is a permanently institutionalized individual for purposes of estate recovery and liens, and (4) requires that the Department institute estate recovery "to the extent permitted by federal law."
No provision.	No provision.	Requires that the administrator of the Medicaid Estate Recovery Program develop a Medicaid estate recovery reporting form on which the person responsible for the estate must list all of decedent's real and personal property and other assets that are part of the estate and subject to the estate recovery program. Requires that the form include a statement that knowingly making a false statement on the form is falsification, a misdemeanor of the first degree.
Fiscal effect: This provision broadens the base for estate recovery under the state Medicaid program. Thus, it could result in gains in state revenue if more real and personal property or other assets are collected.	Fiscal effect: By further broadening the base for Medicaid estate recovery the state may experience a gain in revenue.	Fiscal effect: By further broadening the base for Medicaid estate recovery the state may experience a gain in revenue. In addition, by requiring a list of all of the decedent's real and personal property on a form and including on the that form that knowingly making a false statement is falsification, a misdemeanor of the first degree, the likelihood of recovery may increase.

207 (CD-413-JFS) Medicaid Mandatory Managed Care Enrollment Service Areas

R.C. *5111.16*	**R.C. *5111.16***	
Authorizes the Department to designate one or more counties as a mandatory managed care service area where Medicaid recipients designated by the Department are required to enroll in and obtain health care services through a managed care organization under contract with the Department.	Same as the Executive.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: None.	Fiscal effect: Same as the Executive.	

208 (CD-970-JFS) Behavioral Health Exclusion from Medicaid Care Management

	R.C. ***5111.16***	
No provision.	Excludes alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services from being included in any component of the Medicaid care management system, but permits recipients of such services to be included in the system for purposes of receiving other Medicaid services.	No provision.
	Fiscal effect: This provision would likely have no fiscal effect because it would not change how these services are currently provided.	

209 (CD-1257-JFS) Medicaid Care Management System Annual Report

		R.C. ***5111.16***
No provision.	No provision.	Requires that the Department, beginning October 1, 2007, prepare an annual report for the General Assembly on the Medicaid care management system that addresses the Department's ability to implement the system's various components.
		Fiscal effect: The Department will likely incur some minimal costs preparing and distributing the report, beginning in FY 2008 and annually thereafter.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
210 (CD-1258-JFS Mandatory Managed Care for Covered Families and Children		
		R.C. *5111.16*
No provision.	No provision.	Requires that all Medicaid recipients in the category the Department identifies as "covered families and children" be designated for mandatory participation in the Medicaid care management system by January 1, 2006, and enrolled in health insuring corporations by December 31, 2006. Fiscal effect: The Executive estimated in the As Introduced version of the bill that the state will need additional spending for the statewide expansion totaling approximately $32.2 million all funds ($12.9 million state share) in FY 2006 and $49.1 million all funds ($19.7 million state share) in FY 2007. The implementation dates could have an effect on this fiscal impact. Revenue for the program is to be generated through another provision in the bill. (See item entitled "Medicaid Managed Care Organizations Franchise Permit Fee" in Job and Family Services)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
211 (CD-414-JFS) Medicaid Managed Care Reimbursement Rate for Noncontracting Providers		
R.C. *5111.176*	**R.C. *5111.176***	**R.C. *5111.162***
Requires that a Medicaid-participating hospital provide services to Medicaid recipients in an area designated by the Department as a mandatory managed care enrollment service area, even though the hospital does not have a contract with the managed care organization in which the recipients are enrolled.	Same as the Executive.	Replaces the Executive provision with a provision that requires all types of Medicaid providers to provide health care services to Medicaid recipients designated for mandatory enrollment in managed care organizations, even though the providers do not have contracts with the organizations, whenever the Medicaid recipients are referred to the noncontracting providers under the permissible circumstances specified in rules to be adopted by the Department.
Requires that a Medicaid managed care organization reimburse a noncontracting hospital according to a reimbursement rate that is the same as the rate the Department uses to reimburse the hospital for services provided to other Medicaid recipients (the "fee-for-service" rate) but limits the organization's reimbursement to services that the organization approves.	Same as the Executive.	Same as the Executive, but (1) applies the fee-for-service reimbursement rate to all types of Medicaid providers not contracting with Medicaid managed care organizations and (2) replaces the provision limiting reimbursement to services approved by a managed care organization with a provision requiring services to be provided on referral.
No provision.	No provision.	Exempts a hospital from the provisions requiring acceptance of patients referred by a Medicaid managed care organization with which the hospital has not contracted, as well as the fee-for-service reimbursement rate to be provided by the organization, if the hospital (1) is located in a county in which Medicaid recipients are required to be enrolled in a health insuring corporation before January 1, 2006, (2) has entered into a contract before January 1, 2006, with at least one Medicaid health insuring corporation, and (3) remains under contract with at least one Medicaid health insuring corporation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: This provision does not have direct fiscal impact on the state.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

212 (CD-968-JFS) Medicaid Care Management for Aged, Blind, and Disabled

	R.C. *5111.16, Section 206.67.21*	R.C. *5111.163, 5111.164, Section 206.67.21*
No provision.	Requires, beginning July 1, 2006, that Medicaid recipients who are aged, blind, or disabled be designated for participation in the Medicaid care management system, except for persons who are: (1) under age 21, except when participating in the bill's pilot program for chronically ill children, (2) institutionalized, (3) eligible for Medicaid by spending down income, (4) dually eligible for Medicaid and Medicare, or (5) recipients of Medicaid waiver services.	Replaces the House provision with a provision that requires the Department to implement, by July 1, 2006, two pilot programs for the care management of the aged, blind, and disabled, with one pilot program applicable to noninstitutionalized persons and the other pilot program applicable to persons who require the level of care provided by nursing facilities; requires that the Department evaluate both pilot programs; and authorizes the Department to terminate the pilot programs.
No provision.	Specifies that the aged, blind, and disabled Medicaid recipients designated as participants in the care management system are required to be enrolled in health insuring corporations and that the care management system for these participants must be implemented in all counties.	No provision.
	Requires that not later than June 30, 2006, the Department, in conjunction with the Office of Budget and Management (OBM), determine the amounts necessary to implement the Aged, Blind, and Disabled (ABD) Managed Care Program. Requires the Director of OBM, on July 1, 2006, or as soon as possible thereafter, to transfer the state share of the amount necessary to implement the ABD Managed Care Program from the Tobacco Master Settlement Agreement Fund (Fund 087) to the ABD Managed Care – State Fund (Fund 5BZ). (The amount being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2007.) Requires that the Director	Same as the House, but adds references to the program as being instead two pilot programs and requires that the cash balance be transferred not later than 90 days after the Department terminates the pilot programs.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	of Budget and Management, not later than July 31, 2007, transfer the unencumbered cash balance in the ABD Managed Care – State Fund (Fund 5BZ) to the Tobacco Use Prevention and Cessation Trust Fund (Fund H87). Requires ODJFS to deposit federal reimbursement received for the ABD Managed Care Program into the ABD Managed Care – Federal Fund (Fund 3AZ).	
	Under this provision, state expenditures would initially increase because both fee-for-service costs (due to a payment lag) and start-up costs for managed care services would have to be paid at the same time. In future years, there would likely be savings for services provided to this population under managed care. These fiscal impacts are likely to be in the millions of dollars.	Fiscal effect: Under this provision, state expenditures would initially increase because both fee-for-service costs (due to a payment lag) and start-up costs for managed care services would have to be paid at the same time. After the initial start-up period, there would likely be savings for services provided to this population under managed care. The magnitude of the fiscal impact will depend on the number of individuals served through the two pilot programs.
	(The corresponding item entitled, "Aged, Blind, and Disabled Managed Care" in the Tobacco Use Prevention and Control Foundation has been removed from the Conference Committee Comparison Document.)	

213 (CD-1029-JFS Care Management Pilot Program for Chronically Ill Children

	R.C. *5111.161*	**R.C. *5111.165***
No provision.	Requires that the Department create a pilot program in at least three counties under which chronically ill children are included in the Medicaid care management system.	Same as the House, but does not specify that the pilot program is to be operated as a part of the Medicaid care management system.
	Fiscal effect: The Department is required to implement the program not later than October 1, 2006, or later if the Department has not yet received federal approval. The pilot program will run until October 1, 2008, unless the Department determines that the care management system is not a cost-effective means of providing Medicaid services to	Fiscal effect: Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	chronically ill children or the combined state and federal cost of the program reaches $3,000,000. The Department is required to maintain statistics on physician expenditures, hospital expenditures, preventable hospitalizations, and any other matters the Department deems necessary. Relying on these statistics, the Department is required to conduct an evaluation of the pilot program's effectiveness. The Department will incur some costs associated with these activities.	
214 (CD-1261-JFS Financial Incentives for Positive Outcomes in Medicaid Managed Care		
		R.C. *5111.17*
No provision.	No provision.	Requires that the Department develop and implement a financial incentive program to improve and reward positive health outcomes through the managed care organization contracts used as part of the Medicaid care management system.
No provision.	No provision.	Requires the financial incentive program to be based on recommendations made by the bill's Medicaid Care Management Working Group, including recommendations regarding standards for paying the financial incentives, measures of positive outcomes, and methods of funding the program without requiring an increase in appropriations.
		Fiscal effect: The potential impact of a financial incentive program is unknown until the details of the program have been established.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
215 (CD-1363-JFS Medicaid Managed Care Coverage of Respiratory Anti-Viral Drugs		
		R.C. *5111.172*
No provision.	No provision.	Requires Medicaid health insuring corporations to cover prescription drugs that protect against respiratory syncytial virus for Medicaid recipients who, as an infant born prematurely or other pediatric patient, are at risk for respiratory syncytial virus.
		Fiscal effect: This provision will result in an increase in Medicaid managed care costs to provide prescription drugs that protect against respiratory syncytial virus.
216 (CD-470-JFS) Medicaid Payments for Graduate Medical Education Costs		
R.C. *5111.191, 5111.19, Section 206.66.51*	**R.C. *5111.191, 5111.19, Section 206.66.51***	**R.C. *5111.191, 5111.19, Section 206.66.51***
Prohibits the Department from making a Medicaid payment to a hospital for graduate medical education costs if the hospital refuses without good cause to contract with a managed care organization that provides, or arranges for the provision of, health care services to Medicaid recipients residing in the county, or a mandatory managed care enrollment service area, in which the hospital is located.	Same as the Executive.	Permits the Department to deny payments to a hospital for graduate medical education costs if the hospital refuses without good cause to contract with a Medicaid managed care organization and specifies that the denial of payment applies to "direct" graduate medical education costs.
No provision.	No provision.	Exempts a hospital from the provisions permitting the denial of graduate medical education payments, if the hospital (1) is located in a county in which Medicaid recipients are required to be enrolled in a health insuring corporation before January 1, 2006, (2) has entered into a contract before January 1, 2006, with at least one Medicaid health insuring corporation, and (3) remains under contract with at least one Medicaid health insuring corporation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: This provision could result in savings to the state if there are hospitals refusing without good cause to contract with a managed care organization.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate

217 (CD-391-JFS) Medicaid's Long-Term Care Reimbursement Formula

R.C. ***5111.20, 173.20, 173.21, 3722.16, 5111.02, 5111.21, 5111.22, 5111.231 (5111.24), 5111. (5111.27), 5111.26 (5111.23), 5111.263 (5111.25), 5111.28, 5111.29 (5111.30), 5111.31, 5111.33 (5111.26), 5111.99, repeal 5111.221, 5111.23, 5111.235, 5111.24, 5111.241, 5111.251, 5111.255, 5111.257, 5111.261, 5111.262, 5111.264, 5111.27, 5111.291***

Eliminates state law governing the Medicaid reimbursement methodology and procedures for nursing facilities and intermediate care facilities for the mentally retarded.

R.C. ***5111.20, 5111.02, 5111.21, 5111.22, 5111.221, 5111.222, 5111.23, 5111.231 (5111.232), new 5111.231, 5111.234, 5111.235, 5111.24, 5111.241, 5111.242, 5111.25, 5111.251, 5111.254, 5111.255, 5111.256, 5111.257 (5111.258), new 5111.257, 5111.26, 5111.261, 5111.262 (repealed), new 5111.262, 5111.263, 5111.264, 5111.265, 5111.266, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33***

Restores the Medicaid reimbursement methodology and procedures for nursing facilities and intermediate care facilities for the mentally retarded to the Revised Code and makes substantive revisions to the methodology and procedures to begin in fiscal year 2008.

R.C. ***5111.20, 5111.02, 5111.21, 5111.22, 5111.221, 5111.222, 5111.23, 5111.231 (5111.232), new 5111.231, 5111.235, 5111.24, 5111.241, 5111.242, 5111.243, 5111.244, 5111.25, 5111.251, 5111.254, 5111.255, 5111.257 (5111.258), new 5111.257, 5111.26, 5111.261, 5111.262 (repealed), 5111.263, 5111.264, 5111.265, 5111.266, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33, Section 206.66.25***

Replaces the House provision with a provision that establishes a new statutory reimbursement formula and procedures for nursing facilities for fiscal years 2008 and thereafter. Provides for the new formula to be based on a price model under which a facility's total rate is, with certain modifications, the sum of all of the following:
(1) The rate for direct care costs determined semi-annually by multiplying the cost per case-mix unit determined for the facility's peer group by the facility's semiannual case-mix score;
(2) The rate for ancillary and support costs determined for the nursing facility's peer group;
(3) The median rate for capital costs for the facility's peer group;
(4) The rate for tax costs;
(5) The rate for franchise permit fees;
(6) The quality incentive payment paid to the facility's tier group.
Provides for the total rate to be modified by the following:
(1) Laws the General Assembly enacts, including laws establishing factors by which the total rate is to be adjusted or a methodology for transitioning payments from the rates determined for fiscal year 2007 to rates determined for

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		subsequent fiscal years; (2) Provisions of current law governing Medicaid payments to nursing facilities. Requires that the Department prepare a report that includes a recommendation on the methodology that should be used to transition paying nursing facilities the fiscal year 2007 rate to the rate determined under the statutory formula for fiscal years 2008 and thereafter.
Fiscal effect: This provision could have a fiscal impact on the state if the Department changes the reimbursement methodology and procedures. The impact will depend on the design of the future reimbursement methodology.	Fiscal effect: ODJFS estimates that under this provision reimbursement to nursing facilities beginning in FY 2008 would be approximately $800 million (all funds) above the FY 2007 reimbursement proposed in the As Passed by the House version of the bill. In addition, according to ODJFS, the proposed reimbursement formula would result in costs below that of the reimbursement formula that is currently in the Revised Code. For the last two biennia the actual reimbursement has been below the statutory reimbursement as a result of the statute being overridden by uncodified law. The As Introduced and the As Passed by the House versions of the bill override the statutory formula as well. It is unknown if the proposed reimbursement formula to begin in FY 2008 would be overridden in a similar manner.	Fiscal effect: Unknown because it would be up to the General Assembly to determine the rate paid to nursing facilities in FY 2008 and annually thereafter.

218 (CD-1239-JFS Ohio Veteran's Home Agency Nursing Facility Beds

		R.C. *5111.21*
No provision.	No provision.	Provides that the Ohio Veteran's Home Agency is not required to qualify in the Medicare program all of the Medicaid-certified beds in a nursing facility the agency maintains and operates.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Fiscal effect: Unknown.

219 (CD-407-JFS) Long-Term Care Facilities' Submission of Assessment Information

R.C. ***5111.24***		**R.C.** ***5111.232***
Revises the law governing the submission of nursing facility and intermediate care facility for the mentally retarded resident assessment information that is used in determining facilities' Medicaid reimbursement rates.	No provision.	Same as the Executive.
Fiscal effect: Minimal.		Fiscal effect: Same as the Executive.

220 (CD-1372-JFS) Refund of Excess Depreciation

		R.C. ***5111.25, 5111.251***
Eliminates current law that specifies that the amount of excess depreciation a nursing facility or intermediate care facility for the mentally retarded must refund to the Department after the facility is sold is based on the number of years the facility operated under a Medicaid provider agreement and current law that provides that a facility is not to make the refund if the facility was operated ten or more years under the provider agreement.	No provision.	Same as the Executive.
Fiscal effect: Under this provision, it would be up to ODJFS to determine how much excess depreciation a NF or ICF/MR would have to refund rather than what is in current law. Therefore, the fiscal impact will be affected by how much ODJFS determines must be refunded.	No provision.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
221 (CD-401-JFS) Change of Operator, Closure, and Voluntary Termination and Withdrawal		
R.C. ***5111.65, 3721.19, 5111.20, 5111.66, 5111.66, 5111.67, 5111.671, 5111.672, 5111.673, 5111.674, 5111.675, 5111.676, 5111.677, 5111.68, 5111.681, 5111.682, 5111.683, 5111.684, 5111.685, 5111.686, 5111.687, 5111.688***	**R.C.** ***5111.256, 5111.29***	**R.C.** ***5111.65, 3721.19, 5111.20, 5111.21, 5111.2, 5111.251, 5111.26, 5111.28, 5111.29, 5111.651, 5111.66, 5111.661, 5111.67, 5111.671, 5111.672, 5111.673, 5111.674, 5111.675, 5111.676, 5111.677, 5111.68, 5111.681, 5111.682, 5111.683, 5111.684, 5111.685, 5111.686, 5111.687, 5111.688***
Establishes requirements for nursing facilities and intermediate care facilities for the mentally retarded (ICFs/MR) that undergo a change of operator, facility closure, voluntary termination, or voluntary withdrawal of participation in the Medicaid program.	Removes the Executive's provisions regarding when a nursing facility or intermediate care facility for the mentally retarded undergoes a change of operator, closure, or voluntary termination or withdrawal from the Medicaid program and adds new provisions regarding a nursing facility that undergoes a change of provider.	Same as the Executive, but with the following differences: (1) Provides that the requirements do not apply to nursing facilities and ICFs/MR that undergo a facility closure, voluntary termination, voluntary withdrawal of participation, or change of operator on or before September 30, 2005, if the exiting operator provided notice to the Department on or before June 30, 2005. (2) Specifies requirements that an entering operator must meet after becoming the operator or a nursing facility or ICF/MR rather than requirements for the entering operator's provider agreement. (3) Authorizes the Department to choose not to make a withholding from the exiting operator if the entering operator provides the Department a copy of the entering operator's balance sheet rather than a list of the entering operator's assets and liabilities. (4) Does not include third-party liabilities among the debts that the Department must include when determining the exiting operator's actual and potential debts to the Medicaid program. (5) Calls the report that the Department makes of the amount of debt the exiting operator owes the Medicaid program a "debt summary report."

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: Unknown.	Fiscal effect: Unknown.	Fiscal effect: Same as the House.

222 (CD-453-JFS) General Requirements for Home and Community-Based Services Waivers

R.C. *5111.851, 5111.852, 5111.853, 5111.854, 5111.855*	R.C. *5111.851, 5111.852, 5111.853, 5111.854, 5111.855*	R.C. *5111.851, 5111.852, 5111.853, 5111.854, 5111.855*
Establishes requirements for Medicaid-funded home and community-based waiver services that are an alternative to hospital, nursing facility, or intermediate care facility for the mentally retarded services.	Same as the Executive.	Same as the Executive, but provides that an individual assessment performed for individuals determined eligible for the waiver services must assess the services an individual needs to avoid admission to a hospital or long-term care facility, rather than assess the services the individual needs to avoid needing such services.
Requires the Department and other state agencies and political subdivisions administering a home and community-based services waiver to maintain financial records documenting the costs of services provided under the waiver and make the records available to the U. S. Secretary of Health and Human Services and U. S. Comptroller General.	Same as the Executive.	Same as the Executive.
Provides that the Department and other state agencies and political subdivisions are financially accountable for funds expended for services provided under a home and community-based services waiver.	Same as the Executive.	Same as the Executive.
Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately $8.0 million all funds ($3.2 million state share) both in FY 2006 and in FY 2007 if the state implements two new wavier programs.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
223 (CD-455-JFS) Home and Community-Based Services to Replace ICF/MR Service		
R.C. ***5111.88, 5111.23, 5111.881, 5111.882, 5111.883, 5111.884, 5111.89***	**R.C.** ***Section 206.66.30***	**R.C.** ***5111.88, 5111.881, 5111.882, 5111.883, 5111.884. 5111.885, 5111.886, 5111.887, 5111.888, 5111.889***
Requires that the Department seek federal approval to (1) establish a Medicaid waiver under which individuals receive home and community-based services in lieu of the intermediate care facility for the mentally retarded (ICF/MR) service and (2) terminate the ICF/MR service on the date the Medicaid waiver begins to be implemented statewide.	Creates the Intermediate Care Facility for the Mentally Retarded Waiver Study Council to study issues involving the use of a Medicaid waiver program to replace the ICF/MR service.	Requires that the Department seek federal authorization to (1) establish an ICF/MR deinstitutionalization pilot program under which individuals receive deinstitutionalized services rather than intermediate care facilities for the mentally retarded (ICFs/MR) services and (2) refuse to enter into or amend a Medicaid provider agreement with the operator of an ICF/MR if the provider agreement would authorize the operator to receive Medicaid payments for more ICF/MR beds than the operator receives before the pilot program begins implementation. Requires that the Department notify the Governor and General Assembly when the Department seeks the federal authorization. Creates the ICF/MR Deinstitutionalization Study Council to (1) consult with the Department on the rules implementing the program and (2) evaluate the pilot program and issue a report not later than December 31, 2007.
Authorizes the Department to assign the administration of the new Medicaid waiver to the Ohio Department of Mental Retardation and Developmental Disabilities (ODMR/DD).	No provision.	Authorizes the Department to assign the administration of the pilot program to ODMR/DD and transfer funds to pay for the nonfederal share of the pilot program's costs to ODMR/DD.
Requires that the Department or ODMR/DD, whichever administers the new Medicaid waiver, phase in implementation of the waiver.	No provision.	Requires that the Department or ODMR/DD, whichever administers the pilot program, permit no more than 200 individuals to participate at one time. Terminates the pilot program on July 1, 2007, and leaves to future legislation the issue of implementing the program on a permanent and statewide basis.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: This provision could have a fiscal impact on the state upon the implementation of the new waiver. The fiscal impact will depend on the design of the future waiver plan. The details of the waiver plan, such as the services provided and the eligibility criteria, are to be determined by the Department.	Fiscal effect: The bill does not designate any state agency to provide the Council with administrative support. Although members of the Council will receive no compensation, LSC staff assumes there would be some minimal administrative costs associated with the Council's duties (e.g., issuing a report). However, it is unclear as of this writing what entity will be responsible for any such costs. The bill retains current law by removing the provisions of the bill that would have required ODJFS to seek federal approval to convert the current ICF/MR system to a Medicaid waiver. Since current law is retained, there would be no fiscal effect.	Fiscal effect: This provision could have a fiscal impact on the state upon the implementation of the pilot program. The fiscal impact will depend on the design of the pilot program. In addition, there may be some costs, although likely minimal, associated with the ICF/MR Deinstitutionalization Study Council, evaluation of the pilot program, and issuance of a report. The provision is silent on what entity will provide administrative support for the Council.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
224 (CD-417-JFS) Assisted Living Medicaid Waiver		
R.C. ***5111.89, 5111.891, 5111.892, 5111.893, Section 206.66.36***	**R.C.** ***5111.89, 3702.68, 5111.891, 5111.892, 5111.893, Section 206.66.36***	**R.C.** ***5111.89, 3702.68, 5111.891, 5111.892, 5111.893, Section 206.66.36, 206.66.37***
Authorizes the Department to seek a federal Medicaid waiver authorizing the Assisted Living Program under which supervision and personal care services are provided to residents of a residential care facility who are eligible for the program.	Same as the Executive, but (1) limits the Assisted Living Program to not more than 1,000 participants, (2) establishes conditions on the residential care facility in which a participant of the program resides, and (3) establishes an exemption from the moratorium on certificate of need applications for a facility that is reconverting its residential care facility beds that participated in the Assisted Living Program back to nursing home beds. Specifies that the conditions on the residential care facility in which a participant must reside are that the facility must either be (1) licensed on the effective date of this provision of the bill and either (a) consist of beds that previously were licensed as nursing home beds and were converted to residential care facility beds for the purpose of the facility participating in the Assisted Living Program or (b) be a part of a system of continuing care that is operated in conjunction with a nursing facility and one or more other facilities that provide a less intensive level of care and provides residents a contractual right of admission to the nursing facility or (2) licensed, but not necessarily on the effective date of this provision of the bill, and owned or operated by a metropolitan housing authority that has a contract with the U.S. Department of Housing and Urban Development to receive an operating subsidy or rental assistance for the residents.	Same as the Executive, but (1) limits the Assisted Living Program to not more than 1,800 participants, (2) specifically permits any residential care facility to participate in the program, including a residential care facility that is owned or operated by a metropolitan housing authority that has a contract with the United States Department of Housing and Urban Development to receive an operating subsidy or rental assistance, (3) permits county and district homes to participate in the program, and (4) provides that a nursing facility resident is not eligible for the program unless the individual would have to remain in the nursing facility for long-term care if not for the program.
If the Assisted Living Medicaid waiver is granted, ODJFS is to contract with the Department of Aging (ODA) for the Department of Aging to administer the program.	Same as the Executive.	Same as the Executive.
Permits ODJFS and ODA to adopt rules regarding the program but provides that ODA's rules must concern issues	Same as the Executive.	Same as the Executive, but eliminates the requirement that ODA's rules concern issues not addressed by ODJFS's rules

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
not addressed by ODJFS's rules.		and provides instead that ODA's rules are to be rules that ODJFS's rules authorize ODA to adopt.
Fiscal effect: This provision provides that once ODJFS enters into a contract with the ODA to administer the Assisted Living program, ODJFS must submit quarterly reports to the Director of Budget and Management outlining the estimated costs of the program for the upcoming quarter, including the state and federal share of the costs. On receipt of the estimated costs, the Director of Budget and Management must make the necessary transfers out of GRF appropriation item 600-525, Health Care/Medicaid, and increases to ODA's budget. The funds transferred and increased are appropriated. The Executive estimates that ODJFS will need to transfer approximately $20.8 million all funds ($8.3 million state share) in FY 2007 to ODA. ODA estimates that the program will cost approximately $18.0 million in FY 2007.	Fiscal effect: ODA estimates that ODJFS will need to transfer approximately $14.7 million to $15.2 million to support 1,000 participants. The amount transferred by ODJFS will depend on whether ODA replaces people upon their disenrollment. If individuals are not replaced, the amount transferred will be the lower estimate as the number of individuals served would eventually fall below 1,000 as individuals disenroll. If individuals are replaced, the cost would be the higher estimate since the monthly caseload would always remain at approximately 1,000.	Fiscal effect: Same as the Executive.

225 (CD-416-JFS) Department-Administered Home and Community-Based Waivers

R.C. *5111.97, (renumbered 5111.86)*	R.C. *5111.97, (renumbered 5111.86)*	R.C. *5111.97, (renumbered 5111.86), 5111.856*
Authorizes the Department to seek two or more Medicaid waivers under which home and community-based services are provided to individuals who need the level of care provided by a nursing facility or hospital and requires that the Department administer the waivers.	Same as the Executive.	Same as the Executive.
Authorizes the Department to transfer an individual enrolled in an existing Medicaid waiver the Department administers to a new waiver this provision of the bill authorizes the Department to administer.	Same as the Executive.	Authorizes the Department to transfer an individual enrolled in any Medicaid waiver the Department administers, not just a currently existing waiver, to any waiver the Department administers, not just a new waiver the Department is authorized by R.C. 5111.86 to administer.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Authorizes the Department, after the first of any of the new Medicaid waivers begin to enroll eligible individuals, to seek federal approval to cease new enrollment in the Ohio Home Care Program.	Same as the Executive.	Provides that the Department may seek federal approval to cease enrolling additional individuals in a Medicaid waiver program of the Ohio Home Care Program, rather than the Ohio Home Care Program, after the first of new Medicaid waiver programs this provision of the bill authorizes begins to enroll individuals.
Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately $8.0 million all funds ($3.2 million state share) both in FY 2006 and in FY 2007 if the state implements two new wavier programs.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

226 (CD-357-JFS) Ohio Access Success Project

R.C. *5111.97*	R.C. *5111.97*	R.C. *5111.97*
Reduces to 12 (from 18) the number of months a Medicaid recipient must have continuously resided in a nursing facility before applying to participate in the Ohio Access Success Project.	Same as the Executive.	Reduces to six months (from the current 18 months and the Executive's 12 months) the number of months a Medicaid recipient must have continuously resided in a nursing facility before applying to participate in the Project.
Fiscal effect: This provision allows ODJFS to provide help to Medicaid recipients making the transition from a nursing facility to a community setting sooner than under current law by providing assistance with such things as moving expenses and rental deposits. The Executive's plan is to move 50 individuals in FY 2006 and 100 in FY 2007 out of nursing homes. The Executive estimates that the state could avoid costs totaling approximately $245,000 all funds ($98,294 state share) in FY 2006 and in $491,000 all funds ($196,989 state share) FY 2007 as a result of this initiative.	Fiscal effect: Same as the Executive.	Fiscal effect: Many individuals' homes are sold six months after entering a NF. This provision allows ODJFS to provide help to Medicaid recipients making the transition from a NF to a community setting sooner than under current law and the As Introduced and House Passed versions of the bill by providing assistance with such things as moving expenses and rental deposits. If an individual can become eligible before their home is sold, moving back home may be possible. Medicaid expenditures would be reduced if more individuals are able to be moved to a less expensive setting under the Ohio Access Success Project.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
227 (CD-1256-JFS Medicaid Voucher Pilot Program		
		R.C. ***5111.971, 206.66.38***
No provision.	No provision.	Requires the Director of Job and Family Services to apply for a federal waiver to implement a pilot program for providing up to 200 Medicaid recipients with vouchers to purchase health care services outside of a nursing facility in lieu of admission to a nursing facility and provides that the application for the waiver must specify that an individual will not be eligible for the voucher pilot pogram unless the individual meets the same eligiblity requirements for the Assisted Living Program established by the bill, with certain exceptions (See item "Assisted Living Medicaid Waiver")
		Fiscal Effect: Assuming: (1) participants using the voucher would do so to avoid placement in a NF; (2) participants will be given a voucher with a value of 75% of the NF costs; and (3) the per resident per month cost in NFs is approximately $3,700, approximately $2.2 million all funds ($880,000 state share) in Medicaid costs could be avoided per year. In addition, unknown fiscal intermediary and other case management service costs could also be incurred. Each quarter, the Department of Aging must submit a report to the Director of Budget and Management outlining the estimated costs of the program. On receipt of the estimated costs, the Director of Budget and Management must make the necessary transfers from GRF appropriation item 600-525, Health Care/Medicaid, to the Department of Aging's budget. The Director of Budget and Management must also make other necessary adjustments to the Department of Job and Family Services' and the Department of Aging's budgets. The funds transferred are appropriated.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
228 (CD-380-JFS) Disability Medical Assistance Program Abolished		
R.C. ***5115.10, (repealed), 9.24, 127.16, 131.23, 323.01, 329.04, 329.051, 2305.234, 2744.05, 3111.04, 3119.54, 3317.029, 3317.10, 3702.7 4123.27, 4731.65, 4731.71, 5101.181, 5101.2 5101.31, 5101.36, 5110.01, 5110.05, 5112.03 5112.08, 5112.17, 5115.11 (repealed), 5115.: (repealed), 5115.13 (repealed), 5115.14 (repealed), 5115.20, 5115.22, 5115.23, Secti 206.66.18, 206.66.42***	**R.C.** ***5115.10, (repealed), 9.24, 127.16, 131.23, 323.01, 329.04, 329.051, 2305.234, 2744.0 3111.04, 3119.54, 3317.029, 3317.10, 3702.74, 4123.27, 4731.65, 4731.71, 5101.181, 5101.26, 5101.31, 5101.36, 5110.01, 5110.05, 5112.03, 5112.08, 5112.: 5115.11 (repealed), 5115.12 (repealed), 5115.13 (repealed), 5115.14 (repealed), 5115.20, 5115.22, 5115.23, Sections 206.66.18, 206.66.42***	**R.C.** ***5115.10, (repealed), 9.24, 127.16, 131.23, 323.01, 329.04, 329.051, 2305.234, 2744.0 3111.04, 3119.54, 3317.029, 3317.10, 3702.74, 4123.27, 4731.65, 4731.71, 5101.181, 5101.26, 5101.31, 5101.36, 5110.01, 5110.05, 5112.03, 5112.08, 5112.: 5115.11 (repealed), 5115.12 (repealed), 5115.13 (repealed), 5115.14 (repealed), 5115.20, 5115.22, 5115.23, Section 206.66.***
Abolishes the Disability Medical Assistance (DMA) Program on October 1, 2005.	Same as the Executive.	Same as the Executive.
Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately $56.6 million (state share only) in FY 2006 and $83.1 million (state share only) in FY 2007 by eliminating the DMA program.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
Eliminates a requirement that services provided to a Disability Medical Assistance recipient be counted when the amount of indigent care a hospital or group of hospitals provides is determined for the purpose of the Hospital Care Assurance Program.	Same as the Executive.	Provides that when the amount of indigent care a hospital or group of hospitals provides is determined for the purpose of the Hospital Care Assurance Program, services provided to Disability Medical Assistance recipients, while that program is still in existence, are to be counted.
Provides that a county's share for public assistance expenditures for calendar year (CY) 2007 is to be an amount equal to the county's share of public assistance expenditures for calendar year 2006, which means counties will be responsible for twelve, rather than nine, months of Disability Medical Assistance Program costs for Calendar Year 2007. Fiscal effect: Increases the amount for which counties will be responsible in CY 2007.	No provision.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
229 (CD-553-JFS) Head Start and Early Learning Initiative		
Sections: ***206.09.54, 206.09.18, 206.67.12, R.C. 121.3 3301.311, 3301.32, 4511.75, 5104.01, 5104.3 Repealed: 3301.31, 3301.33 through 3301.3***	**Sections:** ***206.09.54, 206.09.18, 206.67.12, R.C. 121. 3301.311, 3301.32, 4511.75, 5104.01, 5104.32, Repealed: 3301.31, 3301.33 throu 3301.38***	**Sections:** ***206.09.54, 206.09.18, 206.67.12, R.C. 121. 3301.311, 3301.32, 4511.75, 5104.01, 5104.02, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38***
Eliminates state-funded Head Start and Head Start Plus programs and requires that GRF funds provided in FY 2004 and FY 2005 as start-up grants to Title IV-A Head Start and Title IV-A Head Start Plus agencies be reimbursed to the GRF when the programs cease to exist in FY 2006. If payment is not made 100 days after the effective date of the bill, the Department of Education (ODE) must refer any amounts remaining due and payable to the Attorney General for collection.	Same as the Executive.	Same as the Executive, but allows agencies to keep the start-up grants to the extent that they provide early learning services under the new early learning initiative program. Requires ODE and the agencies to determine the amount of the grants to be repaid and the repayment schedule. ODE must refer any amounts remaining due and payable after June 30, 2007 to the Attorney General for collection.
No provision.	No provision.	Requires each entity operating as a federally-funded head start program to meet the criteria for, and be licensed as, a child day-care center.
Establishes the Early Learning Initiative (ELI), paid for with TANF funds and jointly administered by ODE and ODJFS, to provide early learning programs and child care to TANF-eligible children.	Same as the Executive, but specifies that in addition to being TANF-eligible, the children served must also come from families whose incomes do not exceed 185% of the federal poverty line. Once children begin receiving services they remain eligible until their families' incomes exceed 195% of the federal poverty line.	Same as the House, but also specifies that eligible children must be at least three years old but not of compulsory school age or enrolled in kindergarten. Also clarifies that the programs may offer full-day, part-day, or both services.
Specifies that the contract between ODE, ODJFS, and the early learning agency include: (1) the duties of each party to the contract; (2) requirements for use of Title IV-A funds; (3) requirement that administrative costs not exceed15% of the total costs; (4) reporting requirements; (5) reimbursement methodology; (6) audit requirements; (7) provisions for suspending, modifying, or terminating the contract.	Same as the Executive, but specifies that the contract also include a requirement that a child enrolled in Head Start Plus in FY 2005 be given priority to enroll in ELI.	Same as the House, but specifies that included in the reporting requirements is a requirement to inform ODE when the provider learns that a kindergarten-eligible child will not be enrolled in kindergarten.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Requires that ODJFS, jointly with ODE, adopt rules to implement ELI. Specifies that these rules include provisions regarding the establishment of co-payments for families and a definition of "weekly attendance rate" for the purposes of reimbursing early learning agencies.	Same as the Executive, but requires that the rules be adopted by ODJFS in consultation with ODE and exempts from co-payment requirements families whose income is equal to or less than 165% of the federal poverty line.	Same as the House, but specifies that the rules also include provisions establishing the following reimbursement rates: (1) For a child who attends 25 hours or more a week, the weekly reimbursement rate must be at least $200.73; (2) For a child who attends 15 hours or more but less than 25 hours a week, the weekly reimbursement rate must be at least $160.58; (3) For a child who attends less than 15 hours a week, the hourly reimbursement rate must be at least $8.03.
Requires that county departments of job and family services determine eligibility for Title IV-A services and establish co-payment requirements. Also, requires that ODJFS shall ensure that all reimbursements are for Title IV-A services provided to eligible children.	Same as the Executive.	Same as the Executive, but requires that early learning agencies determine eligibility for Title IV-A services and that ODJFS reimburse agencies for up to 25 days per year an eligible child in absent from the program.
No provision.	Requires ODJFS, in consultation with ODE, to establish a caretaker employment eligibility requirement for participation in ELI.	Same as the House, but permits a child to remain eligible for 30 days if the county department of job and family services determines that the caretaker is expected to begin engaging in an approved activity within that 30-day period. These approved activities are to be designated by ODJFS by rule.
No provision.	No provision.	Establishes requirements for early learning programs regarding teacher qualifications, curriculum, assessments, and progress reporting.
No provision.	No provision.	Authorizes individuals whose eligible child participates in a early learning program part-time to obtain certificates for payment for child care for periods in which the child is not in an early learning program.
Specifies that, beginning in FY 2006, a preschool, school child (latchkey), or early learning program is prohibited from receiving state funds unless at least 50% of the program's	Same as the Executive.	Same as the Executive, but includes early childhood education programs in and eliminates school child (latchkey) programs from the prohibition. Also, prohibits these

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
teachers are working toward an associate degree and, beginning in FY 2008, is prohibited from receiving state funds unless 100% of the program's teachers have attained an approved associate degree.		programs from receiving state funds after July 1, 2010 unless 50% of the teachers employed by the programs have attained a bachelor's degree.
Permits the Director of Budget and Management to transfer appropriation, as needed, from ODE appropriation item 200-663, Early Learning Initiative, (Fund 5W2) in the state special revenue fund group, to ODJFS appropriation item 600-689, TANF Block Grant, (Fund 3V6) in the federal special revenue fund group to support ELI. This provision also specifies that this transfer of appropriation is not to take place until at least 15 days after ODE has determined the number of children to be served by each approved agency. Specifies that ODJFS is to provide up to 10,000 slots in FY 2006 and up to 12,000 slots in FY 2007 of services in ELI.	Same as the Executive, but specifies that each county in the state be allocated at least 17 slots in each fiscal year.	Same as the House, but requires that ODE and ODJFS extend the deadline for submission of applications to be an early learning agency if no agencies have been approved for a given county by the effective date of the bill.
Transfers up to $2.2 million in FYs 2006 and 2007 from Fund 3V6 (TANF Federal) to Fund 5W2 (Early Learning Initiative) and earmarks $2.2 million of appropriation item 200-663, Early Learning Initiative, in each fiscal year for administrative functions related to ELI.	Same as the Executive, but clarifies that the $2.2 million earmark is for use by ODE.	Same as the House.
Earmarks up to $94,380,000 in FY 2006 and $113,256,000 in FY 2007 from appropriation item 600-689, TANF Block Grant, for ELI. The funds are to be used for the reimbursement of early learning agencies. This provision also allows for any excess funds to be used to provide publicly funded child care.	Same as the Executive.	Same as the Executive, but increases the earmark by $10.0 million (for a total of $104,380,000) in FY 2006 and by $12.0 million (for a total of $125,256,000) in FY 2007.
Earmarks up to $800,000 in FYs 2006 and 2007 from appropriation item 600-689, TANF Block Grant, for the administration of ELI.	Same as the Executive, but clarifies that the $800,000 earmark is for use by ODJFS.	Same as the House.
(The corresponding item entitled "Head Start and Early Learning Initiative" in Education has been removed from the Conference Committee Comparison Document).	(The corresponding item entitled "Head Start and Early Learning Initiative" in Education has been removed from the Conference Committee Comparison Document).	(The corresponding item entitled "Head Start and Early Learning Initiative" in Education has been removed from the Conference Committee Comparison Document).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
230 (CD-1297-JFS Ohio's Best Rx Operational Costs		
		Section: *206.66.12*
An amount equal to the remaining balance in appropriation item 600-440, Ohio's Best Rx Start-up Costs, from FY 2005 is hereby appropriated for fiscal year 2006 into appropriation item 600-440, Ohio's Best Rx Start-up Costs.	Same as the Executive.	Clarifies that the funding amount to be appropriated in FY 2006 is the amount equal to the remaining unencumbered balance in the 600-440, Ohio's Best Rx Start-up Costs, from FY 2005.
231 (CD-395-JFS) Fiscal Years 2006 and 2007 Reimbursement Rate for ICFs/MR		
Section: *206.66.33*	**Section: *206.66.28***	**Section: *206.66.22***
Freezes the fiscal year 2006 and 2007 Medicaid reimbursement rate for intermediate care facilities for the mentally retarded (ICFs/MR) at the fiscal year 2005 rate amount.	Same as the Executive.	Same as the Executive, but specifies that the Medicaid reimbursement rate is a per diem rate.
Includes special reimbursement provisions for ICFs/MR that undergo a change of operator, begin participation in the Medicaid program, or add beds in fiscal year 2006 or 2007.	Same as the Executive, but revises the wording to reflect that the Executive's provisions regarding a change of operator have been removed.	Same as the House, but provides that an ICF/MR that begins participation in the Medicaid program during fiscal year 2006 or 2007 is to be paid a rate that is the median of all rates paid to ICFs/MR on July 1, 2005, rather than July 1, 2006.
Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately $32.5 million all funds ($13.0 million state share) in FY 2006 and approximately $51.2 million all funds ($20.5 million state share) in FY 2007 as a result of this provision.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
232 (CD-392-JFS) Fiscal Year 2006 Medicaid Reimbursement Rate for Nursing Facilities		
Section: ***206.66.27***	**Section:** ***206.66.27***	**Section:** ***206.66.23***
Provides for the fiscal year 2006 Medicaid reimbursement rate for nursing facilities (NFs) with a 2003 Medicaid cost report to be based on that cost report and calculated, with certain modifications, in accordance with the method used to calculate nursing facilities' fiscal year 2005 Medicaid reimbursement rate. Provides that the modifications include a three tier system under which (1) a NF placed in the top tier group receives a two per cent increase over the rate otherwise determined for the NF, (2) a NF placed in the middle tier group receives a four per cent decrease under the rate otherwise determined for the NF, and (3) a NF placed in the bottom tier group receives a six per cent decrease under the rate otherwise determined for the NF.	Freezes the fiscal year 2006 Medicaid reimbursement rate for NFs at the fiscal year 2005 rate amount less any amount of the 2005 rate that reflects reimbursement to NFs for the franchise permit fee.	Same as the Executive, but: (1) Provides that a NF in the top tier group receives a two and one-half per cent increase over the rate otherwise determined for the NF, a NF in the middle tier group receives no increase over or decrease under the rate otherwise determined for the NF, and a NF in the bottom tier group receives a two and one-half per cent decrease under the rate otherwise determined for the NF; (2) Provides for a NF's rate to be adjusted by an amount equal to certain adjustments implemented during fiscal year 2005; (3) Uses a NF's case-mix score that is based on data submitted for the quarter ending December 31, 2004, rather than March 31, 2004; (4) Uses the annual average case-mix score that was used to calculate a NF's rate for June 30, 2005, rather than July 1, 2004; (5) For NFs that pay the nursing home franchise permit fee, increases the Medicaid reimbursement rate by the amount of the bill's increase in the fee; (6) Requires that the Department reduce NFs' fiscal year 2006 reimbursement rate if the federal government requires that the nursing home franchise permit fee be reduced or eliminated.
Provides that if a nursing facility has a valid Medicaid provider agreement on June 30, 2005, and is not required to file a cost report covering calendar year 2003, the facility's rate is to be 97% of the rate it was paid for nursing facility services provided on June 30, 2005.	No provision.	Same as the Executive, but for NFs that pay the nursing home franchise permit fee, increases the Medicaid reimbursement rate by the amount of the bill's increase in the fee.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Includes special reimbursement provisions for nursing facilities that undergo a change of operator, begin participation in the Medicaid program, or add beds in fiscal year 2006.	Same as the Executive, but revises the wording to reflect that the Executive's provisions regarding a change of operator have been replaced with provisions regarding change of providers.	Same as the House.
Provides that a NF's rate established for fiscal year 2006 is not to be subject to any adjustments for any reason except for an adjustment made pursuant to an audit of the NF's 2003 cost report.	Provides that an adjustment necessitated by an audit of a NF's 2003 cost report may be applied to the fiscal year 2006 rate established for the NF.	Provides that a NF's rate established for fiscal year 2006 is not to be adjusted except as follows: (1) An adjustment resulting from an audit of the NF's 2003 cost report may be applied to the rate not later than July 1, 2008. (2) The rate may be adjusted to reflect a change in the NF's capital costs due to a change of provider agreement that goes into effect before July 1, 2005, and for which a rate adjustment is not implemented before June 30, 2005, or a reviewable activity for which a certificate of need application is filed before July 1, 2005, costs are incurred before June 30, 2005, and a rate adjustment is not implemented before June 30, 2005.
Fiscal effect: This provision allows the Department to reduce the total amount paid to NFs by 3% in FY 2006. Approximately one-third of the NFs will get a 2% increase, one-third will get a 4% decrease, and the remaining one-third will get a 6% decrease. These categories are created based on efficiency rankings. The Executive estimates that the state could avoid costs totaling approximately $523.8 million all funds ($210.2 million state share) in FY 2006 as a result of this provision.	Fiscal effect: This provision increases NF reimbursement by $80.9 million all funds ($32.5 million state share) in FY 2006.	Fiscal effect: Applies a three-tiered reimbursement system, provides for the rate to be adjusted, uses a NF case-mix score and annual average case-mix score based on different dates, all assuming the As Passed by the House funding level. This provision eliminates the House provision that requires the Department to use money in the Nursing Facility Stabilization Fund to make quarterly payments to NFs regarding the nursing home franchise permit fee. This provision also increases the reimbursement rate to NFs by the increase in the nursing home franchise permit fee. The net effect to the state is zero.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
233 (CD-394-JFS) Fiscal Year 2007 Medicaid Reimbursement Rate for Nursing Facilities		
Section: ***206.66.30***	**Section:** ***206.66.27***	**Section:** ***206.66.24***
Freezes the fiscal year 2007 Medicaid reimbursement rate for nursing facilities (NF) at the fiscal year 2006 rate amount.	Freezes the fiscal year 2007 Medicaid reimbursement rate for NFs at the fiscal year 2005 rate amount, less any amount of the 2005 rate that reflects reimbursement to NFs for the franchise permit fee.	Same as the Executive, but requires that the Department reduce the Medicaid reimbursement rate for a NF for fiscal year 2007 if the federal government requires that the nursing home franchise permit fee be reduced or eliminated.
Includes special reimbursement provisions for nursing facilities that undergo a change of operator, begin participation in the Medicaid program, or add beds in fiscal year 2007.	Same as the Executive, but revises the wording to reflect that the Executive's provisions regarding a change of operator have been replaced with provisions regarding change of providers.	Same as the House.
Provides that a NF's rate established for fiscal year 2007 is not to be subject to any adjustments for any reason except for an adjustment made pursuant to an audit of the NF's 2003 cost report.	Provides that an adjustment necessitated by an audit of a NF's 2003 cost report may be applied to the fiscal year 2007 rate established for the NF.	Provides that a NF's rate established for fiscal year 2006 is not to be adjusted except as follows: (1) An adjustment resulting from an audit of the NF's 2003 cost report may be applied to the rate not later than July 1, 2009. (2) The rate may be adjusted to reflect a change in the NF's capital costs due to a change of provider agreement that goes into effect before July 1, 2005, and for which a rate adjustment is not implemented before June 30, 2006, or a reviewable activity for which a certificate of need application is filed before July 1, 2005, costs are incurred before June 30, 2005, and a rate adjustment is not implemented before June 30, 2006.
Fiscal effect: This provision allows the Department to maintain FY 2007 NF payments at the FY 2006 levels. The Executive estimates that the state could avoid costs totaling approximately $720.3 million all funds ($289.0 million state share) in FY 2007 as a result of this provision.	Fiscal effect: This provision increases NF reimbursement by $121.7 million all funds ($48.8 million state share) in FY 2007.	Fiscal effect: The FY 2007 rates will be the same as the FY 2006 rates. FY 2006 rates are three-tiered using the As Passed by the House funding levels.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
234 (CD-1242-JFS Increased Payment to ICFs/MR for CAFS Expenses		
		Section: ***206.66.27***
No provision.	No provision.	Permits the Department to increase the Medicaid rate paid to intermediate care facilities for the mentally retarded for fiscal years 2006 and 2007 to reimburse the facilities for active treatment day programming because of the termination of the Community Alternative Funding System (CAFS).
		Fiscal effect: The bill terminates the Community Alternative Funding System (CAFS), which currently funds active treatment services provided to individuals residing in ICFs/MR. For the most part, individuals receive active treatment off-grounds, usually provided by a county board of MR/DD. Under CAFS, county boards pay the active treatment matching funds and receive the federal reimbursement. However, without CAFS, private ICFs/MR will be required to provide active treatment to its residents. The bill allows ODJFS to promulgate rules which would increase the Medicaid per diem for ICFs/MR to reimburse the facilities for active treatment costs. In FY 2004, the nonfederal share of CAFS active treatment services totaled $23.3 million. Thus, there may be an increase in Medicaid expenditures in ODJFS line item 600-525, Health Care/Medicaid, of approximately $23.3 million per year. There would also be an increase in the Department's administrative costs associated with rules promulgation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
235 (CD-379-JFS) Medicaid Coverage of Dental and Vision Services		
Section: ***206.66.45***	**Sections:** ***206.66.44, 206.66.45***	**Sections:** ***206.66.44, 206.66.45***
Requires that the Department amend the state Medicaid plan to eliminate coverage of vision care services for individuals age 21 or older for whom those services are not required by federal law.	Requires that the Medicaid program cover vision services for fiscal years 2006 and 2007 in at least the amount, duration, and scope currently in effect.	Requires that the Medicaid program, for fiscal years 2006 and 2007, cover vision services, but provides that this provision of the bill does not effect the Department's ability to adopt, amend, or rescind rules applicable to vision services, including rules that limit or reduce covered services, reduce reimbursement levels, or subject covered services to copayments.
Requires that the Department amend the state Medicaid plan to eliminate coverage of dental services for individuals age 21 or older for whom those services are not required by federal law.	Requires that the Medicaid program cover dental services for fiscal years 2006 and 2007 as follows: (1) for Medicaid recipients under age 21, in at least the amount, duration, and scope currently in effect and (2) for Medicaid recipients age 21 or older, in an amount, duration, and scope specified in rules the Department must adopt.	Requires that the Medicaid program cover dental services for individuals under 21 years of age but states that this provision does not limit the Department's ability to adopt, amend, or rescind rules that limit or reduce coverage of dental services and requires that the Medicaid program cover dental services for individuals over 21 years of age in a manner that is less in amount, scope, and duration than the program covers dental services immediately before the effective date of this provision of the bill.
Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately (1) $49.8 million all funds ($20.0 million state share) in FY 2006 and $114.8 million all funds ($46.0 million state share) in FY 2007 by eliminating dental care; and (2) $6.5 million all funds ($2.6 million state share) in FY 2006 and $15.5 million all funds ($6.2 million state share) in FY 2007 by eliminating vision care.	Fiscal effect: This provision costs $6.5 million all funds ($2.6 million state share) in FY 2006 and $15.5 million all funds ($6.2 million state share) in FY 2007 for vision care. In addition, the provision costs $24.9 million all funds ($10.0 million state share) in FY 2006 and $57.4 million all funds ($23.0 million state share) in FY 2007 for dental care.	Fiscal effect: Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
236 (CD-1000-JFS Disability Determination Consolidation Study		
	Section: ***206.66.46***	**Section:** ***206.66.46***
No provision.	Requires the Department of Job and Family Services (ODJFS) to assess the feasibility of an interagency agreement with the Rehabilitation Services Commission (RSC) whereby the Commission would perform disability determinations for certain programs and services offered by the Department or a county department of job and family services.	Replaces the House provision with a provision that requires state and local government entities actively engaged in providing programs or services for which disability is an eligibility requirement to conduct a study to consider the feasibility of an interagency agreement under which a government entity would perform disability determinations for all programs and services for which disability is an eligibility requirement offered in this state. Requires a written report of the study results to be prepared and submitted to the Speaker of the House and Senate President not later than six months after the bill's effective date.
	Fiscal effect: This provision will result in increased costs for ODJFS related to conducting the assessment. To the extent that RSC provides input to ODJFS, RSC will experience an increase in administration costs.	Fiscal effect: To the extent that ODJFS, the RSC, and county departments of job and family services are involved in the study, they will experience an increase in administrative costs associated with this producing and distributing the report.
	(The corresponding item entitled "Disability Determination Consolidation Study" in the Rehabilitation Services Commission has been removed from the Conference Committee Comparison Document.)	(The corresponding item entitled "Disability Determination Consolidation Study" in the Rehabilitation Services Commission has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
237 (CD-830-JFS) Health Care/ Medicaid		
Section: ***206.66.24***		**Section:** ***206.66.47***
Specifies that GRF appropriation item 600-525, Health Care/Medicaid, is not to be limited by the provision of law governing expending of appropriations (R.C. 131.33).	No provision.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
238 (CD-1022-JFS Medicaid Transition Council		
	Section: ***206.66.52***	**Section:** ***206.66.52***
No provision.	Creates the Medicaid Transition Council to (1) initiate, guide, and oversee the implementation of measures recommended by the Ohio Commission to Reform Medicaid, (2) devise a centralized financing function to coordinate the activities of all executive agencies that deliver Medicaid services, and (3) oversee the future transfer of the Medicaid program from the Department of Job and Family Services to a new department. Requires the Council to submit a written report of its findings to the Governor by not later than December 31, 2006. (The corresponding item entitled "Medicaid Transition Council" in Ohio Medicaid has been removed from the Conference Committee Comparison Document.)	Renames the Medicaid Transition Council the Medicaid Administrative Study Council, adds an individual to represent the Governor, and requires the Governor to appoint a Council Chair-person from among its members. Requires the Council to make recommendations regarding (1) the optimal administrative structure for the administration of the Medicaid program, (2) a centralized financing function to coordinate the activities of all executive agencies that deliver Medicaid services, and (3) an organizational structure for a separate Department of Medicaid if the Council recommends creating the Department. Permits the Council to study the feasibility of developing a plan for a unified state long-term care budget across all state and local agencies and service settings. Requires the Medicaid Transition Council to study the feasibility of restructuring the Medicaid program (rather than overseeing a future transfer to a new department), including the feasibility of a single long-term care budget for ODJFS and the Department of Aging. Requires the Council to submit a written report of its findings by not later than July 1, 2006. (The corresponding item entitled "Medicaid Transition Council" in Ohio Medicaid has been removed from the Conference Committee Comparison Document.)
	Fiscal effect: The state agencies that are members of the Council will incur a negligible increase in costs associated with deliberating and writing a report of the Council's findings.	Fiscal effect: Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
239 (CD-1037-JFS Medicare Part D		
Section: ***206.66.54***		**Section:** ***206.66.54***
Allows appropriation item 600-526, Medicare Part D, to be used by ODJFS for the implementation and operation of the Medicare Part D requirements. Upon the request of ODJFS, the Director of Budget and Management may increase the state share of appropriations in either appropriation item 600-525, Health Care/Medicaid, or appropriation item 600-526, Medicare Part D, with a corresponding decrease in the state share of the other appropriation item to allow the Department to implement and operate the new Medicare Part D requirements. If the state share of appropriation item 600-525, Health Care/Medicaid, is adjusted, the Director of Budget and Management must adjust the federal share accordingly.	No provision.	Same as the Executive.
240 (CD-950-JFS) TANF Earmarks		
	Sections: ***206.67.07, 206.67.08, 206.67.09, 206.67.A***	**Sections:** ***206.67.07, 206.67.08, 206.67.09***
No provision.	Earmarks $10 million of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for the Kinship Caregiver Subsidy Program.	Same as the House, but renames the program the Kinship Permanency Incentive Program. (See item entitled "Kinship Caregiver" in Job and Family Services)
No provision.	Earmarks $1 million in each fiscal year from the TANF Block Grant, appropriation item 600-689 (Fund 3V6), for the Accountability and Credibility Together (ACT) program to provide welfare diversion services to TANF eligible individuals.	Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	Earmarks $600,000 in each fiscal year from the TANF Block Grant, appropriation item 600-689 (Fund 3V6), to support expenditures of the Ohio Alliance of Boys and Girls Clubs. The Alliance must provide meals, snacks, educational, youth development, and career development services to TANF eligible children.	Same as the House.
No provision.	Earmarks $200,000 in each fiscal year from the TANF Block Grant, appropriation item 600-689 (Fund 3V6), to fund a multi-disciplinary child welfare training initiative. The funds are to be provided to the National Center for Adoption Law and Policy.	Same as the House.
No provision.	No provision.	Earmarks $500,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for the Children's Hunger Alliance for Child Nutrition Program outreach efforts.
No provision.	No provision.	Earmarks $75,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for the Talbert House to provide TANF eligible substance and alcohol abuse services.
No provision.	No provision.	Earmarks $50,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for People Working Cooperatively in Cincinnati. Funding for this item was previously provided through a capital appropriation earmark within the University of Cincinnati. (The corresponding item entitled "People Working Cooperatively" in Board of Regents has been removed from the Conference Committee Comparison Document.)
No provision.	No provision.	Earmarks $185,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for Project GRAD.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
241 (CD-1299-JFS Publicly Funded Child Care Market Rate Survey		
		Section: ***206.67.13***
No provision.	No provision.	Requires ODJFS to conduct a study of the market rates for the provision of child care, requires child care providers to cooperate in the study, and requires new rates for the funding of publicly funded child care be established by July 1, 2006. Fiscal effect: To comply with federal law, ODJFS conducts a market rate survey every two years. The most recent survey was completed in fiscal year 2004. The next scheduled survey is likely to be conducted sometime in calendar year 2006. For the most recent survey, ODJFS contracted with the Ohio State University (OSU) for a total of $257,000 to conduct the survey and perform analysis of the data. This provision may require the Department to incur costs associated with conducting the market rate survey sooner than the Department had planned. In addition, ODJFS does not necessarily establish new rates with each survey. This provision may increase the Department's costs associated with establishing and paying the new rates for the publicly funded child care program as required by this provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
242 (CD-1322-JFS Inpatient Supplemental Payment Program for Children's Hospitals		
		Sections: ***209.66.79, 206.66, 312.24***
No provision.	No provision.	Requires the Department to implement, if federally approved, an Inpatient Supplemental Payment Program for children's hospitals under which supplemental Medicaid payments are made based on federal upper payment limits and specifies that funding for the program must not exceed $6.0 million (state share) plus the corresponding federal match, if available, for qualifying discharges in fiscal years 2006 and 2007.
No provision.	No provision.	Earmarks $6.0 million that is being transferred each fiscal year from the Tobacco Master Settlement Agreement Fund (Fund 087) to the newly created Children's Hospitals Fund (Fund 5CR) in the State Special Revenue Fund Group and the $9.0 million in corresponding federal reimbursement for a reimbursement rate increase to children's hospitals.
		(See the item entitled "Transfer of Tobacco Master Settlement Agreement Dollars to ODJFS" in the Tobacco Use Prevention and Control Foundation.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
243 (CD-400-JFS) Public Assistance Reconciliation		
Section: *206.66.15*	**Section: *206.66.15***	**Section: *312.01***
Permits the Director of Job and Family Services to transfer up to $30 million in each fiscal year from GRF appropriation item 600-442, Public Assistance Reconciliation, to Fund 5AX, Public Assistance Reconciliation Fund, to be used by ODJFS to reimburse Ohio's federal TANF Block Grant according to the process agreed to by ODJFS and the federal government.	Same as the Executive.	No provision.
No provision.	No provision.	Transfers the first $60 million of GRF revenue surplus at the end of FY 2005 to Fund 5AX, Public Assistance Reconciliation Fund, to reimburse Ohio's federal TANF Block Grant.
244 (CD-1400-JFS Temporary Civil Service Authority of the Director of Job and Family Services		
		Section: *569.06*
No provision.	No provision.	Grants the Director of Job and Family Services, for FY 2006 and FY 2007, subject to certain requirements, the authority to establish, change, and abolish positions of employment in the Department that are in the classified civil service and assign, reassign, classify, reclassify, transfer, reduce, promote, and demote ODJFS exempt employees who are in the classified civil service.
		Fiscal effect: If the Director exercises the authority granted under this provision, the Department is likely to incur administrative costs associated with reviewing positions and taking whatever action the Director deems necessary. In addition, the Department may experience an increase or decrease in personnel costs depending on actions taken by

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		the Director.
245 (CD-1394-JFS Reimbursement Ceilings for Publicly-Funded Child Care		
		Sections: ***5104.30, and Section 206.67.12***
No provision.	No provision.	Requires that reimbursement ceilings for providers of publicly funded child care be amounts that are not less than 65% of the market's usual and customary cost to the public based on the most recently conducted market rate survey required by federal regulations.
		Fiscal effect: The bill increases the appropriation for federal special revenue appropriation item 600-689, TANF Block Grant, by $10.5 million in each fiscal year above the Executive recommended funding level to pay for the increase in costs for the publicly funded child care program due to this provision. This will decrease by $10.5 million the year-end balance of the TANF Block Grant.
No provision.	No provision.	Permits the Department of Job and Family Services to increase for FY 2007 the reimbursement ceilings for providers of publicly funded child care to not less than 65% of the market's usual and customary cost to the public if the estimated monthly average of children expected to enroll in publicly funded child care from December 2005 through March 2006 exceeds the actual number enrolled by at least 2,000.
		Fiscal effect: The Department may incur some minimal costs to estimate and compare the monthly average number of children enrolled in the program. It is likely that the Department would only decide to exercise the authority to increase the reimbursements ceilings for providers of publicly funded child care if funds are available at that time.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
246 (CD-957-JFS) Medicaid Care Management Working Group		
	Section: ***206.66.43***	**Section:** ***5111.161***
No provision.	Requires the Department to establish the Medicaid Care Management Working Group to develop guidelines to govern managed care contracts under the Medicaid Program.	Establishes the Medicaid Care Management Working Group as a permanent body, with members to be appointed by the President of the Senate, the Speaker of the House of Representatives, and the Governor, rather than the Department. Modifies the required membership of the Working Group by including the Director of Aging or the Director's designee, specifying that the four Medicaid care management representatives must include three representatives of Medicaid-contracting health insuring corporations and one representative of enhanced care management programs, increasing the representatives of health care and behavioral health professional and trade associations to five (from four), and adding three representatives of the business community. Requires the Working Group to consult regularly with the Departments of Insurance, Aging, Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Drug Addiction Services, and the Rehabilitation Services Commission, rather than having the agency directors serve as members.
	Fiscal effect: The provision is silent on providing reimbursement for any necessary expenses for non-governmental members of the Work Group and any administrative support. The Department would likely be responsible for such costs. However, it is likely that such costs, if any, would be minimal.	Fiscal effect: The provision is silent on providing reimbursement for any necessary expenses for non-governmental members of the Work Group and any administrative support. It is likely that such costs, if any, would be minimal.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
247 (CD-1186-LSC Revenue and Spending Data for School Districts		
		R.C. *103.132*
No provision.	No provision.	Requires the Legislative Service Commission, in conjunction with the Legislative Information Systems Office, to establish an easy to use, readily accessible Internet database that contains current and historical revenue and expenditure data for all school districts in Ohio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
248 (CD-943-LSC) Legislative Office of Education Oversight / Legislative Budget Office		
	Section: *206.87*	
No provision.	Requires the Legislative Office of Education Oversight to complete statutorily required studies by December 31, 2005.	No provision.
	Eliminates funding for the Legislative Office of Education Oversight on January 1, 2006 and requires the Director of Budget and Management to transfer the unencumbered cash balance from GRF appropriation item 035-404, Legislative Office of Education Oversight, to GRF appropriation item 035-403, Legislative Budget Office.	
249 (CD-1362-LSC) Joint Legislative Committee on Medicaid Technology and Reform		
		Section: *206.87*
No provision.	No provision.	Earmarks $100,000 in each fiscal year of GRF appropriation item 035-321, Operating Expenses, for costs associated with employing an executive director for the Joint Legislative Committee on Medicaid Technology and Reform.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
250 (CD-281-LIB) Ohio Public Library Information Network		
Section: ***206.90***	**Section:** ***206.90***	**Section:** ***206.90***
Earmarks General Revenue Fund (GRF) appropriation item 350-400, Ohio Public Library Information Network, and 350-604, OPLIN Technology, (Fund 4S4) in the general services fund group to support OPLIN; specifies the authority and responsibilities of the OPLIN Board; requires the adoption of policies to limit access to obscene and illegal materials at OPLIN terminals; and requires OPLIN, INFOhio, and OhioLINK to coordinate and equally contribute to purchases of electronic databases to the extent feasible.	Same as the Executive.	Authorizes local libraries with OPLIN computer terminals to adopt and implement policies specifically to limit access to obscene and illegal materials; mandates that such policies include the use of technological systems to select or block certain internet access and that the OPLIN Board adopt and communicate recommendations related to computer filtering to local libraries; and earmarks up to $100,000 in each fiscal year from GRF appropriation item 350-400, Ohio Public Library Information Network, to help local libraries purchase or maintain filters to screen out obscene and illegal internet materials, with the requirement that at least 50% of this amount in each fiscal year be used for the purchase of filters. Fiscal effect: Potential expenditures of up to $100,000 each fiscal year from GRF appropriation item 350-400, Ohio Public Library Information Network, to help local libraries purchase or maintain internet filters that would otherwise be used to cover OPLIN's existing expenses.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
251 (CD-898-LIB) Ohioana Library Association Operating Funds		
	Sections: ***206.90, 209.27***	**Sections:** ***206.90, 209.27***
No provision.	Increases GRF appropriation item 350-321, Operating Expenses, by $100,000 in each fiscal year and earmarks that amount for the operating expenses of the Ohioana Library Association. (See the item entitled "Ohioana Library Consolidation with the State Library" in the Ohioana Library Association's entry for the fiscal effect on that agency) Fiscal effect: An additional $100,000 in GRF appropriation item 350-321, Operating Expenses, which will be offset by expenditures to support the Ohioana Library Association.	Restores Ohioana as a separately-appropriated entity, but provides only $100,000 in GRF to subsidize Ohioana's operating expenses. Fiscal effect: No net effect on the State Library Board, as the loss of $100,000 each fiscal year will be offset by the elimination of the earmark to cover the operating expenses of the Ohioana Library Association. (See the item entitled "Ohioana Library Consolidation with the State Library" in the Ohioana Library Association's entry for the fiscal effect on that agency.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
252 (CD-1051-LOC Participation of Local Agencies in Self-Insurance Plans		
	R.C. ***9.833***	**R.C.** ***9.833, 2744.08, 2744.082***
No provision.	Permits agencies and instrumentalities of political subdivisions to establish and participate in individual and joint self-insurance programs to provide health care benefits to officers and employees of the agency or instrumentality. Fiscal effect: Uncertain. Insurance rates may decline, but these could be offset by increased administrative costs for such self-insured plans. Overall impact would depend on the level of coverage included and administrative overhead.	Same as House, but also permits political subdivisions to require payment of deductibles under their liability insurance or self-insurance programs from accounts or funds in its treasury from which a loss was directly attributable. Also provides a procedure for the transfer of the deductible amount, plus the cost of the liability insurance or self-insurance program from the appropriate funds or accounts to the general revenue fund of the political subdivision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
253 (CD-691-LOC Changes to Procedures of Family and Children First County Councils		
R.C. ***121.37, 121.38, 121.381, 121.382***	**R.C.** ***121.37, 121.38, 121.381, 121.382***	**R.C.** ***121.37, 121.38, 121.381, 121.382***
Provides a new procedure for the county mechanisms, county comprehensive family service coordination plans, and dispute resolution processes of family and children first county councils.	Same as the Executive.	Same as the Executive, but clarifies that a family representative member of a family and children first county council may not be employed by an agency represented on the county council. Provides that the county service coordination mechanism for children receiving county council services and Help Me Grow services, which are provided by the Department of Health, must comply with the requirements of rules adopted by the Department of Health for the Help Me Grow Program. Requires the family service coordination plan to outline how county council members will jointly pay for council services, where applicable. Clarifies a provision regarding the county council dispute resolution process by doing the following: (1) Stating that the dispute resolution process is available for disputes between parents or custodians and the county council regarding service coordination; (2) Requiring the county council to inform parents and custodians of their right to use the dispute resolution process; (3) Stating that parents or custodians must use existing local agency grievance procedures to address disputes unrelated to service coordination; (4) Stating that the county council dispute resolution process does not replace other rights or procedures possessed by parents or custodians under Ohio law.
Fiscal effect: The county councils will likely experience an increase in costs to make changes to current county service coordination mechanisms, contract with mental health	Fiscal effect: Same as the Executive.	Fiscal effect: The clarifying language may result in some increased costs associated with program dispute resolution implementation. It may also, however, result in some

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
professionals to conduct assessments and individuals to act as the decision maker in the dispute resolution process, and determine child support. The magnitude of the fiscal impact of the changes required by this provision may vary by county depending on the level at which the county council currently functions, the number of children with mental illness who enter the system via the county council, and the number of disputes that arise. Any additional costs will be borne by the local government entities represented on the council.		decreased costs by streamlining the process. At this time, LSC cannot adequately estimate the direction and the magnitude of such change.

254 (CD-1360-LOC Agreements to Assist Municipal Corporations in Retaining Military Facility Jobs

		R.C. ***122.18, Sections 203.99, 203.99.45***
No provision.	No provision.	Modifies the law authorizing agreements that provide payments to municipal corporations and counties to attract federal jobs by allowing municipal corporations to enter into similar agreements for the purpose of retaining jobs at existing facilities scheduled for closure by the Base Realignment and Closure Commission. Establishes the Defense Conversion Assistance Fund (Fund XXX) and appropriation item 195-xxx, Defense Conversion Assistance, for the purpose of providing grants to local communities for costs associated with the preparation and redevelopment of military installations in Ohio slated for closure or realignment. Fiscal Effects: Allowing municipal corporations to enter into agreements as described above may prevent certain bases from closing. This would preserve jobs in these areas and generate revenue that would have potentially lost had the base closed.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
255 (CD-997-LOC Certification of Public Authorities' Professional Design Contracts and County Building and Bridge Construction Contracts		
	R.C. ***153.44, 153.692***	
No provision.	Requires a county contract for building or bridge construction that exceeds $1,000 to be certified by the prosecuting attorney as being in accordance with the Public Improvements Contract Law before it may have full force and effect. Requires a public authority's contract for design services must be certified by the public authority's legal counsel as being in accordance with the professional design services contract law before that contract may have full force and effect. Fiscal effect: No direct fiscal effect, but the provision may eliminate any contract disputes for such services which might otherwise arise.	No provision.
256 (CD-1298-LOC Boards of Trustees for Certain Regional Transit Authorities		
		R.C. ***306.331, Section 503.15***
No provision.	No provision.	Establishes a distinct method to appoint the board of trustees of a regional transit authority created by one county and two municipal corporations, in a county with a population exceeding 500,000. Clarifies that the boards may hold executive sessions, but that all other meetings are open to the public. Specifies that the second most populous city that is located within the county where the RTA is located may appoint one RTA board member, regardless of whether the city is a member of the RTA. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
257 (CD-1300-LOC Local Funding Options for Convention Centers and Art Facilities		
		R.C. ***307.695, 3381.02, 3381.04, 3381.05, 3381.(3381.07, 3381.15***
No provision.	No provision.	Authorizes a board of county commissioners in a county with a population of 600,000 or more to establish local funding options for constructing and equipping a convention center.
No provision.	No provision.	Authorizes a board of county commissioners in a county with a population of 500,000 or more to provide local funding options for the support of arts and cultural organizations operating in the regional arts and cultural district in which the county is included. Requires that regional arts and cultural districts created by a board of county commissioners have an appointed 3 member governing board of trustees for the district.
No provision.	No provision.	Fiscal effect: No direct fiscal effect. If a county would elect to implement either of the above measures, there would be an immediate increase in costs. However, the use of such convention centers or art facilities for various purposes could generate future revenues.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
258 (CD-1293-LOC County Support of Science Facilities		
		R.C. ***307.76, 5705.19***
No provision.	No provision.	Permits a county to maintain and operate, and to levy a property tax for, a facility that encourages the study of, and promotes the sciences. Fiscal effect: No direct fiscal effect; however, a county would incur new costs if it chooses to take on additional debt to finance such facilities as well as raise revenues through a property tax.
259 (CD-727-LOC Payment for Necessary Medical Care of Jail Inmates at Medicaid Reimbursement Rate		
R.C. ***341.192***	**R.C.** ***341.192***	**R.C.** ***341.192***
Requires that necessary, nonelective medical care for a person confined in a county jail or in the custody of a law enforcement office prior to confinement that cannot be provided by the jail's regular physician be provided by a Medicaid provider and be paid for at or below Medicaid reimbursement rates. Fiscal effect: Currently, county jails are paying the going market rate for the provision of medical care to jail inmates. Medicaid reimbursement rates are generally lower than the going market rate for such medical care. According to the Buckeye State Sheriffs' Association, this provision has the potential to significantly reduce annual county jail inmate medical care expenditures.	Same as the Executive.	Same as the Executive, but deletes the requirement that necessary, nonelective medical care for a person confined in a county jail or in the custody of a law enforcement officer prior to confinement that cannot be provided by the jail's regular physician be provided by a Medicaid provider.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
260 (CD-1130-LOC Methamphetamine, Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control		
	R.C. ***2151.031, 2919.22, 2925.01, 2925.04, 2925.041, 2925.15, 3719.47, 3719.48***	
(1) No provision.	(1) Imposes restrictions on the sale, storage, and acquisition of ephedrine, pseudoephedrine, and phenylpropanolamine products.	(1) No provision.
(2) No provision.	(2) Provides that a child exposed to methamphetamine, to an ephedrine, pseudoephedrine, or phenylpropanolamine product in a specified amount, to the "manufacture of drugs" involving methamphetamine, or to "illegal assembly or possession of chemicals for the manufacture of drugs" involving such a product is an abused child.	(2) No provision.
(3) No provision.	(3) Expands the offense of "endangering children" to also include exposure of a child to a person's possession or use of methamphetamine or to a person's possession of an ephedrine, pseudoephedrine, or phenylpropanolamine product in a specified amount.	(3) No provision.
(4) No provision.	(4) Includes specifically in the offense of "illegal assembly or possession of chemicals for the manufacture of drugs" the assembly or possession of any such product to manufacture methamphetamine or any other schedule I or II controlled substance, and provides what constitutes prima-facie evidence of intent to use the product to commit that offense.	(4) No provision.
(5) No provision.	(5) Requires retailers, terminal distributors of dangerous drugs, pharmacies, prescribers, and wholesalers to report to the State Board of Pharmacy the theft or significant loss of more than six grams of any ephedrine, pseudoephedrine, or phenylpropanolamine products and requires the Board to notify local law enforcement agencies.	(5) No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	Fiscal effect: As a result of this provision, additional offenders will in all likelihood be sentenced to prison and offenders who would have been sentenced to prison under current law will, in the future under similar circumstances, be sentenced to longer prison terms. Either outcome would increase the Department of Rehabilitation and Correction's annual GRF-funded incarceration costs, the magnitude of which is uncertain at this time. From a local perspective, some of the prohibited conduct appears to be largely illegal under the state's existing criminal law. Thus, the penalty enhancements and prohibitions will not likely create many new cases for county and municipal criminal justice systems to process, and can largely be seen as enhancing the level of sanctions that an offender would face under certain circumstances in the future. The magnitude of the fiscal effects on local criminal justice system expenditures (adjudication, prosecution, defense (if the offender is indigent), and sanction costs) is uncertain at this time.	
	(See the item entitled "Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control" in the State Board of Pharmacy for other provisions relating to those drugs.)	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
261 (CD-1216-LOC Ohio CASA/GAL Study Committee		
		R.C. *2151.282*
No provision.	No provision.	Creates the Ohio CASA/GAL Study Committee to study the Ohio CASA/GAL (Court Appointed Special Advocate/Guardian Ad Litem) Association program to compare the costs and benefits associated with utilizing an Ohio CASA/GAL Association program to advocate on behalf of children who have been found to be abused, neglected, or dependent children with the costs and benefits associated with utilizing county public defenders, joint county public defenders, or court-appointed counsel to advocate on behalf of abused, neglected, or dependent children, requires the study committee to submit a copy of the report to certain parties on or before July 1, 2007, and requires the Ohio CASA/GAL Association to provide staff for and pay the expenses incurred by the study committee.
		Fiscal effect: At the time of this writing, it is unclear as to whether the state or certain local governmental entities will incur any one-time expenses associated with assisting the study committee.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
262 (CD-1343-LOC Juvenile Facilities Districts Created by Joint Boards of County Commissioners		
		R.C. ***2151.652, 2152.44***
No provision.	No provision.	Gives to a joint board of county commissioners that has created a district for the operation of a juvenile detention facility or certain other facilities the authority to approve all district contracts and the district's annual budget and the exclusive authority to retain legal counsel for the district. Fiscal effect: The fiscal effect of this approval authority, if any, on certain local districts is uncertain.
263 (CD-736-LOC Law Library Associations and Associated County Financial Obligations		
R.C. ***3375.48, 3375.49, 3375.54, 3375.55***	**R.C.** ***3375.48, 3375.49, 3375.54, 3375.55, 501.0***	**R.C.** ***3375.48, 3375.49, and Section 503.06, 3375.54, 3375.55***
Transfers the power to fix the compensation of a librarian and assistant librarian for a law library association from the judges of the court of common pleas to the association's board of trustees. Apportionments for the payment of these employees, as well as costs for any furniture or fixtures, will be on a graduated scale from FY 2006-2009. Beginning in FY 2010, the association's board of trustees must assume all costs from the board of county commissioners.	Same as the Executive, but reapportions the graduated responsibility of payment from beginning in FY 2006 to beginning in calendar year 2007.	Same as the House.
No provision.	Creates the Task Force on Law Library Associations, which must study the structure, funding, and administration of the associations' law libraries and by June 30, 2006 report its findings and recommendations to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Chief Justice of the Supreme Court. After submitting this report, the task force will cease to exist.	Same as the House, but does not require that one of the appointees represents the public, and changes report due date to October 31, 2006.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: Currently, all costs for such libraries are paid from the county treasury. This provision will gradually decrease costs for counties until the association's board of trustees assumes full financial responsibility in FY 2010. However, counties will continue to provide office space and utilities.	Fiscal effect: Delays impact of savings six months until the graduated rate of responsibility begins in calendar year 2007. Recommendations of the task force that are adopted could reduce costs for counties as they continue to pay on a graduated scale.	Fiscal Effect: Recommendations of the task force that are adopted could reduce costs for counties as they continue to pay on a graduated scale.

264 (CD-1049-LOC Services from Free Public Libraries

	R.C. ***3375.40***	
No provision.	Permits the boards of trustees of school district public libraries, county free public libraries, township free public libraries, municipal free public libraries, county library districts, and regional library districts to assess fees for services other than the circulation of printed materials. Fiscal effect: Increases revenue for these entities. The revenue increase will be dependent upon the amount and type of fees imposed.	No provision.

265 (CD-1012-LOC County Boards of Elections: Spending Authority and Health Benefits

	R.C. ***3501.141, 3501.17***	**R.C.** ***3501.141, 3501.17, 305.171***
No provision.	Limits the authority of county boards of elections to contract, purchase, or procure and pay all or any part of group insurance policies to circumstances in which the board of county commissioners, by resolution, denies coverage to full time employees of the board of elections and subjects that authority to the approval of the board of county commissioners.	Eliminates the independent authority of boards of elections to buy health care coverage for their members and employees, and provides that such coverage will be the same as that offered to other county officers and employees.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	Forbids boards of elections from applying to the court of common pleas within the county for the needed appropriation.	Instead of eliminating such authority altogether, limits boards of elections' authority to apply to common pleas courts to only appropriations that are necessary to conduct elections.
No provision.	Specifies that boards of county elections may only transfer funds as provided in sections 5705.14 to 5705.16 of the Revised Code.	Allows boards of elections to make transfers out of accounts that contain funds designated for the purpose of conducting elections only as provided in Tax Levy Law.
No provision.	Fiscal effect: Boards of county elections may experience increased costs if a board of county commissioners denies medical coverage to full-time board of elections employees. By prohibiting the county boards of elections from seeking funds elsewhere, this will presumably force them to reduce operating costs in other areas if they wish to provide health care benefits to their full-time staff.	Fiscal effect: There could be a potential increase in costs to counties if these courts allow for such additional appropriations.

266 (CD-1326-LOC Purchase of Electronic Continuous Alcohol Monitoring Devices with Indigent Drivers Alcohol Treatment Fund Money

		R.C. ***4511.191***
No provision.	No provision.	Permits a county, juvenile, or municipal court judge to use money in that court's indigent drivers alcohol treatment fund to pay the cost of electronic continuous alcohol monitoring devices or the cost of the continued use of such devices. Fiscal effect: This provision gives a county, juvenile, or municipal court judge greater flexibility in the use of available indigent drivers alcohol treatment fund money. The practical fiscal effect of this provision in any given local jurisdiction is uncertain as of this writing.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
267 (CD-1038-LOC Jurisdiction over Medicaid Payments		
	R.C. *5111.026*	
No provision.	Provides generally the Franklin County Court of Common Pleas with exclusive, original jurisdiction over any action or proceeding for declaratory or injunctive relief regarding payments under the Medicaid program. Fiscal effect: Presumably, certain civil actions or proceedings will be filed and adjudicated in the Franklin County Court of Common Pleas rather than in one of the state's 87 other courts of common pleas as might have occurred under current law and practice. As a result, the Franklin County Court of Common Pleas Court will likely experience an increase in its civil docket and certain other courts of common pleas will likely realize some reduction in their respective civil dockets. It would seem likely that the annual operating budget of the Franklin County Court of Common Pleas would increase, and the annual operating budgets of the other affected courts of common pleas might decrease. As of this writing, the magnitude of these potential expenditure effects is uncertain.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
268 (CD-1052-LOC Annual Local Government Inventory and Road Report		
	R.C. ***5549.01, 5573.13***	
No provision.	Eliminates the specific requirement for a county engineer to file an annual inventory of tools, machinery, other equipment and conveyances with the board of county commissioners. General law already requires such a report be filed by each county officer. This provision also eliminates a requirement that a township file an annual report to the county engineer, on blanks prepared by the county engineer, concerning township highways, bridges, and culverts detailing such information and in such form as prescribed by the county engineer. Fiscal effect: Decrease in administrative costs in preparing and disseminating such reports to the required offices.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
269 (CD-546-LOC County Commissioners' Authority to Adopt a Quarterly Spending Plan		
R.C. *5705.392*	**R.C. *5705.392***	**R.C. *5705.392***
Expands the authority of county commissioners to adopt a quarterly spending plan for any appropriations from any county fund. The board of county commissioners is also required to give each office, department, or division for which it intends to provide a spending plan, or amended spending plan, written notice at least thirty days before the adoption of appropriation resolution or amended appropriation resolution. The office, department, or division may meet with the board during any regular session to discuss the plan or amended plan. Fiscal effect: None, although, the ability to set forth a quarterly spending plan, or amended spending plan for all county funds will better enable county commissioners to more closely control spending outside of the general fund.	Same as the Executive.	No provision

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
270 (CD-1117-LOC Local Government and Library Financing and Support Committee		
	Section: *503.12*	**Section: *503.12***
No provision.	Creates the Local Government and Library Financing and Support Committee. The committee consists of eight legislative members to study potential sources of state funding for the Local Government Fund, the Library and Local Government Support Fund, and Local Government Revenue Assistance Fund. The committee must report its recommendations and suggested implementing legislation to the Governor and General Assembly. The first report is due by June 1, 2006. The committee will then cease to exist. Fiscal effect: Potential revenue gain for local governments dependent upon the findings of the committee and the subsequent adoption of those findings.	Same as the House, but renames the entity the "Local Government and Library Revenue Distribution Task Force." Increases the number of legislators to 10, and adds one non voting member appointed by each of the following: the Ohio Library Council, the County Commissioners Association, the Ohio Municipal League, the Ohio Township Association, and the Ohio Parks and Recreation Association. Requires the Task Force to consider changes to local government funding formulae, and for the Task Force to consult with certain local government associations and others. The Task Force must submit its report of findings to the General Assembly by December 1, 2006. Fiscal effect: Potential revenue gain for local governments dependent upon the findings of the committee and the subsequent adoption of those findings.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate

271 (CD-725-LOC Temporary Adjustment to Local Government Funds

Section: ***557.12***

Suspends the statutory funding methods and distribution formulas to the three local government funds - Local Government Fund (Fund 069), Local Government Revenue Assistance Fund (Fund 064), and Library and Local Government Support Fund (Fund 065) in FY 2006 and FY 2007. The bill "freezes" and reduces the amounts of state revenues that will be deposited and distributed to the funds. The deposits in July through November 2005 and the distributions in August through December 2005 are "frozen" at the same level as the deposits in July to November 2004 and distributions in August to December 2004. Beginning in December 2005 to June 2007 the deposits are reduced by 20%. In January 2006 to July 2007, the distributions to Fund 064 and Fund 069 are reduced by 20% while the distributions to Fund 065 are reduced by 5%. In addition, the bill guarantees that each county receives 90% of its total distributions to townships and villages in CY 2005 from the county undivided local government fund (CULGF) and county undivided local government revenue assistance fund (CULGRAF). Additional revenue from personal income tax will be credited to the funds to compensate for these "guarantee" amounts. Direct distributions from the local government fund (Fund 069) are reduced by 20 % to cities and 10% to villages. Prior to FY 2002, state revenues (from personal income tax, sales and use tax, corporation franchise tax, public utility excise tax, and kilowatt-hour tax) that were credited and distributed to these three funds were based on the statutory shares in the Ohio Revised Code. (See RDF subject item "Additional Appropriations").

Fiscal effect: Estimated to increase revenue to the GRF and decrease the state revenue that will be credited and

Sections: ***557.12, 209.78***

Same as the Executive, except provides that the proposed 20% reduction in Local Government Fund (LGF) and Local Government Revenue Assistance Fund (LGRAF) distributions be specifically targeted at cities and other subdivisions (except townships and villages), and that the 10% reduction be specifically targeted at villages and townships. Under the introduced bill, it would be possible for the reductions to be reallocated among cities, villages, and townships, and other subdivisions in a county through a change in the county allocation formula, so that individual villages and townships could receive more than a 10% reduction, and individual cities and other subdivisions (except townships and villages) could receive less than a 20% reduction. The amendment precludes such a reallocation within a county.

Adjusts the amounts to be credited monthly to the LGF and LGRAF from the public utility excise tax and from the kilowatt-hour tax (generally lowering those amounts).

Changes the percentage cut in local government fund money to a county from 20% to 10% if the county submits a report to the Auditor of State by October 1, 2005, outlining past savings that have occurred from the consolidation of services or through regional cooperation and details future plans for the consolidation of services or additional/expanded regional cooperation. Also, see subject item "Local Government Services Collaboration Grant Program" in DEV.

Fiscal effect: Increases appropriation item 110-900, Local Government Fund (Fund 069) in the Revenue Distribution

Sections: ***557.12, 209.78***

Revises the crediting and distribution methods for money originating from the LGF and LGRAF.

Applies, with respect to the period of December 2005 through June 2007, various calculations to determine the distributions to each CULGF and CULGRAF and ultimately to the local governments slated to receive distributions as follows: (1) Townships and villages will receive 100% of their calendar year 2005 LGF and LGRAF distributions; (2) Counties will receive 90% of their calendar year 2005 LGF and LGRAF distributions; and (3) Other taxing units (e.g., park districts) will receive 80% of their calendar year 2005 LGF and LGRAF distributions.

Provides that any city receiving over $1 million in total county undivided local government fund distributions (excluding dealer in intangibles tax distributions) and LGF direct distributions in calendar year 2005 will receive 90% of the first $1 million it received in 2005 and 80% of any remaining amounts.

Provides, with respect to the LGRAF, that cities will receive 80% of their calendar year 2005 LGRAF distributions.

Removes the provisions changing the percentage cut in local government fund money to a county from 20% to 10% if the county submits a report to the Auditor of State by October 1, 2005, outlining past savings that have occurred from the consolidation of services or through regional cooperation and details future plans for the consolidation of services or additional/expanded regional cooperation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
distributed to the three local government funds by approximately $280 million and $400 million in FY 2006 and FY 2007, respectively. Funds 064 and 069 provide revenues to counties, townships, municipalities, and park districts while Fund 065 primarily provides revenues to libraries in Ohio.	Fund, by approximately $14 million in FY 2006 and $22 million in FY 2007 to fund the provision that changes the percentage cut in local government fund money to a county from 20% to 10% if the county submits a report to the Auditor of State by October 1, 2005, outlining past savings that have occurred from the consolidation of services or through regional cooperation and details future plans for the consolidation of services or additional/expanded regional cooperation. Cities, townships, villages, and libraries are not eligible by this consolidation of services plan.	Eliminates the Small Townships and Village Relief Fund and the Local Government Services Collaboration Grant Fund. Both funds are in the RDF. (See subject item "Local Government Services Collaboration Grant Program" in DEV.) (Also, see RDF subject item "Additional Appropriations"). Revises the local government funds' appropriation items, 110-900, Local Government Revenue Assistance Fund (Fund 064), and 110-900, Local Government Fund (Fund 069), in the Revenue Distribution Fund. Increases the total appropriations by adding $187,658 in fiscal year 2006 and $822,332 in fiscal year 2007 to correct the appropriations items. Increases appropriation item 110-900, Local Government Revenue Assistance Fund (Fund 064), by $3,346,647 and $5,239,733 in FY 2006 and FY 2007, and decreases appropriation item 110-900, Local Government Fund (Fund 069), in FY 2006 and FY 2007 by $3,158,989 and $4,417,401 in FY 2006 and FY 2007. In the sub bill in Senate Finance "LSC 126 0134-4" version, the total appropriations of $16.9 million and $26.4 million were included only in appropriation item 110-900, Local Government Fund (Fund 069).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
272 (CD-1039-DON Medicaid Appropriations		
	Section: *209.01.03*	
No provision.	Requires that appropriation items 450-425, Office of Ohio Health Plans, 450-525, Health Care/Medicaid, and 450-526, Medicare Part D, be used by the Department of Job and Family Services for the Ohio Medicaid program.	No provision.
273 (CD-1040-DON Health Care/Medicaid		
	Section: *209.01.06*	
No provision.	Requires that appropriation item 450-525, Health Care/Medicaid, not be limited by section 131.33 of the Revised Code.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
274 (CD-1041-DOM Medicare Part D		
	Section: ***209.01.09***	
No provision.	Allows that appropriation item 450-526, Medicare Part D, be used by ODJFS for the implementation and operation of the Medicare Part D requirements. Upon the request of ODJFS, the Director of Budget and Management may increase the state share of appropriations in either appropriation item 450-525, Health Care/Medicaid, or appropriation item 450-526, Medicare Part D, with a corresponding decrease in the state share of the other appropriation item to allow the Department to implement and operate the new Medicare Part D requirements. If the state share of appropriation item 450-525, Health Care/Medicaid, is adjusted, the Director of Budget and Management shall adjust the federal share accordingly.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
275 (CD-1244-DMH Family and Children First Administration Fund		
		R.C. *121.373*
No provision.	No provision.	Creates the Family and Children First Administration Fund (General Services Fund 232) to fund the administrative costs of the Ohio Family and Children First Cabinet Council and appropriates $625,000 in each fiscal year.
No provision.	No provision.	Fiscal effect: The provision will most likely be revenue neutral to the General Services Fund as it is a transfer of cash, duties, and staff of the Family and Children First Cabinet Council from MRDD to DMH. That said, it may create some workload increase during the transitional period. At this time, LSC is uncertain of the magnitude of this potential workload increase.
276 (CD-975-DMH Behavioral Health Exclusion from Medicaid Care Management		
	R.C. *5111.16*	
No provision.	Excludes alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services from being included in any component of the Medicaid care management system, but permits recipients of such services to be included in the system for purposes of receiving other Medicaid services.	No provision.
No provision.	Fiscal effect: This provision would likely not change how these services are currently provided. However, there is a related item under which the Department could experience a minimal increase in administrative costs related to developing interagency agreements.	Fiscal effect: Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
277 (CD-1315-DMH Medicaid Interagency Agreements for Coverage of Behavioral Health Services		
	R.C. *5111.911, 206.67.18*	**R.C. *5111.911, Section 206.67.18***
No provision.	Requires interagency agreements between ODJFS and the Ohio Departments of Mental Health (ODMH) and Alcohol and Drug Addiction Services (ODADAS) regarding the alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services to address the following: utilization review, utilization management, care management, and a provider-specific fixed rate reimbursement system.	Requires that the interagency agreements specify (1) how providers will be paid for providing alcohol, drug addiction, and mental health services covered by the Medicaid program under the federal option of covering rehabilitative services, (2) a process for making payments to the providers, and (3) procedures for oversight and quality assurance.
No provision.	Establishes a schedule for implementation of the items to be addressed in the interagency agreements, as follows: (1) utilization review as soon as possible after the bill's effective date, (2) utilization management and care management by July 1, 2006, and (3) provider-specific fixed rate reimbursement by July 1, 2007.	No provision.
No provision.	Requires the implementation to be as consistent as possible with the "State of Ohio Community Behavioral Health Medicaid Business Plan" that was finalized in August 2004 by ODJFS, ODMH, ODADAS, and the Ohio Association of Behavioral Health Authorities.	Requires that the new requirements of the interagency agreements be implemented in manner that is consistent with the "State of Ohio Community Behavioral Health Medicaid Plan."
No provision.	No provision.	Requires ODJFS, ODMH, ODADAS and behavioral health providers to specify procedures for the implementation of the "State of Ohio Community Behavioral Health Medicaid Plan." Requires a report on the implementation of the Plan to be submitted to the Speaker of the House and the Senate President by not later than March 1 and October 1 of each year until the Plan has been fully implemented.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	Fiscal effect: The Departments of Job and Family Services, Mental Health, and Alcohol and Drug Addiction Services may experience a minimal increase in administrative costs related to developing such interagency agreements.	Fiscal effect: ODJFS, ODMH, and ODADAS could incur minimal costs associated with producing and distributing the required report. (The corresponding items entitled "Medicaid Interagency Agreements for Coverage of Behavioral Health Services" in ODJFS and ODADAS have been removed from the Conference Committee Comparison Document.)

278 (CD-1089-DMH Tobacco Cessation Programs Providing Tobacco Cessation Counseling to Minors

	R.C. ***5122.04***	
No provision.	Permits a person working for or on behalf of a tobacco cessation program to provide tobacco cessation counseling, without the use of medication and without the need for parental or guardian knowledge or consent, to a minor age 14 or older.	No provision.
	Fiscal effect: Permissive. This provision allows a counselor to provide tobacco cessation counseling to a minor. It does not require the services.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
279 (CD-442-DMH Lease-Rental Payments		
Section: ***209.06***	**Section:** ***209.06***	**Section:** ***209.06***
Sets an aggregate limit of $49.1 million that ODMH may pay to the Ohio Public Facilities Commission from GRF appropriation item 333-415, Rental Payments OPFC, pursuant to leases and agreements made under section 154.20 of the Revised Code.	Same as the Executive, but reduces the limit on the aggregate amount the Department may expend to $47,129,800 to match the biennial appropriations total in the bill.	Same as the Executive.
280 (CD-1304-DMH Housing Trust Fund Transfer to the Residential State Supplement Fund		
		Sections: ***209.06.06, 209.06.09, 203.99.46***
No provision.	No provision.	Transfers $1,500,000 in each fiscal year from the Low- and Moderate-Income Housing Trust Fund (Fund 646) in the Department of Development to ODMH for the Residential State Supplement Program. The amounts transferred are appropriated in the new SSR fund and earmarked for subsidized support for licensed adult care facilities, which serve individuals with mental illnesses. (The corresponding item entitled "Housing Trust Fund Transfer to the Residential State Supplement Fund" in the Department of Development has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
281 (CD-463-DMH) Behavioral Health - Children		
Section: ***209.06.09***	**Section:** ***209.06.09***	**Section:** ***209.06.09***
Requires that appropriation item 335-404, Behavioral Health Services - Children, be used to provide behavioral health services for children and their families. Behavioral health services include mental health and alcohol and other drug treatment services and other necessary supports. The provision earmarks up to $5 million in FY 2006 and $6 million in FY 2007 to be distributed to local ADAMHS, ADAS, and CMH Boards based upon an approved plan developed and endorsed by the local Family and Children First Council. It requires that plans be clearly connected to the county services coordination mechanism as defined in section 121.37 of the Revised Code and that the plans address all of the following as determined by a team of state and local stakeholders appointed by the Ohio Family and Children First Cabinet Council: providing services to children with behavioral health disorders, particularly those with intensive needs, and their families, across all child-serving systems, including child welfare and juvenile justice and for those youth whose parents would otherwise have to relinquish custody to obtain needed behavioral health services; assuring that families are included in all services planning activities and have access to advocates to assist them if they choose; implementation of home-based services and other alternatives to out-of-home placement; assuring that all individual service plans for children and their families address the academic achievement of the child; coordinating the most efficient and effective use of federal, state, and local funds to meet the needs of children and their families. It identifies the following services for which the funds may be used: mental health services provided by the Ohio Department of Mental Health certified agencies and alcohol and other drug services provided by the Department of	Same as the Executive.	Same as the Executive, but specifies requirements of the Access to Better Care Initiative. Creates a new appropriation in State Special Revenue Fund Group (Fund 5AU) with amounts of $4,690,000 in each fiscal year for Behavioral Healthcare. Earmarks up to $500,000 in each fiscal year to be used for children who do not have behavioral health disorders but require assistance through the County Family and Children First Council.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Alcohol and Drug Addiction Services certified agencies; services and supports for children and their families that further the implementation of their individual service plans; treatment services in out-of-home settings, including residential facilities, when other alternatives are not available or feasible; and administrative support for efforts associated with this initiative. It states that these funds are not to be used to supplant existing efforts. This team is also responsible for designing a mechanism to provide technical assistance to local communities, monitoring the plans, and may, as part of the monitoring role, conduct site visits. The provision also earmarks up to $1 million in each fiscal year of the biennium to be used to support at least three demonstration projects, as determined by the Ohio Family and Children First cabinet Council, in select areas around the state to focus on improving behavioral health services for children involved in the child welfare and juvenile justice systems. It requires that at least one of these demonstration projects focus on services for adolescent girls that are involved in or at risk of involvement with the juvenile justice system.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
282 (CD-1230-DMH State-Wide Prescription Drug Purchasing		
		Section: ***209.06.15***
No provision.	No provision.	Requires the Department of Mental Health, with BWC, DRC, DYS, and any other state or local government agency other than ODJFS (for purposes of the Medicaid program) that purchases prescription drugs to do the following: (1) Study intrastate consolidated prescription drug purchasing systems currently in effect in other states. (2) Estimate potential cost-savings and other advantages and disadvantages that might result if Ohio were to implement a similar program. (3) Design a consolidated prescription drug purchasing program appropriate to Ohio's needs. Requires the Department to prepare and submit a written report of its findings, including a cost analysis, to the Governor, Speaker, Senate President, and Minority Leaders of the House and Senate by not later than January 1, 2006.
No provision.	No provision.	Fiscal effect: Increase, potentially more than minimal. The Department is responsible for leading the study. This will create a workload increase related to researching, organizing, and designing the study. At this time, LSC is uncertain of the magnitude of this workload increase.
No provision.	No provision.	(The corresponding items "Consolidated Prescription Drug Purchasing Program" in the Departments of Youth Services and Rehabilitation and Correction and the Bureau of Workers' Compensation have been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
283 (CD-1245-DMH Transfer of Ohio Family and Children First Cabinet Council Administrative Duties		
		Section: ***209.09.16***
No provision.	No provision.	Requires that the Department of Mental Retardation and Developmental Disabilities transfer the administrative duties related to the operation of the Ohio Family and Children First Cabinet Council to the Department of Mental Health. (The corresponding item entitled "Transfer of Ohio Family and Children First Cabinet Council Administrative Duties" in the Department of Mental Retardation and Developmental Disabilities has been removed from the Conference Committee Comparison Document.)
No provision.	No provision.	Fiscal effect: The provision will most likely be revenue neutral to the General Services Fund as it is a transfer of cash, duties, and staff of the Family and Children First Cabinet Council from MRDD to DMH. That said, it may create some workload increase during the transitional period. At this time, LSC is uncertain of the magnitude of this potential workload increase.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
284 (CD-1313-DMH Transfer of Tobacco Master Settlement Agreement Dollars		
		Sections: ***312.24, 312.27, 209.06***
No provision.	No provision.	Earmarks the $4 million transferred each fiscal year from the Tobacco Master Settlement Agreement Fund (Fund 087) to the newly created Adult Emergency Assistance Fund (Fund 5CS) in the State Special Revenue Fund Group for pharmaceuticals for adults who are not eligible for Medicaid and whose income is below 75% of the federal poverty guideline. (See item entitled "Transfer of Tobacco Master Settlement Agreement Dollars to the Department of Mental Health" in the Tobacco Use Prevention and Control Foundation.)
285 (CD-1184-DMH Partial-Hospitalization Community Mental Health Service		
		Sections: ***403.07, 403.08***
No provision.	No provision.	Extends the deadline for the Department revising an administrative rule regarding the certification standards for the partial-hospitalization community mental health service from June 30, 2005, to June 30, 2006. Fiscal effect: Minimal.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
286 (CD-1241-DMF Certification of Home and Community-Based Services		
		R.C. ***5123.045, 5111.871, 5123.16, 5123.41, 5126.055, Section 209.09.27***
No provision.	No provision.	Revises the law governing the certification of home and community-based services provided under an ODMR/DD-administered Medicaid waiver. Fiscal effect: The bill allows the Department to adopt, amend, or rescind rules regarding the certification of providers of home and community-based services. The Department would see an increase in administrative costs related to rules promulgation. The bill gives the Department the authority to terminate, suspend, or revoke a provider's certification when certain conditions are met. The Department is required to follow the procedures outlined in the bill, which include Chapter 119. hearings, filings with a probate court, and notification of the provider within 24 hours. The Department may see an increase in administrative costs associated with this provision. However, the magnitude of the costs would depend on multiple factors (e.g., the number of Chapter 119. hearings) that cannot be estimated at this time.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
287 (CD-1225-DMF Payment of Nonfederal Share of MR/DD Home and Community-Based Services		
		R.C. ***5123.047, 5123.048, 5126.057***
No provision.	No provision.	Permits the Director of ODMR/DD to enter into an agreement with a county board of MR/DD under which ODMR/DD is to pay the nonfederal share of Medicaid expenditures for ODMR/DD-administered home and community-based services if the agreement is necessary for such services to be available statewide. Fiscal effect: Currently, county boards of MR/DD pay the provider for services rendered. However, the bill eliminates the Community Alternative Funding System (CAFS) program. As a result, county boards are concerned that their statutory authority to pay the provider of services may be in question. This provision will allow county boards to enter into an agreement with ODMR/DD in which the Department would pay the provider for services rendered and the county board would transfer the funds to ODMR/DD. Thus, the provision would not effect the amount of money paid to a provider, but would change the entity responsible for payment. The provision may result in an increase in administrative costs. However, any costs are unlikely to be significant.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
288 (CD-944-DMR Residential Facilities I and II		
	R.C. ***5123.19, 5123.196, 5123.1910, 5123.20***	
No provision.	Differentiates between residential facilities that are not intermediate care facilities for the mentally retarded (ICFs/MR) and residential facilities that are ICFs/MR for licensure purposes by designating non-ICF/MR residential facilities as residential facilities I and residential facilities that are ICFs/MR as residential facilities II.	No provision.
No provision.	Establishes special staffing requirements for residential facilities II.	No provision.
No provision.	Revises the limitation on the issuance of residential facility licenses by applying the limitation only to residential facility II licenses and providing that the maximum number of licensed residential facility II beds cannot exceed, with certain exceptions, 7,656.	No provision.
	Fiscal effect: This provision removes the current cap on the number of licensed beds in all residential facilities and instead puts a cap on the number of residential facility II licensed beds (ICFs/MR). According to the Department, the cap exceeds the number of ICF/MR beds currently licensed by the Department by approximately 500. In FY 2005, the estimated ICF/MR per diem is $410 per day ($149,650 annually). Depending on the number of additional beds licensed (up to 500), the provision creates a potential liability to the state in the millions to tens of millions of dollars. Moreover, ODJFS believes this provision violates the "free choice of provider" tenet of Medicaid. This could create an open-ended obligation on the part of the state, as there would no longer be a cap on the number of licensed beds in the system. Under the bill, the Department must transfer	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	specific funds to ODJFS to pay the nonfederal share of the cost under Medicaid for any newly certified ICF/MR beds. Under current law, all residential facilities receive the same license. However, current law allows the rules for residential facilities that are ICFs/MR to differ from those for other residential facilities. The bill mandates a licensing system that differentiates between residential facilities that are ICFs/MR and residential facilities that are not ICFs/MR. The Department may see an increase in administrative costs associated with developing and implementing the new licenses (e.g., rules promulgation). However, since both entities are currently licensed by the Department, any increase in costs are not expected to be significant. The bill removes the current moratorium for residential facilities that are not ICFs/MR. This may result in an increase in residential facility license applications, which would increase administrative costs to the Department. However, any such increase is unlikely to be significant. The bill also requires facilities that receive residential facility II licensure to employ certain medical professionals. This may increase costs to ODJFS and the Department to the extent to which current ICFs/MR do not employ these individuals.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
289 (CD-187-DMR State Subsidies to MR/DD Boards		
Section: *209.09.06*	**Section: *209.09.06***	**Section: *209.09.06***
Requires that GRF appropriation item 322-501, County Boards Subsidies, be distributed to county boards of MR/DD under section 5126.12 of the Revised Code to the limit of the lesser required by that section or, if the appropriation is less than the required subsidy, prorated to all county boards of MR/DD.	Same as the Executive.	Requires the Department in FY 2006 to allocate county board operating subsidies from GRF appropriation item 322-501, County Boards Subsidies, in an amount equal to the respective county board's FY 2005 allocation. Requires that the Department pay each county board in FY 2007 an amount determined by an allocation formula to be developed by the Department.
Allows the Department to use funds in this line item to pay the nonfederal share of the cost of one or more new ICF/MR beds in a county where the county board initiates or supports the development of such beds.	Same as the Executive.	Same as the Executive.
290 (CD-1282-DMF Community Assistance Projects		
		Section: *401.05*
No provision.	No provision.	Inserts a notwithstanding clause which will allow the Department to fund certain earmarks contained in H.B. 16, the Capital Appropriations Act.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
291 (CD-914-CRB Motor Vehicle Collision Repair Registration Board Collaboration with Local Fire and Building Departments		
	R.C. ***4775.04***	
No provision.	Requires the Motor Vehicle Collision Repair Registration Board to work with local fire and building departments to locate places of business being operated by persons who do not possess a registration certificate as a motor vehicle collision repair operator. Fiscal effect: Potential increase in revenue to the Motor Vehicle Collision Repair Registration Fund (Fund 5H9), as the enhanced enforcement efforts may lead to an increase in registrants. (The corresponding item entitled "Motor Vehicle Collision Repair Registration Board Collaboration with Local Fire and Building Departments" in the Local Government Provisions section of this document has been removed from the Conference Committee Comparison Document.)	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
292 (CD-1260-DNF General Increase in Fees for Oil and Gas Well Permits		
		R.C. ***1509.06, 1509.072, 1509.31, and Section 209.18***
No provision.	No provision.	Concerning application fees, does all of the following: (1) retains the current fee of $250, but applies it only to permits to conduct activities in a township with a population of fewer than 5,000 and to the revision or reissuance of an existing permit, (2) increases the fee to $500 for permits to conduct activities in townships with a population of 5,000 to 9,999, (3) increases the fee to $750 for permits to conduct activities in townships with a population of 10,000 to 14,999, and (4) increases the fee to $1,000 for permits to conduct activities in townships with a population of 15,000 or more or in municipal corporations regardless of population. Requires each application for the revision or reissuance of a permit to be accompanied by a $250 fee. Also, exempts an application for a permit to plug back an existing well from the fee established in existing law and the fees established under the bill that must accompany an application for an oil and gas well permit. Fiscal effect: The Department estimates the new fees may generate approximately $100,000 annually. The fee increases will be deposited into Fund 518, Oil and Gas Well Permits.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
293 (CD-222-DNR State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Corporate Franchise Tax		
R.C. ***1502.02, 3734.57, 5733.122 (repealed)***	**R.C.** ***1515.14, 3714.073, 3734.57, 3734.901, 3734.9010, 206.27, 209.18, 209.18.09***	**R.C.** ***1515.14, 3714.073, 3734.57, 3734.901, 3734.9010, 206.27, 209.18, 209.18.09***
Eliminates the crediting of the corporate franchise tax on litter stream products to the Recycling and Litter Prevention Fund (Fund 532) in the state special revenue fund group, establishes an additional fee of $1.00 per ton on the disposal of solid wastes, the proceeds of which must be credited to the Recycling and Litter Prevention Fund (Fund 532) in the Division of Recycling and Litter Prevention and makes technical changes in the statute governing solid waste disposal fees.	Replaces the $1 per-ton solid waste disposal fee with a $1.00 increase in the state tire sale fee, and requires the proceeds to be credited to the Recycling and Litter Prevention Fund (Fund 532).	No provision.
No provision.	Establishes a new $0.25 per-ton fee on the disposal of construction and demolition debris, and requires the proceeds of the fee to be credited to the newly created Soil and Water Conservation District Assistance Fund (Fund 5BV) to be used to provide matching funding for soil and water conservation district projects.	Same as the House, except increases the per-ton fee on the disposal of construction and demolition debris to $0.75 and credits the proceeds to the Recycling and Litter Prevention Fund (Fund 532). (See item entitled "Construction and Demolition Debris Disposal Fees" in the Environmental Protection Agency for information on fee exemptions)
No provision.	Specifies that not more than $1,500,000 in each fiscal year may be used for the administration of the Recycling and Litter Prevention Program.	No provision.
Fiscal effect: DNR's share of the $1.00 solid waste disposal fee will generate between $12 million to $14 million annually and will be used to continue the Department's recycling and litter prevention programs. The fee replaces DNR's share of the corporate franchise tax as the revenue source for this program.	Fiscal effect: By using the $1.00 tire fee, generates approximately $6.9 million for the Recycling and Litter Prevention Fund (Fund 532), a decrease of $4.6 million in FY 2006 and $4.7 million in FY 2007 for local government recycling and litter prevention programs. Additional $0.25 fee for construction and demolition debris, flowing to the newly-created Soil and Water Conservation District Assistance Fund (Fund 5BV), increases state matching	Fiscal effect: By using $0.75 per ton on the disposal of construction and demolition debris rather than the $1.00 tire fee, the Recycling and Litter Prevention Fund (Fund 532) may receive approximately $5.4 million in fee revenue in FY 2006 and $5.6 million in fee revenue in FY 2007. This estimate is based on approximately 7.2 million to 7.4 million tons of construction and demolition debris disposed of annually. The fee change may result in an overall decrease

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	funds for local Soil and Water Districts to provide technical and informational services to local landowners by $1.85 million in both fiscal years.	of approximately $6.3 million in FY 2006 and $6.2 million in FY 2007 of available grant money for local government recycling and litter prevention programs compared to current funding levels.
294 (CD-201-DNR Animal Control Permits		
R.C. ***1533.122, 1533.99***		**R.C.** ***1533.122, 1533.99***
Prohibits the trapping, capturing, removal, relocation, or control of nuisance native or nonnative wildlife without an annual $100 nuisance animal control permit issued by the division of wildlife, and requires the adoption of rules establishing procedures for the issuance of the permits and for record-keeping pertaining to the permits. Fiscal effect: The Department estimates the new permit will generate approximately $7,500 annually.	No provision.	Same as the Executive, except names the permit a wildlife control operators permit and requires the permit for the trapping, capturing, removal, relocation, or control of all native or nonnative wildlife not just nuisance native or nonnative wildlife.
295 (CD-197-DNR Elimination of Depreciation Reserve Fund		
R.C. ***1541.221, repealed, Section 209.18.09***	**R.C.** ***1541.221, repealed, Section 209.18.09***	**R.C.** ***1541.221, repealed, Section 209.18.09***
Eliminates the Depreciation Reserve Fund (Fund 161) in the general service fund group, which is currently used to maintain revenue-producing facilities of the Division of Parks and Recreation in DNR. Transfers the remaining cash balance in Fund 161 to the State Parks Operations Fund (Fund 512) in the state special revenue fund group and appropriates it under a new line item, 725-680, Park Facilities Maintenance, (Fund 512) in the state special revenue fund group, prior to June 30, 2005.	Same as the Executive, but changes the date by which the remaining cash balance in the Depreciation Reserve Fund (Fund 161) shall be transferred to the State Park Fund (Fund 512), from June 30, 2005 to July 31, 2005.	Same as the House, except makes technical changes to temporary language concerning depreciation reserve transfer and instructions on use of funds.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: Once the transfer is made, the remaining cash balance will be appropriated under appropriation item 725-680 in the State Park Fund (Fund 512). The new line item will retain the same purpose as the former line item in the former Depreciation Reserve Fund (Fund 161). The revenue source will be the same: 10% of the receipts from revenue producing facilities of the Division of Parks and Recreation. This will give the Department more flexibility in transferring the 10% within Fund 512 rather than across funds, which requires Controlling Board approval.	Fiscal effect: None.	Fiscal effect: None.

296 (CD-211-DNR Department of Natural Resources Real Property Tax Exemption

R.C. *5713.08*	R.C. *5713.08*	
Requires that real property acquired by the Department of Natural Resources (DNR) for which an application for tax exemption has been filed be removed from the county tax list and duplicate and cannot accrue taxes or penalties while the application for tax exemption is being processed. Fiscal effect: Unknown savings for the Department as taxes and or penalties will not be accrued while tax exemption application is being processed.	Same as the Executive.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
297 (CD-1262-DNF Capital Appropriations - Statewide Trails		
		Section: ***24.01***
No provision.	No provision.	Adds $750,000 to capital appropriation item CAP-876, Statewide Trails, for the Little Miami Trail Project running through the Village of Terrace Park. Specifies that the project costs are eligible for reimbursement by the federal government to the Parks and Recreation Improvement Fund (Fund 035). Fiscal effect: None.
298 (CD-1264-DNF Parks and Recreation		
		Sections: ***209.18, 209.18.09***
No provision.	No provision.	Earmarks $50,000 in each fiscal year from GRF appropriation item 730-321, Division of Parks and Recreation, for the Fairport Harbor Port Authority boat launch in Lake County.
299 (CD-933-DNR Capital Appropriations - The Wilds Carnivore Center		
	Section: ***401.05***	**Section:** ***401.05***
No provision.	Moves capital appropriation item CAP-085, The Wilds Carnivore Center, from Fund 031 to Fund 035 in Am. Sub. H.B. 16 of the 126th General Assembly. CAP-085 was appropriated $1,000,000 in Am. Sub. H.B. 16.	Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
300 (CD-235-NUR) Medication Aide Pilot Program		
Section: ***209.21***	**Section:** ***209.21***	**Sections:** ***4723.61 to 4723.69, 3721.011, 4723.32, 4723.91***
Requires that the Board establish and conduct the Medication Aide Pilot Program under which medication aides may administer limited types of medications pursuant to a nurse's delegation to residents of nursing homes and residential care facilities.	Same as the Executive, but eliminates the requirement that a nursing home be free of deficiencies as a condition of participating in the pilot program.	Same as the House but (1) requires that the pilot program be commenced by May 1, 2006 rather than January 1, 2006, and be conducted until July 1, 2007, (2) requires the Board to adopt rules for the pilot program by February 1, 2006, (3) requires the Board to conduct an evaluation of the pilot program and report on the program by March 1, 2007 rather than using an independent evaluator, (4) removes the "substandard care" restriction on nursing home participation in the pilot program, but retains the restriction on participation if the home was found to have deficiencies related to medication administration, (5) requires facilities participating in the pilot program to pay a participation fee, which is not reimbursable under Medicaid, (6) adds to the categories of medications that may be administered by medication aides by including medications administered on an "as-needed" basis if the patient has been assessed by a nurse, (7) prohibits a medication aide from using certain methods for medication administration, including intravenous therapy and injections, (8) increases the training requirements for medication aides to 70 hours (from 60) and specifies that the clinical component included in the training must consist of 20 hours of practice in medication administration, (9) grants immunity from civil liability to a nurse who delegates medication administration to a medication aide, (10) prohibits a nurse from withdrawing delegation arbitrarily or for any reason other than patient safety, (11) requires participating facilities using medication aides to ensure that medication aides do not have access to Schedule II controlled substances, and (12) clarifies that the authority to use medication aides is subject to limitations, including requirements for certification, nursing delegation, and restrictions on the types of medication that may be

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		administered. Also, the provisions are moved from temporary law to permanent law.
Creates the Medication Aide Pilot Program Council.	Same as the Executive, but adds a representative of the Department of Job and Family Services to the Council.	Same as the House, but provides for the Council to be created as a permanent body named the Medication Aide Advisory Council to advise the Board regarding medication aides, replaces the Council's member representing the Ohio Pharmacists Association with a member representing the Senior Care Pharmacy Alliance, and requires the Council to provide recommendations to the Board on additional matters.
No provision.	No provision.	Continues the use of medication aides after the pilot program ends by permitting any nursing home or residential care facility to use medication aides.
No provision.	No provision.	Establishes a system for issuing certificates to medication aides, requires applicants for certification after the pilot program is over to pay a certification fee, requires a medication aide to have a high school diploma or equivalency degree, provides that applicants for certification may be certified nurse aides or individuals with at least one year of direct care experience in a residential care facility, establishes a system for Board approval of training programs for medication aides, requires applicants for training program approval after the pilot program is over to pay a fee, and requires the training program to include a mechanism for evaluating whether an individual's reading, writing, and mathematical skills are sufficient to be able to administer prescription medications safely.
Fiscal effect: The Board estimates that two full-time employees will be needed to implement this pilot program at a cost of $134,000 (including salary and fringe benefits). Total costs to implement the pilot program will be $158,500 per fiscal year. Costs in future years may be offset by medication aide license fee revenues.	Fiscal effect: There should be no fiscal effect. The Council members do not receive compensation. If Council members receive reimbursement for necessary expenses there could be minimal costs associated with the additional representative. However, as the additional representative is from Job and Family Services, it is unlikely that the representative will be reimbursed for necessary expenses.	Fiscal effect: The provision requires that participating facilities pay a fee established by the Board. This could help offset some costs associated with the pilot program. However, it is unknown at this time if the costs for implementing the pilot program will remain the same as the costs estimated by the Board under the "As Introduced" version of the bill. The costs for the Council remain the

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		same as in the "As Passed by the House" version of the bill.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
301 (CD-1367-PYT Occupational Therapy, Physical Therapy, and Athletic Trainers Board		
		R.C. *4755.03, Section 503.18*
No provision.	No provision.	Replaces one occupational therapist member of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board with a licensed occupational therapy assistant at the time of the next Board appointment.
No provision.	No provision.	Fiscal effect: The provision does not increase the Board's membership and should have no fiscal effect upon the Board.
302 (CD-1222-PYT Practice of Physical Therapy		
		R.C. *4755.48*
No provision.	No provision.	Allows a physical therapist to perform physical therapy on a patient without a prescription or referral from a physician or advanced practice nurse if the physical therapist completed two years of practice experience as a licensed physical therapist prior to December 31, 2004, instead of December 31, 2003.
		Fiscal effect: The provision should have no fiscal effect upon the Board.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
303 (CD-902-OLA) Ohioana Library Association Consolidation with the State Library		
	Sections: ***209.27, 206.90***	**Sections:** ***209.27, 206.90***
No provision.	Eliminates GRF appropriation item 355-501, Library Subsidy, the Ohioana Library's Association lone appropriation item and merges the Ohioana Library Association into the State Library. Increases the State Library's GRF appropriation item 350-321, Operating Expenses, by $100,000 in each fiscal year to fund the Ohioana Library Association. Fiscal effect: Ohioana's lone appropriation item, 355-501, Library Subsidy, was appropriated $202,134 in each fiscal year in the Executive budget. Thus, this change results in a decrease of approximately $100,000 in operating funds for Ohioana in each fiscal year. (See the item entitled "Ohioana Library Association Operating Funds" in the entry for the State Library for the fiscal effect on that agency)	Restores Ohioana as a separately-appropriated entity in the state budget, at House-passed funding of $100,000 in each fiscal year. Fiscal effect: Decreases Executive-recommended funding of $202,134 by about half, resulting in apparent reductions in personnel funding and the need for other cuts. (See the item entitled "Ohioana Library Association Operating Funds" in the entry for the State Library for the fiscal effect on that agency)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
304 (CD-1085-PRX Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control		
	R.C. *3719.47, 3719.48*	
No provision.	Enacts additional restrictions regarding transactions in any ephedrine, phenylpropanolamine, or pseudoephedrine product, specifying that: (1) prescriptions, orders, and records maintained pursuant to those provisions and stocks of ephedrine products, phenylpropanolamine products, or pseudoephedrine products must be open for inspection to federal, state, county, and municipal officers, and employees of the State Board of Pharmacy whose duty it is to enforce the law relating to controlled substances, (2) such prescriptions, orders, records, and stocks must be open for inspection by the State Medical Board and its employees for purposes of enforcing Chapter 4731. of the Revised Code, (3) no person having knowledge of any such prescription, order, or record may divulge that knowledge, except in connection with a prosecution or proceeding in court or before a licensing board or officer, to which prosecution or proceeding the person to whom the prescriptions, orders, or records relate is a party, and (4) the State Board of Pharmacy may, by rule, exempt from those provisions ephedrine products, phenylpropanolamine products, or pseudoephedrine products that the Board finds are not used in the illegal manufacture of methamphetamine, if it determines that the particular product was formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine, and requires a retailer, terminal distributor of dangerous drugs, pharmacy, prescriber, or wholesaler that sells, offers, or otherwise provides any ephedrine product, phenylpropanolamine product, or pseudoephedrine product and discovers the theft or significant loss of more than six grams of any of those products or combination of those products to immediately notify the State Board of Pharmacy and requires the Board	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	to immediately notify certain law enforcement officials of the theft or loss. Fiscal effect: As the provision's prohibitions carry no explicit criminal penalties, it would appear that there would not be any state or local fiscal effects. That said, it is possible that existing state and local criminal justice system authority in the enforcement of Ohio's Controlled Substance Act could be utilized to investigate, regulate, and prosecute conduct in violation of those prohibitions. As of this writing, the potential state or local fiscal effects of that possibility are uncertain. (See the item entitled "Methamphetamine, Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control" in Local Government Provisions for other provisions relating to those drugs.)	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
305 (CD-1369-PUE Legal Aid Fund Rules		
		R.C. ***RC 120.52***
No provision.	No provision.	Removes the requirement that the Ohio Legal Assistance Foundation establish rules governing the administration of the programs established under sections 1901.26, 1907.24, 2303.301, 4705.09, and 4705.10 of the Revised Code regarding interest on interest bearing trust accounts of an attorney, law firm, or legal professional association. Fiscal effect: The fiscal effect of removing this rule-making requirement, if any, on the cash flow activity of the state's Legal Aid Fund (Fund 574) is uncertain.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
306 (CD-817-PUB) Application Fee for Indigent Defendants		
R.C. *120.36*	**R.C. *120.36***	**R.C. *120.36***
Requires that, if a person who is a defendant in a criminal case requests or is provided a state public defender, a county or joint county public defender, or any other counsel appointed by the court, the court in which the criminal case is filed must assess, unless the application fee is waived or reduced, a nonrefundable application fee of $25, requires the clerk of courts to deposit all application fees with the county treasurer, requires the county to retain 80% of the application fees to offset the costs of providing legal representation to indigent persons, and requires the county auditor each month to remit the remaining 20% to the State Public Defender for deposit to the credit of the Client Payment Fund (Fund 408), and requires the clerk of courts of each county to annually report certain information to the State Public Defender and the State Auditor.	Same as the Executive, but removes the provision that permits the court to consider a person's willful failure to pay the application fee as an enhancement factor when imposing sentencing, clarifies that the provision applies to all trial courts, and includes definitions for the terms "clerk of court" and "county-operated municipal court."	Same as the House, but provides that a party in a case in juvenile court who requests or is provided a public defender or appointed counsel must also be assessed a non-refundable application fee of $25.00, clarifies that the fee is to be paid to the clerk of the court that assesses the application fee, provides that an appeal cannot be considered a separate case for the purpose of assessing the application fee, allows the court to waive or reduce the application fee if payment of the fee would result in an undue hardship to the indigent defendant, clarifies that the report each clerk of courts must provide to the state public defender and the state auditor is for the previous "calendar" year, modifies the procedure for assessing the $25 application fee the bill requires indigent defendants to pay when they get appointed counsel to provide that if a case is bound over to the court of common pleas and the person failed to pay the application fee in the municipal court or county court, or if a case involving an alleged delinquent child is transferred to the court of common pleas for adult prosecution, the court of common pleas must assess the application fee.
Fiscal effect: This application fee will potentially generate a total of around $2.2 million in additional revenue in each of FYs 2006 and 2007. Assuming that were true, then counties statewide would collect $1.76 million in each year and the remainder, or $440,000, would be remitted to the state.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive, but the total amount of revenue collected annually may larger than what that total annual amount might otherwise have been under the Executive provision, the potential magnitude of which is uncertain.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
307 (CD-825-PUB) Legal Aid Fund		
R.C. *120.52*	**R.C. *120.52***	**R.C. *120.52***
Clarifies the Ohio Legal Assistance Foundation's ability to utilize its 4.5% administrative set aside for administering all filing fee surcharges and the IOTA program, in addition to already recognized IOLTA accounts. Fiscal effect: As this is a clarifying provision, there would appear to be no discernible fiscal effect.	Same as the Executive.	Same as the Executive, but specifies that the rule-making authority of the Ohio Legal Assistance Foundation with respect to IOLTA accounts is pursuant to the Administrative Procedure Act and removes from that rule-making authority the reference to the IOTA program regarding which the Superintendent of Insurance is authorized to adopt rules. Fiscal effect: As of this writing, it is uncertain as to whether these provisions added to the Senate version of the main operating appropriations bill will create a discernible state fiscal effect or whether these additional provisions are also clarifying in nature.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
308 (CD-818-PUB) Ohio Legal Aid Filing Fee Surcharge		
R.C. ***1901.26, 1907.24, 2303.201***	**R.C.** ***1901.26, 1907.24, 2303.201***	**R.C.** ***RC 120.07, 1901.26, 1907.24, 2303.201***
Increases the surcharge on civil actions not in a small claims division (from $15 to $25) and on civil actions in a small claims division (from $7 to $10) that are used for the charitable purpose of providing financial assistance to legal aid societies, and adds a $25 fee on name change, guardianship, adoption, and decedent estate filings to be used for the same purpose.	Same as the Executive.	Increases the surcharge on civil actions not in a small claims division (from $15 to $26) and on civil actions in a small claims division (from $7 to $11) that are used for the charitable purpose of providing financial assistance to legal aid societies, adds a $26 fee on name change, guardianship, adoption, and decedent estate filings to be used for the same purpose, requires 4 percent of the funds collected be deposited in the state treasury to the credit of the Civil Case Filing Fee Fund (which the amendment creates) to be used by the State Public Defender for the purpose of appointing assistant public defenders and for providing other personnel, equipment, and facilities necessary for operation of the State Public Defender, and requires the remainder of the funds collected (96 percent) be deposited in the state treasury to the credit of the existing Legal Aid Fund (Fund 574).
Fiscal effect: It is anticipated that these filing fee increases will potentially generate up to $6.3 million in additional revenue in each of FYs 2006 and 2007 for deposit to the credit of the Legal Aid Fund (Fund 574). The Commission passes through the additional revenue generated by the fee changes directly to the Ohio Legal Assistance Foundation for disbursements to legal aid societies. Local court systems may also experience a one-time increase in expenditures related to accounting and computer reprogramming necessary to account for the additional revenues they collect. The magnitude of such an increase is uncertain at this time, all or a portion of which may be offset by existing law permitting the courts to retain up to 1 percent of the moneys it collects to cover administrative costs, including the hiring of any additional personnel.		Fiscal effect: As of this writing, LSC fiscal staff estimates that this existing locally-collected state filing fee revenue stream will potentially go from $7.7 million to $14.7 million annually, an increase of $7.0 million per year. Of the total collected annually, the Legal Aid Fund (Fund 574) would receive $14.1 million annually, an increase of $6.4 million per year relative to current law, and the Civil Case Filing Fee Fund would receive around $588,000 annually. Local court systems may also experience a one-time increase in expenditures related to accounting and computer reprogramming necessary to account for the additional revenues they collect. The magnitude of such an increase is uncertain at this time, all or a portion of which may be offset by existing law permitting the courts to retain up to 1 percent of the moneys it collects to cover administrative costs,

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		including the hiring of any additional personnel.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
309 (CD-580-DHS Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services		
R.C. ***181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61) 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.(4112.12, 5120.09, 5120.51, 5139.01, and 5502.01***	**R.C.** ***181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.6 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, 5139.(and 5502.01***	**R.C.** ***181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.6 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, 5139.(and 5502.01***
Abolishes the Office of Criminal Justice Services and transfers its personnel and functions to, and creates, the Division of Criminal Justice Services in the Department of Public Safety, requires the Director of Public Safety, with the concurrence of the Governor, to appoint an executive director of the Division to serve at the pleasure of the Director, requires the executive director, subject to the control of the Director of Public Safety, to appoint the Division's staff and enter into any agreements necessary to perform the Division's functions, repeals the authority of the Governor to appoint advisory committees to assist the Office of Criminal Justice Services, and makes appropriate changes in the Revised Code to reflect the abolition of the Office and creation of the Division, including the renumbering of sections.	Same as the Executive.	Same as the Executive, but removes a reference to the nonexistent "assistant executive director" of the Division of Criminal Justice Services to be created in the Department and replaces an incorrect reference to the "Office" with a reference to the "Division."
Fiscal effect: According to the Office of Criminal Justice Services, its merger within the Department of Public Safety as the Division of Criminal Justice Services will likely result in a reduction of 14 funded positions. Both the Office of Criminal Justices and the Department of Public Safety have indicated that an effort would be made to reassign Criminal Justice Services staff to other departmental programs. As the potential merger of the Office of Criminal Justice Services within the Department of Public Safety is still a "work in progress," the staffing levels in FYs 2006 and 2007 for what will become the Division of Criminal Justice Services		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
are uncertain. (The corresponding item entitled "Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services" in the Office of Criminal Justice Services has been removed from the Conference Committee Comparison Document.)		

310 (CD-1198-DHS All-Purpose Vehicle Law Clarifications

		R.C. ***4501.01, 4517.01, 4519.01, 4519.06, and 4519.07***
No provision.	No provision.	Defines a certain type of all-purpose vehicle as a "utility vehicle" and provides that utility vehicles are not motor vehicles and are not subject to the certificate of title law, provides that sellers of utility vehicles are not subject to the motor vehicle dealer licensing law (unless they sell other vehicles that are motor vehicles, which would make them subject to that law), and clarifies that sellers of all-purpose vehicles are subject to the motor vehicle dealer licensing law. Fiscal effect: As of this writing, the fiscal effect, if any, of this provision on the state, in particular the Department of Public Safety and its Bureau of Motor Vehicles, is uncertain.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
311 (CD-1193-DHS Creation of the Highway Building Fund		
		R.C. ***4501.07***
No provision.	No provision.	Codifies the existing Highway Safety Building Fund (Fund 025) and permits the transfer of cash between it and the existing State Highway Safety Fund (Fund 036) to be used to fund capital projects for which appropriations have been made from Fund 025. Fiscal effect: This provision codifies existing language contained in Am. Sub. H.B. 16 of the 126th G.A., the capital appropriations act covering FYs 2005 and 2006, related to the temporary transfer of cash from Fund 036 to Fund 025.
312 (CD-1195-DHS Commercial Driver's Licenses		
		R.C. ***4501.37, 4506.07, 4506.101, 4506.161***
No provision.	No provision.	Prohibits a court from ordering the Bureau of Motor Vehicles (BMV) to delete a record of conviction unless the court finds that the deletion is necessary to correct an error, prohibits the BMV from complying with such an order unless the order states that the deletion is to correct an error, permits the BMV to conduct any inquiries necessary to ensure that issuance or renewal of a commercial driver's license (CDL) would not violate state or federal law, prohibits the BMV from issuing or renewing a CDL if issuance or renewal would violate federal law, prohibits any court from granting limited driving privileges for operation of a commercial motor vehicle to any person whose driver's license or CDL has been suspended or who has been disqualified from operating a commercial motor vehicle.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Fiscal effect: The act containing appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2005 and ending June 30, 2007, Am. Sub. H.B. 68 of the 126th G.A., made several changes to Chapter 4506. of the Revised Code to comply with the federal Motor Carrier Safety Improvement Act, which dictates that all states adopt certain rules involving commercial driver's licenses by September 30, 2005. According to the Office of Budget and Management, these provisions added to the Senate version of the main operating appropriations bill are additional, non-substantive changes necessary to meet those federal requirements.
313 (CD-1197-DHS Special License Plates for Recreational Vehicles		
		R.C. ***4503.471, 4503.48, 4503.50, 4503.53, 4503.571, 4503.59, 4503.73, 4503.85, and 4503.91***
No provision.	No provision.	Allows persons currently eligible to obtain any of various special license plates for use on a "motor home" (for example, "Fish Lake Erie" or International Association of Firefighters license plates) to obtain them for use on "recreational vehicles" generally (a term that existing law defines to include motor homes, travel trailers, truck campers, fifth wheel trailers, and park trailers). Fiscal effect: The Office of Budget and Management describes this provision as a technical change that replaces references to the outdated term of "motor home" with the more all inclusive term "recreational vehicle."

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
314 (CD-1382-DHS Commercial Driver's License Exemption		
		R.C. ***4506.03***
No provision.	No provision.	Establishes that a commercial driver's license (CDL) is not required to operate a police SWAT team vehicle, which is a permissible exclusion under governing federal law. Fiscal effect: Although LSC fiscal staff has not had an opportunity to adequately research the ramifications of this CDL exclusion provision, it would appear, as of this writing, that its fiscal effects, if any, on the state or local governments would be minimal at most, if that.
315 (CD-1196-DHS Federal Criminal Justice Grants		
		R.C. ***5502.62 (181.52)***
No provision.	No provision.	Creates the Federal Justice Programs Fund in the state treasury for the deposit of all money from federal grants that require that the money be deposited into an interest-bearing fund, that are intended to provide funding to local criminal justice programs, and that require that investment earnings be distributed for program purposes, and requires that all investment earnings of the fund be credited to the fund and distributed in accordance with the terms of the grant under which the money is received. Fiscal effect: This provision is intended to ensure that the money from certain federal grants is managed in a manner that is in compliance with federal requirements.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
316 (CD-938-DHS Homeland Security Funds		
	R.C. ***5502.03***	
No provision.	Requires the Division of Homeland Security and the Department of Public Safety to distribute any homeland security funds on a county basis and prohibits the distribution of the funds on a regional basis. Fiscal effect: As of this writing, the magnitude of the fiscal effect of this provision, if any, on local governments from what might otherwise have occurred under current law and practice is uncertain.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
317 (CD-1191-DHS Back-Up Power Generation Devices		
		Section: *209.51*
No provision.	No provision.	Earmarks $50,000 from GRF appropriation item 763-403, Operating Expenses - EMA, in each fiscal year to be used to fund back-up power generation devices to be used for training purposes.
318 (CD-618-DHS Transfer of the Office of Criminal Justice Services to the Department of Public Safety		
Section: *209.51*	**Section: *209.51***	**Section: *209.51***
Provides for the transfer of the employees, assets, rules, business, and determinations of the Office of Criminal Justice Services to the Division of Criminal Justice Services. (The corresponding item entitled "Transfer of the Office of Criminal Justice Services to the Department of Public Safety" in the Office of Criminal Justice Services has been removed from the Conference Committee Comparison Document.)	Same as the Executive.	Same as the Executive, but clarifies that employees of the Office, and the vehicles and equipment assigned to them, may be transferred to areas of the Department other than the Division, and clarifies that the employee transfer provisions are subject to the layoff provisions of sections 124.321 to 124.328 of the Revised Code.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
319 (CD-1194-DHS Transfer of Family Violence Prevention Center		
		Section: *209.51*
No provision.	No provision.	Transfers the Family Violence Prevention Center, and related activities, from the Office of Criminal Justice Services to the Division of Criminal Justice Services in the Department of Public Safety. (The corresponding item entitled "Transfer of Family Violence Prevention Center" in the Office of Criminal Justice Services has been removed from the Conference Committee Comparison Document.)
320 (CD-1088-DHS State Fire Marshal's Fund Cash Transfers for Public Safety Services		
	Section: *209.51*	**Section: *209.51***
No provision.	Transfers cash totaling $100,000 in FY 2006 and $200,000 in FY 2007 from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC) and designates those moneys to be awarded in the form of a grant to the City of Warren for the purpose of assisting in the provision of essential public safety services to its citizens. (The corresponding item entitled "State Fire Marshal's Fund Cash Transfers for Public Safety Services" in the Department of Commerce has been removed from the Conference Committee Comparison Document.)	Same as the House, except transfers additional cash totaling $275,000 in FY 2006 and $125,000 in FY 2007 from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC), earmarks $150,000 of that transferred cash in FY 2006 for the City of Eastlake for the purpose of assisting in the provision of essential public safety services to its citizens, earmarks $125,000 of that transferred cash in each fiscal year for the Southern Ohio Drug Task Force, and replaces the language instructing the Department to use earmarked moneys to "provide a grant" in each fiscal year to the City of Warren with language instructing the Department to "distribute" the earmarked amounts in each fiscal year to the City of Warren.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
321 (CD-573-DHS Consolidation of Regulatory Boards		
Section: ***315.03***	**Section:** ***315.03***	**Section:** ***315.03***
(1) Expresses the intent to consolidate the Medical Transportation Board into the Department of Public Safety not later than July 1, 2006, (2) creates a transition team to develop a plan to ensure the smooth and timely transition of the Board into the Department, including the submission of a report containing recommendations to certain parties, and (3) expresses the intent to introduce a bill in FY 2006 that will include the necessary statutory changes to effect the consolidation and include revised appropriations for FY 2007. Fiscal effect: As of this writing, the fiscal effects of this proposed consolidation on the Board and the Department of Public Safety are uncertain. (The corresponding item entitled "Consolidation of Regulatory Boards" in the Medical Transportation Board has been removed from the Conference Committee Comparison Document.)	Same as the Executive.	Same as the Executive, except adds three members representing the affected regulatory boards to the transition team.
322 (CD-1270-DHS Federal Mitigation Program		
		Section: ***401.11***
No provision.	No provision.	Makes corrections to Am. Sub. H.B. 68 of the 126th G.A., which made appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2005 and ending June 30, 2007, and provided authorization and conditions for the operation of those programs, by amending uncodified law related to the name and purpose of the Department of Public Safety's federal Fund 329 and related appropriation item 763-645.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
323 (CD-215-PUC Increase in Maximum Forfeiture for Gas Pipeline Safety Violations		
R.C. *4905.95*	**R.C. *4905.95***	**R.C. *4905.95***
Increases the amount the PUCO can assess for gas pipeline safety violations from $10,000 for each day of violation to $100,000, and increases the cap that can be assessed for a series of violations from $500,000 to $1,000,000. Any forfeiture amount collected as a result of these assessments is deposited into the GRF. Fiscal effect: May increase revenue to the GRF, depending on compliance with gas pipeline safety law. In the past PUCO has seldom assessed the maximum amount that it was authorized to assess under this section. The increase in the maximum could increase revenue to the GRF indirectly, however, by strengthening the negotiating position of PUCO in negotiations with regulated companies over their violations.	Same as the Executive.	Retains the Executive's increase in the maximum daily assessment from $10,000 to $100,000, but eliminates the increase from $500,000 to $1,000,000 in the cap for a series of violations. Fiscal effect: Potentially reduces revenue as compared with the Executive Proposal. The amount of any such reduction depends on compliance with gas pipeline safety law.
324 (CD-960-PUC Call Center for Consumer Complaints		
	R.C. *4905.261*	**R.C. *4912.01, 4905.261***
No provision.	Requires the PUCO to operate a telephone call center for consumer complaints. (The bill also prohibits the Office of Consumer Counsel from operating a telephone call center for residential consumer complaints which reduces expenditures from Fund 5F5 by $650,000 per year; CD-1005-OCC) Fiscal effect: Increases expenditures from the Public Utilities Fund (Fund 5F6) by approximately $650,000 per year.	The PUCO and the Office of Consumers' Counsel (OCC) are required to establish a single call service for consumer complaints regarding utility service. The single telephone number will automatically route all calls regarding residential utility service to the OCC and all other calls to PUCO. The cost of establishing and operating the toll-free call service is to be borne equally by the OCC and PUCO. Both agencies are prohibited from operating any other telephone call center. Fiscal effect: Would likely decrease expenditures from Fund 5F6. Assuming that the majority of calls currently received by PUCO relate to residential service, this provision would decrease the call volume to PUCO significantly.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
325 (CD-931-BOR Study on the Feasibility of Multiple Life and Medical Plans		
	R.C. *9.901*	
No provision.	Requires the BOR to report to the Governor, the Speaker of the House of Representatives, and the President of the Senate within 18 months after the effective date of this bill on the feasibility of designing multiple life and medical plans to cover employees at the various state institutions of higher education. Fiscal effect: Potential minimal, one-time increase in expenditures from the staff-time and resources necessary to conduct the study.	No provision.
326 (CD-434-BOR Local Administration Competency Certification Program		
R.C. *123.17*	**R.C. *123.17***	**R.C. *123.17***
Directs the State Architect to establish the Local Administration Competency Certification Program by December 30, 2005. The program is to certify public institutions of higher education to administer their own building projects without oversight by the Department of Administrative Services (DAS). This program was authorized by Am. Sub. H.B. 16 of the 126th General Assembly, the capital budget act.	Same as the Executive.	Same as the Executive.
Specifies that certification remains valid as long as the State Architect determines that the institution (1) employs a sufficient number of personnel who have completed the certification program and (2) conducts biennial audits of its self-administered building projects. Authorizes the State Architect to revoke the certification of an institution if the institution has failed to comply with these requirements.	Same as the Executive.	Same as the Executive, but requires the BOR (rather than the State Architect) to determine whether or not an institution of higher education has met the criteria to keep its local administration certification valid and to notify the State Architect if the institution has not.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Subjects the State Architect's authority to set fees for the program to the approval of the Director of Budget and Management. Specifies that the fees are to cover the costs of implementing the program. (The corresponding item entitled "Local Administration Competency Certification Program for State Universities and Community Colleges" in the Department of Administrative Services has been removed from the Conference Committee Comparison Document.)	Same as the Executive.	Same as the Executive.
Fiscal effect: None for the BOR.	Fiscal effect: Same as the Executive.	Fiscal effect: Possible minimal effect for the BOR as a result of the requirement that the BOR determine whether the criteria has been met for an institution's local administration certificate to remain valid.

327 (CD-108-BOR Ohio Instructional Grants

R.C. ***3333.12***	**R.C.** ***3333.12***	**R.C.** ***3333.12***
Phases out the Ohio Instructional Grant program by limiting participation to students who enroll in an undergraduate program before July 1, 2006. Students first enrolling after that date will receive grants from the new Ohio College Opportunity Grant program. Fiscal effect: The phase-out of the Ohio Instructional Grants program will reduce its appropriation for FY 2007 by approximately $29.7 million, while the phase-in of the Ohio College Opportunity Grant program will add an appropriation of $58.1 million. The net effect, including the reduction of $3.9 million from analogous phase-out of the Part-time Student Instructional Grants program, would be an increase of $24.5 million.	Same as the Executive.	Same as the Executive, but modifies the eligibility definition for the Ohio Instructional Grant from enrollment before July 1, 2006, to enrollment before the 2006-2007 academic year.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
328 (CD-107-BOR Ohio College Opportunity Grant		
R.C. ***3333.122, 3315.37, 3332.092, 3333.04, 3333.044, 3333.12, 3333.27, 3333.28, 3333.3 3345.32, 5107.58***	**R.C.** ***3333.122, 3315.37, 3332.092, 3333.04, 3333.044, 3333.12, 3333.27, 3333.28, 3333.38, 3345.32, 5107.58***	**R.C.** ***3333.122, 3315.37, 3332.092, 3333.04, 3333.044, 3333.12, 3333.27, 3333.28, 3333.38, 3345.32, 5107.58***
Creates the Ohio College Opportunity Grant program, a need-based financial aid program that will eventually replace the Ohio Instructional Grants and Part-time Student Instructional Grants programs. The phase-in will begin for students who first enroll in an undergraduate program after July 1, 2006. The grant awards are determined according to the federally determined "Expected Family Contribution" criterion. Fiscal effect: The phase-out of the Ohio Instructional Grants and Part-time Student Instructional Grants programs will reduce their appropriations for FY 2007 by approximately $29.7 million and $3.9 million, respectively, while the phase-in of the Ohio College Opportunity Grant program will add an appropriation of $58.1 million; the net effect would be an increase of $24.5 million.	Same as the Executive.	Same as the Executive, but modifies the eligibility definition from enrollment after July 1, 2006, to enrollment in or after the 2006-2007 academic year.
329 (CD-1351-BOF Ohio College Opportunity Grant--Priority for Students who Demonstrate High Academic Performance in Primary and Secondary Schools		
		R.C. ***3333.123***
No provision.	No provision.	Requires the BOR, in adopting the rules for the Ohio College Opportunity Grant Program, to include provisions that give preferential or priority funding to low-income students who meet certain academic performance standards attained when enrolled in primary and secondary schools.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
330 (CD-106-BOR Transfer of Career-Technical Education Coursework to State Institutions of Higher Education		
R.C. *3333.162*	**R.C. *3333.162***	**R.C. *3333.162***
Expands the scope of the current articulation and transfer system to include career-technical institutions by requiring the BOR to develop policies and procedures by April 15, 2007, to ensure that students may transfer technical courses to state institutions of higher education. Fiscal effect: The executive budget provides $2.9 million in each year to GRF appropriation item 235-406, Articulation and Transfer, to cover the costs of development of the system and other related activities.	Same as the Executive, but adds technical courses taken at public secondary career-technical institutions to the group of technical courses that students are to be able to transfer to a state institution of higher education. Clarifies that technical courses taken at an adult or public secondary career-technical education institution are required to be transferable only to a state institution of higher education that offers such programs.	Modifies the House provisions as follows: (a) appears to require that the transfer of career-technical courses be first "agreed upon" by the schools and institutions involved in order for the transfer to take place; (b) adds "state institution of higher education" to the list of institutions from which the career-technical courses may be transferred; and (c) removes the House requirement that, in order to transfer career-technical courses, the state institution of higher education accepting the transfer must also offer such programs.
331 (CD-1185-BOF Nurse Education Assistance Program		
		R.C. *3333.28*
No provision.	No provision.	Designates the percentage of Nurse Education Assistance Program funds that must be used for certain groups of students between July 1, 2005, and January 1, 2012. Specifies that, in order to be eligible for program loans, students in postlicensure nurse education programs must provide letters of intent to practice as faculty members after graduation and, in return, the program may forgive a percentage of the principal and interest of the loans the students received through this program. (The corresponding item entitled "Nurse Education Assistance Program" under the State Board of Nursing has been removed in the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
332 (CD-1348-BOF The Ohio State University Board of Trustees		
		R.C. *3335.02*
No provision.	No provision.	Adds six additional trustees to the Board of Trustees of The Ohio State University, with the terms of three members beginning in 2005, at a date selected by the Governor, and ending on May 13, 2009, May 13, 2010, and May 13, 2011. The terms of the other three new members begin on May 14, 2006 and end on May 13, 2012, May 13, 2013, and May 13, 2014.
333 (CD-1350-BOF University Enrollment Caps		
		R.C. *3345.19*
No provision.	No provision.	Applies the current enrollment caps to students enrolled on a "full-time" basis (rather than a "full-time equivalent" basis as in current law). The caps apply only to the main university campuses at Bowling Green State University, Kent State University, Miami University, Ohio University, and The Ohio State University.
334 (CD-1167-BOF Sinclair Community College and Warren County		
		R.C. *3354.25, Section 490.04*
No provision.	No provision.	Replaces two members of the Sinclair Community College Board of Trustees with residents of Warren County, but specifies that even though Sinclair Community College is allowed to provide services in Warren County, Warren County is not part of the Sinclair Community College district.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Repeals Section 89.17 of Am. Sub. H.B. 95 of the 125th General Assembly, which required the BOR to issue a charter after July 1, 2005 for a new community college in Warren County to be operated jointly with the Warren County Career Center.
335 (CD-1172-BOF Insurance for Treasurer of Shawnee State University		
		R.C. *3362.02*
No provision.	No provision.	Allows the treasurer of Shawnee State University to be insured, rather than bonded, for the amount of money in the treasurer's sole control, minus a reasonable deductible. Also removes the requirement that the Attorney General approve the bond.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
336 (CD-1125-BOF Real Property Tax Exemption for Certain Buildings and Lands of a State University		
	R.C. ***5709.07, Section 557.14***	
No provision.	Clarifies that the real property tax exemption for buildings and lands of any of 13 state universities, not used for profit, extends to those used for housing-related facilities, or for other purposes related to the university's educational purpose, and lands used for common space, walkways, and green space; that are under control of a charitable organization with which the university has a joint agreement entitling its students, faculty, or employees to use the lands or buildings; and for which the university has agreed to make payments to the organization sufficient to maintain required debt service coverage ratios on bonds related to the lands or buildings. Leasing of housing in such buildings will not be considered a profit-making activity under this division. (The corresponding item entitled "Real Property Tax Exemption for Certain Buildings and Lands of a State University" in Tax Provisions has been removed from the Conference Committee Comparison Document.) Fiscal effect: Possible loss in tax revenues to local governments due to the property tax exemption.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
337 (CD-246-BOR National Guard Scholarship Reserve Fund		
R.C. ***5919.341, Section 312.18***	**R.C.** ***5919.341, Section 312.18***	**R.C.** ***5919.341, Section 312.18***
Creates in the state treasury the National Guard Scholarship Reserve Fund (Fund 5BM) for purposes of paying scholarship obligations in excess of the GRF appropriations made for that purpose, requires the BOR to certify, by September 1 of each fiscal year, to the Director of Budget and Management the prior year's unencumbered balance of GRF appropriations made for purposes of the Ohio National Guard Scholarship Program, and authorizes the Director to transfer to the Reserve Fund an amount not exceeding the certified balance. Fiscal effect: Possible gain in revenues to the National Guard Scholarship Reserve Fund; these revenues would otherwise have returned to the General Revenue Fund.	Same as the Executive.	Same as the Executive, but changes, from September 1 to July 1, the date on which the BOR must certify to the Director of Budget and Management the unencumbered balance of GRF appropriations from the prior fiscal year for the Ohio National Guard Scholarship Program.
Requires the Director of Budget and Management to transfer an amount equal to the unencumbered balance as of June 30, 2004, in GRF appropriation item 235-599, National Guard Scholarship Program, from the General Revenue Fund to the National Guard Scholarship Reserve Fund (Fund 5BM).	Same as the Executive.	Same as the Executive, but specifies that the amount to be transferred is up to $592,000 instead of the unencumbered balance as of June 30, 2004 in appropriation item 235-599, National Guard Scholarship Program.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
338 (CD-109-BOR Operating Expenses		
Section: *209.63.03*	**Section: *209.63.03***	**Section: *209.63.03***
Earmarks $150,000 in each fiscal year under GRF appropriation item 235-321, Operating Expenses, to be used in conjunction with funding provided to the Department of Education for Ohio's Partnership for Continued Learning. Authorizes the Director of Budget and Management to transfer any unencumbered balance in FY 2006 to FY 2007 to support the Partnership's activities. (See also the item entitled "Academic Standards" under the Department of Education)	Same as the Executive.	Same as the Executive.
No provision.	Earmarks $250,000 in FY 2006 under GRF appropriation item 235-321, Operating Expenses, for the BOR to contract with an independent party to conduct an efficiency and productivity study. The study will examine the areas of study provided at each of the state universities, and the findings are to be reported to the General Assembly and the Governor by March 31, 2006.	No provision.
339 (CD-255-BOR Articulation and Transfer		
Section: *209.63.12*	**Section: *209.63.12***	**Section: *209.63.12***
Specifies that the funds under GRF appropriation item 235-406, Articulation and Transfer, are to be used by the BOR to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies to ensure that students at state institutions of higher education can transfer and have coursework apply to their majors and degrees at any other state institution of higher education without unnecessary duplication or institutional barriers.	Same as the Executive.	Same as the Executive, but updates the uncodified language for GRF appropriation 235-406, Articulation and Transfer, by including two additional sections (3333.161 and 3333.162) of the Revised Code dealing with articulation agreements.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Earmarks $200,000 in each fiscal year to support the work of the Articulation and Transfer Council.	Same as the Executive.	Same as the Executive, but makes a technical correction with regard to the section of the Revised Code referenced under the earmark from section 3333.16 to the proposed new section 3333.162.

340 (CD-262-BOR Jobs Challenge

Section: *209.63.24*	Sections: *209.63.24, 209.63.57*	Section: *209.63.24*
Directs the distribution of funds under GRF appropriation item 235-415, Jobs Challenge, to state-assisted community and technical colleges, to university regional campuses, and to other EnterpriseOhio Network campuses to support non-credit job training.	Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-415, Jobs Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)	Same as the Executive.
Makes the following earmarks under GRF appropriation item 235-415, Jobs Challenge:		
(1) Earmarks $2,770,773 in each fiscal year as performance grants to the EnterpriseOhio Network campuses based on BOR's criteria for increasing training services to public and private sector organizations.		
(2) Earmarks $2,819,345 in each fiscal year for the Targeted Industries Training Grant Program to attract, develop, and retain industry important to the state's economy.		
(3) Earmarks $3,758,182 in each fiscal year for the Higher Skills Incentives Program to promote and deliver training to local employers and to reward successful EnterpriseOhio Network campuses.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
341 (CD-266-BOR Access Challenge		
Section: ***209.63.30***	**Sections:** ***209.63.30, 209.63.57***	**Section:** ***209.63.30***
Provides for the distribution of funds under GRF appropriation item 235-418, Access Challenge, to Ohio's state-assisted access colleges and universities. The access campuses are expected to reduce the student share of costs for resident undergraduates enrolled in lower division undergraduate courses by sustaining the tuition restraints that were achieved with Access Challenge allocations in prior years.	Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-418, Access Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)	Same as the Executive.
Requires the subsidies for FY 2006 to be distributed by the BOR on the basis of each campus's share of FYs 2003 and 2004 all-terms subsidy-eligible General Studies full-time-equivalent (FTE) students. The FY 2007 allocation will be based on the FY 2004 and FY 2005 FTEs.		Same as the Executive.
Provides an adjustment for Cleveland State University's enrollments for use in the above distribution formula.		Same as the Executive.
The Executive contains this funding under GRF appropriation item 235-514, Central State Supplement, and the uncodified language associated with the appropriation item under "Central State Supplement" in Section 209.63.87 in the As Introduced version of the bill.		Earmarks $10,172,626 in FY 2006 and $9,663,995 in FY 2007 to be used by Central State University to keep undergraduate fees below the statewide average. (See also the item entitled "Central State Supplement" under the BOR.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
342 (CD-119-BOR Central State Supplement		
Section: ***209.63.87***	**Sections:** ***209.63.87, 209.63.57***	**Section:** ***209.63.30***
Requires Central State University to use GRF appropriation item 235-514, Central State Supplement, to keep undergraduate fees below the statewide average.	Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-514, Central State Supplement, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)	Same as the Executive, but funding is provided as an earmark under GRF appropriation item 235-418, Access Challenge. (See also the item entitled "Access Challenge" under the BOR.)
343 (CD-273-BOR Success Challenge		
Section: ***209.63.33***	**Sections:** ***209.63.33, 209.63.57***	**Section:** ***209.63.33***
Earmarks in each fiscal year 66.67% of GRF appropriation item 235-420, Success Challenge, for distribution to state-assisted university main campuses in proportion to each campus's share of the total statewide bachelor's degrees granted by university main campuses to "at-risk" students, i.e., students eligible for need-based financial aid during the past ten years. Requires institutions to first submit plans addressing how the subsidies will be used to better serve at-risk students prior to receiving the subsidies.	Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-420, Success Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)	Same as the Executive.
Earmarks the remaining 33.33% of the appropriation in each fiscal year for distribution to state-assisted university main campuses in proportion to each campus's share of the total bachelor's degrees granted by university main campuses to undergraduate students who completed their bachelor's degrees in a "timely manner" (generally, four years) in the previous fiscal year.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
344 (CD-277-BOR Economic Growth Challenge		
Section: ***209.63.39***	**Sections:** ***209.63.39, 209.63.57***	**Section:** ***209.63.39***
Requires the funds under GRF appropriation item 235-433, Economic Growth Challenge, to be used to enhance the basic research capabilities of Ohio's public institutions of higher education, support improved graduate programs, and promote the transfer of technology developed by colleges and universities to private industry.	Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-433, Economic Growth Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)	Same as the Executive, but also allows accredited Ohio institutions of higher education holding certificates of authorization under section 1713.02 of the Revised Code to participate in the Innovation Incentive Program, but only if they set aside an amount comparable to the amount of funding withheld by the BOR from the state-assisted universities participating in the Innovation Incentive Program. The criteria for determining this comparable amount would be developed by the BOR.
Requires each state-assisted doctoral degree-granting university to initiate in FY 2006 a comprehensive Innovation Incentive Plan designed to enhance doctoral programs, economic growth, and complement the Third Frontier Project.		
Makes the following earmarks under GRF appropriation item 235-433, Economic Growth Challenge:		
(1) Earmarks $18,000,000 in each fiscal year for the Research Incentive Program (formerly the Research Challenge) to enhance the basic research capabilities of public and private colleges and universities in pursuit of Ohio's economic development goals. The program matches all or part of the campuses' externally obtained research funds. The institutions' spending plans must include Third Frontier investments; for campuses with multiple Third Frontier grants, up to 10% of their Research Incentive funding may be invested in Third Frontier Project-related activities.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(2) Earmarks $2,343,097 in FY 2006 and $4,686,194 in FY 2007 to match funds set aside by the universities electing to participate in the new Innovation Incentive Program. The participating universities would have 1.5% in FY 2006 and 3% in FY 2007 of their State Share of Instruction doctoral reserve allocations withheld. The program will make competitive awards only to the participating campuses, which are to use the awards to restructure their arrays of doctoral programs. (See also the item entitled "SSI-Innovation Incentive Program" under the BOR)		
(3) Earmarks $500,000 in FY 2007 for the Technology Commercialization Incentive, which is to reward public and private colleges and universities for successful technology transfer to Ohio-based business and industry. Eligibility for awards will be determined by the Third Frontier Commission.		

345 (CD-321-BOR State Share of Instruction (SSI)

Section: *209.63.57*	Section: *209.63.57*	Section: *209.63.57*
Provides a system of formulas for allocating GRF appropriation item 235-501, State Share of Instruction, and allows the BOR to establish procedures for the formula, including the determination of the fee assumptions for the local contributions.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
346 (CD-472-BOR SSI–Lower Division Fee Differential		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Requires the BOR to adjust the fee assumptions for the General Studies and Technical curriculum models in order to maintain the relationship between these models and the Baccalaureate models if a local contribution of 37% had been used for allocating the SSI.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive, but corrects the assumed local contribution from 37% to 37.5% to reflect the actual percentage used by the BOR in the SSI formula.
347 (CD-473-BOR SSI–Aggregate Expenditure		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Provides the rates for the instruction and support services, student services, and the activity-based plant operation and maintenance (POM) allowances per subsidy-eligible full-time-equivalent (FTE) student for each of the fourteen non-doctoral curriculum models, and the rates per square foot for the square-foot-based POM allowance.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.
348 (CD-474-BOR SSI–Core Subsidy Entitlements		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Uses the greater of the two subsidy amounts generated by using the two-year and the five-year average FTE enrollments, the aggregate expenditures per FTE student, and the assumed local contributions.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
349 (CD-475-BOR SSI–Medical School Enrollment		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Uses a base enrollment for students in the Medical II model only, so that a medical school whose current-year enrollment is below its listed base enrollment will have a Medical II FTE enrollment equal to 65% of its base enrollment plus 35% of its current-year enrollment, while a medical school whose current-year enrollment is greater than its base enrollment will have a Medical II FTE enrollment equal to the sum of its base enrollment and the FTE for its repeating students.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. Also makes a technical correction that updates a reference to the Medical College of Ohio at Toledo to its new name, the Medical University of Ohio at Toledo. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive, but also includes the House provision making a technical correction that updates a reference to the Medical College of Ohio at Toledo to its new name, the Medical University of Ohio at Toledo.
350 (CD-476-BOR SSI–Plant Operation and Maintenance (POM)		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Requires that a campus receive the greater of either its activity-based POM allowance or its square-foot-based POM allowance.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
351 (CD-477-BOR SSI–Doctoral Reserve		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Reserves a fixed percentage of no more than 10.34% of the SSI appropriation for doctoral programs. The funds are allocated to the universities in proportion to their shares of Doctoral I equivalent FTE students, based on the greater of the two-year or five-year average of FTE students for the period FY 1994 through FY 1998, as subsequently adjusted to reflect the effects of doctoral review and changes in Doctoral I equivalent enrollments. Defines Doctoral I equivalent enrollments as the number of Doctoral I FTE students plus 1.5 times the number of Doctoral II FTE students.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.
352 (CD-478-BOR SSI–Innovation Incentive Program		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Requires the BOR to withhold 1.5% in FY 2006 and 3.0% in FY 2007 of a university's allocation of the doctoral reserve if the university elects to participate in the Innovation Incentive Program under appropriation item 235-433, Economic Growth Challenge. The withholding will continue to occur incrementally with a goal of setting aside 15% of the total doctoral reserve by FY 2016.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive, but also allows accredited Ohio institutions of higher education holding certificates of authorization under section 1713.02 of the Revised Code to participate in the Innovation Incentive Program, but only if they set aside an amount comparable to the amount of funding withheld by the BOR from the state-assisted universities participating in the Innovation Incentive Program. The criteria for determining this comparable amount would be developed by the BOR.
Requires the BOR to make awards through a competitive process using the combined amount of the participating campuses' withholdings of portions of their doctoral reserve allocations and the state matching funds earmarked under appropriation item 235-433, Economic Growth Challenge.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Only the participating universities will be eligible for the awards and they are to use the awards to restructure their array of doctoral programs. (See also the item entitled "Economic Growth Challenge" under the BOR)		

353 (CD-336-BOR SSI–Annual Stop Loss

Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Provides that the amount of a campus's SSI allocation in each fiscal year will be no less than 95% of the prior year's SSI amount.	Increases the annual SSI funding stop loss from 95% to 97% of an institution's FY 2005 SSI amount in FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the House, but applies the 97% annual SSI funding stop loss in both FY 2006 and FY 2007.

354 (CD-339-BOR SSI–Reduction in Earnings

Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Requires the BOR to proportionately reduce the SSI earnings for each campus by a uniform percentage if the total SSI earnings are greater than the total SSI appropriation.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
355 (CD-374-BOR SSI–Capital Component Deduction		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Specifies that, after all other adjustments to a campus's SSI allocation have been made, the SSI subsidy for each campus is to be reduced by the amount for which the debt service charged in Am. H.B. 748 of the 121st G.A., Am. Sub. H.B. 850 of the 122nd G.A., Am. Sub. H.B. 640 of the 123rd G.A., H.B. 675 of the 124th G.A., and Am. Sub. H.B. 16 of the 126th G.A. for that campus exceeds its capital component earnings.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.
Requires the sum of all the above amounts deducted from campuses' SSI subsidies to be transferred to appropriation item 235-552, Capital Component, in each fiscal year.		
356 (CD-479-BOR SSI–Exceptional Circumstances		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Allows the BOR to make adjustments to the SSI payments in response to exceptional circumstances although these require approval by the Controlling Board.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
357 (CD-480-BOR SSI–Mid-year Appropriation Reductions		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Requires the BOR to re-run the SSI formula if there is a mid-year appropriation reduction prior to the BOR's formal approval of a fiscal year's final allocation. Requires the BOR to proportionately reduce each campus's allocation by a uniform percentage if the appropriation reduction occurs after the BOR's formal approval of a fiscal year's final allocation.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.
358 (CD-481-BOR SSI–Distribution		
Section: ***209.63.57***	**Section:** ***209.63.57***	**Section:** ***209.63.57***
Requires the SSI payments to the institutions to be distributed in substantially equal monthly amounts during a fiscal year.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.
Requires the SSI payments to the institutions during the first six months of a fiscal year to be based on the BOR's enrollment estimates. Payments during the last six months are to be made after approval by the Controlling Board upon the request of the BOR.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
359 (CD-376-BOR SSI–Law School Subsidy		
Section: *209.63.57*	**Section: *209.63.57***	**Section: *209.63.57***
Requires the SSI to state-supported universities for law-school students enrolled in fiscal years 2006 and 2007 to be calculated by using either the number of subsidy-eligible FTE law school students funded by state subsidy in FY 1995 or the actual number of subsidy-eligible FTE law school students at the institution in the given fiscal year, whichever is less.	Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)	Same as the Executive.
360 (CD-891-BOR SSI Formula Revision		
	Section: *209.63.57*	
No provision.	Requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. The new formula is to include a review of the allocation of courses to the Medical I and Medical II models.	No provision.
	Consolidates the funding of the following GRF appropriation items into 235-501, State Share of Instruction for FY 2007, and appropriates the funds in anticipation of the new SSI formula and additional itemized appropriations for FY 2007:	
	(1) 235-415, Jobs Challenge	
	(2) 235-418, Access Challenge	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	(3) 235-420, Success Challenge	
	(4) 235-433, Economic Growth Challenge	
	(5) 235-514, Central State Supplement	
	(6) 235-520, Shawnee State Supplement	

361 (CD-378-BOR Higher Education–Board of Trustees and Instructional and General Fee Limitations

Section: ***209.63.60***	**Section:** ***209.63.60***	**Section:** ***209.63.60***
Allows colleges and universities to use instructional subsidy funds at branch or other off-campus sites to provide undergraduate or master's degree courses of study that have been approved by the BOR.	Same as the Executive.	Same as the Executive.
Requires the board of trustees at each institution to supplement state subsidies by establishing fees to be charged to students, including instructional and general fees to be charged for services assessed uniformly to all students. A board may also establish special purpose fees and service charges for individual or specific categories of students. Finally, except for Miami University, each board will establish a tuition surcharge to be paid by all students who are not residents of Ohio.	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Continues to recognize the pilot tuition restructuring plan at Miami University.	Same as the Executive.	Same as the Executive.
Limits the annual increase in instructional and general fees for in-state undergraduate students in each fiscal year (commonly referred to as the tuition cap) to 6%, limits the board of trustees to a 6% increase in combined instructional and general fees in a single vote, and applies the cap to an academic year even if, prior to the effective date of this provision, a board of trustees has voted to increase fees beyond the cap.	Same as the Executive, but applies the bill's 6% limitation at state institutions for the 2005-2006 academic year to the instructional and general fees in effect on January 1, 2005 and, for the 2006-2007 academic year, to the tuition rates for the prior academic year.	Same as the Executive, but limits the annual increase to the lesser of 6% or, for full-time students, $500.
Allows for an additional 3% increase of in-state undergraduate instructional and general fees in a separate vote by a board of trustees, although this increase may be used only for providing scholarships, to be known as Access Scholarship Grants, to low-income students. Requires the campus to submit to the BOR a financial aid report for the prior academic year and a plan for how the additional funds will be used, and to report performance against plan each academic year.	No provision.	No provision.
Provides that the above limitations in instructional and general fee increases will not apply to increases required to comply with institutional covenants related to their obligations or to meet unfunded mandates or legally binding obligations incurred prior to the act's effective date and for which the fee increases had been identified as the source of funds. Also provides for the limitations to be modified by the BOR, with approval of the Controlling Board, in order to respond to exceptional circumstances.	Same as the Executive.	Same as the Executive.
Prohibits the board of trustees of any state-assisted institution of higher education from authorizing a waiver or nonpayment of instructional and general fees for any student unless the waiver or nonpayment is authorized by law or	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
approved by the Chancellor. Specifies that this prohibition is not intended to limit Miami University in providing financial assistance to students under its pilot tuition restructuring plan.		
Requires each institution to specify separately the instructional fee, general fee, tuition charge, and tuition surcharge in its statement of charges. Makes an exception for Miami University in implementing its pilot tuition restructuring plan.	Same as the Executive.	Same as the Executive.
Declares that it is the intent of the General Assembly that faculty members devote a proper and judicious part of their work week to the actual instruction of students.	Same as the Executive.	Same as the Executive.
Requires that the authority of government vested by law in the boards of trustees of state-assisted institutions of higher education in fact be exercised by those boards, that administrative decisions are the exclusive prerogative of the boards, and that any delegation of authority by the board is to be accompanied by appropriate standards of guidance, and periodic review of the exercise of this delegated authority.	Same as the Executive.	Same as the Executive.

362 (CD-120-BOR Performance Standards for Medical Education

Section: ***209.63.90***	**Sections:** ***209.63.90, 209.64.42***	**Section:** ***209.63.90***
Requires the BOR to develop performance standards for medical education. The BOR is to attempt to ensure that at least 50% of the aggregate number of students enrolled in state-assisted medical colleges continue to enter residency as primary care physicians. The BOR is to monitor the medical schools' performances in relation to their plans for reaching the 50% standard.	Same as the Executive, but the language is moved to Section 209.64.42, Medical Support.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
363 (CD-1166-BOF Capitol Scholarship Program		
		Section: ***209.63.94***
No provision.	No provision.	Specifies that GRF appropriation item 235-518, Capitol Scholarship Program, is to be used to provide scholarships of $1,800 each to students enrolled in institutions of higher education on the quarter system and $2,300 to students enrolled in institutions on the semester system to participate in the Washington Center Internship Program, which is to provide a match of $1,200 for students on a quarter system and $1,700 to students on a semester system.
364 (CD-139-BOR Family Practice and Primary Care Residencies		
Section: ***209.64.48***	**Sections:** ***209.64.48, 209.64.42***	**Sections:** ***209.63.95, 209.64.07***
Requires the BOR to develop plans for the distribution of GRF appropriation item 235-562, Family Practice and Primary Care Residencies.	Same as the Executive in FY 2006, but funding is consolidated into GRF appropriation item 235-560, Medical Support, in FY 2007. The distribution of the funds is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "Clinical Teaching Support / Medical Support" under the BOR.)	Requires the BOR to develop plans for the distribution of GRF appropriation items 235-519, Family Practice, and 235-526, Primary Care Residencies.
Makes the following earmarks under GRF appropriation item 235-583, Family Practice and Primary Care Residencies:		Same as the Executive, but disaggregates GRF appropriation item 235-562, Family Practice and Primary Care Residencies, into two separate items: 235-519, Family Practice, and 235-526, Primary Care Residencies. The appropriations for each item equal the Executive's earmarked amounts.
Earmarks $4,548,470 in each fiscal year for Family Practice programs.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Earmarks $2,245,688 in each fiscal year for Primary Care Residencies. If an institution does not have an approved primary care residency plan, it will receive 5% less funding per student than it normally would have received.		

365 (CD-122-BOR Shawnee State Supplement

Section: *209.63.96*	Sections: *209.63.96, 209.63.57*	Section: *209.63.96*
Requires Shawnee State University to use GRF appropriation item 235-520, Shawnee State Supplement, for two purposes: To keep its undergraduate tuition below the statewide average; and to allow it to employ new faculty to develop and teach in new degree programs that meet the needs of Appalachia.	Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-520, Shawnee State Supplement, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)	Same as the Executive.

366 (CD-125-BOR Geriatric Medicine

Section: *209.64.06*	Sections: *209.64.06, 209.64.42*	Section: *209.64.06*
Requires the BOR to develop plans for the distribution of the funds under GRF appropriation item 235-525, Geriatric Medicine.	Same as the Executive in FY 2006, but funding is consolidated into GRF appropriation item 235-560, Medical Support, in FY 2007. The distribution of the funds is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "Clinical Teaching Support / Medical Support" under the BOR.)	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
367 (CD-129-BOR Student Workforce Development Grants		
Section: *209.64.18*	**Section: *209.64.18***	**Section: *209.64.18***
Requires the BOR to use GRF appropriation item 235-534, Student Workforce Development Grants, to support the Student Workforce Development Grant Program. The size of each grant is to be determined by the BOR based on the funds available.	Same as the Executive.	Same as the Executive, but also requires the unencumbered balance of GRF appropriation item 235-534, Student Workforce Development Grants, at the end of FY 2006 to be transferred to FY 2007.
368 (CD-130-BOR Ohio Agricultural Research and Development Center		
Section: *209.64.21*	**Section: *209.64.21***	**Section: *209.64.21***
Requires the BOR to disburse GRF appropriation item 235-535, Ohio Agricultural Research and Development Center, to The Ohio State University in monthly payments.	Same as the Executive.	Same as the Executive.
Exempts OARDC from remitting payment to The Ohio State University for cost reallocation assessments during the biennium.	Same as the Executive.	Same as the Executive.
Requires OARDC to competitively allocate funding among programs based on demonstrated performance.	Same as the Executive.	Same as the Executive.
Makes the following earmarks under GRF appropriation item 235-535, Ohio Agricultural Research and Development Center:	Makes the following earmarks under GRF appropriation item 235-535, Ohio Agricultural Research and Development Center:	Makes the following changes to the earmarks under GRF appropriation item 235-535, Ohio Agricultural Research and Development Center:
(1) Earmarks $458,410 in each fiscal year for the purchase of equipment.	(1) Same as the Executive.	(1) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(2) Earmarks $806,463 in each fiscal year for the Piketon Agricultural Research and Extension Center.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Earmarks $212,227 in each fiscal year for the Raspberry/Strawberry-Ellagic Acid Research program at The Ohio State University Medical College.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Earmarks $42,445 in each fiscal year for the Ohio Berry Administrator.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Earmarks $84,890 in each fiscal year for the development of agricultural crops and products not currently in widespread production in Ohio.	(5) Same as the Executive.	(5) Same as the Executive.
(6) No provision.	(6) No provision.	(6) Earmarks $125,000 in each fiscal year to support Wilmington College for the commercialization of agricultural products.

369 (CD-137-BOR Clinical Teaching Support / Medical Support

Section: *209.64.42*	Section: *209.64.42*	Section: *209.64.22*
The Executive contains this provision under "Performance Standards for Medical Education" in Section 209.63.90 of the As Introduced version of the bill.	Requires the BOR to develop performance standards for medical education. The BOR is to attempt to ensure that at least 50% of the aggregate number of students enrolled in state-assisted medical colleges continue to enter residency as primary care physicians. The BOR is to monitor the medical schools' performances in relation to their plans for reaching the 50% standard.	Same as the Executive.
Requires GRF appropriation item 235-560, Clinical Teaching Support, to be used to support clinical teaching at Ohio's state-assisted colleges of medicine.	Same as the Executive, but changes the name to GRF appropriation item 235-560, Medical Support, and includes funding for other medical education programs as a result of the consolidation in FY 2007 of the Clinical Teaching funding	Replaces the consolidated clinical teaching appropriation item 235-560, Clinical Teaching Support, with six separate clinical teaching appropriation items for specific universities.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	with GRF appropriation items 235-525, Geriatric Medicine, 235-558, Long-term Care Research, and 235-562, Family Practice and Primary Care Residencies.	
Requires the BOR to propose by March 1, 2006 a potential method to allocate the appropriation in future fiscal years. A new method, approved by the Office of Budget and Management, is to be implemented in FY 2007.	Requires the General Assembly to develop by January 15, 2006 a plan to provide itemized appropriations to the BOR for medical support programs for FY 2007.	Requires the BOR to study and propose by Novermber 15, 2006 a new formula to allocate appropriations for clinical teaching support for FY 2008 and FY 2009.
Makes the following earmarks under GRF appropriation item 235-560, Clinical Teaching Support:	Makes the following earmarks under GRF appropriation item 235-560, Medical Support:	Makes the following changes to the earmarks under GRF appropriation item 235-560, Clinical Teaching Support:
(1) Earmarks $13,565,885 for FY 2006 for The Ohio State University.	(1) Same as the Executive.	(1) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-536, The Ohio State University Clinical Teaching, in both FY 2006 and FY 2007.
(2) Earmarks $11,157,756 for FY 2006 for the University of Cincinnati.	(2) Same as the Executive.	(2) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-537, University of Cincinnati Clinical Teaching, in both FY 2006 and FY 2007.
(3) Earmarks $8,696,866 for FY 2006 for the Medical University of Ohio at Toledo.	(3) Same as the Executive.	(3) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-538, Medical University of Ohio at Toledo Clinical Teaching, in both FY 2006 and FY 2007.
(4) Earmarks $4,225,107 for FY 2006 for Wright State University, with $124,644 of that amount to be used for the University's Ellis Institute for Clinical Teaching Studies to operate the clinical facility to serve the Greater Dayton Area.	(4) Same as the Executive.	(4) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-539, Wright State University Clinical Teaching, in both FY 2006 and FY 2007. Earmarks $124,644 in each fiscal year for the University's Ellis Institute for Clinical Teaching Studies to operate the clinical facility to serve the Greater Dayton Area.
(5) Earmarks $4,084,540 for FY 2006 for Ohio University.	(5) Same as the Executive.	(5) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-540, Ohio University Clinical Teaching, in both FY 2006 and FY 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(6) Earmarks $4,200,945 for FY 2006 for the Northeastern Ohio Universities College of Medicine.	(6) Same as the Executive.	(6) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-541, Northeastern Ohio Universities College of Medicine Clinical Teaching, in both FY 2006 and FY 2007.
370 (CD-1349-BOF School of International Business		
		Section: *209.64.23*
No provision.	No provision.	Requires GRF appropriation item 235-547, School of International Business, to be used for the continued development and support of the School of International Business at the University of Akron.
371 (CD-133-BOR Dayton Area Graduate Studies Institute		
Section: *209.64.30*	**Section: *209.64.30***	**Section: *209.64.30***
Requires the BOR to use GRF appropriation item 235-553, Dayton Area Graduate Studies Institute, for support of the Institute, which is an engineering consortium of Wright State University, the University of Dayton, and the Air Force Institute of Technology, with the participation of the University of Cincinnati and The Ohio State University.	Same as the Executive.	Same as the Executive.
Earmarks $417,053 in each fiscal year for the Miami Valley Economic Development Research Corporation to support collaborative research between academia, industry, and the Air Force for the Wright Brothers Institute and related initiatives in nanomaterials and advanced data management and analysis.	Same as the Executive.	Reduces the earmark amount to $350,000 and changes the purpose of the earmark by requiring the funds be used by the Development Research Corporation to support collaborative research and technology commercialization initiatives in Ohio.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
372 (CD-136-BOR Long-term Care Research		
Section: ***209.64.39***	**Sections:** ***209.64.39, 209.64.42***	**Section:** ***209.64.39***
Requires that GRF appropriation item 235-558, Long-term Care Research, be disbursed to Miami University for long-term care research.	Same as the Executive in FY 2006, but funding is consolidated into GRF appropriation item 235-560, Medical Support, in FY 2007. The distribution of the funds is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "Clinical Teaching Support / Medical Support" under the BOR.)	Same as the Executive.
373 (CD-142-BOR Urban University Program		
Section: ***209.64.57***	**Section:** ***209.64.57***	**Section:** ***209.64.57***
Requires universities receiving funds under GRF appropriation item 235-583, Urban University Programs, to certify periodically in a manner approved by the BOR that program funds are being matched on a one-to-one basis with equivalent resources. Prohibits overhead support from being used to meet this requirement. Matching funds must come from continuing rather than one-time sources.	Same as the Executive.	Same as the Executive, but changes the name of the appropriation item to Urban University Program.
Makes the following earmarks under GRF appropriation item 235-583, Urban University Programs:	Makes the following changes to the earmarks under GRF appropriation item 235-583, Urban University Programs:	Makes the following changes to the earmarks under GRF appropriation item 235-583, Urban University Programs:
(1) Earmarks $247,453 in each fiscal year to support a public communication outreach program (WCPN).	(1) Same as the Executive.	(1) Same as the Executive.
(2) Earmarks $117,215 in each fiscal year to support the Center for the Interdisciplinary Study of Education and the Urban Child at Cleveland State University.	(2) Same as the Executive.	(2) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(3) Earmarks $169,310 in each fiscal year to support the Kent State University Learning and Technology Project.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Earmarks $65,119 in each fiscal year to support the Ameritech Classroom/Center for Research at Kent State University.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Earmarks $651,192 in each fiscal year to support the Polymer Distance Learning Project at the University of Akron.	(5) Same as the Executive.	(5) Increases the earmark to $723,547 in each fiscal year.
(6) Earmarks $32,560 in each fiscal year to support the Kent State University/Cleveland Design Center program.	(6) Same as the Executive.	(6) Same as the Executive.
(7) Earmarks $162,797 in each fiscal year to support the Bliss Institute of Applied Politics at the University of Akron.	(7) Same as the Executive.	(7) Increases the earmark to $180,886 in each fiscal year.
(8) Earmarks $9,766 in each fiscal year to support the Advancing-Up Program at the University of Akron.	(8) Same as the Executive.	(8) Increases the earmark to $10,851 in each fiscal year.
(9) Earmarks $1,433,037 in each fiscal year to Cleveland State University to support the Maxine Goodman Levin College of Urban Affairs.	(9) Same as the Executive.	(9) Same as the Executive.
(10) Earmarks $1,433,037 in each fiscal year for the Northeast Ohio Research Consortium, the Urban Linkages Program, and the Urban Research Technical Assistance Grant Program. The distribution among the three programs will be made by the chairman of the Urban University Program.	(10) Same as the Executive.	(10) Same as the Executive.
(11) Earmarks $139,777 in each fiscal year to support the Strategic Economic Research Collaborative at the University of Toledo Urban Affairs Center.	(11) Same as the Executive.	(11) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(12) Earmarks $139,777 in each fiscal year to support the Institute for Collaborative Research and Public Humanities at The Ohio State University.	(12) Same as the Executive.	(12) Same as the Executive.
(13) Earmarks $84,368 in each fiscal year to support the Medina County University Center.	(13) Increases the earmark to $300,368 in each fiscal year.	(13) Same as the House.

374 (CD-143-BOR Rural University Projects

Section: ***209.64.60***	**Section:** ***209.64.60***	**Section:** ***209.64.60***
Makes the following earmarks under GRF appropriation item 235-587, Rural University Projects:	Makes the following earmarks under GRF appropriation item 235-587, Rural University Projects:	Makes the following changes to the earmarks under GRF appropriation item 235-587, Rural University Projects:
(1) Earmarks $237,405 in each fiscal year for Bowling Green State University to support the Center for Policy Analysis and Public Service.	(1) Same as the Executive.	(1) Increases the earmark to $263,783 in each fiscal year.
(2) Earmarks $220,788 in each fiscal year for Miami University to support the Center for Public Management and Regional Affairs.	(2) Same as the Executive.	(2) Increases the earmark to $245,320 in each fiscal year.
(3) Earmarks $517,513 in each fiscal year for Ohio University to support the Institute for Local Government Administration and Rural Development (ILGARD). A small portion of these funds is to be used for the ILGARD State and Rural Policy Partnership with the Governor's Office of Appalachia and the Appalachian Delegation of the General Assembly.	(3) Same as the Executive.	(3) Increases the earmark to $575,015 in each fiscal year.
(4) Earmarks $14,348 in each fiscal year to support the Washington State Community College day-care center.	(4) Same as the Executive.	(4) Increases the earmark to $15,942 in each fiscal year.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(5) Earmarks $43,046 in each fiscal year to support the COAD/ILGARD/GOA Appalachian Leadership Initiative.	(5) Same as the Executive.	(5) Increases the earmark to $47,829 in each fiscal year.

375 (CD-144-BOR Hazardous Materials Program

Section: ***209.64.63***	**Section:** ***209.64.63***	**Section:** ***209.64.63***
Requires that GRF appropriation item 235-596, Hazardous Materials Program, be disbursed to Cleveland State University for the operation of a program to certify firefighters for the handling of hazardous materials.	Same as the Executive.	Same as the Executive.
Earmarks $127,337 in each fiscal year to support the Center for the Interdisciplinary Study of Education and Leadership in Public Service at Cleveland State University.	Same as the Executive.	Increases the earmark to $177,337 in each fiscal year.

376 (CD-145-BOR National Guard Scholarship Program

Section: ***209.64.66***	**Section:** ***209.64.66***	**Sections:** ***209.64.66, R.C. 5919.341***
Requires the BOR to disburse funds under GRF appropriation item 235-599, National Guard Scholarship Program, at the direction of the Adjutant General.	Same as the Executive.	Same as the Executive.
Requires the unencumbered balance of the appropriation will be transferred to the National Guard Scholarship Reserve Fund (Fund 5BM) for use under appropriation item 235-623, National Guard Scholarship Reserve Fund. Upon the request of the Adjutant General, the BOR is to seek Controlling Board approval to establish appropriations in item 235-623, National Guard Scholarship Reserve Fund.	Same as the Executive.	Modifies the Executive provision to allow, rather than require, the unencumbered balance of GRF appropriation item 235-599, National Guard Scholarship Program, at the end of each fiscal year to be transferred to the National Guard Scholarship Reserve Fund (Fund 5BM) and clarifies that the BOR is to disburse the funds under appropriation item 235-623, National Guard Scholarship Reserve Fund, at the direction of the Adjutant General.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
377 (CD-1180-BOF Study on Distributing SSI Funds Based on Campus Administrative and Operational Efficiency		
		Section: ***209.64.96***
No provision.	No provision.	Requires the BOR to conduct a study on the feasibility of distributing a portion of GRF appropriation item 235-501, State Share of Instruction, based on campus administrative and operational efficiency and requires the BOR to submit the results of the study to the General Assembly not later than September 15, 2006.
378 (CD-1181-BOF Study on Distributing SSI Funds Based on the Number of Degrees and Certificates Awarded		
		Section: ***209.64.99***
No provision.	No provision.	Requires the BOR to conduct a study on the feasibility of distributing a portion of GRF appropriation item 235-501, State Share of Instruction, based on the number of Ohioans who are awarded certificates or associate, baccalaureate, master's, or doctoral degrees and requires the BOR to submit the results of the study to the General Assembly not later than September 15, 2006.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
379 (CD-1182-BOF Study on Providing Incentives for Certificates and Associate Degrees		
		Section: ***209.65.03***
No provision.	No provision.	Requires the BOR to conduct a study in consultation with representatives from the higher education community on the feasibility of devising a performance-based grant, modeled on the Success Challenge, to provide incentives to public two-year campuses based on the number and proportion of Ohio students who receive certificates or associate degrees, and requires the results of the study to be submitted to the General Assembly not later than September 15, 2006.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
380 (CD-1093-DRC Private Operation of State or Local Correctional Facility - Amount of Savings to be Realized		
	R.C. *9.06*	
No provision.	Changes the existing 5% cost savings criterion such that in any contracts for the private operation and management of a state or local facility entered into or renewed on or after the bill's effective date, the contractor must convincingly demonstrate that it can realize at least a 10% savings over the projected cost to the government entity of providing the same services to operate the subject facility. Fiscal effect: This provision would not produce any immediate savings to the Department of Rehabilitation and Correction, as both of its privatized correctional institutions are currently operating at a 17% savings over the projected cost to the Department of providing the same services to operate each of those subject facilities. The precise magnitude of any savings that a county or municipal corporation operating a local correctional facility may realize as a result of this increase in the amount of savings to be realized for the private operation and management of a correctional facility is uncertain at this time.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
381 (CD-1272-DRC Payments for Medical Care of Inmates of State Correctional Institutions		
		R.C. ***341.192***
No provision.	No provision.	Requires that a medical provider that is not under contract to the Department of Rehabilitation and Correction and that provides necessary care to a person who is confined in a state correctional institution or in the custody of a law enforcement officer before confinement be paid at the Medicaid reimbursement rate. Fiscal effect: Medicaid reimbursement rates are generally lower than the going market rate for medical care. Presumably then, as a result of this provision, the medical care expenditures of the Department and local law enforcement may be reduced from what those costs might otherwise have been under current law and practice. As of this writing, the annual magnitude of that potential reduction in medical care expenditures for the Department or any affected local criminal justice system is uncertain.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
382 (CD-1273-DRC Active Global Positioning System Monitoring of Sexually Violent Predators		
		R.C. ***2743.191, 2971.05, and Section 209.69***
No provision.	No provision.	Provides that a sexually violent predator who has been released from prison must be supervised by the Adult Parole Authority with an active global positioning system device for the sexually violent predator's entire life, unless the court removes that classification from the offender, provides that the cost of administering the supervision is to paid out of funds from the Reparations Fund (Fund 402), transfers cash totaling $100,000 in FY 2006 and $75,000 in FY 2007 from the Attorney General's Reparations Fund (Fund 402) to the Department of Rehabilitation and Correction's Sex Offender Supervision Fund (Fund 5CL), appropriates those amounts in each fiscal year to non-GRF appropriation item 501-616, Sex Offender Supervision, stipulates that those appropriated amounts are for the purpose of paying for the costs incurred by the Adult Parole Authority (APA) in supervising sexually violent predators released from prison as required by section 2971.05 of the Revised Code, and requires the Director of Budget and Management to transfer any unexpended, unencumbered cash at the end of each fiscal year back to the Reparations Fund (Fund 402). Fiscal effect: Based on information provided by the Department, LSC fiscal staff estimates that the appropriated amounts will be sufficient to cover the APA's costs of supervising up to 10 sexually violent predators that could be released from prison over the course of the next biennium.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
383 (CD-959-DRC Medical Hardship Releases and Medical Hardship Prisoner Release Commission		
	R.C. ***RC 2929.13, 2929.14, 2967.13, 2967.24, 5120.16, 5120.48***	
(1) No provision.	(1) Establishes within the Office of the Governor, the Medical Hardship Prisoner Release Commission, consisting of three members appointed by the Governor who serve without compensation, but are to be reimbursed for actual and necessary expenses incurred in the performance of their official duties.	(1) No provision.
(2) No provision.	(2) Authorizes the Director of Rehabilitation and Correction to file a request with the Commission asking that it approve the release of specified, non-death row, prisoners confined in a state prison, because of a "medical hardship" (and requires the Department by rule to specify the medical hardships for a potential release).	(2) No provision.
(3) No provision.	(3) Requires the Commission to promptly review such a request, make a determination as to whether the request is approved or denied, and notify the Director; specifies that an approval of the request authorizes the Department to release the prisoner, a denial of the request prohibits the release, and a subsequent request may be filed at any time after a denial.	(3) No provision.
(4) No provision.	(4) Provides that, if the Department grants a medical hardship release to a prisoner: the prisoner is to be released from imprisonment as if the prisoner's stated prison term had expired; the prisoner is subject to a period of post-release control of up to three years after the release, during which time the prisoner is subject to one or more post-release control sanctions imposed by the Department; and existing procedures regarding violations of the sanctions and the final release of prisoners who are under a post-release control	(4) No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	apply to the prisoner. Fiscal effect: It seems likely that the cost of reimbursing Commission members for their actual and necessary expenses would be minimal annually, if that. Theoretically, if a prisoner receives a medical headship release, the Department realizes some incarceration savings, including expenses related to the provision of inmate medical care.	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
384 (CD-1143-DRC Correction Officer to Inmate Ratio		
	Section: *209.69*	
No provision.	Requires that a $6.0 million total reduction in the original FY 2006 and FY 2007 recommended appropriation for GRF appropriation item 501-321, Institutional Operations, not affect the correction officer to inmate ratio. Fiscal effect: To the extent that this reduction of $6.0 million in institutional appropriations over the biennium requires corresponding reductions in prison operating expenses, such reductions would presumably involve non-security related personnel and programs.	No provision.
385 (CD-1274-DRC Location and Tracking Technology		
		Section: *209.69*
No provision.	No provision.	Permits the Director of Rehabilitation and Correction to expend $3.0 million in each fiscal year for the purchase, installation, and operation of location and tracking technology.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
386 (CD-1381-DRC Halfway House Transfers		
		Section: *209.69*
No provision.	No provision.	Requires the Department to seek Controlling Board approval for the transfer of at least $500,000 per fiscal year from the Department's unexpended unobligated GRF appropriations in FYs 2006 and 2007 to GRF appropriation item 501-405, Halfway House, in order to support additional halfway house services. Fiscal effect: To the extent that unobligated and unexpended GRF appropriations are available for transfer by the Controlling Board, annual expenditures on halfway house services could increase by as much as $500,000 or more per fiscal year from what those annual expenditure levels might otherwise have been absent the appropriations transfers.
387 (CD-971-DRC Correctional Faith-Based Initiatives Task Force		
	Section: *503.09*	**Section: *503.09***
(1) No provision.	(1) Creates the 15-member Correctional Faith-Based Initiatives Task Force, which includes the Director of Rehabilitation and Correction, and requires it meet at least once a month.	(1) Same as the House, but increases from 15 to 17 the membership of the Correctional Faith-Based Initiatives Task Force, which the bill creates, by adding the Executive Director of the Division of Criminal Justice Services or the executive director's designee and a member appointed by the Director of Youth Services who has expertise or experience in the juvenile court system.
(2) No provision.	(2) Requires the Department of Rehabilitation and Correction provide the Task Force with a meeting room and secretarial assistance.	(2) Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(3) No provision.	(3) Requires the Task Force study seamless faith-based solutions to problems in the correctional system.	(3) Same as the House.
(4) No provision.	(4) Requires the Task Force submit a written report and recommendations to certain parties within one year of the bill's enactment.	(4) Same as the House.
(5) No provision.	(5) Ceases the existence of the Task Force upon submitting its written report and recommendations.	(5) Same as the House.
	Fiscal effect: It would appear that the services of the Task Force members themselves will not directly cost the state any money, and that the requirement that the Department of Rehabilitation and Correction provide the Task Force with a meeting room and secretarial assistance in all likelihood can easily be absorbed into its daily operations with little, if any, noticeable cost. It is uncertain as to whether the Task Force will need or request research and technical services and support to be performed by the departmental staff of the state agencies whose directors would be appointed as members of the Task Force. That said, the potential one-time costs of procuring these other services and support, should such services and support be provided, would seem unlikely to exceed minimal. No discernible fiscal effect on state revenues. No discernible fiscal effect on the revenues and expenditures of political subdivisions.	
	(The corresponding item entitled "Correctional Faith-Based Initiatives Task Force" in the Department of Youth Services has been removed from the Conference Committee Comparison Document)	

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
388 (CD-572-RSC Office for People with Brain Injury		
Section: ***209.72***	**Section:** ***209.72***	**Section:** ***209.72***
Earmarks $50,000 in each fiscal year in GRF appropriation item 415-431, Office for People with Brain Injury, for the state match for a federal grant awarded through the Traumatic Brain Injury Act, Pub. L. No. 104-166. In addition, up to $50,000 in each fiscal year is to be provided to the Brain Injury Trust Fund. The remaining appropriations are to be used to plan and coordinate head injury-related services provided by state agencies and other government or private entities, to assess the needs and set priorities for such services.	Same as the Executive.	Same as the Executive, but specifies that the earmark for the state match for a federal grant awarded through the Traumatic Brain Injury Act is an amount "up to" $50,000.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
389 (CD-1097-RET Municipal Public Safety Directors - Includes PERS - LE		
	R.C. ***145.01, 145.33***	
No provision.	Includes municipal public safety directors in the law enforcement division of the Public Employees Retirement System (PERS-LE). Fiscal effect: None.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
390 (CD-671-RDF Additional Appropriations		
Section: ***209.78***	**Section:** ***209.78***	**Section:** ***209.78***
Specifies that appropriation items in Section 209.78 of the bill are to be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated. See LOC subject item "Temporary Adjustment to Local Government Funds" for details on the temporary suspension of the Revised Code funding and distribution formulas of the local government funds. Also, see TPR subject item "Change in Distributions of Kilowatt Hour Tax Receipts". The bill revises the statutory shares of kilowatt hour tax revenues that are credited to the Local Government Fund (069) and Local Government Revenue Assistance Fund (Fund 064). Fiscal effect: None.	Same as the Executive.	Same as the Executive, except corrects appropriation item 110-900, Library/Local Government Support Fund (Fund 065), by adding $5 million in each fiscal year. See LOC subject item "Temporary Adjustment to Local Government Funds" for details on the temporary suspension of the Revised Code funding and distribution formulas of the local government funds. Also, see TPR subject item "Change in Distributions of Kilowatt Hour Tax Receipts". The bill revises the statutory shares of kilowatt hour tax revenues that are credited to the Local Government Fund (069) and Local Government Revenue Assistance Fund (Fund 064). Revises the local government funds' appropriation items, 110-900, Local Government Revenue Assistance Fund (Fund 064), and 110-900, Local Government Fund (Fund 069), in the Revenue Distribution Fund. Increases the total appropriations by adding $187,658 in fiscal year 2006 and $822,332 in fiscal year 2007 to correct the appropriations items. Increases appropriation item 110-900, Local Government Revenue Assistance Fund (Fund 064), by $3,346,647 and $5,239,733 in FY 2006 and FY 2007, and decreases appropriation item 110-900, Local Government Fund (Fund 069), in FY 2006 and FY 2007 by $3,158,989 and $4,417,401 in FY 2006 and FY 2007. In the sub bill in Senate Finance "LSC 126 0134-4" version, the total appropriations of $16.9 million and $26.4 million were included only in appropriation item 110-900, Local Government Fund (Fund 069).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
391 (CD-397-SFC Half-Mill Maintenance Equalization		
R.C. ***3318.111, 5727.84, 5727.85***	**R.C.** ***3318.111, 5727.84, 5727.85***	**R.C.** ***3318.18, 5727.84, 5727.85***
Creates the Half-Mill Equalization Program, beginning in FY 2007, to be jointly administered by the School Facilities Commission (SFC) and the Department of Education (ODE). The program provides an equalized payment to a school district that raises less local revenue per pupil than the average district in the state for the required half-mill maintenance levy. The equalized payment is equal to the district's formula ADM (average daily membership) multiplied by the difference between the state average revenue yield per pupil and the district's revenue yield per pupil. Requires that the comparison of a district's revenue yield per pupil with the state average revenue yield per pupil be made at a single point in time, when the district first becomes eligible for assistance and enters its project agreement with the SFC. From that time forward until the 23-year maintenance levy expires, no update of a district's revenue yield per pupil is made. An eligible district will, therefore, receive the same amount of annual payment for 23 years. Requires the ODE, beginning in FY 2007, to compute the state average revenue yield per pupil and each district's revenue yield per pupil and provides these data to the SFC by July 1 of every year. The SFC is then required to determine the amount of payment for each eligible district. School districts receiving these payments are required to deposit the money in their Classroom Maintenance Facilities Fund and use the money only for maintaining SFC-assisted facilities. Makes the equalized payment available to those districts that have been served by the SFC before FY 2007 if their	Same as the Executive.	Same as the Executive, but replaces the Executive subsidy formula that bases on the amount of district revenue yield per pupil compared to the statewide average amount of district revenue yield per pupil with a formula that bases on the district's valuation per pupil compared to the statewide average valuation per pupil in order to be able to perform the necessary calculations.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
revenue yield per pupil is below the state average. For these districts, the comparison of the district's revenue yield per pupil and the state average revenue yield per pupil will be made on September 1, 2006.		
Creates the Half-Mill Equalization Fund (Fund 5BJ) to receive excess funds from the School District Property Tax Replacement Fund (Fund 053). The money from Fund 5BJ will be used to fund the Half-Mill Maintenance Equalization Program described above. Requires excess balances in Fund 053 to be used for equalization payments and the school facilities assistance program, with first priority being given to equalization payments. Under current law, excess funds in Fund 053 are distributed to school districts and joint vocational school districts on a per pupil basis for capital improvements.		
Fiscal effect: The executive proposal recommends funding of $10.7 million in FY 2007 for appropriation item 200-626, Half-Mill Maintenance Equalization, (Fund 5BJ) in the state special revenue fund group in the ODE for this program. The changes made in the use of excess funds in the School District Property Tax Replacement Fund (Fund 053) would provide more money to some districts and less money to some other districts.		
The corresponding item entitled "Half-Mill Maintenance Equalization" in the ODE has been removed from the Conference Committee Comparison Document.		

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
392 (CD-1188-SFC ODOT Notification		
		Section: ***3318.091***
No provision.	No provision.	Requires the SFC to submit project plans to the Director of Transportation for review and consider the Director's findings prior to final approval when a proposed school facility project is to be located on or within a mile of a state route or federal highway. Fiscal effect: Minimal. (The corresponding item entitled "Ohio School Facilities Commission Project Plans" in the Department of Transportation has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
393 (CD-1347-SOS 2005 HAVA Voting Machines		
		Sections: ***209.93, 105.01, 612.18, R.C. 3506.17***
No provision.	No provision.	Transfers the unexpended, unencumbered amount of appropriation item 050-615, 2004 HAVA Voting Machines, to appropriation item 050-616, 2005 HAVA Voting Machines on July 1, 2005 or as soon as possible thereafter. Transfers the unexpended, unencumbered amount of appropriation item 050-616, 2005 HAVA Voting Machines, at the end of fiscal year 2006 to fiscal year 2007 for the same purpose.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
394 (CD-1090-TPR Venture capital tax credits for dealers in intangibles and insurance companies		
	R.C. ***150.07, 150.10, 5707.031, 5727.241, 5729.(5733.49, 5747.80***	**R.C.** ***150.07, 150.10, 5707.031, 5727.241, 5729.(5733.49, 5747.80***
No provision.	Extends the venture capital tax credits to dealers in intangibles and domestic and foreign insurance companies. The provision also specifies how refundable and nonrefundable credits may be claimed for each tax reporting period. Under current law, the venture capital tax credits are available to businesses paying the corporate franchise tax, the personal income tax or the public utility excise taxes. Fiscal effect: Indeterminate revenue loss	Same as the House, except specifies that the venture capital tax credits available to dealers in intangibles are available only to "qualifying dealers in intangibles", which are dealers affiliated with financial institutions.
395 (CD-1248-TPR Permits a County to Operate or Support a Facility that Encourages Study of Science		
		R.C. ***307.76, 5705.19***
No provision.	No provision.	Permits a board of county commissioners to maintain and operate a facility to encourage study of and promote sciences including natural history. A board of county commissioners may alternatively contract with or contribute to a nonprofit corporation to maintain and operate such a facility. The county may levy a property tax for this purpose. Fiscal effect: May increase county tax revenues and expenditures for support of science facilities.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
396 (CD-617-TPR Eliminate the 10% Rollback for Class II Real Property		
R.C. ***319.302, 323.152, Section 557.15***	**R.C.** ***319.302, 323.152, Section 557.15***	**R.C.** ***319.302***
Eliminates the 10% rollback for Class II real property, which includes all real property other than residential and agricultural. Appropriation amounts are based on elimination of this rollback beginning in tax year 2005, but wording in the bill has the elimination beginning in tax year 2006. Local governments' loss of state reimbursement is offset by the increase in property owners' taxes. Affects GRF appropriation items 200-901, Property Tax Allocation-Education, and 110-901, Property Tax Allocation-TAX. Fiscal effect: Raises property owners' taxes for tax year 2005 by an estimated $294 million, which grows over time. Real property taxes are paid a year in arrears, and reimbursements to local governments from the GRF are further lagged by several months. Savings to the GRF are estimated at $147 million in FY 2006 and $301 million in FY 2007.	Changes wording in the bill to begin elimination of the rollback on Class II real property in tax year 2005. Fiscal effect: Same as the Executive.	Limits the 10% real property tax rollback to property not intended for use primarily in a "business activity," which is defined as not including farming, leasing property for farming, leasing property improved with one-, two-, or three-family dwellings, or holding vacant land that the county auditor determines will be used for farming or to develop one-, two-, or three-family dwellings. Some property currently in Class II might qualify for the rollback, such as that of fraternal or other nonprofit organizations, broadening the partial exemption in the Executive and House-passed versions of the bill. Some property currently in Class I might not qualify for the rollback, such as agricultural property used for forestry or other business purposes other than farming, narrowing the partial exemption. Fiscal effect: LSC cannot determine the difference in fiscal effect between the Senate proposal and the House-passed version of this provision. (The corresponding item entitled "Elimination of the 10% Rollback on Some Real Property" in the Department of Education has been removed from the Conference Committee Comparison Document.)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
397 (CD-614-TPR Increase in Real Property Transfer Fee		
R.C. ***319.54***	**R.C.** ***319.54***	
Increases the real property or used manufactured or mobile home transfer fee from the greater of $1 or 10 cents for each $100 or fraction of $100 to the greater of $1 or 20 cents for each $100 or fraction of $100. The greater of $1 or one-half of the fee is credited to the county general fund, and the balance is credited to the state GRF. Fiscal effect: Revenue to the state GRF is estimated at $51 million in FY 2006 and $55 million in FY 2007.	Same as the Executive, but clarifies that the portion of the fee due to the state is to be forwarded to the Treasurer of State, accompanied by a report, and caps the combined state plus local tax at 5 mills. Fiscal effect: No effect beyond that of the Executive proposal. Under current law, the local mandatory plus permissive fee is capped at 4 mills. The change in the cap accommodates the additional 1 mill state fee.	No provision.
398 (CD-1102-TPR County Auditors Authorized to Use Moneys in Real Estate Assessment Funds for Estate Tax Enforcement		
	R.C. ***325.31, 5731.41***	**R.C.** ***325.31, 5731.41***
No provision.	Authorizes county auditors to expend moneys in real estate assessment funds to defray costs incurred in enforcing estate taxes. Fiscal effect: None.	Same as the House, except specifies that the Tax Commissioner may appoint agents to enforce real property and manufactured and mobile home taxes and that such agents may be compensated from moneys in county real estate assessment funds. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
399 (CD-1023-TPR Municipal Corporation and School District Shared Income Tax		
	R.C. ***718.09, 718.10***	
No provision.	Reauthorizes municipal corporations to levy income taxes to be shared with an overlapping school district. Fiscal effect: This provision has the potential to provide additional revenue to school districts and municipal income tax revenue. (The corresponding item entitled "Municipal Corporation and School District Shared Income Tax" in the Department of Education has been removed from the Conference Committee Comparison Document.)	No provision.
400 (CD-912-TPR Revision of laws governing the sale, distribution and taxation of cigarettes		
	R.C. ***2921.13, 5743***	**R.C.** ***2921.13, 5743***
No provision.	Revises the laws governing the sales, distribution and taxation of cigarettes, including cigarette sales by Indian tribes; cigarette tax stamps records and reports of cigarette sales and purchases; seizure and forfeiture of cigarettes; the Tax Commissioner's inspection powers; licenses to engage in the sales, manufacture and importation of cigarettes; and electronic and mail order cigarette purchases. Fiscal Effect: None.	Same as the Executive, except specifies that an importer for purposes of the cigarette excise tax is a person that imports finished cigarettes into the United States under a valid federal permit to engage in the importation of tobacco products. Also, the bill makes various changes to the cigarette excise tax enforcement and shipment of cigarettes laws that appear to have no direct fiscal effect. Fiscal effect: none

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
401 (CD-623-TPR Tax rate increases for alcoholic beverages		
R.C. ***4301.42, 4301.43, 4305.01***	**R.C.** ***4301.42, 4301.43, 4305.01***	
Doubles each of the existing taxes levied on the sale and distribution of wine, mixed beverages, cider, and beer effective July 1, 2005. The new tax rate for sales of wine containing less than 14% of alcohol by volume would be $0.60 per wine gallon. The new tax rate for sales of wine containing more than 14% and less than 21% of alcohol by volume would be $1.96. The new tax rates for vermouth and cider would be $2.16 and $0.48 per wine gallon, respectively. The new tax rate for sparkling and carbonated wine and champagne would be $2.96 per wine gallon. The new tax rate for mixed beverages would be $2.40 per gallon. The new tax rate for beer per barrel of 31 gallons would be $11.16. The new tax rate for beer will be $0.0028 per ounce and $0.0168 per six ounces of liquid. Fiscal effect: This provision will increase GRF revenues by $51 million in each year of the biennium.	Same as the Executive.	No provision. Fiscal effect: reduces GRF revenues by $51 million in each year of the biennium.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
402 (CD-1076-TPR Transportation Improvement Districts and Tax Increment Financing		
	R.C. ***5540.032, 133.09, 5540.01, 5540.09, 5709.4 5709.41, 5709.73, 5709.77, 5709.78***	**R.C.** ***5540.032, 133.09, 5540.01, 5540.09, 5540.0***
No provision.	Authorizes transportation improvement districts (TIDs) and government agencies to undertake joint projects, and expressly authorizes government agencies to issue securities representing their obligations to the TID under the agreement, which securities the TID is authorized to purchase. Also eliminates the specific tax increment financing (TIF) benefit test, and permits the commencement of TIF tax exemptions to be delayed. Fiscal effects: While these changes may have fiscal consequences, LSC has no estimate of the amounts of these effects.	Same as the House, but eliminates the proposed TIF changes.
No provision.	Changes the sunset date for the current law that allows the legislative authority of a municipal corporation, board of township trustees, or board of county commissioners to create incentive districts and declare improvements to real property within a district to be a public purpose and exempt from taxation. Current law allows such exemptions to be made through June 30, 2007. This provision changes that date to December 31, 2007, for municipal corporations, but leaves the date unchanged for townships and counties. (The corresponding item entitled "Sunset of Tax Increment Financing Agreements" in Local Government Provisions has been removed from the Conference Committee Comparison Document.) Fiscal effect: Sunsetting new tax increment financing agreements may generate additional revenue for political subdivisions for any improvements made after the sunset date that would otherwise have been given a tax exemption.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	Alternatively, some improvements dependent on the incentives ended by this provision may not be made.	
No provision.	No provision.	Requires that when a transportation improvement district purchases securities from a governmental agency to finance a joint project undertaken pursuant to an agreement between the governmental agency and transportation improvement district, at least half of the project must be located within the territory of the transportation improvement district. (The corresponding item entitled "Transportation Improvement District Joint Projects" in Local Government Provisions has been removed from the Conference Committee Comparison Document.) Fiscal effect: None on ODOT or counties.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
403 (CD-978-TPR School Districts Levies Not Subject to H.B. 920 Tax Reduction Factors		
	R.C. ***5705.219, 319.301, 323.17, 5705.02, 5705.214, 5705.29***	
No provision.	Permits school districts to levy additional, voter-approved property taxes that would not be subject to the H.B. 920 tax reductions factors. Such growing levies might raise additional revenues or might necessitate submission of fewer levies to voters to raise approximately the same amounts of revenues. Fiscal effect: May increase school district tax revenues. If revenues increase, state reimbursements of the 10% and 2.5% rollbacks and homestead exemptions would rise commensurately. The effect of this change on school financing is potentially substantial, but the dollar amount of any such increases is indeterminate. (The corresponding item entitled "School District Levies Not Subject to H.B. 920 Tax Reduction Factors" in the Department of Education has been removed from the Conference Committee Comparison Document.)	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
404 (CD-1345-TPR Taxation of Oil and Gas Production Property		
		R.C. ***5709.112, 5715.01, Section 557.13.03***
No provision.	No provision.	Exempts from the tangible personal property tax all oil and gas recovery equipment installed on the premises or leased premises of the owner. This exemption does not apply to public utilities. Excludes from the real property tax value of minerals or mineral rights the value of the tangible personal property used in recovery of those minerals. Requires the Tax Commissioner to review multipliers used in oil and gas valuation in time for these provisions to be applicable to tax year 2006. Fiscal effect: Would reduce tangible personal property tax receipts in tax years 2006 through 2008. The sections of the tax bill providing reimbursement to local governments for loss of tangible personal property tax receipts are specified in terms of a 4-year phase-out schedule so would not provide reimbursement for tax revenues lost due to this provision. State education aid would increase in FY 2008 through FY 2010 as a result of this change.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate

405 (CD-615-TPR Phase Out Tax on Some Tangible Personal Property

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
R.C. *5711.22, 5701.03, 5711.21, 5713.01, 5727.02 5727.031, 5727.06, 5727.10, 5727.11, 5727.1*	**R.C.** *5711.22, 5701.03, 5711.21, 5713.01, 5727.0 5727.031, 5727.06, 5727.10, 5727.11, 5727*	**R.C.** *5711.22, 5701.03, 5711.21, 5713.01, 5727.0 5727.02, 5727.031, 5727.06, 5727.10, 5727.11, 5727.12*
Exempts from taxation business machinery and equipment newly installed after 2004, phases out taxation of other business machinery and equipment by tax year 2007, accelerates phase-out of inventory taxation by tax year 2010, and eliminates property tax exemption for patterns, jigs, dies, and drawings of general business. Over 95% of patterns, jigs, dies, and drawings of general business would be included in machinery and equipment, that is no longer taxed after tax year 2006, according to the Department of Taxation. Tangible personal property taxes levied are expected to fall from $1,755 million in tax year 2005 to $696 million in tax year 2010, when only furniture, fixtures, and certain other property not included in the phase-out schedule would remain taxable. Fiscal effect: The state would reimburse local governments for most forgone tax revenues in FY 2006 and FY 2007, funding these reimbursements with revenue from the Commercial Activity Tax (see Compare Doc entry for that tax). State reimbursements would phase out in future years.	Same as the Executive but phases out taxation of furniture and fixtures, reducing assessment rates in 5 percentage point increments from 25% in tax year 2005 to 0% in tax year 2010 and thereafter. Reimburses local governments based on taxes in 2004 plus those applicable to 2005 and passed before September 1. Fiscal effect: LSC estimates tangible personal property taxes on furniture and fixtures at $440 million in tax year 2004. Reimbursements to school districts and other local governments would total an estimated $17 million in FY 2006 and $107 million in FY 2007.	Phases out taxation of all general business tangible personal property evenly over four years, eliminating the tax in 2009, except for new manufacturing equipment which is exempted immediately. Makes corresponding changes in the schedule of school district and local taxing unit reimbursement provisions. Adds reimbursement of counties for loss of property tax collection and administration fees. Reinstates the property tax exemption for patterns, jigs, dies, and drawings provided in current law. Tangible personal property of utilities and of persons other than utilities that lease such property to utilities remains taxable. Fiscal effect: Same as the Executive, except that more rapid phase-out of taxation of tangible personal property will increase state reimbursements more quickly.

406 (CD-1267-TPR Dealers in Intangibles -- Activities of DIT; procedures to review penalties; clarify definition

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		R.C. *5711.28, 5725.01*
No provision.	No provision.	Provides for procedures whereby dealers in intangibles may petition for review of penalties imposed upon them in connection with their reporting and payment of the tax. Fiscal effect: none

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Narrows the definition of who qualifies as a dealer in intangibles by specifying that the person must be engaged "primarily" in the specific activities that distinguish dealers in intangibles from other types of businesses, such as lending money, dealing in mortgages, other debt instruments and securities for profit or gain, and requires the Tax Commissioner to adopt a rule clarifying the definition of "dealer in intangibles". Also specifies that the Tax Commissioner must receive input from current dealers prior to adopting the rule. Fiscal effect: none.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
407 (CD-958-TPR Changes Real Property Tax Equalization Procedure		
	R.C. ***5715.24***	**R.C.** ***5715.24***
No provision.	The process by which real property assessments are determined in reappraisal or update years would be changed by subtracting property destroyed or demolished from the base or prior year value. Fiscal effect: LSC estimates that this change would reduce taxable values statewide by $150 million (0.08%). The reduction in taxes collectible that would otherwise result would be largely offset by smaller tax reduction factors. For inside millage, not subject to tax reduction factors, taxes due would decline $1.5 million. If implemented in tax year 2006, state spending in FY 2006 would be unaffected. Reimbursements for the 10% and 2.5% rollbacks and homestead exemption from the state to local governments would decline an estimated $70,000 in FY 2007. In future years, state spending would rise because of increased base cost funding payments to school districts.	Adds that the Tax Commissioner, in determining whether real property has been assessed at its correct taxable value, shall consider only aggregate values of property that existed in the prior year and is to be taxed in the current year. In addition to adjustments for new construction and property destroyed or demolished, any other adjustments that the Tax Commissioner considers necessary to comply with this requirement are to be made. Fiscal effect: Other adjustments will generally be small. Most of the effect of any adjustments will be offset by changes to tax reduction factors. Additional effort and expense may be required by the Department of Taxation to make these adjustments; LSC does not at this time have an estimate of the amount of an additional expenditures required to implement this change.
408 (CD-1224-TPR Job creation tax credit for insurance companies		
		R.C. ***5725.32, 5729.032, 122.17***
No provision.	No provision.	Extends the existing job creation tax credit to domestic and foreign insurance companies. Clarifies that the Tax Credit Authority may grant job creation tax credits against the insurance taxes. Fiscal effect: GRF revenue loss of $1.0 million per year.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
409 (CD-635-TPR End Personal Property Tax Exemption of Electric Utilities' Drawings and Reduce Assessment Rates		
R.C. ***5727.111, 5701.03, 5727.01***	**R.C.** ***5727.111, 5701.03, 5727.01***	**R.C.** ***5727.111, 5727.01***
Ends exemption from personal property taxation for patterns, jigs, dies, and drawings of electric utilities beginning in tax year 2006. Patterns, jigs, dies, and drawings of other utilities remain exempt. Assessment rates of electric companies are reduced beginning in that tax year, from 88% to 85% for transmission and distribution property and from 25% to 24% for all other taxable property. The lower assessment rates would reduce taxes about 3.4%. This tax reduction offsets the tax increase that would otherwise result from eliminating tax exemption for electric companies' engineering drawings, according to Department of Taxation calculations. Fiscal effect: No net effect.	Same as the Executive.	Similar to the Executive, with the same results.

410 (CD-687-TPR Increase in Kilowatt Hour Tax Rates

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
R.C. ***5727.81, Section 557.21***	**R.C.** ***5727.81, Section 557.21***	**R.C.** ***5727.81, 5727.812, Section 557.21***
Increases the tax rate paid under the tax by approximately 30% for most electric customers. Specifically, the tax rate for the first 2,000 kilowatt hours (KWH) used in a 30 day period is increased from $0.00465 to $0.00605 per KWH; the tax rate for KWH used between 2,001 and 15,000 is increased from $0.00419 to $0.00545; and the tax rate for KWH used over 15,000 is increased from $0.00363 to $0.00472 per KWH. Very large electricity users, those who use more than 45 million KWH in a year, are permitted to self-assess the tax, and have a different rate structure. Self-assessors pay $0.00075 per KWH for the first 504 million KWH used, plus 4% of the total price of electricity distributed to them. The bill retains the $0.00075 per KWH rate and increases the 4% rate to 5% of the total price of electricity. All rate increases are to begin in the tax measurement period that includes July 1, 2005. Fiscal effect: Total revenue under the tax would increase by an estimated $158 million in FY 2006 and $160 million in FY 2007. Under the current statutory allocation of revenue from the tax, the GRF would receive $94.9 million of the FY 2006 amount and $96.2 million of the FY 2007 amount, the Local Government Fund would receive $4.2 million each year, the Local Government Revenue Assistance Fund would receive $0.6 million each year, the School District Property Tax Replacement Fund would receive $40.2 million in FY 2006 and $40.7 million in FY 2007, and the Local Government Property Tax Replacement Fund would receive $18.4 million in FY 2006 and $18.6 million in FY 2007. The Governor's proposal also amends the statutory formula, however, so as to retain the full increase for the GRF.	Same as the Executive.	Same as the Executive, except that a tax credit is created for self-assessors. The amount of the credit is a company's tax liability based on the total price of electricity multiplied by a percentage determined by the Tax Commissioner on or before September 1 of each year. That percentage is the difference between 1) the revenue increase attributable to the tax rate increase for self-assessors, and 2) $10 million (adjusted each year for inflation), as a percentage of 3) $10 million adjusted for inflation. The credit is applied in 1/12 increments to the self-assessor's future monthly tax payments over the course of one year. Fiscal effect: Potential to reduce revenue to the GRF, the Local Government Fund, the Local Government Revenue Assistance Fund, the School District Property Tax Replacement Fund, and the Local Government Property Tax Replacement Fund as compared with the revenue expected under the Executive Proposal. The potential amount of any such revenue loss depends on electricity use by self-assessors after the tax increase, but is expected to be less than $5 million during the initial few fiscal years of operation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate

411 (CD-690-TPR Change in Distribution of Kilowatt Hour Tax Receipts

R.C. *5727.84, Section 557.12*

Increases the statutory share of KWH tax receipts going to the GRF from 59.976% to 69.213% beginning August 1, 2005. Reduces the share of those receipts going to the Local Government Fund (LGF) from 2.646% to 2.035%, to the Local Government Revenue Assistance Fund (LGRAF) from 0.378% to 0.291%, to the School District Property Tax Replacement Fund (SDPTRF) from 25.4% to 19.538%, and to the Local Government Property Tax Replacement Fund (LGPTRF) from 11.6% to 8.923%. Section 557.12 specifies the amounts that should be credited to the LGF and the LGRAF in fiscal years 2006 and 2007 notwithstanding the statutory formula.
Under current law, if in fiscal years 2002 through 2006 the KWH tax revenues are less than $552 million, the amount credited to the GRF is reduced by the amount necessary to credit the LGF and the LGRAF the amount each would have received if the tax had raised that amount. Beginning in FY 2007, if tax revenues are less than $552 million, current law requires that the amount credited to the GRF be reduced by the amount necessary to credit all four of the other funds the amount each one would have received if the tax did raise that amount. The bill strikes the language about these thresholds.

Fiscal effect: At current tax rates, these provisions would increase the amount credited to the GRF by approximately $47.0 million in FY 2006 and $48.7 million in FY 2007, the amount credited to the LGF by approximately $2.1 million in FY 2006 and $1.3 million in FY 2007, and the amount credited to the LGRAF by approximately $0.3 million in FY 2006 and $0.2 million in FY 2007. At current tax rates, they would decrease the amount credited to the SDPTRF by

R.C. *5727.84, Section 557.12*

Same as the Executive except decreased slightly the amount of revenue to be credited to the LGF and to the LGRAF during the FY 2006-2007 biennium.
Fiscal effect: Decreases revenue to the LGF by approximately $1.3 million in FY 2006 and $1.8 million in FY 2007 as compared to the Executive Proposal. Decreases revenue to the LGRAF by approximately $0.2 million in FY 2006 and $0.3 million in FY 2007 compared to the Executive Proposal. Revenue to the GRF, SDPTRF, and LGPTRF increases in total by $1.5 million in FY 2006 and $2.1 million in FY 2007, with each fund getting its share proportionally according to the statutory formula.

R.C. *5727.84, Section 557.12*

Same as the Executive except that the distributions to the LGF and LGRAF are increased for the FY 2006-07 biennium.
Fiscal effect: Increases revenue to the LGF by approximately $5.7 million in FY 2006 and $6.2 million in FY 2007 as compared with the Executive Proposal. Increases revenue to the LGRAF by approximately $0.8 million in FY 2006 and $0.9 million in FY 2007 as compared with the Executive Proposal. Revenue to the GRF decreases by corresponding amounts, i.e., by $6.5 million in FY 2006 and $7.0 million in FY 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
approximately $33.9 million in FY 2006 and $34.4 million in FY 2007, and the amount credited to the LGPTRF by approximately $15.5 million in FY 2006 and $15.7 million in FY 2007. The statutory changes are apparently intended to work together with the increase in tax rates contained in section 5727.81 to reserve the increase in revenue attributable to the increase in tax rates for the GRF.		

412 (CD-1031-TPR Motor Fuel Use Tax

	R.C. *5728.06, 5728.01, 5728.02, 5728.03, 5728.0 5728.08*	R.C. *5728.06, 5728.01, 5728.02, 5728.03, 5728.0 5728.08*
No provision.	Provides that a person must obtain a fuel use permit only if operating a commercial car or commercial tractor upon public highways in two or more states. Eliminates the requirement that farm trucks pay the tax annually; instead they must pay the tax quarterly as do other commercial cars or tractors. Existing law imposes the tax on three-axle commercial cars; the bill adds the words "regardless of weight." Fiscal effect: The motor fuel use tax surcharge will be eliminated beginning July 1, 2005 due to provisions of Am. Sub. H.B. 87 of the 125th General Assembly, so this provision does not have a fiscal effect.	Same as the House, with some clarifications. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
413 (CD-646-TPR Phase-out of the corporate franchise tax		
R.C. ***5733.01***	**R.C.** ***5733.01***	**R.C.** ***5733.01, 5733.41***
Phases out the corporation franchise tax evenly over five years, beginning in 2006, for all corporations other than financial institutions. Financial institutions will continue to pay the corporate franchise tax on their net worth at the rate of 13 mills. For tax year 2006, nonfinancial corporations would pay 80% of their corporation franchise tax liability less any credits allowable against the tax. For tax year 2007, nonfinancial corporations would pay 60% of their franchise tax liability less any applicable credits. For tax year 2008, nonfinancial corporations would pay 40% of their franchise tax liability less any credits allowable against the tax. For tax year 2009, nonfinancial corporations would pay 20% of the franchise tax liability less any allowable credits. For tax year 2010 and each year after, the corporation franchise tax would be eliminated for nonfinancial corporations. Fiscal effect: The phase-out of the corporation franchise tax will decrease GRF revenues by $153.3 million in FY 2006 and $314.4 million in FY 2007.	Same as the Executive, but other corporations exempted from the proposed CAT also would continue to pay the franchise tax (see CD-945-TPR, CAT-- Exemption for some holding companies and all affiliates of financial institutions and of insurance companies).	Same as the House, except makes various technical corrections regarding the pass- through entity tax, withholding tax credits, and pass-through entities owned by corporations. Specifies that during the phase-out of the CFT the withholding tax imposed on pass-through entities owned by corporations is based on each corporation-owner franchise tax liability. The phase out rate of the pass-through entity withholding tax applies only to corporation-owners that become subject to the CAT. Fiscal effect: none (assumes that this was the original intent in the executive proposal) Specifies the way in which credits that are carried forward will be claimed during the phase-out. Fiscal effect: none

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
414 (CD-929-TPR Manufacturing Machinery and Equipment Tax Credits; Conversion to grants applied against corporate franchise and personal income taxes		
	R.C. *5733.33*	**R.C. *5733.33, 122.172, 122.173***
No provision.	Limits the availability of the corporate franchise and personal income tax credits to purchases of new manufacturing machinery and equipment purchased and installed by June 30, 2005, instead of December 31, 2016. Under current law, corporate franchise tax and personal income tax credits are available for the purchase of manufacturing machinery and equipment until December 31, 2016. Fiscal Effect: Potential revenue gain of $7.2 million in FY 2006 and $10.5 million in FY 2007. (Department of Taxation estimates)	Same as the House, except removes apparent redundant language.
No provision.	No provision.	Converts existing corporation franchise and income tax credits for purchase and installation of new manufacturing machinery and equipment into grants that can be applied against those taxes. The Department of Development will administer the grants. Fiscal effect: none (assumes that the decrease in state revenue from the grants would be the same as that of the credits currently available to taxpayers on which the grants are based)
No provision.	No provision.	Requires that a taxpayer's notice of intent to claim the credit for purchase and installation of new manufacturing machinery and equipment be filed on or before September 2005, or no credit may be claimed. Fiscal effect: none assuming all taxpayers file their notice on time.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
415 (CD-1247-TPR Phase-out of the Grain Handling Tax		
		R.C. ***5737.03***
No provision.	No provision.	Phases out the grain handling tax, reducing the tax rates in half in 2006 and eliminating the tax in 2007. Fiscal effect: Grain handling tax receipts ranged from $229,403 to $287,800 in calendar years 1999-2002. Receipts are distributed to local taxing jurisdictions in proportion to property tax rates levied by each jurisdiction.
416 (CD-1227-TPR Sales and use tax changes from the Streamlined Sales and Use Tax Agreement		
		R.C. ***5739.01, 5739.02,5739.021,5739.034,5739.035,5739. 5739.012,5739.16,5741.16,5741.02,5739.03***
No provision.	No provision.	Provides that county permissive tax levy changes that are not emergency levies and are not placed on the ballot by a board of county commissioners must be adopted at least 120 days prior to the date on which the tax or the rate increase is to go into effect. Fiscal effect: none
No provision.	No provision.	Revises Ohio law regarding exemption certificates so that it complies with the Agreement. Fiscal effect: none
No provision.	No provision.	Changes the manner in which sales of digital goods, computer software or services are sourced when used in more than one taxing jurisdiction and the business consumer does not hold a direct payment permit. This conforms Ohio law to the Streamlined Sales and Use Tax Agreement. Fiscal effect: indeterminate

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Adopts the definitions in the SSTP for various types of communication services. Also exempts sales by a vendor of 900 service to a subscriber and sales of value-added non-voice data services. Fiscal effect: indeterminate revenue loss
No provision.	No provision.	Provides that the definitions of "durable medical equipment" and "mobility enhancing equipment" are mutually exclusive. Fiscal effect: none
No provision.	No provision.	Amends the definition of "price" to address the treatment of coupons, discounts, third party payments and other issues. Also creates a new law regarding the tax treatment of "bundled transactions". Fiscal effect: Potential revenue loss.

417 (CD-1359-TPR Sales and Use Tax -- Repeal of the exemption for sale of investment coins

		R.C. ***5739.02 (B) (35)***
No provision.	No provision.	Repeals the sales and use tax exemption for sales of investment metal bullion and investment coins. Fiscal effect: GRF revenue gain of up to $1.0 million per year.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
418 (CD-1240-TPR Levy Lodging Tax to Build and Equip Convention Centers		
		R.C. ***5739.09, 307.695***
No provision.	No provision.	Provides that within 180 days of July 1, 2005, a board of county commissioners of a county where a lodging tax is already in effect may adopt a resolution to levy an additional lodging tax up to 3% to make payments on bonds and notes issued by or for the benefit of a convention and visitors' bureau or a community improvement corporation to construct and equip a convention center in the county. (The corresponding entry in Local Government Provisions has been removed from the Conference Committee Comparison Document.) Fiscal effect: May increase lodging taxes. May increase expenditures on convention centers in some counties.
419 (CD-1346-TPR Sales and Use Tax: Vendor discount kept at 0.9%		
		R.C. ***5739.12***
No provision.	No provision.	Maintains the vendor discount at 0.9% for a vendor promptly filing sales and use tax returns. Under current law, the vendor discount was to return to 0.75% beginning July 1, 2005. (The discount was temporarily increased to 0.9% for FY 2004 and FY 2005). Fiscal effect: GRF revenue loss of about $16.4 million in FY 2006 and $17.2 million in FY 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
420 (CD-1236-TPR SSTP -- County license fee reimbursement		
		R.C. ***5739.17***
No provision.	No provision.	Creates in the State Treasury the Vendor's License Application Fund in which vendor license fees collected by the Tax Commissioner are deposited. These fees will be transmitted to counties in which the vendor engages in business. Under current law, the Tax Commissioner may establish a registration system for payment of license fees available to remote vendors. Fiscal effect: none
421 (CD-1134-TPR Use tax exemption for cigarettes valued at $300 or less monthly		
	R.C. ***5741.02, 5743.33, 5743.331, and Section 612.27***	
No provision.	Exempts cigarettes from the general use tax and from the cigarette use tax if the wholesale value used, stored, or consumed (other than for resale) is $300 or less per month. Fiscal effect: Significant revenue loss if this provision, in conjunction with the tax rate increase (see CD-636-TPR, Increases in tax rates for tobacco products), results in higher levels of individual bootlegging and organized smuggling. Potential revenue loss will be several millions of dollars.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
422 (CD-1215-TPR Cigarette Tax -- prohibitions against trafficking in unstamped cigarettes		
		R.C. ***5743***
No provision.	No provision.	Changes references in the law regarding prohibitions against possessing unstamped cigarettes from a wholesale value of $60 to an amount of 1,200 cigarettes. Fiscal effect: none.
423 (CD-1217-TPR Cigarette Tax -- enforcement and shipment within the state; other changes to the administration of the tax.		
		R.C. ***5743, 2927.023, 5743.071***
No provision.	No provision.	Makes it an offense punishable by a fine of up to $1,000 to transport or cause to be shipped cigarettes to a person other than an authorized recipient of cigarettes (which is defined in the bill). Also, the bill specifies that a person may not, without prior consent of the Tax Commissioner, transport cigarettes upon which taxes have not been paid if the quantity transported exceeds 1,200 cigarettes; requires that manufacturers and importers obtain licenses from the Tax Commissioner rather than county auditors; provides that the identity of licensed cigarette distributors is subject to public disclosure and requires the Tax Commissioner to maintain a list of all distributors available to the public; makes other changes regarding the sale of cigarettes between manufacturers, wholesalers, and retailers. Fiscal effect: Indeterminate.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
424 (CD-636-TPR Increases in tax rates for tobacco products		
R.C. ***5743.02, 5743.32, 5743.51, 5743.62, 5743.63***	**R.C.** ***5743.02, 5743.32, 5743.51, 5743.62, 5743.6***	**R.C.** ***5743.02, 5743.32, 5743.51, 5743.62, 5743.6***
Increases the cigarette excise tax from 27.5 mills per cigarette to 50 mills per cigarette on July 1, 2005. The executive proposes a 45-cent increase per pack of 20 cigarettes, to $1.00 per pack from the current $0.55 per pack. Fiscal effect: This provision is expected to increase GRF revenues by $304.0 million in FY 2006 and $296.0 million in FY 2007. The yield of the tax increase will depend on cigarette tax rate increases in neighboring states. Increases the existing excise tax on tobacco products other than cigarettes from 17% to 30% of the wholesale price of the tobacco product on July 1, 2005. Consumers are expected to purchase cheaper products as a result of the tax increase. Thus, the tax increase may decrease both overall consumption of other tobacco products and the taxable base because the tax on other tobacco products is an ad valorem tax. Fiscal effect: This provision is estimated to increase GRF revenue by $18.0 million in FY 2006 and $19.5 million in FY 2007. The yield of the tax increase will depend on rate increases in neighboring states. Requires wholesale and retail tobacco dealers to pay the additional tax on inventory in their possession on July 1, 2005 from the increase in the cigarette excise tax to $1.00 per pack of 20 cigarettes. Wholesalers and dealers had previously paid the $0.55 per pack of 20 cigarettes on inventory in their possession.	Same as the Executive.	Same as the Executive, except eliminates the tax rate increase for other tobacco products (OTP), and increases the tax rate for cigarettes from 55 cents to $1.25 per pack of 20 cigarettes instead of $1.00 per pack as in the Executive proposal. Fiscal effect: The increase in cigarette tax rate may increase GRF revenues by $153.0 million in FY 2006 and $147 million in FY 2007 above the gain in the executive proposal. The gain from the floor tax might be up to $20 million above the gain in the executive proposal (FY 2006 only). However, the amount of floor tax revenue will be dependent of the amount of cigarette in inventory on July 1, 2005. Higher cigarette tax rates will reduce taxed consumption and lead to higher levels of smuggling and other tax avoidance strategies, which may reduce estimated revenue gains from the tax increase. The elimination of the tax increase on the OTP decreases GRF revenues by $18.0 million in FY 2006 and $19.5 million in FY 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: The net additional tax on inventory (the floor tax) is expected to increase revenue by $44.0 million in FY 2006 only, and has no fiscal effect in FY 2007.		
425 (CD-1042-TPR Transportation of untaxed cigarettes		
	R.C. *5743.33, section 612.27*	
No provision.	Increases the value (wholesale) of untaxed cigarettes that a person may transport within Ohio without the prior consent of the Tax Commissioner from $60 to $300. Fiscal Effect: None.	No provision.
426 (CD-734-TPR Trust Tax Made Permanent		
R.C. *5747.01, 5747.02*	**R.C. *5747.01, 5747.02***	**R.C. *5747.01, 5747.012, 5747.02***
Extends the tax on trust income past taxable year 2004. Under existing law, the income tax applies to trusts for only three taxable years; namely, the taxable years of a trust beginning in 2002, 2003, and 2004. Fiscal Effect: Increases tax revenue from the personal income tax by an estimated $19 million in FY 2006, and an estimated $55 million for each fiscal year thereafter.	Narrows the definition of who is a qualifying beneficiary of a charitable lead trust, from current, future, and contingent beneficiaries to only current and future beneficiaries. The narrowing of the beneficiary definition narrows the extent to which charitable lead trusts are subject to the income tax. Fiscal Effect: Possible reduction in revenue from that under the Executive proposal.	Removes the provision in the House passed version of the bill that narrows the definition of who is a qualifying beneficiary of a charitable lead trust. Modifies the definition of a "qualifying investment pass-through entity," which is used in determining the taxable income of certain trusts, to specify that a pass-through entity can qualify as a trust if it existed as an entity before June 5, 2002 and as a pass-through entity for all of the taxable year of the trust. Fiscal Effect: Possible increase in revenues from that under the House passed version of the bill.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
427 (CD-1249-TPR Income Tax: Meaning of "Indirectly" Owned		
		R.C. *5747.01*
No provision.	No provision.	Clarifies that the shareholder of a "C" corporation (or of any association treated as a C corporation for federal income tax purposes) does not, by virtue of being a shareholder, indirectly own the assets of the corporation. The clarification includes the case where one corporation is the shareholder of another corporation, unless the corporations satisfy the majority ownership or control test to determine whether the corporations may combine their net income for corporate franchise tax purposes. Clarifies that nonresident shareholders may not claim a credit against a portion of their dividends from a corporation with Ohio income by applying the corporation's apportionment factors to those dividends. Fiscal Effect: Minimal fiscal impact, if any.
428 (CD-786-TPR Pass-through entity tax		
R.C. *5733.40*	**R.C. *5733.40***	**R.C. *5747.012, 5747.01***
Conforms provisions governing the apportionment of expenses paid by a pass-through entity to a related entity with provisions governing a nonresident investor's nonresident credit computation. The apportionment of such expenses is done for the purposes of the withholding tax on pass-through entities with one or more nonresident investors. Expressly provides that, for the purposes of the pass-through entity withholding tax, a nonresident investor's distributive share of a pass-through entity includes income items from a qualified subchapter S subsidiary ("QSSS"). Fiscal Effect: Minimal fiscal impact, if any.	Same as the Executive.	Same as Executive

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Modifies the definition of a "qualifying investment pass-through entity," which is used in determining the taxable income of certain trusts, to specify that a pass-through entity can qualify as a trust if it existed as an entity before June 5, 2002 and as a pass-through entity for all of the taxable year of the trust. Fiscal Effect: Minimal impact, in any.

429 (CD-1251-TPR Income Tax: Treatment of Sale of an Interest in a Business

		R.C. ***5747.212***
No provision.	No provision.	Modifies the current income tax treatment of nonresidents selling an interest in a pass-through entity (the gain or loss of other income is taxable) to cover situations where a pass-through entity is converted from pass-through entity status to some other status within three years before the nonresident's taxable year in which the interest is sold. Applies if the interest is in an entity that is a pass-through entity, if five or fewer persons owned all the voting equity, or if one person owns at least 50% of voting equity on any day in that three-year period. As under current law, the nonresident's income from the sale is apportionable on the basis of the entity's apportionment factors for the year of the sale and the two preceding years for the purposes of the nonresident computing the nonresident income tax credit. Fiscal Effect: Minimal fiscal impact, if any.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
430 (CD-648-TPR CAT - The Commercial Activity Tax		
R.C. ***5751.01, 140.08, 5703.052, 5703.053, 5703.5 5703.70, 5751.02 to 5751.12, 5751.20 to 5751.22, 5751.31***	**R.C.** ***5751.01, 140.08, 5703.052, 5703.053, 5703.50, 5703.70, 5751.02 to 5751.12, 5751.20 to 5751.22, 5751.31***	**R.C.** ***5751.01, 140.08, 5703.052, 5703.053, 5703.50, 5703.70, 5751.02 to 5751.12, 5751.20 to 5751.22, 5751.31***
Imposes a privilege tax or the " commercial activity tax" equal to 0.26% of gross receipts in excess of $1 million annually. All entities with annual gross receipts above $40,000 and less than $1 million will pay $100 in commercial activity tax liability.	Same as the Executive.	Same as the Executive, except raises the threshold at which a person becomes subject to the CAT from $40,000 to $200,000 and the minimum tax from $100 to $175. Also expands the scope of activities taxable under the CAT to any activity conducted for or resulting in gain, income, or profit, specifies that the tax is not a transactional tax, and expressly provides that the tax applies to all persons with substantial nexus with Ohio. Fiscal effect: The net effect of raising both the CAT threshold and the minimum fee may be a potential CAT revenue loss of up to $1.0 million per year.
Phases in a rate adjustment for the commercial activity tax. The executive proposes the Tax Commissioner adjust the rate by September 2007 if the commercial activity tax receipts are 10% above or below the target of $815 million in the first two years.	Same as the Executive, but provides for two more future rate adjustments to the CAT if revenue is more than 10% above or below certain prescribed thresholds. If FY 2008 CAT revenues exceed $859 million, the excess is credited to the Budget Stabilization Fund (BSF) up to $42.95 million. Any excess revenue above $42.95 million is credited to the tax rate stabilization fund (TRSF). Any excess revenue above $85.9 million is credited to BSF. If excess revenue is greater than $85.9 million, the CAT rate must be adjusted downward for 2009 and thereafter so that it equals the rate that would have produced $859 million in FY 2008. If revenue is less than 90% of $859 million ($773.1 million), then the tax rate is adjusted upward to the rate that would have generated $859 million during FY 2008. Similar transfers and adjustments are required in 2010. If FY 2010 CAT revenues exceeds $1.548 billion, the excess is credited to the BSF up to $77.4 million; any excess revenue	Same as the Executive, except modifies the CAT rate adjustment process, creates a commercial activity tax reduction fund in state treasury, and establishes a permanent mechanism (which includes the calculation of "excess revenues") designed to reduce each year's CAT tax rate if revenues exceeds projections. If revenue exceeds those projections ($1.594 billion in FY 2011 and thereafter), the excess is placed in a special fund and credited toward the following year revenue target. The tax rate for the following year is reduced accordingly to raise the difference. The Tax Commissioner must report the excess to the General Assembly which shall review the report and make the appropriate CAT rate adjustment. States the intent of the General Assembly to review the CAT revenue limitation mechanism and to lower the revenue limitation or reduce the rate or both. The review will be

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	above $77.4 million is credited to the tax rate stabilization fund up to $154.8 million; any excess revenue above $154.8 million is credited to the BSF. If excess revenue is greater than $154.8 million, the CAT rate is adjusted downward for 2011 and thereafter so that it equals the rate that would have produced $1.548 billion in FY 2010. If revenue is less than 90% of $1.548 billion ($1.3932 billion), the tax rate is adjusted upward to the rate that would have generated $1.548 billion during FY 2010. Fiscal effect: None in FY 2006 or FY 2007. Potential future rate decreases would decrease CAT revenues in future years.	conducted every two years in conjunction with the biennial budget deliberation and will take into account the tax's yield, the condition of the state economy and any savings from Medicaid reform or other policy initiatives. . Fiscal effect: none during the biennium.
No provision.	Creates in the state treasury the tax rate stabilization fund which will receive transfers of "excess" CAT revenues. Funds in the tax rate stabilization fund must be used for reducing the rates of the individual income tax permanently	No provision.
Requires taxpayers to pay the tax on a calendar quarter basis	Same as the Executive, but restructures the CAT so that it is clearly an annual privilege tax payable on a quarterly basis.	Same as the Executive.
Proposes as the CAT payment and filing deadline the 40th day after the end of the quarterly or annual tax period.	Changes the proposed CAT filing and payment deadlines to the 15th day of the second month after the end of the tax period.	Same as the Executive.
Provides for the refund of CAT tax liability.	Same as the Executive, but specifies the conditions under which an outstanding debt owed by a CAT taxpayer becomes final and offsets a refund of CAT liability.	Same as the House.
Provides that the sampling of taxpayer receipts during audits is allowed.	Same as the Executive, but requires any sampling method to be adopted by administrative rule, and requires the Tax Commissioner to try in good faith to reach agreement on the sampling method with the taxpayer.	Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Fiscal effect: Earmarks revenue from the commercial activity tax for the GRF and for reimbursing school districts and other local governments for reductions and phase-outs of local taxes on most tangible personal property. Varying percentages are applied to the distribution of revenues from the commercial activity tax. For FY 2006, GRF will receive 83% of the revenues from the commercial activity tax. The School District Tangible Property Tax Replacement Fund (SDRF) will receive 11.9% of revenues from the commercial activity tax. The Local Government Tangible Property Tax Replacement Fund (LGRF) will receive 5.1% of revenues from the commercial activity tax. For FY 2007, GRF will receive 37.3% of the revenues, the SDRF will receive 43.9%, and the LGRF will receive 18.8%. The Department of Taxation estimates that the commercial activity tax will provide to the GRF $220.0 million in FY 2006 and $205 million in FY 2007.	Fiscal effect: Same as the Executive.	Fiscal effect: Makes changes to the distribution of CAT revenues to GRF, SDRF, and LGRF. For FY 2006, GRF will receive 67.7% of CAT revenues, the SDRF will receive 22.6%, and the LGRF will receive 9.7% of CAT revenues For FY 2007, the GRF will not receive distributions from CAT revenues. Instead, the SDRF will receive 70.0% of CAT revenues, and the LGRF will receive 30.0% of CAT revenues. Thus, revenues to the GRF might be reduced by about $ 41 million in FY 2006 and $205 million in FY 2007 (compared to the Executive).

431 (CD-1148-TPR CAT - Calculation of Taxable Gross Receipts

R.C. *5751.01*	R.C. *5751.01*	R.C. *5751.01*
Defines taxable gross receipts, the tax base for the commercial activity tax, as amounts realized on sales by a person on transactions that contribute to the production of gross income without deductions for cost of goods sold or other expenses. Excludes certain amounts from the calculation of taxable gross receipts, including unless the amount is received in the taxpayers's ordinary course of business (for a complete list of exclusions, please see the bill analysis):	Same as the Executive, but clarifies the basic definition of "gross receipts" to state that they are amounts realized from sales by a person in transactions contributing to the production of gross income of that person. Removes the provisions that denies the exclusion if an amount is received in the ordinary course of business and makes the following changes and additions to the amounts excluded from taxable gross receipts:	Same as the House, except clarifies the definition of "gross receipts" to recognize that taxable receipts are not limited to receipts derived from "sales" and specifies that only the person receiving the gross receipts is subject to the CAT. Subjects to the CAT receipts from interest, dividends, distributions, and receipts from the sales, exchange, or disposition of capital assets that are received in the ordinary course of business. Also defines an "agent" for purposes of the CAT as a person that acts on behalf of another person to undertake a transaction for that person.
(1) Interest income;	(1) Same as the Executive, but interest on credit sales is not excluded.	(1) Same as the House, except as note above regarding receipts in the ordinaty course of business.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(2) Dividends and distributions;	(2) Same as the Executive, but also excludes an investor's pass-through income from an S-corporation, partnership, limited liability company, or other kind of pass-through entity. Fiscal Effect: Potential revenue loss compared to Executive.	(2) Same as the House, except as noted above regarding receipt in the ordinary course of business.
(3) Sales and use taxes collected by a vendor.	(3) Same as the Executive.	(3) Same as the Executive.
(4) No provision.	(4) Federal and state excise taxes paid on cigarettes and tobacco products. Fiscal Effect: Decreases CAT revenue by about $3.0 million in each fiscal year of the biennium.	(4) Same as the House.
(5) No provision.	(5) Federal and state taxes on alcoholic beverages. Fiscal Effect: Reduces CAT revenue by $1.1 million each year of the biennium (according to Department of Taxation estimate).	(5) Same as the House.
(6) No provision.	(6) Specifies that only commissions in receipts of a state liquor agency are included in taxable gross receipts. Fiscal Effect: None. (assuming that receipts in excess of commissions were not intended to be in the CAT tax base)	(6) Same as the House.
(7) No provision.	(7) Federal and state motor fuel taxes. Fiscal Effect: Decreases revenues from the commercial activity tax by $9.0 million each year of the biennium.	(7) Same as the House.
(8) No provision.	(8) Pari-mutuel horse racing wagers received by a horse racing agent. Fiscal Effect: Potential revenue loss.	(8) Same as the House, except the exclusion from gross receipts applies only to the portion of pari-mutual wagers that legally must be held as purse money or collected as tax . Also removes permit holders from the definition of "agent".
(9) No provision.	(9) Receipts from sales of lottery tickets in excess of agents' commissions, bonuses, and reimbursements. Fiscal Effect: None.	(9) Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(10) No provision.	(10) Gross receipts received by one motor vehicle dealer for selling a motor vehicle to another dealer that intends to resell the motor vehicle. Fiscal Effect: Indeterminate revenue loss.	(10) Same as the House, except clarifies that the exclusion from taxable receipts applies only to those transactions by new and used motor vehicle dealers that are needed to meet a specific customer's preference for a motor vehicle.
(11) No provision.	(11) Amounts or gross receipts received from transactions between electric companies and regional transmission organizations regardless of whether they are received in the ordinary course of business or as a form of payment for an otherwise taxable transaction. Fiscal Effect: Indeterminate revenue loss.	(11) Same as the House.
(12) No provision.	(12) Receipts from selling accounts receivables to the extent the receipts from the transaction giving rise to the receivable were previously included in the taxpayer's receipts. Fiscal Effect: Potential revenue loss.	(12) Same as the House.
(13) No provision.	(13) Hunting, fishing and similar license fees collected by a person authorized to issue such licenses, but does not exclude the $1 fee such persons may charge for issuing the license. Fiscal Effect: Minimal decrease in CAT revenue.	(13) Same as the House.
(14) No provision.	(14) Specifies that the taxable base for the CAT includes only the part of the real estate brokerage fee retained by the broker and not paid to another broker or to a real estate salesperson. Fiscal Effect: Indeterminate reduction in revenue.	(14) Same as the House, except the exclusion applies only to the portion of the fee that applies in transactions in which the taxpayer is acting as a real estate broker. Also specifically excludes from gross receipts any funds received by a mortgage broker under a "table-funded" or "warehouse-lending" mortgage loan. LSC assumes that mortgage brokers' receipts for transactions not specified or where the taxpayer is not acting as a real estate broker are taxable.
Specifies that gross receipts be calculated on an accrual basis, rather than a cash basis, unless the taxpayer is not required to used accrual basis accounting for federal income tax purposes.	Same as the Executive, but clarifies that the taxpayer must use the same accounting method (generally cash or accrual) for the CAT as it uses for federal income tax purposes for the same period of time.	Same as the House, except clarifies that amounts "received" includes the accrual of an amount if the accrual method is used.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Creates a new exclusion for receipts for services provided to a financial institution in connection with issuing, processing, servicing, and managing loans or credit accounts, if such financial institutions and the recipients of the receipts have at least 50% of their ownership interests owned and controlled by common owners. Fiscal effect: Potential revenue loss.
No provision.	No provision.	Creates a new exclusion for gross receipts received from administering cancer treatment drugs in a physician's office to patients with cancer. Fiscal effect: potential revenue loss.
No provision.	No provision.	Specifies that taxpayers must include in their taxable gross receipts the value of property received outside Ohio and transferred into Ohio within one year after its receipt, unless the Tax Commissioner ascertains that the transfer was not carried out for purposes of avoiding the CAT. Fiscal effect: none (however, prevents potential revenue loss from such tax avoidance)
No provision.	No provision.	Adds an exemption from gross receipts for receipts realized by a person engaged in selling securities in excess of the gain on the sale of those securities. Fiscal effect: potential revenue loss (compared to the Executive)
No provision.	No provision.	Excludes from the CAT amounts derived from the sale of TPP that is delivered into or shipped from certain foreign trade zones that include a transshipment station capable of receiving and shipping freight by rail, highway, and air transportation. Fiscal effect: indeterminate revenue loss
No provision.	No provision.	Provides that property, money and other amounts received by a professional employer organization from a client employer in excess of the administrative fee charged by the

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		organization are not gross receipts that are subject to the CAT. Fiscal effect: potential loss.

432 (CD-742-TPR CAT ---Tax Credits

R.C. *5751.50, 5751.51,5751.52, 5751.98*	R.C. *5751.01, 5751.50, 5751.51, 5751.52, 5751.9 122.17, 122.*	R.C. *5751.01, 5751.50, 5751.51, 5751.52, 5751.9 122.17, 122.*
Permits the following four credits that currently apply to the corporation franchise tax and personal income tax to be applied against the commercial activity tax beginning in 2008.	Same as the Executive, but specifies that the credits can be applied against the CAT beginning on or after July 1, 2008 and can no longer be applied against the corporation franchise tax or the personal income tax after that date. If not fully utilized, the credit could be carried forward and used against the CAT. Fiscal effect: The fiscal effect of this provision occurs outside the biennium.	Same as the House.
(1) Creates a refundable job creation tax credit;	(1) Same as the Executive.	(1) Same as the Executive, except specifies that unused portions of the job creation credits automatically convert to credits against the CAT in 2008.
(2) Creates a nonrefundable job retention tax credit. This tax credit will not be allowed against the commercial activity tax if it was available against the corporate franchise tax or the personal income tax, except to the extent the credit was not applied against those taxes.	(2) Same as the Executive, but permits the Tax Credit Authority to continue entering into agreements for job retention tax credits after June 30, 2007. Also specifies that the capital investment projects for which a job retention credit may be granted include project costs paid after December 31, 2006. Fiscal Effect: Future potential revenue loss.	(2) Same as the House, except specifies that unused job retention credits automatically convert to credits against the CAT in 2008.
(3) Creates a nonrefundable tax credit for qualified research expenses. The credit is equal to seven percent of the excess of qualified research expenses over the taxpayer's average annual qualified research expenses incurred in the three preceding calendar years. This credit may be carried forward for seven calendar years. The tax credit will not be	(3) Same as the Executive.	(3) Same as the Executive, except specifies that unused portions of the credit may be applied against the CAT beginning in 2008.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
allowed against the commercial activity tax if it was available against the corporate franchise tax or the personal income tax, except to the extent the credit was not applied against those taxes.		
(4) Creates a nonrefundable credit for qualified research and development loan payments. The credit is equal to the a borrower's qualified research and development loan payments made during the calendar year preceding the tax period for which the taxpayer is claiming the credit. The amount of the credit for a calendar year shall not exceed $150,000 and the taxpayer must obtain a certificate issued by the director of development. The credit may be carried to the next tax period or periods. The aggregate credit for loan payments against the personal income tax, the corporate franchise tax, and the commercial activity tax cannot exceed $150,000 per year per taxpayer.	(4) Same as the Executive.	(4) Same as the Executive, except specifies that the credit may be applied against the CAT beginning in 2008.
Requires that the tax credits against the CAT be taken in the following order: First, the nonrefundable jobs retention tax credit; then, the nonrefundable credit for qualified research expenses; then, the nonrefundable credit for a borrower's qualified research and development loan payments; and, the refundable jobs creation tax credit.	Same as the Executive.	Same as the Executive.
No provision.	No provision	Permit corporations subject to the corporation franchise tax that have a net operation loss deduction of more than $50 million to claim a tax credit against the CAT beginning in 2010. The credit will be phased in over 10 years, but may not exceed 50% of the taxpayer's CAT liability in any year (after deducting any other credits). Fiscal effect: revenue loss in future years outside the biennium.
Fiscal effect: Revenue loss from these tax credits in future years.	Same as the Executive.	Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
433 (CD-1150-TPR CAT - Taxpayers and Taxpayer Groups		
R.C. ***5751.01, 5751.04, 5711.22, 5733.01, 5751.03 5751.31***	**R.C.** ***5751.01, 5751.04, 5711.22, 5733.01, 5751.0 5751.31***	**R.C.** ***5751.01, 5751.04, 5711.22, 5733.01, 5751.0 5751.31***
Specifies that the commercial activity tax (CAT) applies to any legal person with more than $40,000 in annual taxable gross receipts in Ohio regardless of the person's legal or organizational form, unless they are specifically excluded.	Same as the Executive.	Same as the Executive, but increases the $40,000 threshold to $200,000.
Specifies that nonprofit organizations are subject to the tax, but only on the gross receipts underlying any unrelated business income that is taxable for federal income tax purposes.	Same as the Executive.	Same as the Executive, except further clarifies that the CAT applies only to unrelated business taxable income. Fiscal effect: none.
Excludes public utilities, financial institutions, dealers in intangibles, insurance companies, and nonprofits without unrelated business income. These business entities will continue their current tax regimes.	Same as the Executive, but also exempts bank holding companies, financial holding companies, financial service companies, and majority-owned affiliates of all those companies. Also, the provision exempts majority-owned affiliates of financial institutions and insurance companies. All of these exempted companies would be subject to the corporation franchise tax if they are C corporations. Fiscal Effect: Excluding all affiliates of financial institutions and insurance companies will reduce CAT revenues by $2.2 million in FY 2006 and $9.6 million in FY 2007. The amount of revenue loss will grow each year.	Same as the House, except narrows the exemption for financial-type companies to those engaged only in activities allowed for a financial holding company under federal law. However, if a nonfinancial company is held as a part of a merchant banking activity, the company may not be exempted from the CAT. For legal entities majority-owned by insurance companies, the bill requires that the insurance companies be authorized to do business in Ohio. Also excludes from the CAT persons formed by financial institutions solely for the purpose of facilitating or servicing securitizations transactions for financial-type institutions exempt from the CAT. Fiscal effect: indeterminate reduction in revenue loss (compared to the House).
Defines what constitutes "substantial nexus", including a "bright-line presence" test providing that an out-of-state business will have nexus with Ohio and be taxable under the CAT if it has over $50,000 in real or personal property, $50,000 in payroll for work in Ohio, $500,000 in taxable gross receipts, or has 25% or more of its activity in the state.	Eliminates the bright-line test from the nexus standards. Fiscal effect: Potential revenue loss compared to the Executive.	Same as the Executive, except specifies that the bright-line presence is measured on a calendar year basis. Fiscal effect: none

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
Prohibits a taxpayer from billing or invoicing of the CAT to another person.	No provision.	Same as the Executive, but clarifies that a taxpayer is not prohibited from adding the tax in the price of good or service and the tax remains part of the price for purposes of the sales and use tax.
Excludes from the CAT taxable receipts of members of a consolidated group taxpayer, except for sales to a member of the consolidated group for the use of the member in Ohio. Receipts are not excluded if they are received from sales to persons outside the group.	Same as the Executive, but excludes all receipts from sales between the group's members, including sales to a member for the member's own use in Ohio. Also excludes receipts from sales of electricity through an intermediary regional transmission organization. Fiscal Effect: Indeterminate revenue loss when compared to the executive's definition of CAT receipts.	Same as the House.
No provision.	Provides for the possibility that a taxpayer that was formerly a member of a consolidated taxpayer group under the CAT might become a member of a new consolidated group, and therefore must file with its new group. Fiscal effect: None	Same as the House.
No provision.	Provides that a combined utility company owes the CAT liability on gross receipts attributable to the activity of an electric company (including rural electric company) and activities other than the activity of a heating company or a natural gas company. Assuming that the companies exempted under the provision are taxable under the public utility excise tax, this provision has little fiscal impact. Fiscal Effect: Minimal.	Same as the House, except clarifies that a combined company must pay the CAT with regard to taxable gross receipts directly attributed to a public utility activity, but not directly attributed to an activity that is subject to the public utility gross receipts tax.
Requires every legal person subject to the commercial activity tax to register by November 15, 2005 or within 30 days of being subject to the tax. Imposes an initial registration fee of $15 or $20 for CAT taxpayers.	Same as the Executive, but applies a taxpayer's CAT registration fee toward the taxpayer's tax liability. Fiscal Effect: Reduces CAT revenue by $6.5 million in FY 2006 and $0.5 million in FY 2007.	Same as the House.
Provides that business privileges may be revoked for noncompliance with the CAT law.	Same as the Executive, but prescribes the legal proceedings against taxpayers failing to report and pay the CAT, similar to the provisions for the corporate franchise tax and the	Same as the Executive, but prescribes a more specific administrative revocation process, and prohibits a person from reregistering until all outstanding taxes, penalties, and

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
	personal income tax. Fiscal Effect: None.	interest are paid in full. Fiscal effect: none
No provision.	No provision.	Provides that instrumentalities of the state (for example universities) are excluded from the CAT. Fiscal effect: indeterminate revenue loss (compared to the Executive)
Permits multiple persons to elect to be treated as a single consolidated taxpayer if those persons are 50% or more owned or controlled by common owners.	Same as the Executive.	Changes the consolidated election ownership test by specifying that persons not subject to the CAT may be included in the group, and receipts from sales among those excluded persons and others in the group are also not taxable. Also Specifies that foreign corporations may not be included as part of a consolidated elected taxpayer and increases the common ownership for a consolidated elected taxpayer from 50% to 80%. Provides that a consolidated elected group may make an election with respect to domestic persons to include either all of the persons with at least an 80% ownership interest or all of the persons with more than a 50% ownership interest. Permits a consolidated group to make an election to include all of its foreign corporations meeting the ownership interest or one of them. Also specifies that the common owner of a group of taxpayers electing consolidated treatment as a single CAT taxpayer also is a member of the group. Also permits companies in a consolidated group to exclude receipts from sales to other members of the group even if those other members are not subject to the CAT. Fiscal effect: indeterminate

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
434 (CD-1149-TPR CAT- Situsing Gross Receipts to Ohio		
R.C. *5751.032*	**R.C. *5751.032, Section 557.13***	**R.C. *5751.033, Section 557.13***
Specifies that only gross receipts sitused to Ohio are taxable under the commercial activity tax. Prescribes specific situsing rules for various kinds of gross receipts. The following kinds of receipts are sitused to Ohio:	Same as the Executive, but makes the following changes to the situsing rules:	Same as the House, except requires that gross receipts from the sale of transportation services by a common or contract carrier be sitused in Ohio based on the mileage in this state as compared to everywhere else.
(1) Gross rents and royalties from real property located in Ohio.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Gross rents and royalties from tangible personal property (TPP) to the extent it is located or used in Ohio.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Gross receipts from the sale of real property located in Ohio.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Gross receipts from the sale of TPP if the property is received in Ohio by the purchaser.	(4) Same as the Executive, but specifies that property received in the state for transportation by the purchaser to a location outside Ohio is not to be sitused in Ohio, but rather to the place where the property is ultimately located. Also, TPP delivered into a foreign trade zone located in Ohio for the purpose of delivery out of Ohio without regards to the passage of title and repackaging for further shipping purposes, shall be sitused to the location at which the person or person's affiliated customer delivers the property outside Ohio. Fiscal effect: Potential revenue loss compared to the Executive.	Same as the House, but clarifies that TPP delivered to a purchaser who transports the property to a location outside Ohio is to be sitused to the location where the property is ultimately received after all the transportation has been completed. Fiscal effect: none
(5) Gross receipts from trademarks, trade names, patents, copyrights, and similar intellectual property to the extent the property is used in Ohio.	(5) Same as the Executive.	(5) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(6) Gross receipts from the sale of services, and all other gross receipts not otherwise mentioned above are sitused to Ohio proportionately to the purchaser's benefit in Ohio.	(6) Same as the Executive, but clarifies that the location where the purchaser receives the benefit of services is "paramount" which is similar to situsing standards under the corporate franchise tax. Fiscal Effect: Potential revenue loss.	(6) Same as the House.
(7) Gross receipts from the sale of electricity and electric transmission and distribution services are sitused in the same manner as under the corporate franchise tax.	(7) Same as the Executive.	(7) Same as the Executive.
No provision.	Requires the Tax Commissioner to follow "a body of case law" addressing the situsing of sales under the corporation franchise tax when situsing sales under the CAT situsing law.	No provision.
No provision.	No provision.	Prescribes situsing rules for determining how various receipts from financial transactions are deemed to occur in Ohio for a taxpayer that is not on the list of exempted persons. Fiscal effect: none

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
435 (CD-1314-TPR Telephone Company Tax Credit for Tax Year 2005		
		Section: ***557.04***
No provision.	No provision.	Permits full recovery in tax year 2005 of an existing tax credit under the corporate franchise tax (CFT). The credit is for telephone companies that provide programs that aid the communicatively impaired. Telephone companies were exempted from the public utility excise tax and subject to the CFT beginning in tax year 2005. For tax year 2005, they were required to compute taxes owed and net operating loss carry forward by multiplying the tax owed, net of nonrefundable credits, or the loss for the tax year, by 50%. This feature of existing law was to solve timing issues in moving from one tax to the other, but had the effect of limiting the amount of this credit that a company could claim. This provision removes the limitation. Fiscal effect: Would reduce revenue to the GRF, the Local Government Fund, and the Local Government Revenue Assistance Fund. The total revenue loss may be in the millions.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
436 (CD-712-TPR First tax return under the Commercial Activity Tax		
Section: *557.09*	**Section: *557.09***	**Section: *557.09***
Establishes how the commercial activity tax will be calculated for the semi-annual period from July 1, 2005 through December 31, 2005 for calendar year and calendar quarter taxpayers. The commercial activity tax return for the period is due by February 15, 2006. The semi-annual tax payment for all taxpayers for that semi-annual period will be $50 for the first $500,000 in taxable gross receipts. For taxable receipts above the first $500,000, the commercial activity tax will be 0.06% of taxable gross receipts in excess of $500,000. Any taxpayer with less than $40,000 in taxable gross receipts is exempt from the tax. Fiscal effect: None	Converts the CAT from a quarterly tax to an annual tax payable on quarterly basis. Fiscal effect: none	Same as the Executive, except the six-month minimum tax equals $88 instead of $50 (reflecting the Senate's increase in the annual minimum tax to $175) and the threshold is increased to $200,000.
437 (CD-1378-TPR Telecommunications Personal Property Tax Study Committee		
		Section: *557.13.12*
No provision.	No provision.	Creates the Telecommunication Personal Property Tax Study Committee to review the equity of the TPP tax rates that apply to the various entities providing telecommunications services. The committee will have nine members: three members of the Senate, three members of the House, the Chairperson of the Public Utilities Commission, the Director of Development, and the Tax Commissioner. The members of the committee will not receive compensation, nor with they receive reimbursement for expenses. The committee shall report its findings to the General Assembly not later than December 31, 2005, and then shall cease to exist. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
438 (CD-1265-TAX Criminal Penalties Under the Tax Code		
		R.C. ***5703.26, 5703.99, 5727.99, 5728.99, 5731.9 5735.99, 5739.99, 5741.99,5743.99, and 5747.99***
No provision.	No provision.	Changes certain criminal penalties under the tax code from unclassified misdemeanors to classified misdemeanors. Fiscal effect: None.
439 (CD-1112-TAX Interest Rate on Estate Tax and Personal Property Tax Overpayments and Underpayments Changed, Penalty for Late Estate Tax Payments and Filin		
	R.C. ***5703.47, 5719.041, 5731.22, and 5731.23, and Section 612.21***	
No provision.	Reduces the rate at which interest accrues on estate tax and personal property tax overpayments and underpayments. Increases the penalty for late estate tax payments and filings and authorizes county auditors to forgive such penalties for good cause. Fiscal effect: This provision has minimal fiscal effect to the state and to counties.	No provision.
440 (CD-1263-TAX Tax Commissioner Quarterly Reports on Tourism-related Tax Revenues		
		R.C. ***5739.36***
No provision.	No provision.	Requires the Tax Commissioner to prepare quarterly reports summarizing tax revenue associated with the travel and tourism industry. Fiscal effect: Minimal.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
441 (CD-983-TAX) Small Township and Village Relief Fund		
	Sections: ***209.78.09, 209.78***	
No provision.	Authorizes the Tax Commissioner to adopt rules to implement a small township and village relief fund to aid small townships and villages in providing essential services to its residents. Requires the Tax Commissioner to determine the distribution method. The corresponding item "Small Township and Village Relief Fund" in RDF has been removed from the Conference Committee Comparison Document. Fiscal effect: None.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
442 (CD-967-TAX) Tax Amnesty Program		
	Sections: ***553.01, 212.09, 312.10***	**Sections:** ***553.01, 212.09, 312.10***
No provision.	Requires that the Tax Commissioner administer a temporary tax amnesty program from November 1, 2005, to December 15, 2005, under which taxpayers who voluntarily pay outstanding state taxes, tangible personal property taxes, county and transit authority sales taxes, and school district income taxes are not required to pay penalties associated with those outstanding taxes, are excused from having to pay one-half of the interest accruing on the taxes, and are immune from criminal and civil actions in connection with the taxes. Creates a new appropriation item, 110-630, Tax Amnesty Promotion and Administration (Fund 5BW), to implement and pay for expenses incurred in promoting and administering the tax amnesty program in the Department of Taxation. Requires a transfer of $2,000,000 from the Budget Stabilization Fund to appropriation item 110-630, Tax Amnesty Promotion and Administration (Fund 5BW). Requires the Director of Budget and Management to transfer the first $2,000,000 of revenue received from the tax amnesty program to the Budget Stabilization Fund, the next $10,000,000 to the General Revenue Fund, and the remaining excess fund balance to the Budget Stabilization Fund. Fiscal effect: This provision has the potential to create additional revenue for the general revenue fund.	Same as the House except, changes the source of one-time payment to support the administration of the Tax Amnesty Program from the Budget Stabilization Fund to the Tax Reform System Implementation Fund (Fund 228). Clarifies that the Tax Amnesty Promotion and Administration Fund is created within the State Treasury. Fiscal effect: This provision has the potential to create additional revenue for the general revenue fund.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
443 (CD-1379-TAX Joint Legislative Tax Reform Impact Study Committee		
		Section: ***557.13.09***
No provision.	No provision.	Creates a joint legislative study committee with ten members to study the effects on school districts and other local taxing units of the bill's phase-out of tangible personal property taxes and the revenue impact of the commercial activity tax. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
444 (CD-1316-TUP Transfer of Tobacco Master Settlement Agreement Dollars to ODJFS		
		Section: ***312.24***
No provision.	No provision.	Requires the Director of Budget and Management, at the start of fiscal years 2006 and 2007, to transfer from the Tobacco Master Settlement Agreement Fund (Fund 087) $6 million cash to the Children's Hospitals Fund (Fund 5CR in the Department of Job and Family Services). The amounts being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.
		Fiscal effect: This provision reduces the amount of Tobacco Master Settlement dollars that will be transferred to the Tobacco Use Prevention and Control Foundation in FYs 2006 and 2007.
		(See the item entitled "Inpatient Supplemental Payment Program for Children's Hospitals" in Job and Family Services)
445 (CD-1317-TUP Transfer of Tobacco Master Settlement Agreement Dollars to the Department of Mental Health		
		Sections: ***312.24, 209.06***
No provision.	No provision.	Requires the Director of Budget and Management, at the start of fiscal years 2006 and 2007, to transfer from the Tobacco Master Settlement Agreement Fund (Fund 087) $4 million cash to the Adult Emergency Assistance Fund (Fund 5CS in the Department of Mental Health). The amounts being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		Fiscal effect: This provision reduces the amount of Tobacco Master Settlement dollars that will be transferred to the Tobacco Use Prevention and Control Foundation in FYs 2006 and 2007.
		(See the item entitled "Transfer of Tobacco Master Settlement Agreement Dollars" in the Department of Mental Health)

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
446 (CD-1253-DOT Transportation Improvement District Bond Refunding Through the State Infrastructure Bank		
		R.C. ***5531.10***
No provision.	No provision.	Allows the State Infrastructure Bank (SIB) Bond Program, which the Director of Transportation administers, to refund certain bonds issued by a transportation improvement district (TID). The Treasurer of State is the issuing authority for SIB bonds, including any that would be issued to refund TID bonds. Fiscal effect: Potential savings to the Highway Operating Fund by refunding bonds resulting in reduced debt service payments.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
447 (CD-952-TOS Office of Information Technology		
	R.C. ***125.041, 125.18***	**R.C.** ***125.041, 125.18***
No provision.	Provides that the Office of Information Technology that the bill creates in the Department of Administrative Services does not superintend the offices of state elected officials in their development or use of information technology. Also see subject item " Office of Information Technology" in DAS. Fiscal effect: None.	Same as House Passed, except expands the list of state governmental bodies that would not be included within the jurisdiction of the proposed Office of Information Technology within the Department of Administrative Services to include the five state retirement systems. Fiscal effect: None.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
448 (CD-1178-TTA Index Operating Fund		
		R.C. *3334.19*
No provision.	No provision.	Creates the Index Operating Fund and specifies that the Authority may, at its discretion, deposit into and make payments from either the Index Operating Fund or the Variable Operating Fund in connection with the Variable College Savings Program. Further clarifies that these two funds are created in the state treasury (not as custodial funds).

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
449 (CD-1250-OVH Ohio's Veterans' Homes Rental, Service, and Medicare Reimbursement Fund		
		R.C. *5907.15*
No provision.	No provision.	Expands the permissible uses of the moneys in the Rental, Service, and Medicare Reimbursement Fund to include the purchase of medication services.
No provision.	No provision.	Fiscal effect: In H.B. 66, appropriation item 430-603, Rental and Service Revenue (Fund 484), in the general services fund group, is appropriated $882,737 in each fiscal year. Funds are currently used to purchase items such as food products and to maintain the areas of the Veterans' Home that are rented or leased. This provision will allow medication services to also be paid for out of the fund.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
450 (CD-909-DVM) Veterinary Student Loan Program		
	Section: ***212.30***	
No provision.	Requires the Veterinary Medical Licensing Board to implement a student loan repayment program for veterinary students focusing on large animal populations, public health, or regulatory veterinary medicine. Funds the program by a $60,000 transfer from the Occupational Licensing and Regulatory Fund (Fund 4K9) to the new Veterinary Student Loan Program Fund (Fund 5BU) in FY 2006, but appropriates no moneys for this in FY 2007.	No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
451 (CD-1368-BW(Financial Disclosure Statements		
		R.C. ***102.02, 102.06***
No provision.	No provision.	Requires the Administrator of Workers' Compensation, each voting member of the Workers' Compensation Oversight Commission, and the Chief Investment Officer of the BWC to file financial disclosure statements under the Ohio Ethics Law. Also permits the Ohio Ethics Commission, while investigating complaints against a voting member of the Workers' Compensation Oversight Commission, to share information it gathers in the course of its investigation with the Attorney General and the Auditor of State.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
452 (CD-1390-BW(Breach of Fiduciary Responsibilities and Rights to Legal Counsel		
		R.C. ***109.98, 109.981***
No provision.	No provision.	Specifies that if the Attorney General maintains a civil action against a state retirement board for breach of fiduciary responsibility, as authorized under section 109.98 of the Revised Code, the board may retain independent legal counsel, including legal counsel provided by the board's fiduciary insurance carrier, to advise the board and to represent the board. Additionally, the Attorney General is authorized to maintain a civil action against voting members of the Workers' Compensation Oversight Commission for harm resulting from a breach of fiduciary responsibility. The Commission is similarly authorized to obtain legal counsel in such an incident, and the Attorney General is permitted to recover damages or to be granted injunctive relief, which may include the removal of board members from the Commission. Any damage awards are payable to the Bureau of Workers' Compensation.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
453 (CD-1392-BW(Licensing Requirements and Duties of the Division of Securities		
		R.C. ***1707.164, 1707.01, 1707.165, 1707.17, 1707.19, 1707.20, 1707.22, 1707.23, 1707.2 1707.261***
No provision.	No provision.	Requires that the Chief Investment Officer of the BWC be licensed by the Division of Securities within the Department of Commerce as a Bureau of Workers' Compensation Chief Investment Officer. Prohibits a Bureau of Workers' Compensation Chief Investment Officer from acting as a dealer, salesperson, investment advisor, or investment advisor representative. Specifies that upon application to the Division of Securities for the position of Bureau of Workers' Compensation Chief Investment Officer, the Division may investigate an applicant regarding the applicant's business repute and qualifications. If an investigation requires work outside of the state, an applicant may be required to pay for actual expenses associated with the investigation. An applicant is required to pass an exam designated by the Division of Securities, or to achieve a specified professional designation, unless both of the following apply: (1) the applicant currently acts as the Chief Investment Officer for the BWC, and (2) the applicant has experience and education acceptable to the Division. The annual license fee and renewal fee associated with the position of Bureau of Workers' Compensation Chief Investment Officer is $50. A license expires on June 30 of each year. The Division of Securities may refuse, revoke, suspend, or deny renewal of a license if the Division determines the

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		applicant is not of good business repute, is conducting illegitimate or fraudulent business, or has otherwise violated state laws or conducted business in violation of rules and regulations germane to investment and securities practices. An applicant has the right to appeal the Division of Securities' refusal, revocation, suspension, or denial of renewal of a license in accordance with Chapter 119. of the Revised Code. The Division of Securities is authorized to investigate a Bureau of Workers' Compensation Chief Investment Officer on suspicion of illegal practices, fraud, or deception by various means, including requiring statements made under oath, examining a Chief Investment Officer or any of his/her professional relationships, examining books, records and other documents, issuing subpoenas and following evidentiary procedures, and initiating criminal proceedings. If a Bureau of Workers' Compensation Chief Investment Officer fails to comply with an investigation conducted by the Division of Securities, the Director of Commerce is authorized to apply to a court of common pleas and to be granted an injunction that restrains the acts of the Chief Investment Officer. If an injunction is granted, the Director of Commerce, in consultation with the Attorney General, may request the court to order the Chief Investment Officer to make restitution to the BWC.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
454 (CD-1393-BW(Limitations on Campaign Contributions		
		R.C. ***3517.13, 3517.151***
No provision.	No provision.	The Administrator of Workers' Compensation and all BWC employees are prohibited from awarding any contract (other than through competitive bidding) for the purchase of goods or the purchase of services that totals more than $500 to any individual, partnership, association, estate, or trust if that individual (or that individual's spouse), or any partner, shareholder, administrator, executor, or trustee (or their spouses) made one or more contributions within the previous two calendar years that totaled more than $1,000 to the political campaigns of Governor, Lieutenant Governor, or to any candidate for Governor or Lieutenant Governor. Additionally, the Administrator and all BWC employees are prohibited from awarding any such contract for goods or services (except through competitive bidding) that totals more than $500 to any corporation or business trust (except to a professional association organized under Chapter 1785. of the Revised Code) if an owner of more than 20% of the corporation or trust (or the owner's spouse) made, as an individual, one or more contributions to the political campaigns of Governor, Lieutenant Governor, or to any candidate for Governor or Lieutenant Governor that totaled more than $1,000 during the previous two calendar years.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
455 (CD-1395-BW(Membership of the Workers' Compensation Oversight Commission		
		R.C. ***4121.12, Sections 401.07 and 502.01***
No provision.	No provision.	Increases the membership of the Workers' Compensation Oversight Commission from nine to eleven members, decreases all terms of office from five to three years, and requires that the two additional members to the Commission be investment expert members, one of whom is to be appointed by the Treasurer of State, and the other jointly appointed by the Speaker of the House and the President of the Senate. The two investment expert members must be residents of Ohio, must not have been employed by the BWC for three years prior to their appointment, and must have direct experience in management, analysis, supervision, or investment of assets. The investment expert members may not be appointed to more than two full terms and may vote only on investment matters. All members, including the two investment expert members, are authorized to receive reasonable and necessary expenses and an annual salary that does not exceed $18,000.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
456 (CD-1396-BWC Investment Objectives, Policies, and Criteria		
		R.C. ***4121.12, 4121.121, 4121.126, 4121.127, 4123.44, Sections 502.02 and 502.03***
No provision.	No provision.	Requires the Workers' Compensation Oversight Commission, in its responsibility to establish objectives, policies, and criteria for the administration of the BWC's investment program, to prohibit the following investments: coins, artwork, horses, jewelry or gems, stamps, antiques, artifacts, collectibles, memorabilia, or similar unregulated investments that are not commonly part of an institutional portfolio, that lack liquidity, and that lack readily determinable valuation. Additionally, the Administrator of Workers' Compensation may invest in an investment class only if the Commission - by majority vote - open that class. The Commission must adopt due diligence standards for employees of the BWC when investing in a class, and must establish policies and procedures to review and monitor the performance and valuation of each investment class. The Commission is required to report annually on the performance and value of each investment class to the Governor, the Speaker of the House, and the President of the Senate. The Commission may vote to close any investment class.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
457 (CD-1398-BWC Independent Audit of BWC's Investment Program		
		R.C. *4121.125*
No provision.	No provision.	Requires the Workers' Compensation Oversight Commission to have an independent auditor conduct a fiduciary performance audit of the investment program of the BWC at least once every 10 years. A copy of this audit must be provided to the Auditor of State. Additionally, requires the BWC to employ an internal auditor who must report directly to the Commission on investment matters.
458 (CD-1399-BWC Attorney General as Legal Advisor		
		R.C. *4121.128*
No provision.	No provision.	Designates the Attorney General as the legal advisor of the Workers' Compensation Oversight Commission.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
459 (CD-1397-BW(Trustees of the State Insurance Fund and Conflicts of Interest		
		R.C. ***4123.44, 4121.126, 4121.127***
No provision.	No provision.	Designates the voting members of the Workers' Compensation Oversight Commission, the Administrator of Workers' Compensation, and the Bureau of Workers' Compensation Chief Investment Officer as the trustees of the State Insurance Fund. Prohibits members of the Workers' Compensation Oversight Commission or any employee of the BWC from having direct or indirect interest in the gains or profits of any investment of the Bureau or from receiving pay or emolument for services. Prohibits any person connected with the BWC from borrowing any of the Bureau's funds or deposits or from using the funds or deposits except to make current and necessary payments that are authorized by the Administrator. Prohibits the BWC from doing any business with an individual, partnership, association, or corporation that is owned or is controlled by a person who, within the preceding three years, was employed by the BWC or by a board member or member of the Workers' Compensation Oversight Commission. Also prohibits the BWC from doing any business with a person who, within the preceding three years, was employed by or was an officer holding a fiduciary, administrative, supervisory, or trust position, or any other position that involved decisions or recommendations affecting the investment policy of the BWC and from which a person would benefit by any monetary gain. Makes additional requirements upon a fiduciary related to transactions of the Bureau that would constitute a conflict of interest, and requires each fiduciary of the BWC to be

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		bonded or insured for not less than $1 million for loss by reason of acts of fraud or dishonesty.
460 (CD-1391-BW(Bureau of Workers' Compensation Chief Investment Officer		
		R.C. *4123.441, 1707.44*
No provision.	No provision.	Requires the BWC, with the advice and consent of the Workers' Compensation Oversight Commission, to employ or designate an employee of the Bureau who has been chartered by the CFA Institute as a Chartered Financial Analyst and who has been licensed by the Division of Securities within the Department of Commerce as a "Bureau of Workers' Compensation Chief Investment Officer" to be the Chief Investment Officer for the BWC. The Chief Investment Officer is required to supervise employees of the Bureau who handle investment of assets of funds and to implement and enforce written policies and procedures aimed toward preventing violations of state and federal securities laws. The Bureau of Workers' Compensation Chief Investment Officer is prohibited from (1) employing any device to defraud the workers' compensation system, (2) from engaging in any act that would operate as a fraud or deceit on the workers' compensation system, (3) from engaging in any act that is fraudulent, deceptive, or manipulative, and (4) from knowingly failing to comply with the provisions outlined in the paragraph above.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
461 (CD-1373-BWC Criminal Background Checks		
		R.C. ***4123.444, 109.579, 4123.445***
No provision.	No provision.	Requires the Administrator of Workers' Compensation, prior to contracting with an investment manager, to obtain a list of all employees of investment managers and business entities who will be investing assets of Bureau of Workers' Compensation funds, and to request the Superintendent of the Bureau of Criminal Investigation and Identification (BCI & I) to conduct a criminal records check on each employee. If an employee has not been a resident of Ohio for the five years prior to the Administrator's request of a criminal records check, the Administrator is required to request an FBI criminal record check for that employee. The BWC is required to provide a records check form and a standard fingerprint impression sheet to investment managers for each employee subject to a records check, in formats prescribed by the Superintendent of the BCI & I. Employees are required to fill out the forms and to submit their fingerprints. Employees are responsible for obtaining their own fingerprints from a county sheriff's office, a municipal police department, or another entity capable of making fingerprint impressions, and may be asked to pay a reasonable fee for this service. The BWC is required to pay for each records check it requests. The Superintendent of the BCI & I is authorized to prescribe and charge a reasonable fee for this service. The Administrator of Workers' Compensation is prohibited from contracting with an investment manager if any employee who will be making investments on behalf of the Bureau has been convicted of, or has pled guilty to, a

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
		financial or investment crime. Additionally, investment managers are prohibited from contracting with any business entity if any employee of that entity who will be making investments on behalf of the Bureau has been convicted of, or has pled guilty to, a financial or investment crime. "Financial or investment crime" means any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, drug trafficking, or any criminal offense involving money or securities. Fiscal effect: According to information provided on the Attorney General's website, the cost necessary for BCI & I to perform a criminal records check is $15 per transaction. This cost, and presumably the cost of any records check performed by the FBI, would be borne by the BWC.
462 (CD-1401-BW(Annual Certified Public Audits of all Funds		
		R.C. *4123.47*
No provision.	No provision.	Requires the Administrator of Workers' Compensation to have actuarial audits of the State Insurance Fund made at least once each year (rather than once every two years, as provided under current law). Also adds this audit requirement to all funds established and administered pursuant to the Workers' Compensation Law. Requires that these audits be certified by recognized insurance actuaries and requires the Administrator to make copies of the audits available to the public at cost. Fiscal effect: Increase in expenditures for audits

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
463 (CD-1311-MIS Ohio Water Development Authority Competitive Bidding		
		R.C. ***6121.04, 6123.04***
No provision.	No provision.	Requires the Ohio Water Development Authority to use a competitive bidding process for contracts costing more than $25,000, instead of the currently required $10,000 for general projects and $2,000 for projects dealing with solid waste and energy resource development. Fiscal effect: Increasing the competitive bidding threshold will likely result in administrative savings related to the bidding process. At this point, the overall savings from services procured in this manner is unknown.

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