



COMPARISON DOCUMENT

Amended Substitute House Bill 119 *127th General Assembly*

Representative Matthew Dolan, Sponsor

Main Operating Appropriations Bill

As Introduced

As Passed by the House

As Passed by the Senate

*Items on which the House and Senate are in agreement are **not** shown.*

Legislative Service Commission

June 15, 2007

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. 119. The document is arranged in alphabetical order by state agency. It also includes two nonagency items for which appropriations are made, Employee Benefits Fund (PAY) and Revenue Distribution Funds (RDF), as well as a Miscellaneous (MIS) section, under which Local Government and Tobacco Securitization provisions can be found as well as other provisions that do not fit well in any agency. A Table of Contents follows this Introduction. Two indices are located at the end of the document. The first index gives the page number of each particular item within the sections; the second index lists cross-references by agency and is new to the Comparison Document.

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. The sections for the Department of Education, the Department of Job and Family Services, and the Department of Taxation are first arranged by general topic areas. If an item affects more than one agency, it is described under one of the affected agencies, rather than all of the agencies as in the past. However, the other agencies are listed in the cross-referencing index at the end of the document. This index lists, for each agency, all entries that affect the agency but are not included in that agency's section as well as the page number for these entries. A reader who is interested in all provisions affecting a certain agency should consult the cross-referencing index in addition to the agency's section.

Each particular item is also assigned a unique identification number. 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. 119, see the Legislative Service Commission's Bill Analysis.

*Items on which the House and Senate are in agreement are not shown.

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As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: Whether or not there are any costs or savings resulting from the transition of OIT would depend on staffing and other administrative decisions not yet made.

Fiscal effect: Same as the Executive.

2 (CD-555-DAS) School Employees' Health Care Benefits System

Sections: 606.05, 207.10.10

R.C. 9.901, 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, 4117.08, Sect 207.10.10

R.C. 9.833, 9.901

Continues to delay the implementation of the School Employees' Health Care Benefits System as enacted in Am. Sub. H.B. 66 of the 126th General Assembly, until the General Assembly confirms the implementation through subsequent legislation.

Replaces the Executive provision with a provision that repeals the delay language in H.B. 66.

Same as the House.

Specifies in uncodified law that the board be comprised of twelve members, six appointed by the Governor, three of whom are currently non-administrative school employees, and three each appointed by the President of the Senate and Speaker of the House of Representatives. Requires that at least one of the three members appointed by the President and Speaker be of the minority. (Under current law the board is comprised of nine members.)

Same as the Executive, but expands the membership of the Board from nine to twelve members in codified law, rather than uncodified law.

Same as the House.

No provision.

Provides for continuation of the terms of the current and new members of the Board until December 31, 2010; provides for compensation for the members; requires the Board to meet at least nine times annually; and specifies the public character of the Board's records and meetings.

Same as the House.

Requires that the board, in consultation with the Governor, develop an implementation plan based on the January 31, 2007 report to the Governor and General Assembly.

Replaces the Executive provision with a provision that implements the School Employees Health Care Benefits System with the following changes:

Same as the House.

No provision.

Eliminates the authority of the Board to develop, approve, or implement centralized health care plans that public schools districts or consortia would be required to use. Eliminates the requirement that districts pay premiums to the Board and

Same as the House, except also eliminates responsibilities such as approving health care plans, determining the feasibility of a consolidated system, developing recommendations for plan components, requiring education

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

<p>No provision.</p>	<p>the School Employee Health Care Fund for health care benefits coverage. Requires instead that the Board adopt "best practices" to which school health plans must adhere and adds other Board duties related to monitoring adherence to these best practices and the oversight of health care plans adopted by local school districts.</p>	<p>and wellness programs as part of plans, and developing and implementing programs for specific health benefits. Specifies that the Board's best practices are prohibited from duplicating or conflicting with current health insurance regulations.</p>
<p>No provision.</p>	<p>Requires the Department of Insurance to evaluate the performance of the best practices adopted by the Board.</p>	<p>Same as the House.</p>
<p>No provision.</p>	<p>Authorizes the Board, in cases where a health plan sponsor is not adhering to best practices, to request the Attorney General to seek appropriate court orders to enforce compliance.</p>	<p>Permits the Board to adopt rules for the enforcement of best practices standards adopted by the Board</p>
<p>No provision.</p>	<p>Requires the Department of Education to withhold 1% of all financial aid to a school district found not to be in compliance.</p>	<p>No provision.</p>
<p>Requires GRF appropriation item 100-403, Public School Employee Benefits to be used by DAS to hire an executive director and necessary staff to provide support to the School Employee Health Care Board and the Public School Employee Health Insurance Program.</p>	<p>Same as the Executive, but requires that moneys appropriated go directly to the Board for the hiring of staff and other uses.</p>	<p>Same as the House.</p>
<p>Requires that the Director of OBM, at any time during the biennium, if the Director of DAS certifies that there is sufficient reserve available in Fund 815, School Employees Health Care, transfer an amount equal to the total expenditures and obligations made from GRF appropriation item 100-403, Public School Employee Benefits from Fund 815 to the GRF.</p>	<p>No provision.</p>	<p>No provision.</p>
<p>Fiscal effect: An appropriation of \$1,425,000 in each fiscal year is provided to cover the costs to DAS of the Board's activities.</p>	<p>Fiscal effect: Potential increase in Board costs because the members are compensated for their services and the minimum number of meeting dates is increased. An appropriation of \$1,425,000 in each fiscal year is provided to cover the costs of the Board's activities. Likely increase in Department of Insurance costs for new responsibilities. Requiring the Board to adopt a set of best practice standards instead of implementing</p>	<p>Fiscal effect: Same as the House, except those districts not in compliance will not lose state aid.</p>

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

centralized health care plans has uncertain fiscal effects. It is possible that allowing school districts to find insurance plans from outside providers based on these best practices could result in lower cost insurance plans. But it is also possible that the best practice requirements may limit the number of plans available. Districts not in compliance will lose state aid.

3 (CD-661-DAS) Central Service Agency Fund

Section: 207.10.60

Requires that costs DAS allocates to Boards and Commissions for supporting their on line licensing system and their licensing functions not "exceed the costs allocated for FY 2007". Specifies that these charges will be billed and deposits made to GSF Fund 115, Central Services, using ISTVs.

Section: 207.10.60

Same as the Executive.

Section: 207.10.60

Modifies the Executive provision to specify that allocated costs cannot exceed the "amount supported by licensing fees established for fiscal year 2007."

Fiscal effect: Allows for a potential increase in spending, as the total amount supported by licensing fees in FY 2007 will exceed the amount allocated in FY 2007.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

4 (CD-1135-AAM) Commission on African American Males

No provision.

No provision.

R.C. 4112.12, 4112.13, Section 209.10

Reduces the membership of the Commission on African-American Males from not more than 41 members to not more than 23 members and places the Commission under the management and control of the Ohio State University African American and African Studies Community Extension Center

No provision.

No provision.

Transfers all appropriations for the Commission on African-American Males to the Ohio State University and authorizes the Director of Budget and Management to make any necessary budgetary changes to place the Commission under the management and control of the Ohio State University African American and African Studies Community Extension Center.

Fiscal effect: Eliminates the Commission as a state agency. Reduces the number of members on the Commission resulting in reduced member reimbursement costs. Presumably, the total GRF appropriation for the Commission in the amount of \$792,000 in FY 2008 and \$1,292,000 in FY 2009 would be transferred to Ohio State University through the Board of Regents. In addition, all unexpended or unencumbered balances of appropriations or reappropriations are transferred to the University. Increases administrative costs for the University to contract annually for a report on the status of African-Americans in the state.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

5 (CD-830-JCR) Operating

Section: 211.10

Specifies that the Chief Administrative Officer of the House of Representatives and the Clerk of the Senate shall determine, by mutual agreement, which of them shall act as fiscal agent for the Joint Committee on Agency Rule Review.

Section: 211.10

Same as the Executive.

Section: 211.10

Same as the Executive, but also specifies how Joint Committee on Agency Rule Review members are to be compensated.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

6 (CD-217-AGE) Alzheimer's Disease Task Force

R.C. 173.04, Sections 609.05, 609.06

Eliminates the Director of Aging's authority to establish an Alzheimer's Disease Task Force.

No provision.

R.C. 173.04, Sections 609.05, 609.06

Replaces the Executive provision with a provision that expands the scope of the Alzheimer's Disease Task Force to include related disorders and renames it the Alzheimer's Disease and Related Disorders Task Force.

No provision.

No provision.

Requires the Task Force to advise the Director of Aging on how to serve persons with Alzheimer's disease and related disorders in Ohio's unified long-term care budget system (rather than advising the Director regarding long-term care initiatives related to Alzheimer's disease).

Fiscal effect: None. The Task Force was created in the 1980s and later discontinued.

Fiscal effect: This provision could result in a minimal increase in costs.

7 (CD-1060-AGE) Home First Component of the Residential State Supplement Program

No provision.

No provision.

R.C. 173.351, Section 309.30.53

Provides for the Home First component of the Residential State Supplement Program (RSS) under which an individual who is admitted to a nursing facility while on a waiting list for RSS is to participate in RSS if it is determined that RSS is appropriate for the individual and the individual would rather participate in RSS than continue to reside in the nursing facility.

No provision.

No provision.

Requires the Director of Aging to submit an annual report to the General Assembly regarding the number of individuals enrolled in RSS pursuant to the Home First component and the costs incurred and savings achieved as a result of the enrollments.

No provision.

No provision.

Specifies that on a quarterly basis, on receipt of the certified RSS costs, the Director of Budget and Management shall transfer the state share of the estimated costs from GRF

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

appropriation item 600-525, Health Care/Medicaid, to GRF appropriation item 490-412, RSS. Also, specifies that the Department may transfer cash by intrastate transfer voucher from GRF appropriation item 490-412, RSS, and 490-610 PASSPORT/RSS, to the Department of Job and Family Services' Fund 4J5, Home and Community-Based Services for the Aged Fund. Transferred funds are appropriated.

Fiscal effect: The provision could result in savings to the Medicaid program to the extent that individuals admitted to nursing facilities enroll in RSS instead, which is less expensive. However, the savings would depend on the number of individuals leaving nursing facilities and each individual's care needs, which cannot be estimated at this time.

8 (CD-621-AGE) Senior Community Services

Section: 213.20

Requires that funds in GRF line item 490-411, Senior Community Services, be used to fund services designated by the Department including, but not limited to, home-delivered meals, transportation services, personal care services, respite services, home repair, congregate meals, adult day services, decision support systems, and care coordination. Furthermore, it requires that priority will be given to low income, frail, and cognitively impaired persons age 60 and older. The bill also requires the Department to promote cost sharing by recipients for services funded with senior community services funds, including, when possible, sliding-fee scale payment systems based on the income of service recipients

No provision.

Section: 213.20

Same as the Executive.

No provision.

Section: 213.20

Same as the Executive, but instead of requiring the entire appropriation to be used for the purpose specified, the provision requires \$10,299,439 in each fiscal year to be used for this purpose.

Earmarks \$50,000 in each fiscal year for the Eastlake Senior Center.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

9 (CD-622-AGE) Residential State Supplement

Section: 213.20

Establishes the amount used to determine whether a resident is eligible for payment and for determining the maximum monthly supplement amount per month the eligible resident will receive. The amounts are as follows: (1) \$900 for a residential care facility; (2) \$900 for an adult group home; (3) \$800 for an adult foster home; (4) \$800 for an adult family home; (5) \$800 for an adult community home; (6) \$800 for an adult residential facility; and (7) \$600 for adult community mental health housing services. The bill specifies that the Departments of Aging and Job and Family Services shall reflect these amounts in any applicable rules.

Section: 213.20

Same as the Executive.

Section: 213.20

Same as the Executive, but increases by 3% the maximum monthly supplement amount for an eligible resident. The new amounts are as follows: (1) \$927 for a residential care facility; (2) \$927 for a adult group; (3) \$824 for an adult foster home; (4) \$824 for an adult family home; (5) \$824 for an adult community alternative home; (6) \$824 for an adult residential facility; and (7) \$618 for an adult community mental health housing service.

Fiscal effect: The Department estimates this increase to cost \$300,000 per fiscal year. However, the program is budgeted for 2,000 individuals and the caseload as of January 31, 2007, was 1,884 individuals. Since the program does not have 2,000 individuals enrolled, there is money available that could be used to pay for this increase before program participants would be impacted. The Department has stated that they could likely absorb this increase with current appropriations.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

10 (CD-261-AGE) Unified Long-Term Care Budget Workgroup

Section: 213.30

Creates the Unified Long-Term Care Budget Workgroup, chaired by the Director of Aging, to develop a unified long-term care budget and submit an implementation plan for it to the Governor not later than June 1, 2008.

Authorizes the Director of Budget and Management to create new funds, transfer funds among affected agencies, and take other actions in support of the Workgroup's proposals.

No provision.

Fiscal effect: It is unknown if the members of the Workgroup will receive reimbursements for travel expenses since the bill doesn't specify this. If travel

Section: 213.30

Same as the Executive.

No provision.

No provision.

Fiscal effect: Same as the Executive.

Section: 213.30

Same as the Executive, but makes the following changes: (1) Modifies the member of the Workgroup to include members of the General Assembly; (2) Requires certain members to be appointed by the Governor; (3) Requires the Workgroup's written implementation plan be submitted to the Speaker of the House of Representatives, Minority Leader of the House of Representatives, President of the Senate, Minority Leader of the Senate, and members of the Joint Legislative Committee on Medicaid Technology and Reform in addition to the Governor.

Same as the Executive, but provides that the Director of Budget and Management may take certain actions to support the Workgroup's proposals only when a separate department or agency is created solely to administer the Medicaid program. Also, creates GRF appropriation items in the Departments of Aging, Job and Family Services, Mental Retardation and Developmental Disabilities, and Mental Health, in support of the Unified LTC budget. When a separate department or agency is created solely to administer the Medicaid program, the bill allows for the transfer of funds and appropriations currently appropriated to pay for Medicaid services to any appropriation item previously mentioned, as well as allowing for the transfer of funds between the previously mentioned appropriation items.

Requires the Directors of Aging and Budget and Management to annually submit a written report to certain members of the General Assembly describing the progress towards establishing, or if already established, the effectiveness of the unified long-term care budget.

Fiscal effect: Same as the Executive, but also creates GRF appropriation items in the Departments of Aging, Job and Family Services, Mental Retardation and

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

expenses are granted to members, there could be a minimal increase in expenditures for the Department.

Developmental Disabilities, and Mental Health, in support of the Unified LTC budget. Could minimally increase expenditures for the Department of Aging and the Office of Budget and Management as a result of the report requirement.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

11 (CD-1144-AGR) Ohio Proud Program

No provision.

No provision.

R.C. 901.171

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

Fiscal effect: Potential minimal increase in expenses from the GRF to register Ohio natural spring water products, offset by \$100 annual product registration fee.

12 (CD-459-AGR) Assessment of Costs for Conducting Investigations, Inquiries and Hearings

R.C. 901.261

Authorizes the Director of Agriculture, in conducting investigations, inquiries, or hearings, to assess the party to an action brought before the Department for specified costs incurred if it is determined that the party has failed to comply with the provisions of Ohio law that the Director administers or that the action was frivolous conduct by the party. Provides that the assessment of costs may be appealed to a court of competent jurisdiction.

Fiscal effect: Potential gain in revenue from administrative hearing assessments

R.C. 901.261

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 901.261

Same as the Executive, but clarifies that the ability to assess certain costs for investigations, inquiries, or hearings does not apply to investigations, inquiries or hearings conducted under the law governing veterinarians.

Fiscal effect: Same as the Executive.

13 (CD-460-AGR) Wine Tax Diversion to Ohio Grape Industries Fund

R.C. 4301.43

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

Fiscal effect: Maintains current revenues in the Ohio Grape Industries Fund (Fund 496).

R.C. 4301.43

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4301.43, Section 815.03

Same as the Executive, but specifies that this provision takes effect July 1, 2007.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

14 (CD-461-AGR) Ohio-Israel Agricultural Initiative

Section: 215.10

Earmarks \$100,000 of GRF appropriation item 700-411, International Trade and Market Development, to be used in FY 2008 for the Ohio-Israel Agricultural Initiative.

Section: 215.10

Same as the Executive.

Section: 215.10

Same as the Executive, but also earmarks \$100,000 in FY 2009.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

15 (CD-1169-AIR) Use of Commodity Contracts

No provision.

No provision.

R.C. 3706.01, 3706.03, 3706.041, 3706.05, 3706

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

Fiscal effect: None**16 (CD-646-AIR) Corrective Cash Transfer to Coal Research and Development Fund****Section: 217.10**

Authorizes the Director of Budget and Management to transfer \$35,555.35 in cash from the Coal Research and Development Fund (Fund 046) into Coal Research and Development Bond Services Fund (Fund 076) to correct deposits that were mistakenly deposited into the Coal Research and Development Fund (Fund 046).

Section: 217.10

Same as the Executive

Section: 217.10

Same as the Executive, but authorizes the Director to transfer the cash from the General Revenue Fund instead of from Fund 046.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

17 (CD-407-ADA) Therapeutic Communities

Section: 219.10

Earmarks \$750,000 in each fiscal year in GRF line item, 038-401, Treatment Services, for the Therapeutic Communities Program in the Department of Rehabilitation and Correction.

Section: 219.10

Reduces the earmark to \$600,000 in each fiscal year.

Section: 219.10

Same as the Executive.

18 (CD-1009-ADA) Performance Review

No provision.

Section: 219.10

Requires the Auditor of State to complete a performance review of the Department of Alcohol and Drug Addiction Services. Upon completing the performance review, requires the Auditor of State to submit a report of the findings of the review to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of Alcohol and Drug Addiction Services.

Fiscal effect: This provision may increase costs for the Auditor of State to conduct the review and prepare a report of the findings. However, the Auditor may charge the agency for these activities and recoup the costs. Ultimately, this provision may increase costs for the Department of Alcohol and Drug Addiction Services to pay for the review.

Section: 219.10

Same as the House, but requires the Auditor of State to complete a performance "audit," rather than a performance "review," and requires the agency to reimburse the Auditor of State for expenses incurred by the Auditor of State in conducting the audit.

Fiscal effect: This provision will increase costs to the Department of Alcohol and Drug Addiction Services since reimbursing the Auditor of State is required.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

19 (CD-1179-ADA) Internal Review

No provision.

No provision.

Section: 219.10

Requires the Director of Alcohol and Drug Addiction Services to consult with the Director of Budget and Management and representatives of local and county alcohol and drug addiction services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices, to spend savings identified as a result of the internal review and the Auditor's performance audit on community-based care, and requires Controlling Board approval before the Director of Alcohol and Drug Addiction Services may expend any identified funds.

Fiscal effect: No provision.

Fiscal effect: No provision.

Fiscal effect: Potential increase in funding for local and county boards of alcohol and drug addiction services for community-based services based on savings and efficiencies identified from the internal review.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

20 (CD-472-ARC) Architecture Education Assistance Program

R.C. 4703.071

Establishes an architecture education assistance program to pay the applicant enrollment fee (\$100) for the mandatory Intern Development Program (IDP).

Fiscal effect: The Executive budget provides \$48,400 in FY 2008 and \$37,500 in FY 2009 for this program.

No provision.

R.C. 4703.071

Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

21 (CD-1110-AGO) BCI Asset Forfeiture and Cost Reimbursement Fund

No provision.

No provision.

R.C. 109.521, Section 227.10

Codifies the Bureau of Criminal Identification and Investigation Asset Forfeiture and Cost Reimbursement Fund, consisting of all amounts awarded to the Bureau as a result of shared federal asset forfeiture, all state and local moneys designated as restitution for reimbursement of the costs of investigation, and any interest earned on the fund, and requires money from the Fund be used in accordance with federal asset forfeiture laws, rules, and regulations.

22 (CD-1108-AGO) Payment of FBI Criminal Records Checks

No provision.

No provision.

R.C. 127.16

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

Fiscal effect: Negligible savings relative to the administrative costs that might otherwise have been incurred by the Office of the Attorney General in preparing the requisite Controlling Board item each year.

23 (CD-458-AGO) Tobacco Settlement Enforcement

Section: 227.10

Requires GRF appropriation item 055-404, Tobacco Settlement Enforcement, be used to pay the costs incurred in the oversight, administration, and enforcement of the Tobacco Master Settlement Agreement.

Section: 227.10

Same as the Executive.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

24 (CD-1109-AGO) Law Enforcement Improvements Trust Fund

No provision.

No provision.

Section: 605.23

Appropriates \$3.35 million in Tobacco Master Settlement Agreement moneys to the Attorney General's Law Enforcement Improvements Trust Fund (TSF Fund J87) and related TSF appropriation item 055-635, Law Enforcement Technology, Training, and Facility Enhancements.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

25 (CD-1052-AUD) Audits of the Buckeye Tobacco Settlement Financing Authority

No provision.

No provision.

R.C. 117.11, 117.112, 183.51, 183.52

Requires the Auditor of State to annually audit the Buckeye Tobacco Settlement Financing Authority, as opposed to once every two years as required under current law. Requires the audit to be conducted in accordance with existing law. States that the costs of the audits are payable as may be provided in the bond proceedings, from the proceeds of the obligations, from special funds, or from other moneys available for the purpose. Permits the Auditor to hire an independent certified public accountant to do the audit. Requires the Authority to prepare an annual operating and financial statement.

Fiscal effect: Increased costs to the Auditor's office for conducting this audit annually versus biennially.

However, the overall cost of performing the audit may decrease since only one fiscal year will be subject to audit instead of two.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

26 (CD-776-OBM) Reappropriation of Unexpended Encumbered Balances of Operating Appropriations**Section: 503.15**

Reappropriates an unexpended balance of an operating appropriation or reappropriation that a state agency encumbered prior to the close of a fiscal year on the first day of July of the following fiscal year for various time periods based on the type of encumbrance, and specifies applicable procedures related to this process.

Section: 503.15

Same as the Executive, but requires the Director of Budget and Management to submit program subsidy encumbrances of \$1,000,000 or more to the Controlling Board for approval before these amounts are reappropriated for use in the following fiscal year.

Fiscal effect: May complicate the timing and disbursement of state and federal monies to vendors, grant recipients, local governments, and service providers.

Section: 503.15

Same as the Executive, but requires the Director to report any GRF subsidy encumbrances of \$50,000,000 or more to the Controlling Board.

Fiscal effect: Minimal if any administrative cost to provide report.

27 (CD-789-OBM) Federal Government Interest Requirements**Section: 521.08**

Authorizes the Director of OBM to designate the funds that are to retain their own interest earnings in order to reduce the payment of adjustments to the federal government.

Fiscal effect: Possible increase in interest earnings to these designated funds.

No provision.

Fiscal effect: Loss of interest earnings to designated funds.

Section: 521.09

Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

28 (CD-1165-CIV) Operating Expenses

No provision.

No provision.

Section: 243.10

Requires the Commission expend at least \$318,000 of the amount appropriated to GRF appropriation item 876-321, Operating Expenses, in FY 2008 for the purpose of purchasing computer and information technology equipment.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

29 (CD-1024-COM) Fireworks Law Changes

R.C. 3743.17, 3743.19, 3743.25, 3743.75

No provision.

No provision.

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

No provision.

No provision.

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

No provision.

No provision.

(3) Removes one of the requirements for the transfer of a fireworks wholesaler license: that the licensee requests the transfer because an existing facility poses an immediate hazard to the public.

No provision.

No provision.

(4) Exempts a licensed fireworks manufacturer, wholesaler, or exhibitor who conducts sales only on the basis of defused representative samples in closed and covered displays within a fireworks showroom from the requirement of having an interlinked fire detection system, fire suppression, smoke exhaust, and smoke evaluation system.

No provision.

No provision.

(5) Makes other clarifying changes in the Fireworks Law.

Fiscal effect: None.

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

30 (CD-1022-COM) Manufacture, Sale and Transport of Ethanol or Ethyl Alcohol for Use as Fuel

No provision.

No provision.

R.C. 4301.20

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

Fiscal effect: None. Ensures that ethanol producers are not required to obtain liquor permits.

31 (CD-1035-COM) Wine Permit Changes

No provision.

No provision.

R.C. 4301.24, 4303.03, 4303.071, 4303.232, 4303.233

(1) Creates the S liquor permit and authorizes the permit to be issued to certain manufacturers and distributors of wine inside and outside of Ohio, establishes a \$25 permit fee, and allows the holder of an S permit to ship wine directly to personal consumers in accordance with specified procedures and requirements. Defines "personal consumer" and applies current statutes that impose state and certain local taxes on the sale and distribution of wine to S permit holders.

No provision.

No provision.

(2) Creates the B-2a liquor permit and authorizes the permit to be issued to a person who manufactures wine, is the brand owner or United States importer of wine, or is a designated agent of a brand owner or importer for all wine sold in Ohio for that owner or importer to sell wine to retail permit holders if the B-2a permit holder produces less than 150,000 gallons of wine per year, establishes a \$25 permit fee and specifies that the statute establishing restrictions on manufacturers and wholesale distributors of beer and intoxicating liquor does not prevent a manufacturer from securing and holding a B-2a liquor permit or permits and operating as a wholesale distributor. Applies current

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

statutes that impose state and certain local taxes on the sale and distribution of wine to B-2a permit holders.

(3) Allows A-2 liquor permit holders to sell wine and wine products in sealed containers for consumption off the premises where manufactured, and lowers the permit fee for an A-2 liquor permit from \$126 to \$76, and prohibits a family household from purchasing more than 24 cases of nine-liter bottles of wine annually.

Fiscal effect: Potential minimal gain in revenue to the Undivided Liquor Permit Fund (Fund 066) from the issuance of new liquor permits in items (1) and (2). Potential minimal loss in revenue to Fund 066 from lower A-2 liquor permit fee in item (3). Revenue to Fund 066 is distributed to the GRF (45%), ODADAS (20%), and local governments (35%).

Little to no impact on alcoholic beverage tax revenue in the near term resulting from the authorization of direct shipping of wine. Potential gain in alcoholic beverage tax revenues in the long-term if the option to direct ship increases wine consumption.

32 (CD-1033-COM) Continuing Education for Realtors

No provision.

No provision.

R.C. 4735.10, 4735.141

Removes a current law prohibition (and a concomitant exemption, which would be obsolete) against the Ohio Real Estate Commission adopting standards for continuing education courses of study for real estate brokers and salespersons that require successful passage of an examination as a condition for the successful completion of a course of study.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

33 (CD-827-CEB) Mandate Assistance

Section: 249.10

(1) Requires that the amounts appropriated to GRF appropriation item 911-404, Mandate Assistance, be used to provide financial assistance to local units of government and school districts for the cost of two specified unfunded state mandates as follows: (a) the cost to county prosecutors for prosecuting certain felonies that occur on the grounds of state institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services, and (b) the costs to school districts of in-service training for child abuse detection;

(2) Permits the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education to submit to the Controlling Board requests to transfer appropriations from GRF appropriation item 911-404 for the two aforementioned purposes;

(3) Permits the Controlling Board to transfer appropriations received by a state agency under this provision back to GRF appropriation item 911-404, or to the other program of state financial assistance identified under this provision;

(4) Stipulates it is expected that not all costs incurred by local units of governments and school districts under each of these two aforementioned programs of state financial assistance will be fully reimbursed by the state;

(5) Prescribes how each of these programs of state financial assistance are to be carried out; and

(6) Permits any moneys allocated within GRF appropriation item 911-404 not fully utilized, upon application of the Ohio Public Defender Commission, and with the approval of the Board, to be disbursed to boards of county commissioners to provide additional reimbursement for the costs incurred by

Section: 249.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

Section: 249.10

(1) Same as the Executive, but eliminates the word "unfunded" from the temporary law language governing the use of the Controlling Board's GRF appropriation item 911-404, Mandate Assistance, such that the moneys are to be used to provide financial assistance to local units of government and school districts for the cost of "two state mandates" rather than "two unfunded state mandates."

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

counties in providing indigent defense legal services.

34 (CD-969-CEB) Budget Stabilization Fund Transfers to the Emergency Purposes/Contingencies Appropriation Line Item

No provision.

Section: 249.10

Permits the Director of Budget and Management to transfer up to \$4.0 million cash in each of FYs 2008 and 2009 from the Budget Stabilization Fund to the GRF. Replaces the Executive budget's line item appropriation for GRF appropriation item 911-401, Emergency Purposes/Contingencies, of \$4.0 million in each fiscal year with a language appropriation of this transferred cash. Permits the Controlling Board, at the request of the Director of Budget and Management or any state agency to transfer these funds for the purpose of providing disaster and emergency situation aid to state agencies and political subdivisions in the event of disasters and emergency situations or for the other purposes already specified.

Section: 249.10

Same as the House, but changes the source of the transfer of up to \$4.0 million in cash in each of FYs 2008 and 2009 to the Controlling Board's GRF appropriation item 911-401, Emergency Purposes/Contingencies, from the Budget Stabilization Fund to the Disaster Services Fund (SSR Fund 5E2).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

35 (CD-551-AFC) Capital Donations Fund Certifications and Appropriations

Section: 606.18

Amends Am. Sub. H.B. 699 of the 126th General Assembly to require the Executive Director of the Cultural Facilities Commission to certify to the Director of Budget and Management the amount of cash receipts and related investment income, irrevocable letters of credit from a bank, or certification of the availability of funds that have been received from a county or a municipal corporation for deposit into the Capital Donations Fund and are related to an anticipated project, and appropriates these amounts to line item CAP-702, Capital Donations. Requires the Executive Director to make a written agreement, prior to certifying the amounts, with the participating entity on the necessary cash flows required for the anticipated construction or equipment acquisition project.

Fiscal effect: Increases revenue to the Cultural and Sports Facilities Building Fund (Fund 030) via capital appropriation item CAP-702, Capital Donations.

No provision.

Section: 257.10

Same as the Executive, but includes provision as new language in Am. Sub. H.B. 119 rather than as an amendment to Am. Sub. H.B. 699.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

36 (CD-549-AFC) Operating Expenses**Section: 257.10**

Requires GRF appropriation item 371-321, Operating Expenses, to be used for the operating expenses of the Cultural Facilities Commission and requires the Director of Budget and Management to determine the amount of cash from interest earnings to be transferred from the Cultural and Sports Facilities Building Fund (Fund 030) to the AFC Administration Fund (Fund 4T8) at designated intervals: by July 10, 2007 or as soon as possible thereafter, and by July 10, 2008 or as soon as possible thereafter. Also requires the Director of Budget and Management to determine, as soon as possible after each bond issuance, the amount of cash from premiums paid on bond issuances available to be transferred from Fund 030 to Fund 4T8.

Section: 257.10

Same as the Executive.

Section: 257.10

Same as the Executive, but requires the interest earnings transfers to be made on the tenth day following each calendar quarter instead of on July 10 of each fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

37 (CD-1027-DEV) Definition of Full-Time Employee for Job Creation Tax Credits

No provision.

No provision.

R.C. 122.17

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

38 (CD-1025-DEV) Clean Ohio Fund - Brownfield Revitalization Grant or Loan Applications

No provision.

No provision.

R.C. 122.652

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

39 (CD-1028-DEV) Cost-Benefit Analysis for Historic Building Rehabilitation Tax Credit

No provision.

No provision.

R.C. 149.311

Requires the Director of Development and Tax Commissioner, when conducting the cost and benefit analysis under existing law's tax credit for rehabilitating historic buildings, to consider the net revenue gain in state and local taxes, including activities during the construction phase of the rehabilitation, without regard to whether the revenue effects occur before or after the building begins to be used.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

40 (CD-440-DEV) Thomas Edison Program**Section: 263.10.10**

Requires GRF appropriation item 195-401, Thomas Edison Program, to be used for cooperative public and private efforts in technological innovation to promote the development and transfer of technology by and to Ohio Businesses for the purpose of job creation and for administrative costs by the Technology Division of the Department of Development. Earmarks up to \$2,000,000 in FY 2008 and up to \$2,100,000 in FY 2009 for operating expenditures.

No provision.

Section: 263.10.10

Same as the Executive, but prohibits any funds being used for operating expenditures of the Department of Development.

Earmarks \$2,000,000 in FY 2008 to be used by Project Development, Inc. for technology commercialization.

Section: 263.10.10

Same as the Executive, but limits operating expenditures of the Technology Division to up to 10% of the amount in GRF appropriation item 195-401, Thomas Edison Program, in each fiscal year.

Same as the House.

41 (CD-454-DEV) Ohio Investment in Training Program**Section: 263.10.80**

Requires GRF appropriation item 195-434, Investment in Training Grants, and GSF appropriation item 195-667, Investment in Training Expansion, to be used to promote training through grants for reimbursement of eligible training expenses.

No provision.

Section: 263.10.80

Same as the Executive, but requires that all grants have Controlling Board approval.

No provision.

Section: 263.10.80

Same as the Executive.

Earmarks \$300,000 in each fiscal year from GRF appropriation item 195-434, Investment in Training Grants, for the Re-Tooling for Success Program at Washington State Community College.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

42 (CD-1163-DEV) State Film Bureau

No provision.

No provision.

Section: 263.10.97

Establishes the State Film Bureau, defines the mission and objectives of the Bureau, and requires the Bureau to conduct a study of the media industry in Ohio and make recommendations for public and private initiatives to stimulate the media production industry in the state, increase job opportunities in the sector, and promote Ohio as a desirable place for the industry to do business.

43 (CD-463-DEV) Travel and Tourism Grants**Section: 263.20.10**

Requires GRF appropriation item 195-507, Travel and Tourism Grants, to be used to provide grants to local organizations to support various local travel and tourism events.

Earmarks \$250,000 in each fiscal year for the Freedom Center.

Earmarks \$400,000 in each fiscal year for the State Film Bureau.

Earmarks \$50,000 in each fiscal year for the Cleveland Film Bureau.

Earmarks \$50,000 in each fiscal year for the Cincinnati Film Bureau.

Earmarks up to \$500,000 in each fiscal year for the International Center for the Preservation of Wild Animals.

Section: 263.20.10

Same as the Executive.

No provision.

No provision.

Same as the Executive.

Same as the Executive.

Same as the Executive, but requires exactly \$500,000 instead of "up to" \$500,000.

Section: 263.20.10

Same as the Executive.

No provision.

No provision.

Same as the Executive.

Same as the Executive.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.	Earmarks \$50,000 in each fiscal year for the Greater Cleveland Sports Commission.	Same as the House.
No provision.	Earmarks \$50,000 in each fiscal year for the Greater Columbus Sports Commission.	Same as the House.
No provision.	Earmarks \$50,000 in each fiscal year for the Harbor Heritage Society/Great Lakes Science Center in support of operations for the Steamship William G. Mather Maritime Museum.	Same as the House, but increases the earmark to \$100,000 in each fiscal year.
No provision.	Earmarks \$35,000 in fiscal year 2009 for the Ohio Junior Angus Association to support the 2009 Eastern Regional Junior Angus Show.	Same as the House.
No provision.	Earmarks \$50,000 in FY 2008 for the Ohio Alliance of Science Centers.	Same as the House.
No provision.	No provision.	Earmarks \$60,000 in each fiscal year for the outdoor drama "Tecumseh!"
No provision.	No provision.	Earmarks \$60,000 in each fiscal year for the Ohio River Trails program.
No provision.	No provision.	Earmarks \$100,000 in each fiscal year for the Great Lakes Historical Society.
No provision.	No provision.	Earmarks \$25,000 in each fiscal year for Ohio's Appalachian Country.
No provision.	No provision.	Earmarks \$25,000 in each fiscal year for the Garst Museum.
No provision.	No provision.	Earmarks \$10,000 in each fiscal year for the Pro Football Hall of Fame Festival.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

44 (CD-1047-DEV) Ohio Main Street Program

No provision.

No provision.

Section: 263.20.13

Earmarks \$500,000 in FY 2008 from GRF appropriation item 195-520, Ohio Main Street Program, for the rebuilding and revitalization of downtown Wauseon following the April, 2007 fire. Specifies that funds are to be used by the Mayor for matching grants to owners or their successors whose buildings or property were destroyed by the fire.

45 (CD-1029-DEV) Discover Ohio!

No provision.

No provision.

Section: 263.20.16

Specifies that GRF appropriation item 195-521, Discover Ohio!, is to be used by the Travel and Tourism Division for marketing and promoting the state as a tourism destination and for other nonpersonnel costs.

Fiscal effect: Separates the personnel expenses of the Travel and Tourism Division, funded in GRF appropriation item 195-407, Travel and Tourism, from the other program expenses, which are to be funded with GRF appropriation item 195-521, Discover Ohio!.

46 (CD-470-DEV) Economic Development Contingency**Section: 263.20.30**

Earmarks up to \$19,400,000 from GSF appropriation item 195-677, Economic Development Contingency, in FY 2009 for the Third Frontier Commission for biomedical research and technology transfer purposes.

No provision.

Section: 263.20.30

Same as the Executive.

No provision.

Section: 263.20.30

Same as the Executive.

Earmarks \$1,500,000 in FY 2008 for Cleveland Hopkins International Airport for service and hub expansion, effectively moving the earmark from DOT to DEV.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(See DOT entry CD-569, "Airport Improvement Earmarks".)

47 (CD-467-DEV) Supportive Services**Section: 263.20.30**

Permits the Director of Development to assess divisions of the Department for the cost of central service operations, with assessments based on plans submitted to and approved by the Office of Budget and Management no later than August 1, 2007. Requires that a division's assessment payments be credited to the Supportive Services Fund (Fund 135) via intrastate transfer voucher.

Section: 263.20.30

Same as the Executive, but adds an earmark of \$50,000 in FY 2008 and \$35,000 in FY 2009 from GSF Fund 135 appropriation item 195-684, Supportive Services, for Crawford County to hire a local economic development coordinator.

Section: 263.20.30

Same as the Executive.

48 (CD-473-DEV) HEAP Weatherization**Section: 263.20.40**

Requires that 15% of the federal funds received by the state for the Home Energy Assistance Block Grant be deposited in GSF appropriation item 195-614, HEAP Weatherization (Fund 3K9) for home weatherization services.

Section: 263.20.40

Same as the Executive, but also requires the Department of Development to seek, and if approved implement, a federal waiver to increase the percentage of the Home Energy Block Grant that may be used for weatherization to 16.5% in fiscal year 2008 and 17.5% in fiscal year 2009. Requires the Director of Development, upon approval of the waiver, to seek Controlling Board approval to adjust appropriation items 195-611, Home Energy Assistance Block Grant, and 195-614, HEAP Weatherization, as needed to implement the federal waiver.

Section: 263.20.40

Same as the House, but changes the waiver percentages to be "at least" 16.5% in FY 2008 and "at least" 17.5% in FY 2009, rather than exactly those percentages.

(Related provision in Department of Job and Family Services titled "Home Energy Assistance Program.")

Fiscal effect: Potentially increases the amount of the Home Energy Assistance Block Grant that is to be used for HEAP weatherization from 15% in each fiscal year to 16.5% in FY 2008 and 17.5% in FY 2009. Potentially reduces block grant expenditures for other purposes by

Fiscal effect: Same as the House, but allows for a greater increase in the amount that may be used for HEAP Weatherization.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

the amount of the permitted increase.

49 (CD-1032-DEV) Transfer from Housing Trust Fund to Residential State Supplement Fund

No provision.

No provision.

Section: 263.20.70

Requires the Director of Budget and Management to transfer \$1,500,000 in each fiscal year from SSR Fund 646, Low- and Moderate-Income Housing Trust Fund, in the Department of Development, to SSR Fund 5CH, Residential State Supplement, in the Department of Mental Health.

50 (CD-1149-DEV) Transfer from Advanced Energy Fund for the Division of Geological Survey

No provision.

No provision.

Section: 263.20.70

Requires the Director of Budget and Management to transfer \$90,485 in FY 2008 and \$64,557 in FY 2009 from SSR Fund 5M5, Advanced Energy, to General Revenue Fund appropriation item 728-321, Division of Geological Survey, for the Division of Geological Survey in the Department of Natural Resources.

51 (CD-493-DEV) Advanced Energy Fund

Section: 263.20.70

Requires SSR appropriation item 195-660, Advanced Energy Programs, to be used to provide financial assistance to customers for eligible advanced energy projects. Specifies eligible customers as residential, commercial and industrial business, local governments, educational institutions, nonprofit organizations, and agricultural customers. Requires the fund also to pay for the program's administrative expenses.

Section: 263.20.70

Same as the Executive.

Section: 263.20.70

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Earmarks up to \$1,000,000 over the biennium for methane digester projects.

Same as the Executive.

Same as the Executive, but increases the earmark for methane digester projects to \$1,500,000 over the biennium and specifies that such projects may be in certified territories of electric distribution utilities and elsewhere throughout the state.

No provision.

Earmarks up to \$250,000 in each fiscal year for grants to school districts under the Biodiesel School Bus Program.

Same as the House.

52 (CD-1175-DEV) Transfer from Advanced Energy Fund to Coal Development Office

No provision.

No provision.

Section: 263.20.70

Permits the Director of Budget and Management to transfer \$5,595 in FY 2008 and \$23,600 in FY 2009 from the Advanced Energy Fund (Fund 5M5) to GRF appropriation item 898-402, Coal Development Office, in the Air Quality Development Authority.

53 (CD-500-DEV) Facilities Establishment Fund

Section: 263.20.80

Requires that SSR Fund 037, Facilities Establishment, appropriation item 195-615, Facilities Establishment, be used according to the purposes of the Facilities Establishment Fund under Chapter 166 of the Revised Code.

Section: 263.20.80

Same as the Executive.

Section: 263.20.80

Same as the Executive.

Earmarks \$1,800,000 in cash in each fiscal year to be transferred from SSR Fund 037 to SSR Fund 451, Economic Development Financing Operating, subject to Controlling Board approval.

Same as the Executive.

Same as the Executive.

Earmarks \$5,475,000 in cash in each fiscal year to be transferred from SSR Fund 037 to SSR Fund 5D2, Urban Redevelopment Loans, to remove barriers to urban core redevelopment, and requires the Director of Development to establish guidelines for the transfer and release of funds,

Same as the Executive, but requires transfers to be subject to Controlling Board approval.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

including but not limited to environmental assessment completion.

Earmarks up to \$3,000,000 in cash in each fiscal year to be transferred from SSR Fund 037 to SSR Fund 4Z6, Rural Industrial Park Loan Fund, subject to Controlling Board approval.

No provision.

No provision.

No provision.

No provision.

No provision.

Same as the Executive.

Earmarks \$1,500,000 from SSR Fund 037 appropriation item 195-615, Facilities Establishment, to be used in FY 2008 for business development by a port authority in Clark County

No provision.

No provision.

No provision.

No provision.

Same as the Executive.

Same as the House.

Requires the Director of Budget and Management to transfer \$5,352,500 in FY 2008 and \$6,102,500 in FY 2009 from SSR Fund 037, Facilities Establishment, to GRF appropriation item 195-412, Rapid Outreach Grants.

Requires the Director of Budget and Management to transfer \$366,825 in FY 2008 from SSR Fund 037, Facilities Establishment, to GRF appropriation item 195-434, Investment in Training Grants.

Requires the Director of Budget and Management to transfer \$4,275,000 in each fiscal year from SSR Fund 037, Facilities Establishment, to GSF Fund 5AD appropriation item 195-677, Economic Development Contingency.

Earmarks \$1,500,000 in FY 2008 from SSR Fund 037 appropriation item 195-615, Facilities Establishment, for the Toledo Marina District Development Project and specifies that the earmark is not to take precedence over existing obligations.

54 (CD-508-DEV) Third Frontier Research & Development Projects

Section: 263.20.90

Requires Third Frontier Research and Development Fund appropriation item 195-687, Third Frontier Research & Development Projects, to be used to fund selected projects pursuant to sections 184.10 to 184.20 of the Revised Code.

Section: 263.20.90

Same as the Executive.

Section: 263.20.90

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Earmarks up to \$20,000,000 in FY 2008 from appropriation item 195-687, Third Frontier Research & Development Projects, to be used by the Office of Information Technology, in partnership with the Ohio Supercomputer center's OSCnet, to acquire equipment and services necessary to migrate state agencies' network to the existing OSCnet backbone to create the NextGen Network.

Same as the Executive.

Same as the Executive, but changes the allocation of funds for the NextGen Network so that up to \$8,600,000 comes from Department of Development appropriation items 195-687, Third Frontier Research & Development Projects and 195-692, Research & Development Taxable Bond Projects, and up to \$11,400,000 comes from CAP-068, Third Frontier Wright Capital, in the Board of Regents.

Earmarks up to \$18,000,000 in each fiscal year from appropriation items 195-687, Third Frontier Research & Development Projects, and 195-692, Research & Development Taxable Bond Projects, to fund the Research Incentive Program in the Board of Regents.

Same as the Executive.

Same as the Executive.

Specifies that any unencumbered balance of appropriation item 195-687, Third Frontier Research & Development Projects, for FY 2008 is also appropriated for the same purpose for FY 2009.

Same as the Executive.

Same as the Executive, but also allows the same carry-forward authority for appropriation item 195-692, Research & Development Taxable Bond Projects.

No provision.

No provision.

Earmarks \$20,000,000 in FY 2009 from the total of the amounts in Fund 011 appropriation item 195-687, Third Frontier Research & Development Projects, and Fund 014 appropriation item 195-692, Research & Development Taxable Bond Projects, for the Ohio Research Scholars Program in the Board of Regents.

55 (CD-511-DEV) Unclaimed Funds Transfer

Section: 263.30.10

Requires, upon the request of the Director of Budget and Management, the Director of Commerce to transfer up to \$9,275,000 in unclaimed funds to GSF Fund 5AD, Job Development Initiatives prior to June 30, 2008 and up to \$28,675,000 prior to June 30, 2009.

Section: 263.30.10

Same as the Executive, but reduces the amounts of the transfers to \$5,000,000 in FY 2008 and \$24,400,000 in FY 2009.

Section: 263.30.10

Same as the House.

Requires, upon the request of the Director of Budget and Management, the Director of Commerce to transfer up to \$2,500,000 in unclaimed funds to the SSR Fund 4F2, State Special Projects, prior to June 30, 2008 and again prior to

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

June 30, 2009.

No provision.

Requires that funds expended from GSF Fund 5AD appropriation item 195-677, Economic Development Contingency, be subject to Controlling Board approval.

No provision.

56 (CD-1008-DEV) Commission on the Future of Health Care Education and Physician Retention in NW OH

No provision.

Section: 263.30.30

Creates the Commission on the Future of Health Care Education and Physician Retention in NW OH, which is required to prepare a report regarding graduate education and health care in northwest Ohio and submit the report to the Governor and General Assembly within nine months after the bill's effective date. Requires that the geriatric medicine physician member of the Commission be affiliated with Ohio University College of Osteopathic Medicine. Abolishes the Commission on submission of the report. Requires the Board of Regents to serve as a resource to the Commission.

Section: 263.30.30

Same as the House but removes the requirement that the geriatric medicine physician member of the Commission be affiliated with Ohio University College of Osteopathic Medicine.

57 (CD-961-DEV) Local Government Services Collaboration Grant Fund

No provision.

Section: 383.20

Establishes Fund 088, Local Government Services Collaboration Grant Fund. Requires the Director of Development to use the fund to administer a grant program that will provide counties, municipal corporations, and townships with moneys to conduct feasibility studies that address how, and in what manner, counties, municipal corporations, and townships may combine provisions of local government services. Requires that moneys for the fund be transferred from the General Revenue Fund.

No provision.

Fiscal effect: Requires the Director of Budget and Management to transfer \$1,000,000 from the General Revenue Fund in FY 2008 for use by the Local

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Government Services Collaboration Grant Program.

58 (CD-1140-DEV) Economic Development Task Force

No provision.

No provision.

Section: 701.10

Requires the Director of Development to convene a task force to study local, regional, and state economic development incentives and submit a report by January 1, 2008, to the Speaker of the House and President of the Senate on the findings of the task force. Requires the report to make recommendations for changes to such incentives so that they are more effective in strengthening Ohio's economy and are less complex, faster to implement, and more transparent to taxpayers.

Fiscal effect: Potentially creates a minimal increase in administrative expenses for the operation of the task force and production of the report.

School Funding

59 (CD-593-EDU) Formula Average Daily Membership (ADM)

R.C. 3317.01, 3317.02, 3317.03

Eliminates the requirement for the second formula ADM report by school districts (which under current law is during the first full week in February). Eliminates the waiver the Superintendent of Public Instruction may grant a school district in case hazardous weather conditions or other circumstances close school during the week for certifying the formula ADM. Returns to the requirement before FY 2007 that school districts report their formula ADMs for the first full week in October, but report for the first full week in February only if the February formula ADM is at least 3% greater than the October formula ADM.

Eliminates the current use of the February formula ADM in calculating state aid payments and returns to the practice before FY 2007 of using the February formula ADM only if it is at least 3% higher than the October ADM to calculate payments for the last five months of the fiscal year.

Formally authorizes the Superintendent of Public Instruction to adjust a school district's formula ADM and state payments to correct errors in data reported by school districts and formally specifies that a district's formula ADM is the final number verified by the Superintendent of Public Instruction.

Fiscal effect: Districts with ADMs that decrease during the school year may have higher formula ADMs and, therefore, higher calculated base cost funding. Districts with ADMs that increase during the school year may have lower formula ADMs and, therefore, lower calculated base cost funding. However, districts with ADMs that increase by more than 3% from October to February may have higher calculated base cost funding than under current law. The formula ADM for joint

R.C. 3317.01, 3317.02, 3317.03

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 3317.01, 3317.02, 3317.03

Same as the Executive, but reinstates the Superintendent's waiver authority.

Same as the Executive.

Same as the Executive, but clarifies that ODE may adjust a school district's formula ADM to account for its resident students enrolled in a community school for only a portion of a school year, regardless of the number of such students reported by the district.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

vocational school districts is calculated in the same manner as for regular school districts.

60 (CD-595-EDU) Calculation of Base Cost Funding

R.C. 3317.02, 3317.022, 3317.16

Eliminates the cost-of-doing-business factor in determining a district's per pupil base cost amount.

Eliminates the base cost guarantee that specifies that a district's state base cost payment will not be lower than the lesser of its FY 2005 state aggregate payment or its FY 2005 per pupil base cost payment.

Specifies that a district's state base cost payment includes not only the aggregated base cost amount after deducting the district's charge-off but also the amount of poverty-based assistance and parity aid calculated for the district, if any. Specifies that the latter two amounts are also included in the total base cost for purposes of calculating a district's "state share percentage" of base cost.

Fiscal effect: The cost-of-doing-business factor (CDBF) increased the formula amount for the districts in the highest-cost county by 2.5% (\$135) in FY 2007. This percentage declined on a sliding scale for districts in lower-cost counties. Without the CDBF adjustment, all districts will have the same formula amount. The elimination of the base cost guarantee may decrease state base cost funding and, therefore, the state share percentage for some districts, although transitional aid will ensure the amount of total state aid credited to each district will not decrease. The inclusion of poverty-based assistance and parity aid in the base cost calculation will increase the state share percentage for most districts which, in turn will increase many districts' categorical funding amounts such as special education

R.C. 3317.02, 3317.022, 3317.16

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 3317.02, 3317.022, 3317.16

Same as the Executive.

Same as the Executive.

Same as the Executive, but reinstates current language that specifies that data from the Tax Commissioner is used to compute base cost payments.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

and career-technical education funding. A few very high wealth districts, however, may receive less poverty-based assistance funding if their charge-offs are greater than the sum of their total base cost and poverty-based assistance. Joint vocational school districts are also affected by the elimination of the CDBF and the base cost guarantee, although they also receive transitional aid.

61 (CD-598-EDU) Poverty-Based Assistance

R.C. 3317.02, 3317.029

Revises poverty-based assistance to school districts as follows:

Retains the poverty indicator based on participation in Ohio Works First (OWF) only, but bases the poverty index on the average poverty count of the preceding five years and the average formula ADM of the preceding three years, eliminating current year data in the calculation.

Adds a new subsidy for assistance in closing the achievement gap in districts that have a poverty index and an academic distress index of at least 1.0. Defines the academic distress index as the district's academic distress percentage divided by the statewide academic distress percentage. Defines the academic distress percentage as the percentage of buildings in academic watch or academic emergency based on the local report card issued in the prior fiscal year. Calculates the subsidy for qualifying districts as 0.15% of the formula amount multiplied by the district's poverty index, academic distress index, and formula ADM. Provides an additional 3.5% of this amount in the second year to districts that decrease their academic distress percentages.

R.C. 3317.02, 3317.029

Same as the Executive.

Same as the Executive.

Same as the Executive.

R.C. 3317.02, 3317.029

Same as the Executive, but makes the following changes:

Same as the Executive.

Same as the Executive, but modifies the calculation of the subsidy in the second fiscal year by providing each district that qualifies for the subsidy in FY 2008 the same amount it received in FY 2008 if its academic distress percentage increases or stays the same and an additional 3.5% of the amount it received in FY 2008 if its academic distress percentage decreases. Also, bases the payment on the most recent school district report card, instead of the report card issued in the prior fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Increases the hourly rate component of the academic intervention subsidy by about 3% in each fiscal year to \$21.01 in FY 2008 and \$21.64 in FY 2009.

Same as the Executive.

Same as the Executive.

Renames the "class-size reduction" subsidy as a payment "for increased classroom learning opportunities," and increases the statewide average teacher salary that is a component of the formula by about 3.3% each year to \$56,754 in FY 2008 and \$58,621 in FY 2009.

Same as the Executive.

Same as the Executive.

Retains the 70% phase-in percentage in both fiscal years for the subsidy for services to limited English proficient (LEP) students. Continues to use the number and percentage of LEP students in FY 2003 as the basis for the calculation.

Same as the Executive.

Same as the Executive.

Provides 100% funding for the teacher professional development subsidy, the dropout prevention subsidy, and the community outreach subsidy, which were phased in at 70% in FY 2007.

Same as the Executive.

Same as the Executive.

Eliminates the FY 2005 guarantee.

Same as the Executive.

Same as the Executive.

Revises the spending requirements by generally permitting districts to spend any component of poverty-based assistance on any combination of enumerated purposes (including programs to make schools free of drugs and violence, academic intervention services, school nutrition programs, and others) or to request a waiver from ODE to spend for other purposes, except that (1) districts must first provide all day kindergarten to those students the district reports as receiving all day kindergarten and (2) districts receiving the closing achievement gap subsidy in the second year whose academic distress percentage is higher than the previous year are required to spend that subsidy on the expenses of an academic distress commission, if the district has one appointed, and then on a number of other enumerated purposes.

Same as the Executive.

Same as the Executive, but reinstates the current law that (1) requires school districts to use academic intervention payments under poverty-based assistance only for academic intervention services for students who have failed or are in danger of failing the state achievement tests and (2) prohibits a collective bargaining agreement entered into after June 30, 2005, from requiring the use of the payment for any other purpose. Also modifies the enumerated purposes eligible for PBA spending by specifying that programs to make schools free of drugs and violence must be designed in accordance with safe school guidelines adopted by the State Board of Education, academic intervention services must be designed in accordance with the State Board's student intervention guidelines, payments may be spent on start-up costs associated with school breakfast programs instead of school nutrition programs in general, and if a district uses poverty-based assistance funds for increased

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Requires each district to report each year how the poverty-based assistance received by the district was deployed in the previous fiscal year. Requires ODE to make recommendations on how this assistance can be deployed more effectively if the district does not meet adequate progress standards as defined by ODE.

Fiscal effect: Approximately 31 districts qualify for the subsidy for closing the achievement gap, funding per student ranges from approximately \$8 to \$217 in FY 2008 and \$8 to \$231 in FY 2009. The intervention subsidy per student ranges up to \$26.26 in FY 2008 and \$27.05 in FY 2009 for tier 1; and from \$35.02 to \$70.03 in FY 2008 and \$36.07 to \$72.13 in FY 2009 for tier 2. The intervention subsidy per poverty student ranges from \$157.58 to \$1,008.48 in FY 2008 and \$162.30 to \$1,038.72 in FY 2009 for tier 3. Districts with poverty indices of at least 0.25 receive tier 1 funding, of at least 0.75 receive tier 2 funding, and of at least 1.5 receive tier 3 funding. Districts qualifying for the LEP subsidy receive per LEP student from \$487 to \$974 in FY 2008 and \$502 to \$1,003 in FY 2009. Districts with poverty indices above 1.0 receive per student up to \$14.73 in FY 2008 and \$15.17 in FY 2009 for teacher professional development. The big eight districts receive per student from \$70 to \$122 in FY 2008 and \$72 to \$126 in FY 2009 for dropout prevention. The urban 21 districts receive per student from approximately \$11 to \$122 in FY 2008 and approximately \$11 to \$126 in FY 2009 for community outreach. Although elimination of the guarantee may decrease poverty-based assistance for some districts, total state aid credited to each district is guaranteed not to decrease from the previous year through transitional aid. School districts receiving poverty-based assistance

Same as the Executive.

Fiscal effect: Same as the Executive.

classroom learning opportunities by employing licensed education aides, those aides must be "engaged in classroom support activities."

Same as the Executive, but applies the annual report requirement only to districts receiving more than \$10,000 in total poverty-based assistance funding.

Fiscal effect: Same as the Executive, but districts that receive \$10,000 or less in total poverty-based assistance funding will no longer have to incur any administrative costs for preparing the required annual reports.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

funding would incur some administrative costs for preparing the required annual reports.

62 (CD-606-EDU) Other Foundation Formula Changes

R.C. 3317.022, 3317.0216, 3317.16, 3317.024, 3317.04, 3317.013, Sections 269.30.80, 269.30.90

R.C. 3317.022, 3317.0216, 3317.16, 3317.024, 3317.04, 3317.013, Sections 269.30.80, 269.30.90

R.C. 3317.022, 3317.0216, 3317.16, 3317.024, 3317.04, 3317.013, Sections 269.30.80, 269.30.90

Removes from the revenue considered to be received by a school district for purposes of calculating the charge-off supplement, the amount the district receives as direct reimbursement for current expense taxes lost because of the phase-out of the tangible personal property (TPP) tax.

Same as the Executive.

Same as the Executive.

Provides transitional aid in FY 2008 and FY 2009 to school districts and joint vocational school districts that guarantees each district will be credited with at least as much state aid as it was credited with in the previous year.

Same as the Executive.

Same as the Executive.

Authorizes the Superintendent of Public Instruction (after consulting with the Director of Budget and Management) to adjust a city, exempted village, or local school district's transitional aid guarantee base and the transitional aid payment, if the Superintendent determines the base reflects an error in the district's formula ADM.

Same as the Executive.

Replaces the Executive provision with a provision that specifies that, in calculating a city, exempted village, or local school district's transitional aid payment base, ODE must use the number of students reported by an entity actually providing educational services to those students.

Specifies that the transitional aid payment base be computed based on ODE's "final reconciliation" of data. Specifies that a joint vocational school district's transitional aid payment is based on the amount "paid to" the district in the prior year.

Same as the Executive.

Same as the Executive, but specifies that the transitional aid payment base for all school districts be computed based on data as "reconciled" by ODE, and not based on ODE's "final reconciliation" of data; and specifies that a joint vocational school district's transitional aid payment is based on the amount "computed for" (instead of "paid to") the district in the prior year.

Continues to phase in the six prescribed special education weights at 90% of their values in both years.

Same as the Executive, but requires ODE once every two years to prepare an analysis of whether the weights accurately reflect the costs of special education and related services.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Increases the special education catastrophic cost threshold from \$26,500 to \$27,375 in FY 2008 and FY 2009 for students in categories two through five and from \$31,800 to \$32,850 in FY 2008 and FY 2009 for students in category six.

Same as the Executive.

Same as the Executive.

Retains the speech service personnel allowance at \$30,000 per 2,000 students in FY 2008 and FY 2009.

Same as the Executive.

Same as the Executive.

Retains the GRADS personnel allowance at \$47,555 in FY 2008 and FY 2009.

Same as the Executive.

Same as the Executive.

Eliminates the reappraisal guarantee that currently pays an additional subsidy to a qualifying school district to prevent it from losing state funds in the year the county auditor has reappraised or updated its valuation of taxable property.

Same as the Executive.

Same as the Executive.

Fiscal effect: Removing direct reimbursements for the phase-out of the TPP tax tends to increase gap aid for affected school districts. Transitional aid ensures that no school district or joint vocational school district, in either year of the biennium, will be credited with less in total state aid than it was credited with the year before. Eliminating the reappraisal guarantee will have no effect in FY 2008 and FY 2009 since it is included in transitional aid. Total state education aid increases by 2.6% in FY 2008 and 4.0% in FY 2009.

Fiscal effect: Same as the Executive, but may increase administrative costs for ODE to analyze the special education weights.

Fiscal effect: Same as the Executive.

63 (CD-1096-EDU) State Aid to Institutions

No provision.

No provision.

R.C. 3317.05, 3317.052, 3317.03, 3317.201

Replaces "unit" funding with grant awards for vocational education programs operated by state institutions.

Fiscal effect: Funding to institutions may or may not change depending on how ODE issues grants versus how ODE funds units.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

64 (CD-715-EDU) TPP Tax Loss Reimbursements**R.C. 5751.21, 5751.20**

Changes the base upon which the state education aid offset is calculated for the purposes of determining direct reimbursement payments for losses districts incur due to the phase-out of business tangible personal property (TPP) taxes by excluding units for disabled preschool students, disabled student transportation payments, transfers among districts and educational service centers, and deductions for school choice programs such as open enrollment, community schools, and the Autism Scholarship Program.

Requires ODE to consult with OBM in computing the state education aid offset, requires them to agree on the offset computation, and accelerates the timing of the computation by 15 days.

Specifies that if there is not enough money in the replacement fund when the quarterly transfer to the GRF is required to pay the state education aid offset, OBM may later transfer the shortfall to the GRF as money becomes available.

Fiscal effect: None.

R.C. 5751.21, 5751.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5751.21, 5751.20

Same as the Executive, but clarifies that the base includes the amounts calculated for poverty-based assistance and parity aid, both of which under the bill are included within the base cost calculation.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

65 (CD-605-EDU) Transportation Funding**R.C. 3317.022, Section 269.20.80**

Increases transportation funding for each district by 1% in FY 2008 and FY 2009, notwithstanding the statutory transportation funding formula.

Specifies that, for purposes of calculating the excess cost supplement and gap aid, the presumed local share of transportation funding for a district is 101% of its formula local share for the previous fiscal year.

R.C. 3317.022, Section 269.20.80

Same as the Executive.

Same as the Executive.

Sections: 269.20.80, 269.20.83

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Replaces the current statistical regression analysis, based on the past-year's ridership, for calculating a district's transportation funding with a new formula proposed by ODE. Bases the new formula on current-year transportation ADM reported by each district in October and the greater of average cost per mile or average cost per student from the previous year. Provides additional funding for the number of community school and nonpublic school students transported, for reaching an efficiency target, and for transporting high school students and students living from one to two miles from the school. As stated above, however, notwithstanding this new formula in FY 2008 and FY 2009.

No provision.

Fiscal effect: Each district receives a 1% increase in state transportation funding in each fiscal year.

Same as the Executive.

No provision.

Fiscal effect: Same as the Executive.

No provision.

Requires ODE by December 31, 2008, to report to the General Assembly recommendations for enhancing regional collaboration among school districts, educational service centers, community schools, and nonpublic schools in the provision of pupil transportation.

Fiscal effect: Same as the Executive, but may also increase administrative costs of ODE slightly.

Scholarship Programs

66 (CD-886-EDU) Special Education Scholarship Pilot Program

No provision.

R.C. 3310.51, 3310.52 to 3310.63, 109.57, 109.572, 3317.022, 3317.029, 3317.0217, 3317.03, 3323.052, Section 269.60.40

Creates the Special Education Scholarship Pilot Program to provide scholarships for disabled children in grades K-12 to attend alternative public or private special education programs in fiscal years 2008 through 2013. Requires the State Board of Education to adopt rules so that those rules are in effect and the Special Education Scholarship Pilot Program is in operation by July 1, 2007.

Sections: 3310.51, 3310.52 to 3310.63, 3317.022, 3317.029, 3317.0217, 3317.03, 3323.052, 109.57, 109.572, 5727.84, Sections 269.60.269.60.36

Same as the House, but establishes the Special Education Scholarship Pilot Program one year later, from fiscal years 2009 through 2014 instead of fiscal years 2008 through 2013, and requires the State Board to adopt rules by January 31, 2008.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	Specifies that a child is eligible to receive a scholarship if the child's resident district has developed an IEP for the child.	Same as the House.
No provision.	Caps the number of scholarships awarded in each fiscal year at 3% of the number of identified disabled students living in the state in the previous fiscal year.	Same as the House.
No provision.	Specifies that the scholarship amount is the lesser of the fees charged by the alternative provider or the base cost and special education weighted funding credited to the child in the state funding formula.	Modifies the House provision to specify that the scholarship amount is the least of the following: (1) the fees charged by the alternative program; (2) the sum of the per pupil base cost and special education weighted funding credited to the child in the state funding formula; or (3) \$20,000.
No provision.	Requires ODE to conduct a formative evaluation of the program and submit its findings by December 31, 2009.	Same as the House, but changes the deadline to December 31, 2010.
No provision.	<p>Specifies that a registered private provider may not discriminate on the basis of race, ethnicity, national origin, religion, sex, disability, age, or ancestry.</p> <p>Fiscal effect: Scholarship students will be counted in the resident district's formula and special education ADM. Therefore, resident districts generally will receive the base cost formula amount and base funding supplements plus the state share of special education weighted funding for scholarship students. The amount transferred, however, may also include the amount attributed as the local share of special education weighted funding. So resident districts may experience a decrease in state aid for each scholarship student. The district, however, will not incur the costs of educating the scholarship student.</p>	<p>Replaces the House provision with a provision that specifies that a registered private provider must comply with the federal civil rights law prohibiting discrimination on the basis of race, color, or national origin, regardless of whether the provider receives federal financial assistance.</p> <p>Fiscal effect: Same as the House, but the program's fiscal effects would not occur until FY 2009 and the maximum scholarship amount is capped at \$20,000.</p>

Community Schools

67 (CD-358-EDU) Sale of School District Property to Community Schools

R.C. 3313.41, 3318.08, 3314.051 (repealed)

Repeals the following provisions: (1) a requirement that a school district first offer property suitable for classroom space for sale to start-up community schools in the district before otherwise disposing of it; (2) a requirement that a school district offer property suitable for classroom space for sale to start-up community schools in the district when the district has not used the property for educational purposes for one year and has not adopted a plan to so use that property within the next three years; and (3) a provision granting a school district that sells unused property to a community school under (2) the right of first refusal if the community school later disposes of the property.

Fiscal effect: By eliminating these provisions, the bill requires that community schools bid for district property under the same conditions as any other potential buyer, which generally requires the district to offer the property at public auction first and a private sale second.

R.C. 3313.41

Replaces the Executive provision with a provision that revises current law, instead of repealing it, to require that a school district offer property suitable for classroom space for sale to start-up community schools in the district if the district (a) has not used at least 75% of a building for "academic instruction" for at least 75% of a school year (eliminating the option to have used the building for other "educational purposes," including administration or storage) and (b) has not adopted a plan to use at least 75% of it for academic instruction for at least 75% of the next year (rather than a plan to use the whole building within the next three years as under current law).

Fiscal effect: Districts will have less flexibility in the use of their real property.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

68 (CD-337-EDU) Community School Moratorium

R.C. 3314.013, 3314.014

Places a moratorium on new "brick and mortar" community schools from May 1, 2007 to July 1, 2009. Until the moratorium expires on July 1, 2009, prohibits any start-up or conversion community schools from operating unless they were open for instruction as of May 1, 2007. Prohibits sponsors from entering into contracts with community schools between May 1, 2007 and July 1, 2009, except to renew a contract that the sponsor had entered into prior to May 1, 2007 with a community school that was open as of that date. (This provision appears to preclude a community school changing sponsors during the moratorium.) Prohibits sponsors from taking over sponsorship of an e-school from another sponsor during the e-school moratorium, but retains the provision allowing sponsors to renew their contracts with existing e-schools during the moratorium. (Under continuing law there is a moratorium on new e-schools until standards are enacted by the General Assembly.)

Fiscal effect: May result in fewer community school students and lower state aid transfers to community schools in FY 2008 and FY 2009 than would otherwise exist without the moratorium.

R.C. 3314.016

Replaces the Executive provision with a provision that permits new start-up schools after June 30, 2007, but only if they contract with an operator that has schools in Ohio or other states that perform at a level higher than academic watch. Also permits the governing authority of a start-up community school that is not managed by an operator to open one other community school in the 2007-2008 school year if (1) the governing authority filed a copy of its contract with the new school's sponsor with the Superintendent of Public Instruction prior to March 15, 2006, and (2) the current school has been open for at least four years, is rated excellent or effective, and made adequate yearly progress for the previous school year. Does not place restrictions on new "brick and mortar" conversion schools, but retains the current law moratorium on e-schools.

Fiscal effect: May result in more community school students than under the Executive provisions, but fewer than would otherwise exist without any restrictions.

R.C. 3314.016, 3314.017

Same as the House, but also permits the governing authority of a start-up community school that is not sponsored by the school district in which it is located to enter into another contract with the same sponsor to open an additional start-up school in the 2008-2009 school year that is located in the same district as the current school and that serves grades K to 6, if (1) the governing authority files a copy of the sponsor contract with the Superintendent of Public Instruction by March 15, 2008, and (2) the current school (a) was rated excellent or effective and named a School of Promise for three of the last four school years, (b) made adequate yearly progress for the last four school years, (c) has been in operation at least five years, and (d) is not managed by an operator.

Fiscal effect: May result in more community school students than under the House provisions, but fewer than would otherwise exist without any restrictions.

<p>69 (CD-905-EDU) Community School Enrollment Disputes</p> <p>No provision.</p>	<p>R.C. 3314.08</p> <p>Prohibits ODE from withholding payment to a community school when a district presents a challenge concerning a student's enrollment until after the district proves that the student should not be included in the community school's enrollment. Prohibits ODE from withholding payment pending the determination. If the community school subsequently presents documentation correcting the school district's report, requires ODE to resume payments.</p> <p>Fiscal effect: A community school will continue to receive transfers after a district has challenged the school's enrollment.</p>	<p>No provision.</p>
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<p>70 (CD-1156-EDU) Full-time Equivalency of Community School Students</p> <p>No provision.</p>	<p>No provision.</p>	<p>R.C. 3314.08</p> <p>Requires ODE to base the full-time equivalency of a community school student, for state funding calculations, on the percentage of the total learning opportunities offered by the community school to a student who attends for the school's entire school year instead of on 920 hours (the minimum number of hours of learning opportunities each community school is required to offer to its students) as under current law.</p> <p>Fiscal effect: Provides a clearer way to determine community school student FTEs and apportion the FTE when a community school student moves to a different school during a school year.</p>
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As Introduced (Executive)

As Passed by the House

As Passed by the Senate

71 (CD-345-EDU) Community School Minimum School Year

R.C. 3314.03, 3314.08, 3314.27

Requires community schools to provide students with 180 days, instead of 920 hours, of learning opportunities each school year.

Specifies that any day in which a student enrolled in an e-school participates in less than five or more than ten hours of learning opportunities does not count toward the 180 days.

Requires a community school to withdraw a student who fails to participate in 21 consecutive days, rather than 105 consecutive hours as under current law, of learning opportunities without excuse, and, unless the school primarily serves dropouts, prohibits it from re-enrolling the student for the duration of the school year.

No provision.

Fiscal effect: Potential increase in operational costs for community schools as switching from hours to days might require community schools to be open more days than they are now.

No provision.

No provision; retains the current law limit of no more than 10 hours in any 24-hour period from being counted toward the 920 hours of learning opportunities.

No provision.

No provision.

R.C. 3314.088

No provision.

No provision; retains the current law limit of no more than 10 hours in any 24-hour period from being counted toward the 920 hours of learning opportunities.

No provision.

Specifies that if a student is withdrawn from an operator-managed community school for unexcused absences, any community school managed by the same operator in which the student subsequently enrolls in the same school year and from which the student is also withdrawn for unexcused absences is not eligible for state funding for the student for the absence period.

Fiscal effect: May result in less state funding for certain community schools.

Other Education Provisions

72 (CD-1145-EDU) Issuance of Securities by Certain Qualifying Councils of Governments

No provision.

No provision.

R.C. 167.10, 167.101 to 167.105

Permits a council of governments (1) comprised mainly of local, city, and exempted village school districts and (2) approved as an Information Technology Center pursuant to the Ohio Education Computer Network Law to issue special obligation securities for the purpose of acquiring, constructing, or improving real or personal property for the use of the council or one or more of its members.

Fiscal effect: Provides greater flexibility for certain information technology centers to meet their capital facilities needs.

73 (CD-391-EDU) Penalties for Reporting Inaccurate EMIS Data

R.C. 3301.0714

Repeals a requirement for ODE to penalize school districts and community schools that fail to properly report data to the Education Management Information System (EMIS) by withholding 10% of state payments for the first failure in a fiscal year and an additional 20% of state payments for a second failure in a fiscal year.

Permits ODE to take the following sequential actions against a school district, community school, or educational service center that fails to properly report EMIS data: (1) require the entity to review its data submission and submit corrected data, (2) withhold up to 10% of the entity's state payments under Chapter 3317. of the Revised Code for the fiscal year and require the entity to develop a corrective action plan, (3) withhold an additional 20% of the entity's state payments for the fiscal year, and (4) direct ODE staff or an outside organization to investigate the entity's data reporting

R.C. 3301.0714

Same as the Executive.

Same as the Executive.

R.C. 3301.0714

Same as the Executive.

Same as the Executive, but clarifies that these sanctions apply to all school districts (including joint vocational school districts), community schools, educational service centers, and other educational entities that report data through EMIS and replaces references to Chapter 3317. of the Revised Code with a generic reference to "state funds."

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

practices and make recommendations for further penalties, which may include withholding an additional 30% of the entity's state payments or issuing a revised report card.

Permits ODE to release certain funds withheld from an entity if the entity corrects its data reporting problems.

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

Fiscal effect: Potential decrease to school districts and community schools that do not comply with ODE's EMIS reporting requirements and do not have their funds released upon further compliance with the guidelines. Additional funds may also be withheld for audits performed by outside entities that find the district or school has not made a good faith effort to report EMIS data.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive, but potentially expands the pool of state funding for a school district that can be withheld if the district does not meet the EMIS data reporting requirement.

74 (CD-149-EDU) Standards for Physical Education

Section: 269.60.20

Requires that no later than December 31, 2008, the State Board of Education adopt the most recent standards for physical education in grades K-12 developed by the National Association for Sports and Physical Education. Requires the Superintendent of Public Instruction to appoint a physical education coordinator to provide guidance and oversight for school districts in following the physical education standards.

No provision.

No provision.

No provision.

No provision.

No provision.

R.C. 3301.0718, Section 269.60.80

Same as the Executive, but codifies the requirement, requires the standards be adopted by December 31, 2007, and permits the Board to adopt its own physical education standards instead of those developed by the National Association for Sports and Physical Education.

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

Requires each school district, community school, and chartered nonpublic school to report to ODE the number of minutes per week and the number of classes per week of

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: May result in increases in administrative costs for ODE related to the coordinator position, however, this provision stipulates that any costs must be paid from existing appropriations.

physical education provided to students in each of grades K to 8 in the 2006-2007 school year and scheduled to be provided to those students in the 2007-2008 school year.

Fiscal effect: Same as the Executive, but does not stipulate that the coordinator position be funded with existing appropriations and permits ODE to use funds appropriated in 200-427, Academic Standards, for the cost of this position. In addition, districts and schools may incur a small administrative cost for the reporting requirement.

75 (CD-1141-EDU) Report of School District Expenditures

No provision.

No provision.

R.C. 3301.0724

Requires ODE, in consultation with the State Employment Relations Board, to prepare and submit to the General Assembly an annual report of each school district's employee salary and fringe benefit expenditures and employer and employee contributions to the total fringe benefit costs.

Fiscal effect: May result in administrative cost increases for ODE.

76 (CD-347-EDU) Chartered Nonpublic School Closing Notice

R.C. 3301.162, 3317.06

Requires the governing authority of a chartered nonpublic school, before closing the school, to notify ODE, the school district that receives state auxiliary services funding on behalf of the school's students, and the accrediting association that most recently accredited the school.

Requires the chief administrator of a closed chartered nonpublic school to deposit the school's records with the school district that received auxiliary services funds on behalf

R.C. 3301.162, 3317.06

Same as the Executive.

Same as the Executive.

R.C. 3301.162, 3317.06

Same as the Executive.

Same as the Executive, but permits the chief administrator to deposit the school's records with the accrediting association that most recently accredited the school for

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

of the school's students.

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

Fiscal effect: A small portion of the funds appropriated for auxiliary services may need to be used for storing records instead of the provision of other materials or services.

Same as the Executive.

Fiscal effect: Same as the Executive.

purposes of chartering instead of the school district.

Same as the Executive.

Fiscal effect: Same as the Executive, but the impact on auxiliary services may be lower if schools choose to deposit records with an accrediting association instead of a school district.

77 (CD-354-EDU) Staff Qualifications for Early Childhood Education Programs

R.C. 3301.311

Postpones, from FY 2008 until FY 2010, the requirement that teachers for state-funded early childhood education programs established prior to July 1, 2006, have at least associate degrees.

No provision.

Sets new deadlines for state-funded early childhood programs established on or after July 1, 2006, as follows: (1) beginning July 1, 2011, all teachers must have an associate degree; and (2) beginning July 1, 2012, half of the teachers must have bachelor's degrees.

No provision.

Fiscal effect: Allows an early childhood program to continue to receive state funding through FY 2009 even if all of its teachers do not have associate degrees. Allows a new early childhood program to continue to receive state funding through FY 2010 even if all of its teachers do not have associate degrees and through FY 2011 even if half of its teachers do not have bachelor's degrees.

R.C. 3301.311

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

78 (CD-1101-EDU) Local Report Card

No provision.

No provision.

R.C. 3302.03, Section 269.60.90

Requires ODE, on the state report cards published in 2008 through 2013, to designate as "Ohio Core Certified" school districts and community schools that both (1) offer all components of the Ohio Core curriculum to their high school students, and (2) apply the requirement to complete two semesters of fine arts between grades 7 and 12. Requires ODE to list the Ohio Core Certified school districts and community schools on its web site

No provision.

No provision.

Specifies that if a school district erroneously reported a 0% graduation rate for the 2005-2006 school year for the district or any building in the district and the district notified ODE of the error by June 30, 2007, ODE must allow the district to correct the graduation rate and include the corrected rate on the August 2007 report card issued for the district and any affected building.

Fiscal effect: May slightly increase ODE's administrative costs.

79 (CD-368-EDU) Academic Distress Commissions

R.C. 3302.10

Makes it permissive instead of mandatory for the Superintendent of Public Instruction to establish an academic distress commission for a qualifying school district.

Requires the two members of each commission appointed by the president of the district board of education to be residents of the district.

Requires each commission to adopt an academic recovery plan approved by the Superintendent of Public Instruction and to update the plan at least annually.

R.C. 3302.10

Same as the Executive.

Same as the Executive.

Same as the Executive.

R.C. 3302.10

No provision.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Requires each member of a commission to file a statement with the Ohio Ethics Commission disclosing pecuniary interests in financial transactions with the school district served by the commission.

Same as the Executive.

Replaces the Executive provision with a provision that requires each member of a commission to file a prescribed financial disclosure statement as required for various other appointed and elected officials.

Requires ODE to provide administrative support for each commission.

Same as the Executive.

Same as the Executive.

Requires the Attorney General to serve as the legal counsel for each commission.

No provision.

No provision.

Requires commission meetings to be public and subject to the requirements of meetings of other public bodies under R.C. 121.22 (the open meetings law), except that members not physically present may count toward a quorum and vote, if the meeting is held by teleconference and the public may attend any location of the teleconference.

Same as the Executive, but eliminates the exception allowing members present by teleconference to be counted toward the quorum and to vote.

Same as the House.

Makes additional specifications regarding the operation of the commissions.

Same as the Executive.

Same as the Executive.

Fiscal effect: May increase administrative costs for school districts, ODE, and the Attorney General related to their responsibilities to provide support to academic distress commissions, costs may be lower, however, since creation of a commission is permissive instead of mandatory. Commission members are not compensated for their work, but are reimbursed for expenses. The bill also requires that districts receiving state poverty-based assistance for closing achievement gaps that have higher percentages of buildings in academic watch or academic emergency than the prior year devote those funds first to the expenses of a commission if one has been created for it. (R.C. 3317.029) Currently, no districts qualify to have a commission appointed.

Fiscal effect: Same as the Executive, but the Attorney General will not incur any costs and reimbursements to committee members may be higher since they will need to be physically present at the meetings.

Fiscal effect: Same as the House, but costs may be higher because a commission must be appointed for a qualifying district.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

80 (CD-372-EDU) Auxiliary Services Funds**R.C. 3317.06**

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

No provision.

Fiscal effect: A small portion of the funds appropriated for auxiliary services may need to be used for labeling instead of the provision of other materials or services.

R.C. 3317.06

Same as the Executive.

No provision.

Fiscal effect: Same as the Executive.

R.C. 3317.06

Same as the Executive.

Adds social work to the list of services that may be provided to students of chartered nonpublic schools with state Auxiliary Services Funds.

Fiscal effect: Same as the Executive, but also may make it easier for some schools to receive auxiliary services since the services include social work.

81 (CD-1099-EDU) Nonpublic School Administrative Reimbursements

No provision.

No provision.

R.C. 3317.063

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

Fiscal effect: The bill appropriates \$59.8 million in FY 2008 and \$61.6 million in FY 2009 for these payments.

82 (CD-1147-EDU) Special Education Law Update

No provision.

No provision.

R.C. 3323.01, 3323.011 to 3323.30

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

Fiscal effect: Does not appear to have any additional fiscal effects beyond what is already required by federal law.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

83 (CD-349-EDU) Intervention Specialists**R.C. 3323.11**

Changes "special education teachers" to "intervention specialists" in the special education law.

Fiscal effect: None.

R.C. 3323.11

Same as the Executive.

Fiscal effect: Same as the Executive.

No provision (a new R.C. 3323.11 is enacted as part of special education law update, see entry CD-1147-EDU).

84 (CD-394-EDU) Utility Property Tax Replacement Payments**R.C. 5727.85**

Extends from 2008 to 2009 the time during which a new school district created between 2000 and 2004 will receive 100% of its utility property tax replacement payments for current fixed-rate levy losses. Currently, the payments are scheduled to begin phasing out in 2009 (at 75%); the phase-out resumes in 2010 as currently scheduled.

Provides that the Director of Budget and Management may, but is not required to as under current law, transfer excess School District Property Tax Replacement Fund (Fund 053) balances to the Half-Mill Equalization Fund (Fund 5BJ), and authorizes the Director to also transfer those balances to the GRF. (Fund 5BJ is used to supplement the half-mill maintenance levy required for districts that participate in the School Facilities Commission's (SFC's) Classroom Facilities Assistance Program if the district has below-average per-pupil property valuation).

No provision.

Fiscal effect: Potential increase in the payment made to Manchester Local (Adams) of approximately \$1.0 million

R.C. 5727.85

Same as the Executive.

Replaces the Executive provision with a provision that requires the Director to transfer excess balances to the Half-Mill Equalization Fund to the extent required to make half-mill equalization payments and then to transfer any remaining funds to the GRF.

No provision.

Fiscal effect: Same as the Executive, assuming the Director of OBM would transfer no more or less than the

R.C. 5727.85, 5727.84

Same as the Executive.

Same as the House.

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

Fiscal effect: Same as the House, but also provides a potential increase to the school districts containing the

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

in FY 2009. According to OBM, approximately \$14.6 million in FY 2008 and \$21.4 million in FY 2009 of excess balances in Fund 053 may be transferred to the GRF. Under current law, any excess balances are transferred to Fund 5BJ. If there is a balance in Fund 5BJ after making the required payments under the Half-Mill Equalization Program, SFC may seek Controlling Board approval to transfer a reasonable amount to the Public School Building Fund to fund school facilities projects.

amount required to make half-mill equalization payments to the Half-Mill Equalization Fund and would transfer the remaining balance to the GRF if given discretion to do so.

two nuclear power plants in Ohio.

85 (CD-1127-EDU) STEM Initiatives Grants

No provision.

No provision.

Section: 269.20.75

Requires ODE, in collaboration with the Board of Regents and the Chancellor, and in accordance with criteria prescribed by the Partnership for Continued Learning, to award (1) start-up grants for new STEM schools serving students above grade 6 and (2) grants to support STEM programs of excellence serving students in any of grades K to 8. Start-up grants for new STEM schools may be awarded only to school districts (including joint vocational school districts), educational service centers, community schools, and consortiums of districts, service centers, or community schools. Grants for STEM programs of excellence may be awarded only to school districts, district-operated schools, educational service centers, or community schools.

Fiscal effect: The bill provides \$2,783,000 in each fiscal year for start-up grants for new STEM schools and \$3,500,000 in each fiscal year for STEM Programs of Excellence.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

86 (CD-150-EDU) Plan to Move Education Programs to Board of Regents

Section: 269.60.30

Requires ODE to work with the Board of Regents and the Governor's Workforce Policy Board to develop a plan by November 30, 2007 that moves adult education and career programs from ODE to the Board of Regents. Requires that the programs be moved to the Board of Regents by July 1, 2008. Authorizes the Director of Budget and Management to make any budget and accounting changes made necessary by this movement of programs.

Fiscal effect: Will likely result in funding being shifted from ODE to the Board of Regents.

Section: 269.60.30

Same as the Executive, but requires that adult basic and literacy education (ABLE) programs stay under ODE; specifies that "adult and career-technical education programs" be transferred instead of "adult education and career programs"; removes the Governor's Workforce Policy Board as one of the entities involved; removes the requirement that a plan for the transfer be submitted (although the transfer is still to occur by July 1, 2008); and modifies the intended purpose of the transfer.

Fiscal effect: Same as the Executive, but ODE will retain funding for ABLE and funding for career-technical programs may also be transferred.

Section: 269.60.30

Same as the House, but eliminates the prohibition against transferring adult basic and literacy education (ABLE) programs, specifies that "adult career-technical education programs" be transferred instead of "adult and career-technical education programs," requires that a plan for the transfer be developed by July 1, 2008, and moves the date of the transfer back six months to January 1, 2009.

Fiscal effect: Same as the House, but ODE will not retain funding for ABLE and only funding for adult career-technical education programs may be transferred.

87 (CD-1098-EDU) Calamity Days

No provision.

No provision.

Section: 269.60.70

Allows a joint vocational school district that exceeds the permitted number of "calamity days" in the 2006-2007 school year to receive state funding in FY 2008, if the total number of excess calamity days is not more than the number of days the district's career center was closed for fire damage in May 2007.

Fiscal effect: Mahoning JVSD will not have to make up extra days and will still be eligible for state aid in FY 2008.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

88 (CD-1152-EDU) Disposal of School District Real Property

No provision.

No provision.

Section: 269.70.10

Permits a countywide local school district, until February 29, 2008, to dispose of real property by private sale to a community action agency that operates an early childhood education program within the district, in lieu of 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 provides greater flexibility for a qualifying district to dispose of its real property.

Appropriation Language**89 (CD-80-EDU) Alternative Education Programs****Section: 269.10.50**

Creates the Alternative Education Advisory Council, and makes the following earmarks of GRF appropriation item 200-421, Alternative Education Programs:

- (1) Earmarks up to \$6,227,310 in each fiscal year for alternative education grants for the Urban 21 school districts.
- (2) Earmarks up to \$6,161,074 in each fiscal year for alternative education grants for suburban and rural school districts.
- (3) Earmarks up to \$422,281 in each fiscal year for program administration, monitoring, technical assistance, support, research, and evaluation of the alternative education grants.
- (4) Earmarks \$247,000 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.

Section: 269.10.50

Same as the Executive, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

Section: 269.10.50

Same as the House, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Decreases earmark to \$322,281 in each fiscal year.
- (4) No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(5) Earmarks \$75,000 in each fiscal year for support of the Toledo Tech Academy.

(5) Same as the Executive.

(5) Increases earmark to \$100,000 in each fiscal year and requires that \$25,000 in each fiscal year be used for For Inspiration and Recognition in Science and Technology programs. (F.I.R.S.T.)

(6) Earmarks \$100,000 in each fiscal year to be used for Youth Opportunities United, Inc.

(6) No provision.

(6) No provision.

(7) Earmarks \$250,000 in each fiscal year to support Amer-I-Can.

(7) No provision.

(7) No provision, but earmarks the same amount in each fiscal year from GRF appropriation item 200-431, School Improvement Initiatives.

(8) No provision.

(8) Earmarks \$100,000 in each fiscal year for the Cincinnati Arts and Technology Center to increase program support for high-risk teens and unemployed urban adults.

(8) Same as the House.

(9) No provision.

(9) Earmarks \$2,000,000 in FY 2008 to support Improved Solutions for Urban Students (ISUS) in Dayton/Sinclair Youth Initiative.

(9) Same as the House.

90 (CD-81-EDU) School Management Assistance

Section: 269.10.60

Makes the following earmarks to GRF appropriation item 200-422, School Management Assistance:

(1) Earmarks up to \$815,000 in each fiscal year to be used by ODE for expenses incurred by the Auditor of State for the Auditor's role in performing audits of districts in fiscal distress.

Section: 269.10.60

Same as the Executive, but makes the following change to the earmarks:

(1) Increases earmark to \$1,300,000 in each fiscal year.

Sections: 269.10.60, 512.50

Same as the Executive, but makes the following change to the earmarks:

(1) Increases earmark to \$1,715,000 in each fiscal year, specifies that this earmark "shall" be used instead of "may" be used for this purpose and that this earmark be used by the Auditor of State instead of ODE. Requires the Director of Budget and Management to transfer \$400,000 cash in FY 2008 from the GRF to the Public Audit Expense Intra-State Fund (Fund 109) for the same purpose as this earmark.

(2) Earmarks up to \$250,000 in each fiscal year to be used by ODE to work with school districts and entities that serve school districts to develop and deploy analytical tools that allow districts to analyze more thoroughly district spending patterns in order to promote more effective and efficient use

(2) Same as the Executive.

(2) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

of resources.

(3) Specifies that the remainder of the appropriation in each fiscal year be used to provide fiscal technical assistance and in-service education for school district management personnel and to administer, monitor, and implement the fiscal watch and fiscal emergency provisions of the Revised Code.

(3) Same as the Executive.

(3) Same as the Executive.

91 (CD-85-EDU) Academic Standards

Section: 269.10.90

Makes the following earmarks to GRF appropriation item 200-427, Academic Standards:

(1) Earmarks up to \$747,912 in each fiscal year to provide funds to school districts that have teachers participating in the teacher-on-loan program.

(2) Earmarks \$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.

(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.

(4) Earmarks \$2,600,000 in each fiscal year for mathematics initiatives including intensive teacher professional development institutes that focus on classroom implementation of the mathematics standards.

(5) Earmarks \$200,000 in each fiscal year for the Ohio Resource Center for Math and Science.

Section: 269.10.90

Same as the Executive, but makes the following change to the earmarks:

(1) No provision.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Section: 269.10.90

Same as the House, but makes the following change to the earmarks:

(1) No provision.

(2) Same as the Executive.

(3) Same as the Executive.

(4) No provision, but earmarks the same amount from GRF appropriation item 200-457, STEM Initiatives.

(5) No provision, but earmarks the same amount from GRF appropriation item 200-457, STEM Initiatives.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(6) Earmarks \$282,000 in each fiscal year for the JASON Expedition project.

(6) Same as the Executive.

(6) No provision, but earmarks the same amount from GRF appropriation item 200-457, STEM Initiatives.

(7) Earmarks \$285,000 in each fiscal year for science initiatives including the Ohio Science Institute (OSCI).

(7) Same as the Executive.

(7) No provision, but earmarks the same amount from GRF appropriation item 200-457, STEM Initiatives.

(8) No provision.

(8) No provision.

(8) Earmarks \$50,000 in each fiscal year for the Art Academy of Cincinnati.

(9) Specifies that the remainder of the appropriation be used by ODE for the development and dissemination of academic content standards and curriculum models.

(9) Same as the Executive.

(9) Same as the Executive, but also permits ODE to use the remainder to support the coordination of Physical Education standards.

92 (CD-86-EDU) School Improvement Initiatives

Section: 269.20.10

Makes the following earmarks to GRF appropriation item 200-431, School Improvement Initiatives:

(1) Earmarks up to \$450,000 in each fiscal year to be used for Ohio's Rural Appalachian Leadership Development Initiative.

(2) Earmarks up to \$601,165 in each fiscal year to support educational media centers to provide Ohio public schools with instructional resources and services.

(3) Earmarks \$800,000 in each fiscal year to support districts in the development and implementation of continuous improvement plans.

(4) Earmarks up to \$315,000 in each fiscal year for Project GRAD.

(5) Earmarks \$3,503,985 in FY 2008 and \$4,253,985 in FY 2009 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

Section: 269.20.10

Same as the Executive, but makes the following changes to the earmarks:

(1) Same as the Executive.

(2) No provision.

(3) Same as the Executive.

(4) Reduces earmark to \$236,250 in each fiscal year.

(5) Same as the Executive.

Section: 269.20.10

Same as the House, but makes the following changes to the earmarks:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Increases the earmark to \$10,387,835 in each fiscal year.

(4) Same as the House.

(5) & (6) Replaces the Executive earmarks for creating early college high schools and converting large urban high schools into small personalized high schools with one combined earmark for both purposes. Reduces the total

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

appropriation item 235-434, College Readiness and Access.

amount of the combined earmark to \$7,988,985 in FY 2008 and to \$8,323,985 in FY 2009. Specifically authorizes part of the earmark to be used for administrative costs of redesigning high schools and improving urban schools.

(6) Earmarks up to \$4,935,000 in each fiscal year to convert existing large urban high schools into small, personalized high schools.

(6) Same as the Executive.

(6) See above.

(7) Earmarks up to \$65,000 in fiscal year 2008 to Southern State Community College for the Pilot Post-Secondary Enrollment Options Program with Miami Trace High School.

(7) Increases earmark to \$75,000 in each fiscal year.

(7) Same as the House.

(8) Earmarks \$1,000,000 in each fiscal year to support Jobs for Ohio Graduates (JOG).

(8) Same as the Executive.

(8) Same as the Executive.

(9) Earmarks up to \$600,000 in each fiscal year to support start-up costs for gaining business and industry credentialing program accreditation and to support the development of a data collection system across the numerous industry test providers.

(9) Same as the Executive.

(9) Same as the Executive.

(10) No provision, but earmarks the same amount from GRF appropriation item 200-421, Alternative Education Programs.

(10) No provision.

(10) Earmarks \$250,000 in each fiscal year for Amer-I-Can.

93 (CD-87-EDU) Literacy Improvement-Professional Development

Section: 269.20.20

Makes the following earmarks to GRF appropriation item 200-433, Literacy Improvement-Professional Development:

(1) Earmarks up to \$9,790,000 in each fiscal year for educator training in literacy for classroom teachers, administrators, and literacy specialists.

(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.

Section: 269.20.20

Same as the Executive, but makes the following changes to the earmarks:

(1) Reduces earmark to \$9,590,000 in each fiscal year.

(2) Same as the Executive.

Section: 269.20.20

Same as the House, but makes the following changes to the earmarks:

(1) Reduces earmark to \$9,540,000 in each fiscal year.

(2) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(3) Earmarks up to \$900,000 in each fiscal year to fund the Reading Recovery Training Network.

(4) No provision.

(5) Specifies that the remainder of the appropriation be used by ODE to provide administrative support of literacy professional development programs. Also permits ODE to use the remainder to contract with an external evaluator on the effectiveness of the literacy professional development initiative in the academic achievement of students.

(3) Same as the Executive, but earmarks \$900,000 instead of up to \$900,000.

(4) Earmarks \$100,000 in each fiscal year for the Contemporary Arts Center to be used for art education for children and a children's museum.

(5) Same as the Executive, but requires ODE to receive Controlling Board approval to contract with an external evaluator.

(3) Same as the Executive.

(4) Same as the House.

(5) Same as the House.

94 (CD-88-EDU) Student Assessment

Sections: 269.20.20, 269.50.70

Specifies that GRF appropriation item 200-437, Student Assessment, be used by ODE for costs associated with the state's required student assessments. Specifies that, if funds remain in this appropriation after this purpose is fulfilled, ODE may use the remainder of the appropriation to develop end-of-course exams.

Authorizes the Director of Budget and Management in each fiscal year to transfer unspent and unencumbered funds within ODE, as necessary, to GRF appropriation item 200-437, Student Assessment, to fully fund the student assessment requirements of state law. If these transferred funds are not sufficient, permits the Superintendent of Public Instruction to seek Controlling Board approval to transfer up to \$9.0 million from the Lottery Profits Education Reserve Fund to the GRF to be appropriated to this item.

Sections: 269.20.20, 269.50.70

Same as the Executive.

Same as the Executive.

Sections: 269.20.20, 269.50.70

Same as the Executive, but earmarks \$207,364 in FY 2008 and \$212,486 in FY 2009 for the kindergarten readiness assessment.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

95 (CD-89-EDU) Accountability/Report Cards

Section: 269.20.30

Makes the following earmarks to GRF appropriation item 200-439, Accountability/Report Cards:

- (1) Earmarks up to \$3,028,540 in each fiscal year to train district and regional specialists and district educators in the use of the value-added progress dimension.
- (2) No provision.
- (3) Specifies that the remainder of the appropriation be used to incorporate a statewide pilot value-added progress dimension into performance ratings for school districts and for the development of an accountability system that includes the preparation and distribution of school report cards.

Section: 269.20.30

Same as the Executive, but makes the following change to the earmarks:

- (1) Same as the Executive.
- (2) Earmarks \$6.0 million in FY 2009 for a new subsidy for school districts rated excellent on the local report card. Establishes the amount of the subsidy for each eligible district as \$10 multiplied by the average daily enrollment of the district as reported on the district's local report card.
- (3) Same as the Executive.

Section: 269.20.30

Same as the Executive, but makes the following change to the earmark:

- (1) Same as the Executive, but also allows this earmark to be used for training in the use of data as it relates to improving student achievement.
- (2) No provision.
- (3) Same as the Executive.

96 (CD-91-EDU) Education Management Information System

Section: 269.20.40

Specifies that GRF appropriation item 200-446, Education Management Information System, be used to improve the education management information system (EMIS) and makes the following earmarks:

- (1) Earmarks up to \$1,338,620 in FY 2008 and \$1,372,085 in FY 2009 to be distributed to information technology centers for costs related to processing, storing, and transferring data for the effective operation of EMIS.
- (2) Earmarks up to \$8,256,569 in FY 2008 and up to \$8,462,984 in FY 2009 to be distributed on a per-pupil basis

Section: 269.20.40

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.

Section: 269.20.40

Same as the Executive, but makes the following change to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

to school districts, community schools, educational service centers (ESCs), joint vocational school district (JVSDs), and other education entities that report data through EMIS. Specifies that each school district or community school with more than 100 students and each JVSD receive a minimum of \$5,000 in each fiscal year. Specifies that each school district or community school with between 1 and 100 students and each ESC and each county board of MR/DD that submits data receive \$3,000 in each fiscal year.

(3) Specifies that the remainder of the appropriation be used to develop and support a common core of data definitions and standards as adopted by the Education Data Advisory Council (EDAC). Specifies that any provider of software meeting the standards approved by EDAC be designated as an approved vendor and may enter into contracts with educational entities for the purpose of collecting and managing data required under Ohio's EMIS laws. Prohibits school districts and community schools that are not implementing a common and uniform set of data definitions and data format standards from receiving funding until they are in compliance.

(3) Same as the Executive.

(3) Same as the Executive, but changes the "Education Data Advisory Council" to the "Education Management Information System Advisory Board."

97 (CD-93-EDU) Educator Preparation

Section: 269.20.60

Makes the following earmarks of GRF appropriation item 200-448, Education Preparation:

(1) Earmarks \$100,000 in each fiscal year for the Teacher Quality Partnership project. Specifies that these funds are to be used in conjunction with funding in the Board of Regents' budget under appropriation item 235-435, Teacher Improvement Initiatives.

(2) Earmarks up to \$1,551,000 in each fiscal year that may be used by ODE to support the Educator Standards Board. Permits ODE to use any remaining funds to develop

Section: 269.20.60

Same as the Executive, but makes the following change to the earmarks:

(1) No provision.

(2) Same as the Executive, but applies language to entire appropriation.

Section: 269.20.60

Same as the Executive, but makes the following change to the earmarks:

(1) Same as the Executive.

(2) Same as the Executive, but applies language to remainder of appropriation.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

alternative preparation programs for school leaders.

98 (CD-1126-EDU) STEM Initiatives

Section:

No provision.

(1) No provision.

(2) No provision.

(3) No provision.

(4) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

(5) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

(6) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

(7) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

Section:

No provision.

(1) No provision.

(2) No provision.

(3) No provision.

(4) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

(5) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

(6) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

(7) No provision, but earmarks the same amount from GRF appropriation item 200-427, Academic Standards.

Section: 269.20.70

Makes the following earmarks of GRF appropriation item 200-457, STEM Initiatives:

(1) Earmarks \$2,783,000 in each fiscal year for start-up grants for new STEM schools.

(2) Earmarks \$3,500,000 in each fiscal year to support STEM Programs of Excellence.

(3) Earmarks \$350,000 in each fiscal year to support the Young Buckeye STEM Scholars After School and Summer Program.

(4) Earmarks \$2,600,000 in each fiscal year for mathematics initiatives including intensive teacher professional development institutes that focus on classroom implementation of the mathematics standards.

(5) Earmarks \$200,000 in each fiscal year for the Ohio Resource Center for Math and Science.

(6) Earmarks \$282,000 in each fiscal year for the Jason Expedition project.

(7) Earmarks \$285,000 in each fiscal year for science initiatives including the Ohio Science Institute (OSCI).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

99 (CD-103-EDU) Ohio Core Support

Section: 269.30.40

Specifies that GRF appropriation 200-536, Ohio Core Support, be used for the Ohio Core Program. Specifies that ODE and the Board of Regents jointly administer funding to eligible school districts, fiscal agents, individuals, and programs. Makes the following earmarks:

- (1) Earmarks up to \$2,600,000 in FY 2008 and up to \$3,000,000 in FY 2009 to support the participation of teachers and mid-career professionals in a twelve-month intensive training program that leads to licensure in a laboratory-based science, advanced mathematics, or foreign language field and employment in a hard to staff school.
- (2) Earmarks up to \$1,500,000 in FY 2008 and up to \$2,100,000 in FY 2009 to support alternative teacher licensure programs developed by educational service centers in partnership with institutions of higher education.
- (3) Earmarks up to \$3,600,000 in each fiscal year to be distributed to school districts to contract with institutions of higher education for instruction in advanced mathematics, laboratory-based science, or foreign language that results in dual high school and college credit.
- (4) Earmarks up to \$2,000,000 in FY 2008 for National Aeronautics and Space Administration resource centers.
- (5) Earmarks up to \$6,500,000 in FY 2009 to be distributed to public school districts for supplemental post-secondary enrollment options participation.
- (6) No provision.

Section: 269.30.40

Same as the Executive, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive, but makes chartered nonpublic schools eligible for funding as well as school districts.
- (4) No provision.
- (5) Reduces earmark to \$6,425,000 in FY 2009.
- (6) No provision.

Section: 269.30.40

Same as the House, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the House.
- (4) No provision.
- (5) Reduces earmark to \$5,675,000 in FY 2009.
- (6) Earmarks \$750,000 in FY 2009 for Advanced Placement (AP) Summer Institutes.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

100 (CD-105-EDU) Special Education Enhancements

Section: 269.30.50

Makes the following earmarks to GRF appropriation item 200-540, Special Education Enhancements:

- (1) Earmarks up to \$2,906,875 in each fiscal year for home instruction for children with disabilities.
- (2) Earmarks up to \$1,462,500 in each fiscal year for parent mentoring programs.
- (3) Earmarks up to \$2,783,396 in each fiscal year for school psychology interns.
- (4) Earmarks \$750,000 in each fiscal year for the Out of School Initiative of Sinclair Community College.
- (5) Earmarks \$200,000 in each fiscal year for a preschool special education pilot program in Bowling Green City School District.
- (6) Earmarks \$200,000 in each fiscal year to support the Bellefaire Jewish Children's Bureau.
- (7) Earmarks up to \$82,707,558 in FY 2008 and \$83,371,505 in FY 2009 for preschool special education and preschool supervisory units at county MR/DD boards, educational service centers, and school districts. Authorizes ODE, among other things, to reimburse county MR/DD boards, educational service centers, and school districts for preschool physical and occupational therapy services provided by a physical therapy assistant and certified occupational therapy assistant.

Section: 269.30.50

Same as the Executive, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive.

Section: 269.30.50

Same as the House, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive, but clarifies that eligible preschool physical and occupational therapy services may be provided by licensed physical and occupational therapists and by physical and occupational therapy assistants under the supervision of licensed physical or occupational therapists and states that this section does not authorize physical or occupational therapy assistants to generate or manage their own caseloads.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(8) Earmarks up to \$315,000 in each fiscal year to be used for the Collaborative Language and Literacy Instruction Project.

(8) Increases earmark to \$400,000 in each fiscal year.

(8) Same as the House.

(9) No provision.

(9) Earmarks \$325,000 in each fiscal year for OCALI to contract with the Delaware-Union ESC to provide autism transition services.

(9) Same as the House.

(10) No provision.

(10) Earmarks \$75,000 in each fiscal year for Leaf Lake/Geauga Educational Assistance Funding.

(10) Same as the House.

(11) No provision.

(11) No provision.

(11) Earmarks \$650,000 in each fiscal year for Project More.

(12) Specifies that the remainder of the appropriation be used to fund special education and related services at county boards of mental retardation and developmental disabilities for eligible students under R.C. 3317.20 and at institutions for eligible students under R.C. 3317.201

(12) Same as the Executive.

(12) Same as the Executive.

101 (CD-106-EDU) Career-Technical Education Enhancements

Section: 269.30.60

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

Section: 269.30.60

Same as the Executive.

Section: 269.30.60

Same as the Executive, but makes the following change to the earmarks:

(1) Earmarks up to \$2,509,152 in FY 2008 and up to \$2,584,427 in FY 2009 to fund career-technical education units at institutions.

(1) Same as the Executive.

(1) Same as the Executive, but provides the funding for grants instead of units.

(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 up to \$3,401,000 in each fiscal year to support existing High Schools that Work sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs.

(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 \$466,992 in each fiscal year for the Ohio Career Information System.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Earmarks up to \$300,000 in each fiscal year for the Agriculture 5th Quarter Project.

(5) Same as the Executive.

(5) Same as the Executive.

102 (CD-118-EDU) Foundation Funding

Section: 269.30.70

Provides the following concerning GRF appropriation item 200-550, Foundation Funding:

(1) Specifies that the appropriation includes \$75,000,000 in each fiscal year for the state education aid offset due to the change in public utility valuation as a result of Am. Sub. S.B. 3 and Am. Sub. S.B. 287, 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) Specifies that the appropriation in FY 2008 includes \$58,000,000 and in FY 2009 includes \$145,000,000 for the state education aid offset due to the changes in tangible personal property valuation as a result of Am. Sub. H.B. 66 of the 126th General Assembly. Permits the Director of Budget and Management to increase or decrease the cash transfer from Fund 047, appropriation item 200-900, School District Property Tax Replacement-Business, upon certification by ODE of the actual state aid offset.

(3) 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.

Section: 269.30.70

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Section: 269.30.70

Same as the Executive, but makes the following change:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

- (4) Requires that an amount be available in each fiscal year to fund up to 225 full-time equivalent GRADS teacher grants.
- (5) Requires that an amount be available in each fiscal year to provide a subsidy to school districts with high proportions of exempted valuation.
- (6) Requires that an amount be available in each fiscal year to make payments to school districts for the excess cost supplement.
- (7) Earmarks up to \$30,000,000 in each fiscal year to be reserved for payments to school districts with large changes in valuation under R.C. sections 3317.026, 3317.027, and 3317.028. Permits the Controlling Board to increase the amount if requested.
- (8) Earmarks up to \$19,770,000 in FY 2008 and up to \$20,545,200 in FY 2009 to provide additional state aid to school districts for the special education catastrophic cost supplement.
- (9) Earmarks up to \$2,000,000 in each fiscal year for Youth Services tuition payments.
- (10) Earmarks up to \$52,000,000 in each fiscal year to fund the state reimbursement of educational service centers.
- (11) Requires that an amount be available in each fiscal year for special education weighted funding.
- (12) Requires that an amount be available in each fiscal year for transitional aid to school districts and joint vocational school districts.
- (13) Earmarks up to \$1,000,000 in each fiscal year for a program to pay for educational services for youth who have been assigned by a juvenile court or other authorized agency to a facility participating in the private treatment facility project.

- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive.
- (8) Same as the Executive.
- (9) Same as the Executive.
- (10) Same as the Executive.
- (11) Same as the Executive.
- (12) Same as the Executive.
- (13) Same as the Executive.

- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive.
- (8) Same as the Executive.
- (9) Same as the Executive.
- (10) Same as the Executive.
- (11) Same as the Executive.
- (12) Same as the Executive.
- (13) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(14) Earmarks up to \$3,700,000 in each fiscal year to be used for school breakfast programs. Of this amount, requires that ODE use \$900,000 in each fiscal year to contract with the Children's Hunger Alliance to increase participation in child nutrition programs. Of this contracted amount, requires that the Children's Hunger Alliance use \$150,000 in each fiscal year to subcontract with organizations that expand summer food participation in underserved areas of the state. 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.

(14) Same as the Executive.

(14) Same as the Executive.

(15) Earmarks up to \$8,686,000 in FY 2008 and up to \$8,722,860 in FY 2009 to operate the school choice program in the Cleveland Municipal School District. Specifies that up to \$11,901,887 in each fiscal year of the foundation program funds credited to the Cleveland Municipal School District also be used to operate this program.

(15) Same as the Executive.

(15) Same as the Executive.

(16) No provision.

(16) Earmarks \$2.4 million in FY 2008 and \$2.7 million in FY 2009 to be used in conjunction with funding appropriated under GRF appropriation item 200-408, Early Childhood Education, to pay the costs of early childhood education programs.

(16) No provision.

(17) No provision.

(17) No provision.

(17) Earmarks \$3,312,165 in each fiscal year for providing additional support to districts in the development and implementation of their continuous improvement plans.

(18) Specifies that the remainder of the appropriation be expended for base cost funding, special education speech service enhancement funding, career-technical education weight funding, career-technical education associated service funding, teacher training and experience funding, the charge-off supplement, and the excess cost supplement.

(18) Same as the Executive.

(18) Same as the Executive.

(19) Specifies that GRF appropriation items 200-502, Pupil Transportation; 200-521, Gifted Pupil Program; 200-540, Special Education Enhancements; and 200-550, Foundation

(19) Same as the Executive.

(19) Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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Funding, other than specific set-asides, are to fund state formula aid obligations. Provides that ODE seek Controlling Board approval to transfer funds among these items in order to meet these obligations.

103 (CD-891-EDU) Improving Teacher Quality

No provision.

Section: 269.40.40

Requires ODE to provide \$900,000 in each fiscal year in federal 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.

104 (CD-142-EDU) Distribution Formulas

Section: 269.50.20

Requires that ODE report to the Director of Budget and Management and the Legislative Service Commission the following changes: (a) changes in formulas for distributing state appropriations; (b) discretionary changes in formulas for distributing federal appropriations; and (c) federally mandated changes in formulas for distributing federal appropriations. Requires these changes be reported two weeks prior to their effective dates.

Section: 269.50.20

Same as the Executive.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

105 (CD-653-EPA) E-Check Extension

R.C. 3704.14, 4503.10

Extends the sunset of the operation of the enhanced motor vehicle inspection and maintenance program from December 31, 2007, to December 31, 2009, in those counties where the program was in operation on January 3, 2006; specifies that the Director of Ohio EPA must not implement or operate an enhanced motor vehicle inspection and maintenance program in an area of the state where such a program was not operating on January 3, 2006, pursuant to a contract entered into by this state unless: (1) the program is required in the approved state implementation plan, and (2) after January 3, 2006, the US EPA has expressly notified the Director in writing that the failure to operate the program in a specific area will result in the imposition of sanctions under the Federal Clean Air Act.

Specifies that the General Assembly declares that the above provisions governing the implementation of the program in certain areas of the state represent a codification of the intended meaning of the law related to motor vehicle inspections as it existed after its re-enactment by Am. Sub. H.B. 66 of the 126th General Assembly.

No provision.

R.C. 3704.14, 4503.10

Same as the Executive.

No provision.

No provision.

R.C. 3704.14, 4503.10

Removes provisions of the bill that extend the enhanced motor vehicle inspection and maintenance program (E-Check) until December 31, 2009, and instead specifies: (1) that it is the intent of the General Assembly that the E-Check program not be extended beyond December 31, 2007, and (2) that if the Governor determines that the extension of a transportation-based ozone reduction program is necessary to comply with federal law, the Governor, by executive order, may, through a public bidding process, extend Ohio's compliance efforts for one year using the most cost effective, least costly, consumer accommodating, and decentralized available technology and approaches that meet federal performance standards and thereafter, the Governor, by executive order, may extend that program for an additional year or as otherwise required to comply with applicable law.

No provision.

Specifies: (1) that it is the intent of the General Assembly that a tailpipe motor vehicle inspection and maintenance program not be implemented in any county in the state, (2) that it is the intent of the General Assembly that, if a motor vehicle-based ozone testing program is mandated by federal law for counties in the northeastern portion of Ohio, a tailpipe motor vehicle inspection and maintenance program not be implemented and that an onboard diagnostic inspection and gas-cap testing program be utilized to satisfy any federal requirements for vehicle emissions testing, and

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

(3) that if any motor vehicle testing program is established, the Director of Environmental Protection ensure that motor vehicles four years old or newer are exempt from the testing program.

Requires the Director of Environmental Protection to annually request the United States Environmental Protection Agency to provide a list of alternative approaches to meet federal performance standards through program changes that Ohio may employ to comply with the federal Clean Air Act in lieu of the implementation of a motor vehicle inspection and maintenance program, and requires the Director to prepare a report concerning those alternative approaches and submit it to the General Assembly.

Fiscal effect: Potential increase in administrative cost to prepare report.

106 (CD-705-EPA) Auto Emissions Testing

Section: 521.12

Requires the Director of Office and Budget Management to transfer \$14,817,105 in FY 2008 and \$15,057,814 in FY 2009 from HOF Fund 002, Highway Operating, to SSR Fund 5BY, Auto Emissions Test, for operation and oversight of the auto emissions testing program. Specifies that the cash transfer is from Congestion Mitigation and Air Quality (CMAQ) program moneys within the Department of Transportation.

Section: 281.10

Same as the Executive, but requires that the cash transfers be made in the same amounts from the GRF.

Section: 281.10

Same as the House, but permits Director of Budget and Management to transfer \$14,817,105 in FY 2008 only if the Governor issues an executive order. Permits the Director of Budget and Management to transfer \$15,057,814 in FY 2009 if the Governor issues a subsequent executive order.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

107 (CD-1177-EBR) Environmental Review Appeals Commission - EPA Jurisdiction

No provision.

No provision.

R.C. 3745.04

Clarifies that the Director of Environmental Protection has and retains jurisdiction to modify, amend, revise, renew, or revoke a permit, rule, order, or other action that is already the subject of an appeal to the Commission.

Provides that a party to that appeal that does not concur with any such additional action of the Director is deemed also to have appealed that new action upon providing notification to the Commission, and exempts the party from the requirements to:

- (1) File a new notice of appeal of the modification, amendment, revision, renewal, or revocation;
- (2) Pay any additional filing fee to the Commission.

Applies the above to any appeal that is pending on the provision's effective date.

Fiscal effect: Potential minimal savings in administrative costs; potential minimal loss in filing fee revenue.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

108 (CD-1146-ETC) eTech Ohio Commission

No provision.

No provision.

R.C. 3353.02, 3353.03

Adds the President of the Ohio Alliance for Public Telecommunications as a voting member of the eTech Ohio Commission and requires the chairperson of the Commission to be one of the members representing the public.

No provision.

No provision.

Eliminates the requirement for educational technology organizations to be approved by the Commission to receive financial and other assistance for the acquisition and utilization of educational technology from the Commission.

No provision.

No provision.

Eliminates the requirement that advisory groups of the Commission provide guidance about the technology needs of educators, learners, and the public and instead requires the groups to provide guidance about educational television and radio and radio reading services (in addition to educational technology, as in current law).

Fiscal effect: None

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

109 (CD-947-ETC) Distance Learning Clearinghouse

No provision.

R.C. 3353.20, 3353.21 to 3353.30, 3301.0714, 3314.086, 3317.023, 3317.161

Requires eTech Ohio to establish and maintain a clearinghouse of interactive distance learning courses and other distance learning courses delivered by school districts via a computer-based method for sharing with other school districts or community schools for a fee. Establishes the fee at \$175 per half-unit, but permits eTech to adopt rules to establish a different amount. Requires the Ohio Department of Education (ODE) to transfer the amount of the fee from state payments to the student's district or community school to state payments to the district delivering the course. Requires participating school districts and community schools, for purposes of deducting and transferring state payments, to report to eTech Ohio the data verification code for each student enrolled in a course included in the clearinghouse and requires eTech Ohio to report that code to ODE.

Fiscal effect: eTech Ohio may incur increased administrative costs in establishing and maintaining the clearinghouse.

R.C. 3353.20, 3353.21 to 3353.30, 3314.086, 3317.023, 3317.161

Same as the House, but replaces the data verification code reporting provisions with a provision that requires participating school districts and community schools to report directly to ODE the information necessary for ODE to make the required deductions and payment transfers for a student enrolled in a course included in the clearinghouse.

Fiscal effect: Same as the House.

110 (CD-71-ETC) Technical Operations**Section: 285.30**

Specifies that GRF appropriation item 935-403, Technical Operations, be used to pay expenses of eTech Ohio's infrastructure, which includes the television and radio transmission infrastructure and the K-12 telecommunity infrastructure.

Section: 285.30

Same as the Executive.

Section: 285.30

Same as the Executive, but earmarks \$36,000 in each fiscal year to pay the \$150 monthly per-antennae fee on towers managed by Office of Information Technology for the Multi-Agency Radio Communications System (MARCS) and specifies that any portion of the earmark that is not disbursed or encumbered for this purpose lapse at the end of each fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

111 (CD-72-ETC) Telecommunications Operating Subsidy**Section: 285.30**

Specifies that GRF appropriation item 935-404, Telecommunications Operating Subsidy, be distributed by eTech Ohio to Ohio's qualified public educational television stations, radio reading services, and educational radio stations to support their operations. Specifies that the funds be distributed according to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless and until a substitute formula is developed by eTech Ohio in consultation with Ohio's qualified public educational television stations, radio reading services, and educational radio stations.

Section: 285.30

Same as the Executive, but also earmarks \$45,000 in each fiscal year to contract for dial-up newspaper reading services for the blind and physically handicapped.

Section: 285.30

Same as the House, but modifies the earmark for the dial-up newspaper reading services for the blind and physically handicapped by requiring that the contract be awarded subject to Controlling Board approval.

112 (CD-74-ETC) Educational Technology**Section: 285.50**

Specifies that GRF appropriation item 935-539, Educational 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 as determined by the State Plan for Technology and to support assistive technology for children with disabilities.

Earmarks up to \$4,139,551 in each fiscal year to be used by eTech Ohio to contract with educational television to provide Ohio public schools with instructional resources and services. Specifies that preference in the delivery of instructional resources be given to a high speed integrated information network that can transport video, voice, data, and graphics simultaneously.

Section: 285.50

Same as the Executive.

Same as the Executive.

Section: 285.50

Same as the Executive.

Same as the Executive, but eliminates the requirement that preference in the delivery of instructional resources be given to a high speed integrated information network that can transport video, voice, data, and graphics simultaneously.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

113 (CD-151-ETC) Towers

Section: 285.20

Requires that no later than July 1, 2007 eTech Ohio give up the use and occupancy of eighteen towers to the Office of Information Technology. Authorizes the Governor to execute deeds or leases in the name of the state, granting or leasing all of the state's right, title, and interest in the towers.

Section: 285.20

Same as the Executive.

Section: 285.55

Replaces the Executive provision with provisions that: (1) authorize the Governor to convey eTech Ohio real property to the Office of Information Technology by July 1, 2007; (2) authorize the Governor to substitute eTech Ohio for the Office of Information Technology as the lessee in leases eTech Ohio holds on property in which eTech Ohio towers are located; and (3) subject the transfer and lessee substitutions to eTech Ohio's continued right to use the towers for transmission and broadcasting purposes, to Office of Information Technology procedure, and to the completion of legal surveys as deemed necessary by the Office of Real Estate Services.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

114 (CD-874-EXP) Revenue from Columbus Crew Stadium

No provision.

R.C. 991.08

Requires at least 35% of the revenue received by the Expositions Commission from events held at the Columbus Crew Stadium be used for the improvement and maintenance of parking facilities.

Fiscal effect: Reduces revenue available for operating expenses in the range of \$46,000 annually, based on approximate current annual revenues of \$131,000 from Columbus Crew Stadium lease payments and parking.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

115 (CD-1189-DOH) Nutrition and Physical Fitness Month

No provision.

No provision.

R.C. 5.2235, Sections 737.20 and 737.21

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

Fiscal effect: None. The bill does not require any action by the state or any political subdivisions.

116 (CD-1134-DOH) Federally Qualified Health Centers (FQHCs)

No provision.

No provision.

R.C. 3701.047, 2305.2341, Section 293.27

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

No provision.

No provision.

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

No provision.

No provision.

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

No provision.

No provision.

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

Fiscal effect: The provisions are permissive, so it will be up to the Department to decide upon implementation. If the Department implements these provisions, it would increase costs. The provision that extends participation in the Medical Liability Insurance Reimbursement Program to FQHC look-alikes, will open the program to

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

117 (CD-898-DOH) Autism Diagnosis Education Pilot Program

FQHC look-alikes.

R.C. 3701.135, Section 293.30

R.C. 3701.135, Section 293.30

No provision.

Establishes in the Department of Health the Autism Diagnosis Education Pilot Program to educate health care professionals, educational personnel, childcare providers, parents, and community-based services providers about autism spectrum disorders; to promote appropriate autism diagnosis standards; and to encourage regional coordination of information and autism related services.

Same as the House.

No provision.

Requires the Director of Health to contract with a public or private entity to conduct or administer the Pilot Program.

Same as the House, but requires the Director of Health to contract with a statewide association representing pediatricians to conduct or administer the Autism Diagnosis Education Pilot Program (rather than a public or private entity).

Fiscal effect: Earmarks \$500,000 in FY 2008 and \$300,000 in FY 2009 for the establishment of the Autism Diagnosis Education Pilot Program in GRF appropriation item 440-416, Child and Family Health Services (Please see the entry entitled "Child and Family Health Services" in the Department of Health as well).

Fiscal effect: Same as the House, but changes the funding source for the \$500,000 in FY 2008 and \$300,000 in FY 2009 for the establishment of the Autism Diagnosis Education Pilot Program from GRF appropriation item 440-416, Child and Family Health Services, to GRF appropriation item 440-459, Help Me Grow (Please see the entry entitled "Help Me Grow" in the Department of Health as well).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

118 (CD-890-DOH) Sewage Treatment Systems

R.C. 3718.02, 307.37, 319.281, 521.01, 711.05, 711.10, 711.131, 3701.83, 3709.09, 3709.091, 3718.01, 3718.021, 3718.03, 3718.04, 3718.05, 3718.06, 3718.07, 3718.08, 3718.09, 3718.10, 3718.99, 4736.01, 5302.01, 6111.04, 6111.44, 6111.441 and Section 737.10

R.C. 3718.02, 711.001, 711.05, 711.10, 711.131, 3718.022, 3718.03, 3718.05, 3718.06, 3718.07, 3718.08, 3718.09, 3718.10, 3718.11, 4736.01, 6111.04, 6111.44, 6111.441 and Sections 120.01, 120.02, 120.04, 120.05, 737.10, 737.11, and 737.12

No provision.

Repeals the Household and Small Flow On-Site Sewage Treatment Systems Law that was enacted by Sub. H.B. 231 of the 125th General Assembly.

Replaces the House version with a provision that suspends the operation of specified provisions of Sub. H.B. 231 of the 125th General Assembly, until July 1, 2009.

No provision.

Restores the law related to household sewage disposal systems that existed prior to the Household and Small Flow On-Site Sewage Treatment Systems Law's enactment.

Retains the House version until July 1, 2009, at which time restores the changes to the law that were made by Sub. H.B. 231 of the 125th General Assembly.

No provision.

Requires the Public Health Council to rescind rules related to sewage treatment systems and reinstate the rules related to household sewage disposal systems that were in effect prior to January 1, 2007.

Retains the House version, but establishes requirements and exceptions.

No provision.

No provision.

Levies an application fee of \$25 for a sewage treatment system installation permit and requires a board of health or the authority having the duties of a board of health to collect the fee on behalf of the Department and forward the fee to the Department to be deposited in the Sewage Treatment System Innovation Fund, which is created. Requires not more than 75% of the money in the Fund to be used by the Department to administer the Sewage Treatment System Program and not less than 25% to be used to establish a grant program in cooperation with boards of health to fund the installation and evaluation of new technology pilot projects.

No provision.

No provision.

Revises the membership, duties, and appointment procedures pertaining to the Sewage Treatment System Technical Advisory Committee.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Fiscal effect: Potential loss of permit revenue of approximately \$750,000 to the Department of Health. This revenue was to fund, among other things, salaries for four sanitarian program specialists currently on staff, as well as a portion of salary expenses for other staff such as an engineer, programmer, and program manager. Potential increase in expenditures to local health departments relating to retraining of staff and public and possible expenditures relating to reprinting of brochures, pamphlets, etc. that reflects this change.

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

Fiscal effect: According to ODH, the Department had anticipated collecting \$750,000 in permit revenues under current law. The Department estimates, that under the provision, revenue will be \$375,000 (\$25 for the permit fee * an estimated 15,000 systems). Of this amount, approximately \$94,000 will be used in cooperation with local boards of health, for a grant program to assess the effectiveness of new technologies. The remaining \$281,000 will be for program implementation/administration. The provision does allow the boards of health to establish and collect fees. Boards of health would likely see an increase in costs relating to adopting old rules, retraining of staff and the general public and possible expenditures relating to reprinting of brochures, pamphlets, etc. that reflects this change. There could also be additional costs associated with local health department employee time to serve on the advisory committees. (Please also see the entry entitled "Sewage Treatment System Innovation" for more information regarding this provision.)

119 (CD-1157-DOH) Hospital Performance Website Contract

No provision.

No provision.

R.C. 3727.391

Removes a limitation in existing law under which the Director of Health is to enter into a contract to make hospital performance information available on a web site only to the extent that the General Assembly has made appropriations.

Fiscal effect: Earmarks \$50,000 in FY 2008 in SSR Fund

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

470 appropriation item 440-647, Fee Supported Programs, for the Department to enter into a contract to make hospital performance information available on a web site as required in section 3727.391 of the Revised Code (Please also see the entries entitled "Fee Supported Programs" and "GRF Transfer to Fund 470, Fee Supported Programs.")

120 (CD-516-DOH) Child and Family Health Services

Section: 293.20

Makes the following earmarks in GRF appropriation item 440-416, Child and Family Health Services:

(1) Not more than \$1.7 million in each fiscal year for women's health services;

(2) Not more than \$270,000 in each fiscal year for the OPTIONS dental care access program;

(3) \$1.4 million in each fiscal year to be used by federally qualified health centers and federally designated look-alikes to provide services to uninsured low-income persons;

(4) \$10,000 in each fiscal year to the Jewish Family Services in Cleveland;

(5) \$10,000 in each fiscal year to the Jewish Family Services in Cincinnati;

(6) \$10,000 in each fiscal year to the Jewish Family Services in Columbus;

(7) \$10,000 in each fiscal year to the Wexner Heritage Village in Columbus for interpreters for health care;

Section: 293.20

Makes the following earmarks in GRF appropriation item 440-416, Child and Family Health Services:

(1) Same as the Executive;

(2) Same as the Executive;

(3) Not more than \$1.9 million in FY 2008 and \$2.15 million in FY 2009 to be used by federally qualified health centers and federally designated look-alikes to provide services to uninsured low-income persons;

(4) Same as the Executive;

(5) Same as the Executive;

(6) Same as the Executive;

(7) Same as the Executive;

Section: 293.20

Makes the following earmarks in GRF appropriation item 440-416, Child and Family Health Services:

(1) Same as the Executive;

(2) Same as the Executive;

(3) Same as the House, but takes out the "not more than;"

(4) Same as the Executive;

(5) Same as the Executive;

(6) Same as the Executive;

(7) Same as the Executive;

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(8) \$10,000 in each fiscal year to the Jewish Family Services in Dayton;	(8) Same as the Executive;	(8) Same as the Executive;
(9) \$5,000 in each fiscal year to the Jewish Community Center in Akron;	(9) Same as the Executive;	(9) Same as the Executive;
(10) \$5,000 in each fiscal year to the Jewish Community Center in Sylvania;	(10) Same as the Executive;	(10) Same as the Executive;
(11) \$2,500 in each fiscal year to the Jewish Community Center in Youngstown;	(11) Same as the Executive;	(11) Same as the Executive;
(12) \$2,500 in each fiscal year to the Jewish Community Center in Canton;	(12) Same as the Executive;	(12) Same as the Executive;
(13) \$16,667 in each fiscal year to the Yassenoff Jewish Community Center;	(13) Same as the Executive;	(13) Same as the Executive;
(14) \$16,667 in each fiscal year to the Jewish Community Center in Cincinnati; and	(14) Same as the Executive;	(14) Same as the Executive;
(15) \$16,666 in each fiscal year to the Jewish Community Center in Cleveland for children's health and nutrition camp programs.	(15) Same as the Executive;	(15) Same as the Executive;
(16) No provision.	(16) \$16,666 in each fiscal year to the Athens Community Center;	(16) Same as the House;
(17) No provision.	(17) \$500,000 in FY 2008 and \$300,000 in FY 2009 for the establishment of the Autism Diagnosis Education Pilot Program;	(17) No provision in this appropriation item - funding for this is moved to GRF appropriation item 440-459, Help Me Grow (see the entry in the Department of Health entitled "Help Me Grow");
(18) No provision.	(18) \$50,000 in FY 2009 shall be used to make grants for a pilot program that will provide parenting and pregnancy student services to students (See also the entry entitled "College Pregnancy and Parenting Offices Pilot Program.");	(18) Same as the House;

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(19) No provision.

(19) \$500,000 in each fiscal year for abstinence and adoption education;

(19) No provision in this appropriation item - funding for this is instead provided in GRF appropriation item 440-425 Abstinence Education (see entry in the Department of Health entitled "Abstinence Education");

(20) No provision.

(20) \$100,000 in each fiscal year for the Compdrug Teen Dating Violence Prevention Project in Franklin County; and

(20) Same as the House;

(21) No provision.

(21) \$2.5 million in each fiscal year for breast and cervical cancer treatments.

(21) Same as the House, but changes the \$2.5 million earmark to specify that funds shall be used for "breast and cervical cancer screenings and services as permitted under the National Breast and Cervical Cancer Early Detection Project."

(22) No provision.

(22) No provision.

(22) \$25,000 in each fiscal year for the Wellness Community of Greater of Columbus to provide support services for people with cancer, their families, and caregivers.

121 (CD-518-DOH) Healthy Ohio

Section: 293.30

Specifies that the Department may use appropriation item 440-437, Healthy Ohio, to complete an inventory of prevention programs so that it may better target prevention funding, to fund programs to decrease minority health disparities, and to fund care coordination models to improve health outcomes for individuals with catastrophic health conditions.

No provision.

Section: 293.30

Same as the Executive.

No provision.

Sections: 293.30, 293.35

Modifies the earmarking language in the Executive provision, to specify that the Department may use appropriation item 440-437, Healthy Ohio, to complete an inventory of prevention and intervention programs so that it may better target funding to programs to decrease disparities. Also, specifies amounts in each fiscal year, that take into account the earmarks, that may be used for this purpose.

Requires the Department of Health, through the Healthy Ohio program, to conduct an assessment of certain state agencies to determine their efforts to improve health outcomes and requires the Department to submit written reports regarding the assessment to the Governor, Speaker of the House of Representatives, Minority Leader of the House of Representatives, President of the Senate, and Minority Leader of the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Earmarks \$100,000 in each fiscal year to the Center for Closing Health Gaps to help with disparities in minority health.

No provision.

No provision.

Earmarks \$500,000 in each fiscal year to support evidence-based programs for diabetes management and prevention, utilizing proven behavior change strategies leading to improved levels of routine physical activity and healthy eating habits. Grants shall be provided to, but not limited to, the Ohio YMCA State Alliance in collaboration with other community organizations.

122 (CD-522-DOH) Help Me Grow

Section: 293.30

Requires that funds in GRF appropriation item 440-459, Help Me Grow, be used for the Help Me Grow program. Allows these funds to be used in conjunction with Temporary Assistance for Needy Families funds, Early Intervention funds, and other early childhood funds and services to promote the optimal development of young children. Requires the Department to enter into an interagency agreement with the Departments of Education, Mental Retardation and Developmental Disabilities, Job and Family Services, and Mental Health to ensure programs are coordinated and school linked.

No provision.

Section: 293.30

Same as the Executive.

No provision.

Section: 293.30

Same as the Executive, but instead of requiring the entire appropriation be used for this purpose, it earmarks \$10,423,397 in FY 2008 and \$13,741,847 in FY 2009 to be used for this purpose.

Earmarks \$500,000 in FY 2008 and \$300,000 in FY 2009 for the establishment of the Autism Diagnosis Education Pilot Program.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

123 (CD-528-DOH) Targeted Health Care Services Over 21**Section: 293.30**

Specifies that \$731,023 in each fiscal year in GRF appropriation item 440-507, Targeted Health Care Services Over 21, must be used to administer the cystic fibrosis program and implement the Hemophilia Insurance Premium Payment program.

Specifies that \$900,000 in each fiscal year in GRF appropriation item 440-507, Targeted Health Care Services Over 21, must be used to provide essential medications and to pay the copayments for drugs approved by the Department and covered by Medicare Part D that are dispensed to Bureau for Children with Medical Handicaps (BCMh) participants for the cystic fibrosis program.

Section: 293.30

Same as the Executive.

Same as the Executive, but permits, to the extent that funding is available, coverage of up to 18 in-patient hospital days for participants in the cystic fibrosis program. Also, specifies that the Department shall expend all earmarked funds.

Section: 293.30

Same as the Executive, but permits, to the extent that funding is available, coverage of up to 18 in-patient hospital days for participants in the cystic fibrosis program. Also, specifies that the Department shall expend all earmarked funds.

Same as the House.

124 (CD-995-DOH) Second Chance Trust

No provision.

Section: 293.30

Earmarks \$52,000 in FY 2008 in SSR appropriation item 440-506, Second Chance (Fund 5D6), for the Central Ohio Lions Eye Bank.

No provision.

125 (CD-1081-DOH) Abstinence Education

No provision.

No provision.

Sections: 293.30, 293.10

Specifies that GRF appropriation item 440-425, Abstinence Education, must be used for abstinence and adoption education. The Director of Health must develop guidelines for the establishment of abstinence and adoption education programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

126 (CD-1160-DOH) Fee Supported Programs

No provision.

No provision.

Section: 293.30

Earmarks \$50,000 in FY 2008 to be used by the Department to enter into a contract to make hospital performance information available on a web site as required in section 3727.391 of the Revised Code (See entries entitled "GRF Transfer to Fund 470, Fee Supported Programs" and "Hospital Performance Website Contract.").

127 (CD-1162-DOH) Sewage Treatment System Innovation

No provision.

No provision.

Section: 293.30

Specifies that any revenues deposited to the credit of the Sewage Treatment System Innovation Fund (Fund 5CJ), which is created in Section 120.02 of the bill, are hereby appropriated to appropriation item 440-654, Sewage Treatment System Innovation, in the fiscal year in which the revenues are received. Also, specifies that on July 1, 2008, the Department of Health must certify to the Director of Budget and Management the total FY 2008 unencumbered appropriations in the appropriation item. The Department of Health may direct the Director of Budget and Management to transfer the applicable amount to FY 2009. Additional appropriation authority equal to the amount certified by the Department is appropriated in FY 2009 (Please also see the entry entitled "Sewage Treatment Systems" for more information related to this provision.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

128 (CD-1155-DOH) Task Force to Study Cancer Death Rates Among African Americans in Ohio

No provision.

No provision.

Section: 293.50

Creates the Task Force to Study Cancer Death Rates Among African Americans in Ohio, which is to submit a report to the members of the General Assembly identifying root causes and proposed solutions to the high cancer death rate of African Americans.

Fiscal effect: Could increase expenditures for the Department, relating to possible expenses for producing the report and possible reimbursement for travel and other expenses. It is expected that this increase will be minimal.

129 (CD-1171-DOH) GRF Transfer to Fund 470, Fee Supported Programs

No provision.

No provision.

Section: 512.32

Transfers \$50,000 in cash on July 1, 2007, from the GRF to Fund 470, Fee Supported Programs (See entries entitled "Fee Supported Programs" and "Hospital Performance Website Contract.")

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

130 (CD-683-OHS) Historical Grants

Section: 299.10

Earmarks \$75,000 in each fiscal year from the GRF appropriation item 360-508, State Historical Grants, for the Hebrew Union College in Cincinnati.

No provision.

No provision.

No provision.

No provision.

Section: 299.10

Same as the Executive, but changes the name of the earmark to Center for Holocaust and Humanity Education located at the Hebrew Union College-Jewish Institute of Religion in Cincinnati.

Earmarks \$50,000 in each fiscal year for the Western Reserve Historical Society.

Earmarks \$50,000 in each fiscal year for the Cincinnati Museum Center.

No provision.

No provision.

Section: 299.10

Same as the House.

Increases earmark to \$350,000 in each fiscal year.

Increases earmark to \$350,000 in each fiscal year.

Earmarks up to \$18,000 in fiscal year 2008 for the Muskingum River Underground Railroad Historic Marker Project.

Earmarks \$60,000 in fiscal year 2008 for the Paul Laurence Dunbar Home.

131 (CD-684-OHS) Processing Fees

Section: 299.10

Prohibits the Ohio Historical Society from charging or retaining an administrative, service, or processing fee for distributing money that the General Assembly appropriates to the Society for grants or subsidies that the Society provides to other entities for their site-related programs.

Section: 299.10

Same as the Executive.

Section: 299.10

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

132 (CD-1164-OHS) State Archives

No provision.

No provision.

Section: 299.10

Earmarks \$300,000 in each fiscal year from GRF appropriation item 360-501, Operating Subsidy, for the State Archives, Library, and Artifacts Collection.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

133 (CD-1151-IGO) Employees of the Inspector General

No provision.

No provision.

R.C. 121.48

Allows the Inspector General to employ and fix the compensation of deputy inspectors general and professional, technical, and clerical employees.

Fiscal effect: Current law only allows the Inspector General to "appoint" employees. Allowing the Inspector General to also "fix compensation" may result in those employees making either more or less than currently permitted under state pay ranges.

134 (CD-946-INS) Foreign Insurers Tax

No provision.

R.C. 3905.36

Clarifies that the nonapplicability of the foreign insurers tax includes any other insurance, in addition to professional and medical liability insurance, procured by a hospital or by an entity in which the majority of its business involves pharmaceutical products, when the entity is regulated by an agency of the United States.

Fiscal effect: Potential revenue loss to the GRF.

R.C. 3905.36

Same as the House, but removes the foreign insurers tax exemption for insurance other than professional or medical liability insurance obtained by hospitals.

Fiscal effect: Potential revenue loss to the GRF remains, but it would be smaller in this version of the bill than in the House Passed version.

135 (CD-1057-INS) Sickness and Accident Policies - Biologically Based Mental Illness

No provision.

No provision.

R.C. 3923.281

Extends current mental health parity requirement, and exceptions to that requirement, imposed on group sickness and accident insurance policies to individual coverage sickness and accident insurance policies.

Fiscal effect: No direct fiscal effect.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

General

136 (CD-221-JFS) Grant Agreements

R.C. 5101.21, 307.98, 307.981, 329.04, 329.05, 3125.12, 5101.162, 5101.211, 5101.212, 5101.213, 5101.24, 5101.242, 5101.244, 5111.10

R.C. 5101.21, 307.98, 307.981, 329.04, 329.05, 3125.12, 5101.162, 5101.211, 5101.212, 5101.213, 5101.24, 5101.242, 5101.244, 5111.10

R.C. 5101.21, 307.98, 307.981, 329.04, 329.05, 3125.12, 5101.162, 5101.211, 5101.212, 5101.213, 5101.24, 5101.242, 5101.244, 5111.10

Requires boards of county commissioners to enter into grant agreements with the ODJFS Director, rather than permitting the boards to enter into fiscal agreements with the Director.

Same as the Executive.

Same as the Executive.

Prohibits, effective July 1, 2008, the Director from making a grant of federal financial assistance regarding family services duties (i.e., services performed by a county department of job and family services, public children services agency (PCSA), or child support enforcement agency (CSEA)) through any means other than a grant agreement, rather than permitting a board of county commissioners to select which family services duties to include in a fiscal agreement.

Same as the Executive.

Same as the Executive.

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

Same as the Executive.

Same as the Executive.

No provision.

No provision.

Requires a grant agreement to provide for ODJFS to (1) provide the county timely and clear written explanations, and consistent and accurate interpretations, of the conditions, requirements, and restrictions applicable to the family services duties for which the grants included in the agreement are awarded, (2) provide county personnel timely and accessible training regarding changes to the applicable conditions, requirements, and restrictions, (3) provide a

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: This provision will require the expenditure of some administrative dollars to establish the grant agreements. If a board of county commissioners and ODJFS fail to enter into a grant agreement, such failure will result in a loss to the county of federal financial assistance for family services duties.

Fiscal effect: Same as the Executive.

county technical assistance that is necessary for the county to be able to implement a family services duty efficiently and in compliance with the applicable conditions, requirements, and restrictions, (4) monitor the county's implementation of the family services duties during the period for which the grant is made to identify problems that can be corrected before the problems are identified in an audit, and (5) assist the county to resolve an adverse audit finding by providing the county copies of ODJFS's directives, assistance in documenting ODJFS's efforts to work with the county to correct problems, and other assistance.

Fiscal effect: Same as the Executive, but may further increase administrative costs for ODJFS to fulfill the requirements as specified in the above paragraph.

137 (CD-1067-JFS) PARIS Report

No provision.

No provision.

R.C. 5101.272, 5101.27

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

No provision.

No provision.

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

Fiscal effect: Minimal increase in costs for ODJFS to research, prepare, and submit the report to the General

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Assembly.

138 (CD-1104-JFS) Operations Industrialization Centers

No provision.

No provision.

Section: 309.20.15

Requires that \$75,000 of GRF appropriation item 600-321, Support Services, in each fiscal year be provided to the Operations Industrialization Centers of Clark County.

139 (CD-1186-JFS) Adult Protective Services

No provision.

No provision.

Section: 309.50.06

Earmarks \$400,000 in each fiscal year of GRF appropriation item 600-534, Adult Protective Services, for distribution to counties based on a formula adopted in rules by ODJFS, including a requirement that counties put forth a maintenance of effort to be eligible for these moneys.

Fiscal effect: Increases the amount of money available to the counties for adult protective services. The Department will incur some administrative costs to establish the formula and track counties' maintenance of effort.

140 (CD-708-JFS) Ohio Benefit Bank

Section: 309.20.20

Requires the use of up to \$299,276 in FY 2008 and up to \$472,366 in FY 2009 of GRF appropriation item 600-321, Support Services, to support the Ohio Benefit Bank, a web enabled, counselor assisted program for low and moderate income Ohioans.

No provision.

Section: 309.50.70

Same as the Executive, but earmarks the funds from appropriation item 600-659, TANF/Title XX Transfer, and requires that the dollars be provided through the Governor's Office of Faith-Based and Community Initiatives.

Workforce Development

141 (CD-735-JFS) Military Injury Relief

R.C. 5101.98, Section 309.70.10

Allows incentive grants that are authorized by the federal Jobs for Veterans Act, 116 Stat. 2033 (2002), to also be contributed to the fund. The bill specifies that an individual diagnosed with post-traumatic stress disorder, who has served in Operation Iraqi Freedom or Operation Enduring Freedom, will be eligible for a grant from the fund. The bill prohibits a person from appealing, under Administrative Procedures Act, or section 5101.35 of the Revised Code, any grant decision made by the ODJFS Director, and instead authorizes the director to adopt rules establishing the process for appealing eligibility determinations for these grants.

Requires the ODJFS Director to certify to the Director of Budget and Management the total amount of incentive grants deposited into Fund 331, Federal Operating (Federal Special Revenue), on behalf of state and county employees and other individuals, entities, and persons with exemplary service to veterans under an approved employment service delivery program defined in the Jobs for Veterans Act. The Director of Budget and Management is to transfer cash equal to the amount certified by the ODJFS Director from Fund 331 to State Special Revenue Fund (Fund 5DB), Military Injury Grants.

Fiscal effect: The transfer for federal fiscal year will be between \$0 and \$66,600. The source of the money for the transfer is the 1% set-aside of the Jobs for Veterans Act grant, which by law, is to be used for incentive awards to recognize eligible employees for excellence in the provision of services to veterans or for having made demonstrable improvements in the provision of such

R.C. 5101.98, Section 309.70.10

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5101.98, Section 309.70.10

Same as the Executive.

Same as the Executive, but corrects the name of Fund 5DB to read Military Injury Relief Fund.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

services. In accordance with the approved Jobs for Veterans Act state plan, the individual selected for an award can choose to donate it to the Military Injury Relief Fund or another charity of their choosing. The other source of funding for Military Injury Relief grants is the \$1 check off on the state income tax filing documents.

142 (CD-1116-JFS) Plan to Utilize Workforce Investment Act Funds

No provision.

No provision.

Section: 751.10

Requires the ODJFS Director and the Director of Development to jointly prepare a plan to utilize the funds the state receives to administer the federal "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801, as amended, to train workers within Ohio and to submit that plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives within one year after the provision's effective date.

Fiscal effect: This provision will increase administrative costs to both ODJFS and the Department of Development to prepare and submit the required plan.

143 (CD-1182-JFS) Proprietary Schools and Workforce Development

No provision.

No provision.

Section: 751.20

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

Fiscal effect: This provision may increase costs to ODJFS to the extent that this provision will require ODJFS to provide additional support to the local

Child Care

144 (CD-1166-JFS) Market Rate Survey and Reimbursement Ceiling for Publicly Funded Child Care

No provision.

No provision.

workforce policy boards beyond what the Department already does.

R.C. 5104.04, 5104.30

Requires ODJFS to contract with a third party to conduct the child care market rate survey, used to establish publicly funded child-care reimbursement ceilings, by October 1st in each even-numbered year instead of annually. Requires the market rate survey information to be compiled and reported to ODJFS by December 1st in each even-numbered year.

No provision.

No provision.

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

Fiscal effect: Conducting the market rate survey every other year instead of every year will result in cost savings to the Department. The requirement to contract with a third party will not increase the cost of the survey since ODJFS has in the recent years contracted with the Ohio State University to conduct the survey.

145 (CD-332-JFS) Voluntary Child Care Quality-Rating Program

R.C. 5104.30

Allows ODJFS to use a portion of the federal Child Care and Development Block Grant Act to establish a voluntary child day-care center quality-rating program (Step Up to Quality), permits participating child day-care centers to be eligible for certain assistance, and requires the ODJFS Director to adopt rules to implement this program.

R.C. 5104.30, 309.50.30

Same as the Executive.

R.C. 5104.30, 309.50.30

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

Additionally permits type A and B family day-care homes to participate in Step Up to Quality thus becoming eligible for assistance provided by the program. Additionally, specifies that the ODJFS Director adopt rules to implement the program by September 1, 2007, and changes the name of the program to reflect the expansion of the child care entities that may participate.

No provision.

No provision.

Also allows day-care centers and type A and B family day care homes that are participating in the program and that provide publicly funded child care to be eligible to receive a reimbursement rate for the publicly funded child care up to the 65th percentile of the 2006 Ohio Child Care Market Rate Survey if the center or home participates in the program in fiscal year 2008 and maintains a two-star program rating in fiscal year 2009.

No provision.

Fiscal effect: The Department plans to use \$12.5 million per year for the Step Up to Quality initiative.

Fiscal effect: The Executive budget includes approximately \$54.9 million FY 2008 and \$57.4 million in FY 2009 for increasing the reimbursement ceiling for child care providers to the 65th percentile of the 2006 market rate survey. This provision may decrease the amount that the Department will spend on increasing the reimbursement ceiling if the increase is only available to providers who participate in FY 2008 and maintain a two star rating in FY 2009.

Fiscal effect: Same as the Executive.

This provision may increase the amount the Department spends on Step Up to Quality if more providers volunteer to participate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

146 (CD-1184-JFS) Early Care and Education

No provision.

No provision.

Section: 309.50.80

Requires, ODJFS and the Department of Education, before July 1, 2008, to develop a fiscal model bringing together early care and education programs under one funding system that will provide all children with access to affordable quality care and education.

Fiscal effect: The provision will increase costs to ODJFS and the Department of Education to develop the model.

Child Support Enforcement

147 (CD-342-JFS) Health Insurance Coverage for Children Subject of a Child Support Order

R.C. 3119.30, 3119.022, 3119.023, 3119.29

R.C. 3119.30, 3119.022, 3119.023, 3119.29

R.C. 3119.30, 3119.022, 3119.023, 3119.05, 3119.29, 3119.302, 3119.32

No provision.

No provision.

Removes a provision of current law that prohibits the court from increasing the amount of child support for reasonable and ordinary uninsured medical or dental expenses and further specifies that whenever a child support order is issued or modified, the court or child support enforcement agency (CSEA) must include provisions in the order for the health care of the child. The order must specify that the obligor and obligee are liable for the health care of the children who are not covered by either (1) private health insurance, or (2) cash medical support.

Requires that health insurance ordered to be provided for a child who is the subject of a child support order be reasonable in cost (does not exceed 5% of the person's annual gross income).

Same as the Executive.

Same as the Executive, but clarifies that the reasonable cost of private family health insurance be the cost that the obligor or obligee contributes (i.e., not including the amount an employer would pay).

Also requires that health insurance ordered to be provided for a child who is the subject of a child support order be accessible (provides primary care services within either 30 miles or 30 minutes driving time from the child's residence).

Same as the Executive.

Same as the Executive, but limits health insurance coverage to health insurance that provides primary care services within 30 miles of the child's residence. Also clarifies that the court or CSEA to allow private health insurance be

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

The bill provides a means to accommodate rural or other arrangements via court or agency determination.

If health insurance is not provided by either the obligor or obligee and the obligor's annual gross income is over 150% of FPG, the bill requires the obligor to pay cash medical support in the amount of 5% of that person's annual gross income to either the Office of Child Support to defray the cost of publicly provided health care or to the obligee.

Cash medical support payments will be offset against the obligor's ordered share of liability for uninsured medical and health care needs of the minor children.

The bill also makes conforming changes to the child support computation worksheets.

Specifies that the changes made to the child support/health care provisions take effect on the later of February 1, 2008, or the effective date of regulations defining "reasonable cost" issued by the U.S. Secretary of Health and Human Services.

Fiscal effect: The requirements of this provision will apply to all orders that are new or modified on or after February 1, 2008. This provision will likely increase administrative costs to child support enforcement agencies and the domestic relations courts to obtain the necessary information about, and make a determination on, the reasonableness and accessibility of health insurance and establish or modify an order to include the required considerations for medical support. This provision is also likely to increase revenues for the Ohio Medicaid program from payments passed on from the Office of Child Support out of receipts of cash

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

farther than 30 miles under certain circumstances.

Removes this provision and adds a provision that requires child support orders to include the amount of cash medical support (amount paid toward the cost of health insurance or for other medical costs not covered by insurance) under certain circumstances. Further specifies how and when the cash medical support must be paid and requires the ODJFS Director to create and annually update a table to be used to determine the amount of cash medical support to be paid.

Removes this provision and instead requires the obligor or obligee to inform the court or CSEA when private health insurance becomes available. The court or CSEA must then determine if the coverage is available at a reasonable cost, and if so, the parent who has the available insurance must obtain the insurance.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

medical support payments. According to information LSC obtained from the Office of Budget and Management, the revenue generated from this provision will be an estimated \$12.5 million in FY 2008 and \$37.5 million in FY 2009. Payments received by the Office of Ohio Health Plans will be used to defray the cost of publicly provided health care for these children.

Child Welfare and Adoption

148 (CD-1107-JFS) Efforts Supports Organizational Excellence

No provision.

No provision.

R.C. 5101.141

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

Fiscal effect: The withheld Title IV-E dollars may currently be used only to fund the Ohio child welfare training program and the university partnership program. Permitting an additional use for the 3% of Title IV-E dollars withheld may reduce the amount the Department spends on the other uses.

149 (CD-1091-JFS) Foster Care Reform

No provision.

No provision.

Section: 309.50.03

Requires that \$1.3 million of GRF appropriation item 600-423, Office of Children and Families, in each fiscal year be used to pay for foster care audit workers and related administrative expenses for state staff.

No provision.

No provision.

Requires that \$9.1 million of appropriation item 600-523, Children and Families Services, in each fiscal year be provided to counties for foster care related expenses,

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

including but not limited to, upfront services, counseling, intake workers, foster care staff, case workers, and trainers.

150 (CD-1111-JFS) Child Placement Level of Care Tool Pilot Program

Section: 309.50.60

No provision.

No provision.

Requires ODJFS to develop, implement, and oversee use of a Child Placement Level of Care Tool pilot program, that will assess a child's placement needs when the child must be removed from a home and cannot be placed with a relative or kin.

No provision.

No provision.

The pilot program must be conducted between July 1, 2008, and December 31, 2009.

No provision.

No provision.

Requires an independent evaluation, obtained through competitive bidding, of the Child Placement Level of Care Tool and its comparison with the Ohio Scales Tool (used by the DMH to measure outcomes for youth receiving mental health services).

No provision.

No provision.

Earmarks \$1.0 million over the biennium of appropriation item 600-663, Children and Family Support, for implementing the Child Placement Level of Care Tool pilot program and to contract for the independent evaluation of the pilot program.

Fiscal effect: The \$1.0 million earmark of appropriation item 600-663, Children and Family Support, provides the intended source of funding for the pilot and evaluation. To the extent that the costs of the pilot and evaluation exceed \$1.0 million over the biennium, ODJFS will have absorb any additional costs within existing resources.

Title IV-A Temporary Assistance for Needy Families

151 (CD-223-JFS) Kinship Permanency Incentive Program

R.C. 5101.802, Section 309.40.40

Increases to 300% (from 200%) of the federal poverty guidelines the eligibility limit for participation in the Kinship Permanency Incentive Program, removes a special needs determination requirement, and makes changes to eligibility as determined by custody or guardianship status.

Requires that up to \$10 million per fiscal year of appropriation item 600-689, TANF Block Grant (Federal Special Revenue Fund 3V6), be used to support the activities of the Kinship Permanency Incentive program. The Department must submit a report to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate not later than December 31, 2008, and December 31, 2010.

Provides that the changes to the program do not affect persons already determined eligible.

Fiscal effect: The changes to the eligibility criteria for the program should increase the number of applications and approvals, as well as dollars paid out under the program. (Of the \$10 million earmarked for this purpose for FY 2006, during calendar year 2006, \$1,798,500 was paid out by ODJFS.)

R.C. 5101.802, Section 309.40.40

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5101.802, Section 309.40.40

Same as the Executive.

Same as the Executive, but moves provision on eligibility from an uncodified section to a Revised Code section.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

152 (CD-1143-JFS) TANF Domestic Violence Option

R.C. 5107.71, 5107.02, 5107.05, 5107.121, 5107.16, 5107.18, 5107.70, 5107.711, 5107.712, 5107.713, 5107.714, 5107.715, 5107.716, 5107.717, Section 309.40.49

No provision.

No provision.

Requires a county department of job and family services to do all of the following:

(1) Provide an assistance group applying for or undergoing a redetermination of eligibility for Ohio Works First (OWF) information about the availability of counseling and supportive services for members who have been subjected to domestic violence and the availability of waivers of OWF requirements for members who have been subjected to domestic violence.

No provision.

No provision.

(2) Identify assistance group members applying for or participating in OWF who have been subjected to domestic violence by utilizing a domestic violence screening process to be established in rules.

No provision.

No provision.

(3) Refer a member who has been subjected to domestic violence to counseling and supportive services.

No provision.

No provision.

(4) Generally maintain the confidentiality of information about a member who has been subjected to domestic violence.

No provision.

No provision.

(5) Make a determination of whether a member participating in OWF should be issued a waiver that exempts the member from an OWF requirement, which may include the initial 36-month time limit on participating in OWF but may not include the 60-month time limit, and issue such a waiver if the county department determines that requiring compliance would make it more difficult for the member to escape domestic violence or unfairly penalize the member.

Fiscal effect: To the extent that a county department of

job and family services is not already engaging in such activities, this provision may shift administrative costs for a county department by requiring them to provide screening and referral upfront (and at redetermination). However, if a recipient is referred for counseling and support, the recipient may be better able to succeed at working and eventually leave public assistance and the county department may avoid later costs associated with sanctioning for failure to participate in work.

153 (CD-718-JFS) Ohio Alliance of Boys and Girls Clubs

Section: 309.40.50

Requires that ODJFS use up to \$600,000 of the appropriation item 600-689, TANF Block Grant (Federal Special Revenue Fund 3V6), in each fiscal year, to support expenditures of the Ohio Alliance of Boys and Girls Clubs in accordance with state law governing the use of TANF dollars to provide after-school programs that protect at-risk children and enable youth to become responsible adults.

No provision.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to develop the grant agreement and monitor expenditures of the Ohio Alliance of Boys and Girls Clubs in accordance with the grant agreement.

Section: 309.40.40

Same as the Executive.

No provision.

Fiscal effect: Same as the Executive.

Section: 309.40.40

Same as the Executive, but increases the earmark to \$2.0 million in each fiscal year.

Requires that ODJFS use up to \$1.4 million in each fiscal year of appropriation item 600-689, TANF Block Grant (Federal Special Revenue Fund 3V6), to support expenditures of the Ohio Alliance of Boys and Girls Clubs in accordance with state law governing the use of TANF dollars for the For Kids Sake Ohio program.

Fiscal effect: Same as the Executive, but there will be another grant agreement that the Department will have to administer thereby further increasing the Department's administrative costs.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

154 (CD-953-JFS) American Academy of Pediatrics

No provision.

Section: 309.40.40

Requires that up to \$100,000 in fiscal year 2008 of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse the American Academy of Pediatrics for the Reach Out and Read Program.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the American Academy of Pediatrics is using the TANF dollars in accordance with state law.

Section: 309.40.40

Same as the House, but also earmarks \$100,000 in fiscal year 2009 for the same purpose.

Fiscal effect: Same as the House.

155 (CD-1002-JFS) Center for Families and Children RapArt Youth Fellowship Program

No provision.

Section: 309.40.40

Requires that up to \$100,000 in fiscal year 2008 of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse the Center for Families and Children RapArt Youth Fellowship Program for providing an after-school program that supports at-risk young adults and enables youth to become responsible adults.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Center for Families and Children is using the TANF dollars in accordance with state law.

Section: 309.40.40

Same as the House, but increases the earmark in FY 2008 to up to \$246,128 and earmarks up to \$246,128 for FY 2009.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

156 (CD-1004-JFS) Talbert House

No provision.

Section: 309.40.40

Requires that up to \$50,000 in each fiscal year of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse the Talbert House for providing TANF eligible non-medical behavioral health services.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Talbert House is using the TANF dollars in accordance with state law.

Section: 309.40.40

Same as the House, but increases the earmark to \$100,000 in each fiscal year.

Fiscal effect: Same as the House.

157 (CD-1082-JFS) Summer and After-School Programs

No provision.

No provision.

Section: 309.40.40

Requires that up to \$10.0 million in each fiscal year of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to support summer and after-school programs and services for TANF eligible youth served through community-based organizations, faith-based organizations, and schools to provide academic support not available during the regular school day, nutrition, transportation, youth development activities, drug and violence prevention programs, counseling programs, technology education, and character education programs.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the dollars are being used in accordance with state law.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

158 (CD-1087-JFS) Chabad House

No provision.

No provision.

Section: 309.40.40

Requires that up to \$125,000 in each fiscal year of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse the Chabad House for the Friendship Circle program.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Chabad House is using the TANF dollars in accordance with state law.

159 (CD-1102-JFS) Freestore Foodbank - BARIS Program

No provision.

No provision.

Section: 309.40.40

Requires that up to \$800,000 in fiscal year 2008 of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse the Freestore Foodbank for continuation of the Benefits Acquisition Results in Self Sufficiency (BARIS) project.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Freestore Foodbank is using the TANF dollars in accordance with state law.

160 (CD-1106-JFS) WECO Home Program

No provision.

No provision.

Section: 309.40.40

Requires that up to \$1.0 million in each fiscal year of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse WECO Fund Inc., for an individual development account program that helps participants purchase homes.

161 (CD-1112-JFS) Big Brothers Big Sisters

No provision.

No provision.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the WECO Fund Inc., is using the TANF dollars in accordance with state law.

Section: 309.40.40

Requires that up to \$250,000 in fiscal year 2008 and up to \$750,000 in fiscal year 2009 of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse Big Brothers Big Sisters of Central Ohio for child mentoring services.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that Big Brothers Big Sisters of Central Ohio is using the TANF dollars in accordance with state law.

162 (CD-1119-JFS) Court Clinic Forensic Services

No provision.

No provision.

Section: 309.40.40

Requires that up to \$100,000 in each fiscal year of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse Court Clinic Forensic Services for establishment of an intense program of education, job training, and job placement to divert women from local jails and state prisons and to reduce recidivism.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that Court Clinic Forensic Services is using the TANF dollars in accordance with state law.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

163 (CD-1178-JFS) Economic and Community Development Institute

No provision.

No provision.

Section: 309.40.40

Requires that up to \$650,000 in each fiscal year of appropriation item 600-689, TANF Block Grant (Fund 3V6) be used to reimburse the Economic and Community Development Institute for matching funds provided to TANF eligible individuals through an individual development accounts program.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Economic and Community Development Institute is using the TANF dollars in accordance with state law.

164 (CD-1183-JFS) Early Childhood Education Pilot

No provision.

No provision.

Section: 309.40.40

Requires that up to \$50,000 in each fiscal year of appropriation item 600-689, TANF Block Grant (Fund 3V6), be used to reimburse the Alliance Early Childhood Education Pilot Project.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Alliance Early Childhood Pilot Project is using the TANF dollars in accordance with state law.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

165 (CD-1185-JFS) Ohio Council of Urban Leagues

No provision.

No provision.

Section: 309.40.40

Requires that ODJFS use up to \$500,000 in each fiscal year of the appropriation item 600-689, TANF Block Grant (Federal Special Revenue Fund 3V6), to reimburse to the Ohio Council of Urban Leagues for career development programs.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Ohio Council of Urban Leagues is using the TANF dollars in accordance with state law.

166 (CD-304-JFS) Early Learning Initiative

Section: 309.40.60

Reauthorizes the Early Learning Initiative (ELI), jointly administered by the Department of Education (ODE) and ODJFS to provide early learning services through an early learning program, on a full-day and part-day basis, to TANF-eligible children.

Provides that an eligible child is a child (1) who is at least three years of age but not of compulsory school age or enrolled in kindergarten, (2) who is eligible for Title IV-A services, and (3) whose family income at the time of application does not exceed 185% of the federal poverty line in FY 2008 or 200% of the federal poverty line in FY 2009.

Requires each county department of job and family services (CDJFS) to determine eligibility for Title IV-A services for children who wish to enroll in an early learning program within 15 days after the CDJFS receives a completed application.

Section: 309.40.60

Same as the Executive.

Same as the Executive.

Same as the Executive.

Section: 309.40.60

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Specifies both separate duties for ODJFS and ODE to fulfill for ELI, and joint duties, including establishing co-payments for families of eligible children whose family income is more than 165% of the federal poverty line but equal to or less than 185% of the federal poverty line in FY 2008 and 200% of the federal poverty line in FY 2009 and an exemption from co-payment requirements for families whose family income is equal to or less than 165% of the federal poverty line.

Specifies that once ODE selects an entity to be an early learning agency, ODJFS and ODE must enter into a contract with that entity, and ODE must designate the number of eligible children that the entity may enroll and must notify ODJFS of the number.

Outlines the terms of the contract between ODJFS, ODE, and the early learning agency, as well as the duties of each early learning agency.

Earmarks up to \$125,256,000 in each fiscal year from the TANF Block Grant, appropriation item 600-689, for ELI. Funds must be used to reimburse early learning agencies for up to 12,000 children in each fiscal year. Up to \$3.0 million per fiscal year may be used by ODJFS (\$800,000) and ODE (\$2.2 million) for administration of the program.

Fiscal effect: There are two significant changes to the program planned for the FY 2008-2009 biennium:
(1) Removal of the work requirement for parents whose children participate in ELI; and
(2) Elimination of the six-month redetermination requirement for the ELI program so that any child who is eligible at the start of a school year may attend for the entire year regardless of changes in family income.
 With these changes, ODJFS expects a more stable core of ELI participants and believes that the Department will come closer to expending the amount of TANF dollars

Additionally requires ODJFS to adopt rules in consultation with ODE regarding caretaker employment eligibility requirements for participation in ELI that specify the minimum number of hours that the caretaker of the eligible child must be employed and the time period over which the minimum number of hours is to be measured. Also requires ODJFS to periodically review this requirement to ensure that it complies with federal law and regulations.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The Executive's plan for the ELI program for FY 2008 and FY 2009 included elimination of the work requirement for parents whose children participate. This provision may decrease the number of children who participate and the overall amount spent on the program if parents fail to meet the work requirements.

Same as the Executive.

Same as the Executive.

Same as the Executive, but clarifies that if an early learning agency, or provider operating an early learning program on the agency's behalf, exhibits "substandard" (rather than "below average") performance as determined by ODE, the agency must implement a corrective action plan.

Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(\$125.3 million each year) earmarked for the program in FYs 2008 and 2009 than in FYs 2006 and 2007.

Medicaid

167 (CD-202-JFS) Home First Component of the PASSPORT Program

Section: 309.30.50

Provides for the Home First component under which an individual admitted to a nursing facility while on a waiting list for the PASSPORT Program is to be placed in PASSPORT if PASSPORT is appropriate for the individual and the individual would rather be in PASSPORT than a nursing facility.

Limits the Home First component to FYs 2008 and 2009.

No provision.

Fiscal effect: The provision may result in a savings to Medicaid to the extent to which individuals admitting to 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.

Section: 309.30.50

Same as the Executive.

Same as the Executive.

No provision.

Fiscal effect: Same as the Executive.

R.C. 173.401, Section 309.30.50

Same as the Executive.

Replaces the Executive provision with a provision that places the Home First component in the Revised Code and makes it ongoing rather than applicable to just FYs 2008 and 2009.

Requires the ODJFS Director to submit an annual report to the General Assembly regarding the number of individuals enrolled in PASSPORT pursuant to the Home First component and the costs incurred and savings achieved as a result of the enrollments.

Fiscal effect: Same as the Executive, but there could be a minimal increase in expenditures to ODJFS relating to the requirement that the Director submit an annual report highlighting the number of individuals enrolled in PASSPORT pursuant to the Home First component.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

168 (CD-1072-JFS) Medicaid Estate Recovery Program

R.C. 2117.061, 2117.25, 5111.11, 5111.112, 5111.113, 5302.221, 5309.082, 2113.041

No provision.

No provision.

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

No provision.

No provision.

Requires the Administrator to prescribe forms for the beneficiary of a transfer on death deed, the surviving tenant under a survivorship tenancy, or the representative of such a beneficiary or surviving tenant to indicate whether the deceased owner of the real property was a decedent subject to Medicaid estate recovery or the spouse of such a decedent and whether the real property was part of the estate of such a decedent.

No provision.

No provision.

Requires a county recorder to obtain the completed form and send a copy to the Administrator before recording a transfer of real property under a transfer on death deed or registering title in the surviving tenants of a survivorship tenancy.

No provision.

No provision.

Codifies in state law a federal requirement that an individual who has received, or is entitled to receive, benefits under a long-term care insurance policy in connection with which assets or resources are disregarded be subject to Medicaid estate recovery for nursing facility and other long-term care services the individual correctly receives under Medicaid.

Fiscal effect: Minimal increase in administrative costs to the administrator of the Medicaid Estate Recovery Program and county recorders.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

169 (CD-268-JFS) Nursing Home and ICF/MR Franchise Permit Fees

R.C. 3721.51, 3721.541, 3721.56, 5111.20, 5112.341, Section 309.31.50

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

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

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

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

Fiscal effect: If the nursing home franchise permit fee returns back to \$1 per bed per day, instead of the current \$6.25 per bed per day fee, the state could lose nursing home franchise fee revenue in the range of between \$130 million to \$140 million.

R.C. 3721.51, 3721.541, 3721.56, 5111.20, 5112.341, Section 309.31.50

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 3721.51, 3721.541, 3721.56, 5111.20, 5112.341, Section 309.31.50

Same as the Executive.

Same as the Executive.

Same as the Executive, but continues current law authorizing ODJFS, as an alternative to the offset, to withhold an amount equal to the installment and penalty until the installment and penalty is paid.

Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

170 (CD-253-JFS) Third Party Liability for Medical Claims

R.C. 5101.571, 5101.572, 5101.573, 5101.574, 5101.575, 5101.58, 5101.59, 5101.591

In accordance with the Deficit Reduction Act of 2005, (1) clarifies the specific entities that are considered "third parties" against which ODJFS can assert its right to recover the cost of medical assistance paid on behalf of public assistance recipients or participants, (2) requires third parties to cooperate with ODJFS and accept its right of recovery and assignment of public assistance recipients' and participants' rights, and (3) imposes certain requirements on third parties with respect to providing ODJFS with coverage, eligibility, and claims data needed to identify liable third parties.

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

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

Extends to a recipient's or participant's attorney the liability to reimburse ODJFS or the appropriate county department, or both, in current law that applies when appropriate disclosure is not given to the appropriate department or departments.

R.C. 5101.571, 5101.572, 5101.573, 5101.574, 5101.575, 5101.58, 5101.59, 5101.591

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

R.C. 5101.571, 5101.572, 5101.573, 5101.574, 5101.575, 5101.58, 5101.59, 5101.591

Same as the Executive, but changes two of the requirements on third parties referenced under (3) of the Executive version column to (a) require a third party responsible for coverage of medical care provided to a Medicaid, SCHIP, or Disability Medical Assistance Program recipient to respond to an inquiry from ODJFS regarding a claim for payment if the claim is submitted within three (as opposed to six) years from the date of service, and (b) prohibits a third party from denying a claim on the basis of the date of submission, type or format of the claim form, or a failure of the recipient to present proper documentation of coverage at the time of service if the claim was submitted by ODJFS not later than three (as opposed to six) years from the date of service.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

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

Requires a governmental entity that is responsible for issuing a license, certificate of authority, registration, or approval that authorizes the third party to do business in Ohio to, in accordance with the Ohio Administrative Procedure Act, deny, revoke, or terminate, as determined appropriate by the governmental entity, the third party's license, certificate, registration, or approval if the third party fails to comply with the requirements imposed on third parties by the bill with respect to providing ODJFS with certain data or the prohibition on taking an individual's Medicaid status into account in enrollment or payment decisions and permits the Attorney General to petition a court of common pleas to enjoin the violation.

Fiscal effect: By enhancing the state's ability to identify and obtain payments from liable third parties, the state may experience cost savings in its Medicaid program. However, the magnitude of the cost savings is unknown at this time.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive.

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

Fiscal effect: Same as the Executive.

171 (CD-1071-JFS) Medicaid Eligibility for Former Foster Children

No provision.

No provision.

R.C. 5111.0111

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

Fiscal effect: Increases costs by \$5,100,740 all funds

(\$2,000,000 state share) in FY 2008 and by \$10,438,413 all funds (\$4,000,000 state share) in FY 2009. Cost estimates assume that approximately 800 individuals will enroll annually in this Medicaid expansion resulting in an ongoing enrollment level of 1,600 young adults. Funding is provided in GRF appropriation item 600-525, Health Care/Medicaid.

172 (CD-1042-JFS) Executive Order Lowering Medicaid Income Eligibility Limits

No provision.

No provision.

R.C. 5111.0120, 5111.01, 5111.011, 5111.014, 5111.019

Authorizes the Governor to issue an executive order to lower, but not increase, the income eligibility limit for one or more components of the Medicaid program.

Fiscal effect: Potential savings could be realized if the Governor chooses to limit Medicaid eligibility.

173 (CD-1172-JFS) Electronic Submission and Storage of Medicaid Applications and Documents Relating to Applications

No provision.

No provision.

R.C. 5111.0121, 5101.16, 5111.013, 5111.017; Section 309.30.05

Effective July 1, 2009, and to the extent permitted by federal law, requires applications for Medicaid to be submitted electronically or by other electronic means.

No provision.

No provision.

Requires, to the extent permitted by federal law, and beginning July 1, 2009, county departments of job and family services that accept documents related to applications for the Medicaid program to convert the documents to an electronic format and store them electronically.

No provision.

No provision.

Requires each county department of job and family services to calculate annually the total expenses the county incurred in the state fiscal year ending in the previous calendar year to comply with the electronic conversion and storage requirements described above.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Requires that a county's share of public assistance expenditures for a state fiscal year be reduced by the amount a county department of job and family services calculates, as described above, that the county incurred in the state fiscal year ending in the previous calendar year to comply with the electronic and storage requirements.

No provision.

No provision.

Requires the ODJFS Director to adopt rules in accordance with the Administrative Procedure Act, as necessary, to implement the electronic application submission and electronic conversion and storage requirements described above and specifies that, at a minimum, the rules must address measures county departments must take to maintain the confidentiality of information in Medicaid applications and documents.

No provision.

No provision.

Requires ODJFS to assist county departments of job and family services to develop and obtain electronic databases and other necessary systems through a competitive process to comply with the amendment's requirements.

Fiscal effect: ODJFS and county departments of job and family services will incur increased administrative costs to comply with the electronic and storage requirements, but costs incurred by a county department of job and family services will be offset by a reduction in the county's share of public assistance expenditures. Therefore, the state will ultimately be responsible for the costs.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

174 (CD-987-JFS) Medicaid Program's Restrictions on Mental Health Drugs

No provision.

R.C. 5111.085, 5111.172

Provides that the only drugs used to treat mental illness that may be subjected to a prior authorization requirement, preferred drug list, or therapeutic substitution under the Medicaid program and any Medicaid managed care plan are such drugs that are brand name and for which there are generic equivalents.

Fiscal effect: If brand name drugs without generic equivalents are no longer subject to a prior authorization requirement, preferred drug list, or therapeutic substitution, any savings generated from these practices would be in jeopardy of being lost. The magnitude of the potential loss is unknown at this time.

R.C. 5111.085, 5111.172

Same as the House, but provides that brand name mental health drugs with generic equivalents may be subjected to generic substitution, rather than therapeutic substitution, which involves the dispensing of a drug that has similar therapeutic qualities but is not drug prescribed.

Fiscal effect: Technical change in wording, no fiscal impact is assumed.

175 (CD-989-JFS) Medicaid Risk-Adjusted Reimbursement

No provision.

R.C. 5111.165

Requires ODJFS to apply risk-adjusted reimbursement rates to services provided to individuals who receive Medicaid services under the covered families and children eligibility category starting one year after those individuals enroll in Medicaid.

Fiscal effect: The state may experience increases in its administrative costs as a result of applying risk-adjusted reimbursement rates individually. In addition, managed care plans may experience increases in their administrative costs associated with the individual rate setting, thus indirectly increasing the state's managed care costs. However, the overall fiscal impact of applying risk-adjusted reimbursement rates to individuals under managed care is unknown at this time.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

176 (CD-936-JFS) Actuarially Sound Medicaid Managed Care Rates

No provision.

R.C. 5111.17

Requires ODJFS to use actuarially sound capitation rates, in accordance with federal law, for Medicaid managed care contracts with health insuring corporations (HICs).

R.C. 5111.17

Same as the House.

No provision.

Requires, before ODJFS may submit proposed rates for federal approval, that the Superintendent of Insurance review the rates and determine they will not (1) negatively impact the financial solvency of the HIC, (2) cause a change in the HIC's risk based capital levels, or (3) require the HIC's parent company, if applicable, to guarantee that the HIC will maintain Ohio's minimum net worth.

Replaces the House provision with a provision that (1) requires ODJFS to prepare, for submission with its proposed rates, a separate document specifying how the rates conform to generally accepted actuarial principles and practices and (2) authorizes ODJFS to consult with the Superintendent of Insurance in preparing the document and to ask the Superintendent to assess whether the proposed rates, if implemented, would have adverse financial impacts on HICs.

Fiscal effect: As the first provision appears to conform with current federal law and practices, there is no apparent fiscal effect.

Fiscal effect: Reduces costs to the Department of Insurance by removing the requirement to review proposed capitation rates. Instead, allows for the Superintendent of Insurance to consult with ODJFS to determine if the proposed rates would adversely affect HICs.

The second provision would increase costs for the Department of Insurance to review proposed capitation rates.

177 (CD-1055-JFS) Medical Care Advisory Council

No provision.

No provision.

R.C. 5111.69

Establishes statutory provisions for the appointment of the Medical Care Advisory Council, which is required by federal Medicaid regulations and currently exists through nonstatutory appointments.

No provision.

No provision.

Provides for the Council to consist of 11 members: four members by the President of the Senate, four by the Speaker of the House of Representatives, and three by the Governor.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Requires the Council to advise ODJFS about health and medical care services for purposes of the Medicaid program and requires ODJFS to permit the Council to participate in Medicaid policy development and program administration.

Fiscal effect: Because the Council is already required under federal law, this provision will have no fiscal effect.

178 (CD-254-JFS) Medicaid Buy-In

R.C. 5111.0119, 5111.861

R.C. 5111.0119, 5111.861

R.C. 5111.70, 5111.701, 5111.702, 5111.703, 5111.704, 5111.705, 5111.706, 5111.707, 5111.708, 5111.709, 5111.7010, 5111.851, Section 309.30.95

Permits the ODJFS Director to submit to the United States Secretary of Health and Human Services an amendment to the state's Medicaid plan to create a Medicaid Buy-In program.

Same as the Executive, but requires the ODJFS Director to submit the amendment.

Replaces the House provision with much more detailed provisions regarding the establishment of the Medicaid Buy-In for Workers with Disabilities Program, including provisions that (1) require that an individual whose family's income exceeds 150% of the federal poverty guidelines pay an annual premium as a condition of qualifying for the program, (2) permit an individual participating in the program to continue to participate for up to six months after ceasing to be employed, and (3) stipulate that no individual is to be denied eligibility for the program due to receiving home or community-based services under a Medicaid waiver program.

Permits the ODJFS Director to also submit an amendment to ODJFS's Medicaid waivers to make changes to one or more waiver programs so that they contain features of the Buy-In program.

Same as the Executive, but requires the ODJFS Director to submit the amendment.

No provision.

Permits the ODJFS Director to submit an amendment to ODJFS's Medicaid waivers to permit an individual to receive waiver services while participating in the Buy-In program.

Same as the Executive, but requires the ODJFS Director to submit the amendment.

Replaces the House provision with a provision that stipulates that no individual will have services under a Medicaid home or community-based services waiver program reduced or disrupted on the basis of participating in the Medicaid Buy-In for Workers with Disabilities Program, even if the individual's income or assets increase above the limit allowed under the

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

waiver.

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

No provision.

No provision.

Creates the Medicaid Buy-In Advisory Council.

Fiscal effect: The Executive estimates that a new Medicaid Buy-In for Workers with Disabilities Program will serve 7,300 persons by the end of the FY 2008-FY 2009 biennium at a cost to the state of approximately \$1.7 million all funds in FY 2008 and \$14.6 million all funds in FY 2009. The Executive assumes a start date for the new program of January 1, 2008. Based on documents provided by the Office of Budget and Management, the estimate assumes 54% of eligibles will pay a monthly premium to buy-in to Medicaid (median monthly premium of \$57). The Executive also assumes a per member per month cost of about \$1,159 in FY 2008 and \$1,257 in FY 2009. Total estimated costs for FY 2008 are \$2,073,033 minus an estimated \$348,236 in premium payments collected. Total estimated costs for FY 2009 are \$16,375,753 minus an estimated \$1,749,308 in premium payments collected. Funding is provided in GRF appropriation item 600-525, Health Care/Medicaid.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the House, except adds minimal costs associated with the Medicaid Buy-in Advisory Council. Members of the Council are to serve without additional compensation or reimbursement. However, ODJFS is required to provide accommodations for meetings and administrative assistance to the Council.

179 (CD-1059-JFS) Information About the Assisted Living Program

No provision.

No provision.

R.C. 5111.894, 5111.89

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

180 (CD-1190-JFS) Medicaid Department Progress Report

No provision.

No provision.

Fiscal effect: This may lead to an increase in the number of individuals interested in enrolling in the Assisted Living program. Appropriations for the Assisted Living program provide funding for all 1,800 slots. Savings in the state Medicaid program could be realized if individuals who would otherwise have received services in a nursing facility receive services in an assisted living setting instead.

Section: 213.30

Requires the Director of Budget and Management to submit, on an annual basis, a written report to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and the members of the Joint Legislative Committee on Medicaid Technology and Reform describing the progress towards establishing a separate agency or department to solely administer the Medicaid program.

Fiscal effect: Could minimally increase expenditures for the Office of Budget and Management for producing the report.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

181 (CD-912-JFS) Supplemental Payment Program for Children's Hospitals

No provision.

Section: 309.30.13

Requires that ODJFS implement, on receipt of federal approval, a program for making supplemental Medicaid payments to children's hospitals for qualifying inpatient services occurring in FYs 2008 and 2009 and limits expenditures under the program in each fiscal year to \$6 million (state share) plus the corresponding federal match, if available, from appropriation item 600-525, Health Care/Medicaid, in ODJFS's budget.

Section: 309.30.13

Replaces the House provision with a provision that, for FYs 2008 and 2009 only, requires payments made by the ODJFS Director for cost outlier claims less than the amount specified in Ohio Administrative Code 5101:3-2-07.9(A)(6) [\$443,463, adjusted for inflation] to be increased, subject to the limitation in the next paragraph, from (1) an amount equal to 85% of the product of the hospital's allowable charges and the hospital's Medicaid inpatient cost-to-charge ratio, to (2) an amount equal to 100% of the product of the hospital's allowable charges and the hospital's Medicaid inpatient cost-to-charge ratio.

No provision.

No provision.

Requires the ODJFS Director to cease paying children's hospitals for the cost outlier claims described above at an amount that is calculated under the formula in (2), above (100% level), and to revert to paying the hospital at an amount that is calculated under the formula in (1), above (85% level), when the difference between the total amount the Director has paid at the 100% level for such outlier claims and the total amount the Director would have paid for these claims at the 85% level exceeds the sum of the state funds earmarked for the additional cost outlier payments and the corresponding federal match.

No provision.

No provision.

Requires the ODJFS Director to make supplemental Medicaid payments to hospitals for inpatient services under a program modeled after the program that ODJFS was required to create under Section 206.66.70 of Am. Sub. H.B. 66 of the 126th General Assembly for supplemental payments to children's hospitals when the difference between the total amount the Director has paid at the 100% level for the cost outlier claims described above and the total amount the Director would have paid at the 85% level for such claims does not require the expenditure of all state and

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Fiscal effect: Additional funding of approximately \$15.1 million all funds (\$6 million state share) in FY 2008 and \$15.6 million all funds (\$6 million state share) in FY 2009 is provided in GRF appropriation item 600-525, Health Care/Medicaid, to fund supplemental payments to children's hospitals.

federal funds earmarked for the additional cost outlier payments in the applicable fiscal year.

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

Fiscal effect: Allows for the spending of the full \$6,000,000 earmark for children's hospitals.

182 (CD-958-JFS) Medicaid Reserve Fund

No provision.

Section: 309.30.15

Creates the Medicaid Reserve Fund in the state treasury. Requires the Director of OBM to transfer \$100,000,000 in FY 2008 and \$185,000,000 in FY 2009 from the General Revenue Fund to the Medicaid Reserve Fund. With Controlling Board approval, allows the Director of Budget and Management, (1) to transfer up to \$100,000,000 in FY 2008 and up to \$185,000,000 in FY 2009 from the Medicaid Reserve Fund to the GRF, (2) increase the corresponding state share of appropriations in appropriation item 600-525, Health Care/Medicaid, and (3) adjust the federal share accordingly. Requires, at the end of each fiscal year, the Director of Budget and Management to transfer from the Medicaid Reserve Fund all the cash balance, including interest earnings, in excess of any transfer approved by the Controlling Board to the credit of GRF. Requires the Director of Budget and Management to make transfers to the Budget Stabilization Fund and the Income Tax Reduction Fund in accordance with section 131.44 of the Revised Code.

Fiscal effect: Minimal increase in administrative costs to

Section: 309.30.15

Same as the House, but increases the amounts to be transferred from the GRF to the Medicaid Reserve Fund from \$100,000,000 to \$120,000,000 in FY 2008 and from \$185,000,000 to \$205,000,000 in FY 2009.

Fiscal effect: Minimal increase in administrative costs to

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

the Office of Budget and Management.

the Office of Budget and Management.

183 (CD-1123-JFS) Medicaid Provider Audits

No provision.

No provision.

Section: 309.30.18

Earmarks \$2,000,000 state share in each fiscal year in GRF appropriation item 600-417 to be used by the Auditor of State to perform audits of Medicaid providers. This activity may be eligible for federal Medicaid reimbursement.

184 (CD-256-JFS) FY 2008 Medicaid Reimbursement Rate for Nursing Facilities

Section: Section 309.30.20

Adjusts the formula used to calculate nursing facilities' Medicaid reimbursement rates for FY 2008 as follows:

- (1) Increases the cost per case mix-unit, rate for ancillary and support costs, rate for capital costs, and rate for tax costs as calculated under the formula by 2%, then by another 2%, and then by 1%.
- (2) Increases the mean payment used in the calculation of the quality incentive payment to \$3.03 per Medicaid day.
- (3) Limits the total rate to not more than 101.75% and not less than 98.25% of a nursing facility's FY 2007 total rate.
- (4) If the federal government requires that the franchise permit fee for nursing facilities be reduced or eliminated, reduces the payments to nursing facilities as necessary to reflect the loss of revenue and federal financial participation generated by the fee.

Fiscal effect: The bill limits the total rate to not more than 101.75% and not less than 98.25% of a nursing facility's FY 2007 total rate. Some nursing facilities will

Section: 309.30.20

- (1) Same as the Executive, but provides that the third increase is 2.8%.
- (2) Same as the Executive, but changes the mean payment to \$3.06.
- (3) Same as the Executive, but changes the maximum total rate to not more than 103.55% and the minimum total rate to not less than 100% of a nursing facility's FY 2007 total rate.
- (4) Same as the Executive.

Fiscal effect: Nursing facility reimbursement costs are increased by an estimated \$20 million state share and the corresponding federal share in FY 2008. The

Section: 309.30.20

- (1) Same as the House.
- (2) Same as the House.
- (3) Same as the House, but changes the maximum total rate to not more than 109.85% of a nursing facility's FY 2007 total rate.
- (4) Same as the Executive.

Fiscal effect: Same as the House, but nursing facility reimbursement costs are increased by an additional estimated \$20 million state share and the corresponding

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

experience rate increase, some nursing facilities will experience rate reduction. Thus, the overall impact to the state will be roughly even out to FY 2007's total expenditures.

additional reimbursement will be paid from GRF appropriation item 600-525, Health Care/Medicaid.

federal share in FY 2008. The additional reimbursement will be paid from GRF appropriation item 600-525, Health Care/Medicaid.

185 (CD-1065-JFS) Children with Catastrophic Illness

No provision.

No provision.

Section: 309.30.56

Creates the Health Assistance for Children with Catastrophic Illness Council to study the feasibility, cost, and benefits of permitting individuals under age 19 who have a catastrophic mental or physical illness or disability and family income exceeding 300% of the federal poverty guidelines to qualify for Medicaid under a buy-in mechanism, to receive assistance (either through the Medicaid program or a state-only funded program) in paying the premiums for private health insurance, or a combination of both.

No provision.

No provision.

Requires the Council to issue a report not later than December 31, 2007, that includes recommendations for the ODFJS Director to follow in establishing a buy-in mechanism, premium assistance program, or combination.

Fiscal effect: Minimal administrative costs associated with the Council.

186 (CD-272-JFS) Medicaid Coverage of Chiropractic Services for Adults

Section: 309.30.60

Requires that Medicaid, for FYs 2008 and 2009, cover chiropractic services for Medicaid recipients age 22 or older in an amount, duration, and scope the ODJFS Director is to specify in rules, but limits the coverage to not more than 15 visits per fiscal year for each eligible recipient and not more than a total of \$5 million per fiscal year for all eligible recipients.

Section: 309.30.60

Same as the Executive, but the Medicaid program is required to cover these chiropractic services only for the second half of FY 2009.

Section: 309.30.60

Same as the Executive, but (1) the Medicaid program is required to cover these chiropractic services for the second half of FY 2008 and all of FY 2009 and (2) the coverage is not limited to a cap of \$5 million per fiscal year for all eligible recipients.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: Increase in costs of \$5 million per year. The Executive appropriates \$5 million in each fiscal year in GRF appropriation item 600-525, Health Care/Medicaid, to fund chiropractic services.

Fiscal effect: Reduction in costs of \$5 million in FY 2008 and \$2.5 million in FY 2009 due to the delay in the provision of chiropractic services. Funding in GRF appropriation item 600-525, Health Care/Medicaid, is reduced by \$5 million all funds in FY 2008 and by \$2.5 million all funds in FY 2009.

Fiscal effect: Potential increase in costs over House estimated expenditures of up to \$5 million or more (all funds) in FY 2008 and up to \$2.5 million or more (all funds) in FY 2009 resulting from the earlier implementation of chiropractic services and the lifting of the \$5 million cap.

187 (CD-1066-JFS) Increases in FYs 08 and 09 Dispensing Fees for Generic Drugs

Sections: 309.31.13, 309.31.16

No provision.

No provision.

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

No provision.

No provision.

Notwithstanding current law governing dispensing fees, requires the Director to increase, not later than 10 days after completing the fiscal impact analyses, the dispensing fee paid to each pharmacist with a valid Medicaid provider agreement for dispensing a generic drug to a Medicaid recipient in fiscal year 2008 or 2009.

No provision.

No provision.

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

No provision.

No provision.

Prohibits the total amount the Director expends to pay the increase in the dispensing fee in each of the fiscal years from exceeding the total amount the Medicaid program is projected to save in those fiscal years as a result of the changes to FULs enacted by the DRA.

Fiscal effect: Potential loss of savings that may have resulted from the federal Deficit Reduction of Act of 2005.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

188 (CD-1068-JFS) PACT Program Report

No provision.

No provision.

Section: 309.32.60

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

No provision.

No provision.

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

Fiscal effect: Minimal increase in costs for ODJFS to research, prepare, and submit the reports to the General Assembly.

189 (CD-1070-JFS) Pharmaceutical Drug Report

No provision.

No provision.

Section: 309.32.70

Requires the ODJFS Director, no later than one year after the effective date of this provision of the bill, to submit a report to the General Assembly on the effect of Medicare Part D and the care management system on the Supplemental Drug Rebate Program, including an evaluation of the changing price of pharmaceuticals in the supplemental program resulting from Medicare D and the managed care system and cost savings from increased use of generic drugs.

Fiscal effect: Minimal increase in costs for ODJFS to research, prepare, and submit the report to the General Assembly.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

190 (CD-1153-JFS) ICF/MR Reimbursement Study Council

No provision.

No provision.

Section: 309.40.43

Creates the ICF/MR Reimbursement Study Council and requires the Council to submit a report, not later than July 1, 2008 on its review of the state system for Medicaid reimbursement of ICF/MR services.

Fiscal effect: Minimal increase in costs associated with the Study Council and the report. Members of the Council are to serve without additional compensation or reimbursement.

Title XX Social Services

191 (CD-711-JFS) Ohio Association of Second Harvest Food Banks

Section: 309.40.30

Requires ODJFS to provide \$5.5 million in each fiscal year, from federal special revenue appropriation item 600-652, Second Harvest Food Banks, to the Ohio Association of Second Harvest Food Banks. ODJFS must enter into a grant agreement with the Association to allow for the purchase of food products and the distribution of those products to agencies participating in the emergency food distribution program. Up to 5% of the annual funding may be used by the Association for administrative costs.

Fiscal effect: This provision will enable the Ohio Association of Second Harvest Food Banks to purchase over 20 million pounds of food products annually for distribution to local food distribution agencies, which will provide food to individuals or families who have income at or below 200% of FPG (For FFY 2007, 200% FPG is \$41,300 for a family of four). The Association may use up to \$275,000 in each fiscal year for

Section: 309.40.30

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 309.40.30

Same as the Executive and adds an earmark of \$1.0 million in each fiscal year of appropriation item 600-659, TANF/Title XX Transfer, for the same purpose. Also specifies that personal care products in addition to food products may be purchased with the earmarked dollars.

Fiscal effect: Same as the Executive, but provides an additional \$1.0 million in each year thereby increasing the amount of food and personal care products that the Association of Second Harvest Food Banks will be able to purchase for distribution to local agencies.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

administrative costs. The source of these dollars is the Federal Social Services Block Grant, Fund 396.

192 (CD-1097-JFS) Visiting Nurse Association - Ready Seniors

No provision.

No provision.

Section: 309.50.50

Requires that, prior to allocations for administration and training, \$250,000 in each fiscal year of appropriation item 600-620, Social Services Block Grant, be reimbursed to the Visiting Nurses Association of Cleveland, pursuant to a grant agreement entered into by the Association and ODJFS for costs of expanding the Ready Seniors software program that are allowable under state and federal law governing the use of the Block Grant.

Fiscal effect: Other than the earmark, this provision may result in increased administrative costs to the Department to ensure that the Visiting Nurses Association of Cleveland is using the Social Services Block Grant dollars in accordance with state and federal law.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

193 (CD-617-JSC) Legal Education Opportunity**Section: 313.10**

Requires GRF appropriation item 005-502, Commission for Legal Education Opportunity, be used to fund the activities of the Commission for Legal Education Opportunity created by the Chief Justice of the Supreme Court of Ohio for the purpose of assisting minority, low-income, and educationally disadvantaged college graduates in the transition to legal education, and also permits those appropriated moneys to be used to establish and provide an intensive course study for certain eligible college graduates, to provide annual stipends for certain students, and to pay the program's administrative costs.

Section: 313.10

Same as the Executive.

Section: 313.10

Replaces the Executive provision with a provision that: (1) changes the name of GRF appropriation item 055-502 from Commission for Legal Education Opportunity to Legal Education Opportunity, (2) requires the appropriated moneys fund activities undertaken at the direction of the Chief Justice for purposes of introducing minority, low-income, and educationally disadvantaged Ohio students to the legal system and providing those same students with education opportunities, and (3) permits the appropriated moneys to be used in cooperation with other entities to establish programs, courses, and activities that introduce students to the legal system and provide education opportunities and to pay the associated administrative costs.

194 (CD-1074-JSC) Transfer of Unencumbered GRF Appropriation Authority for Indigent Defense

No provision.

No provision.

Section: 313.10

Transfers the total FY 2008 unencumbered appropriations in GRF appropriation item 005-321, Operating Expenses - Judiciary/Supreme Court, to FY 2009 and appropriates the transferred amount to the Ohio Public Defender Commission's GRF appropriation item 019-501, County Reimbursement, in FY 2009.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

195 (CD-991-LRS) Legal Rights Service Records; Confidentiality

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	<p>R.C. 5123.60, 5123.602, 5123.603</p> <p>Removes specific provisions in statute regarding the access of the Legal Rights Service to the records of providers of services to mentally ill, mentally retarded, and developmentally disabled persons and instead requires access to those records to be in accordance with federal law.</p>	<p>R.C. 5123.60, 5123.602, 5123.603</p> <p>Limits the access of the Legal Rights Service to records held by community residential facilities and records of contract agencies of county boards of mental retardation and developmental disabilities and boards of alcohol, drug addiction and mental health services to when consent to that access has been granted or certain circumstances apply.</p>
No provision.	<p>Requires the Legal Rights Service to maintain information confidentially in accordance with the law that applies to that information.</p>	<p>Provides that all records received or maintained by the Legal Rights Service in connection with any investigation, representation, or other activity are confidential and must not be disclosed except as authorized by the person represented by the Legal Rights Service or, subject to any privilege, a guardian of the person or parent of the minor.</p>
No provision.	<p>No provision.</p> <p>Fiscal effect: None.</p>	<p>Replaces a provision specifying that communications between Legal Rights Service personnel and agents and Legal Rights Service clients are "confidential" with a provision specifying that those communications are "privileged."</p> <p>Fiscal effect: Limiting the access of the Legal Rights Service to records may decrease the number of cases investigated.</p>

196 (CD-996-LRS) Determination of MR/DD Status

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	<p>R.C. 5123.60</p> <p>Removes a requirement that the Legal Rights Service determine who is a "mentally retarded person" or "developmentally disabled person" and applies the Chapter's existing general definitions of "mentally retarded person" and "developmentally disabled person" to the law governing the Legal Rights Service.</p>	<p>No provision.</p>

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: None.

197 (CD-1121-LRS) Legal Rights Service Administrator

No provision.

No provision.

R.C. 5123.60

Replaces a requirement that the Administrator of the Legal Rights Service be a person who has had special training and experience in the type of work with which the Legal Rights Service is charged with a requirement that the Administrator be an attorney admitted to practice law in Ohio.

Fiscal effect: This provision should have no fiscal affect, as it does not alter the classification of the position.

198 (CD-1122-LRS) Legal Rights Service Subpoena Power

No provision.

No provision.

R.C. 5123.60

Authorizes the Legal Rights Service to apply to the Franklin County Court of Common Pleas to compel the production or authentication of requested documents on the refusal of any person to produce or authenticate any requested documents, and if the court finds that failure to produce or authenticate any requested documents was improper, the court may hold the person in contempt as in the case of disobedience of the requirements of a subpoena issued from the court, or a refusal to testify in the court.

Fiscal effect: May result in increased administrative costs for the Legal Rights Service. Few cases will be affected under this provision since the majority of the time the agency is able to obtain records under section 5123.06 (E) of the Revised Code without court action.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

199 (CD-998-LRS) Legal Rights Service Ombudsperson

No provision.

R.C. 5123.604, 5123.602, 5123.603

Removes a requirement that the Department of Mental Health notify the Legal Rights Service Ombudsperson of major unusual incidents or life threatening situations involving mentally ill persons and instead requires the Department to notify the Ombudsperson of reportable incidents.

Fiscal effect: This provision will decrease the number of incidents Legal Rights Service investigates.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

200 (CD-1173-LSC) Biennial Report Estimating the Costs of School Laws and Administrative Rules

No provision.

No provision.

R.C. 103.141, (repealed)

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

Fiscal effect: It decreases the amount of staff time required for preparing the report.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

201 (CD-1077-LOT) Cap on Lottery Ticket Prices

No provision.

No provision.

R.C. 3770.03

Prohibits the State Lottery Commission from selling individual tickets that exceed \$20 in price.

Fiscal effect: None. The State Lottery does not have individual tickets that exceed that price.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

202 (CD-1181-DMH) Internal Review

No provision.

No provision.

Section: 325.20.60

Requires the Director of Mental Health to consult with the Director of Budget and Management and representatives of local and county mental health services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices, to spend savings identified as a result of the internal review and the Auditor's performance audit on community-based care, and requires Controlling Board approval before the Director of Mental Health may expend any identified funds.

203 (CD-1010-DMH) Performance Review

No provision.

Section: 335.20.50

Requires the Auditor of State to complete a performance review of the Department of Mental Health. Upon completing the performance review, the Auditor of State must submit a report of the findings of the review to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of Mental Health.

Fiscal effect: This provision may increase costs for the Auditor of State to conduct the review and prepare a report of the findings. However, the Auditor may charge the agency for these activities and recoup the costs. Ultimately, this provision may increase costs for the Department of Mental Health to pay for the review.

Section: 335.20.50

Same as the House, but requires the Auditor of State to complete a performance "audit," rather than a performance "review," and requires the agency to reimburse the Auditor of State for expenses incurred by the Auditor of State in conducting the audit.

Fiscal effect: This provision will increase costs to the Department of Mental Health since reimbursing the Auditor of State is required.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

204 (CD-486-DMH) Behavioral Health - Children

Section: 335.40.10

Requires that funds in line item 335-404, Behavioral Health Services – Children, be used to provide behavioral health services for children and their families, including mental health and alcohol and other drug treatment services and other necessary supports.

Earmarks \$4.5 million in FY 2008 and \$5.5 million in FY 2009 to local ADAMH, CMH, and Alcohol and Drug Addiction (ADA) boards based on a distribution formula and guidance defined by a team of state and local stakeholders appointed by the Ohio Family and Children First (OFCF) Cabinet Council.

Earmarks \$1 million in each fiscal year to support projects as determined by the OFCF Cabinet Council, in select areas of the state, to focus on improving behavioral health juvenile justice services.

Earmarks \$500,000 in each fiscal year for children whose primary treatment focus is not a mental health or alcohol or drug addiction disorder and requires services or supports to assist those needs through the county FCF Council.

No provision.

Section: 335.40.10

Same as the Executive.

No provision.

No provision.

No provision.

No provision.

Section: 335.40.10

Same as the Executive.

No provision.

No provision.

No provision.

Earmarks up to \$500,000 in each fiscal year in GRF appropriation item 335-404, Behavioral Health Service - Children, for behavioral health treatment services for children from birth to age seven.

205 (CD-1064-DMH) Behavioral Health Pilot Program

Section: 335.40.15

No provision.	No provision.	Requires certain county boards of alcohol, drug addiction, and mental health services, community mental health boards, and alcohol and drug addiction services boards, along with the Departments of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services, to select from among the county boards one large, one mid-size, and one small county to participate in a behavioral health pilot program with the local boards that comprise the Heartland East Collaborative.
No provision.	No provision.	Specifies that the purpose of the program is to test a model of care for community behavioral health services delivered to certain individuals.
No provision.	No provision.	Specifies that among the things the model must do is coordinate with Medicaid managed care plans operating in the counties in which the pilot is operated.
No provision.	No provision.	Requires Medicaid managed care plans operating in the counties in which the pilot is operated (along with the selected local boards and DMH, ODADAS, and ODJFS) to conduct interim and final evaluations of the pilot program that include written reports to be submitted to the Governor, the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Directors of DMH, ODADAS, and ODJFS.
No provision.	No provision.	Requires Medicaid managed care plans operating in the counties in which the pilot is operated (along with the selected local boards and DMH, ODADAS, and ODJFS) to convene an advisory committee, comprised of consumers, advocacy groups, and providers of alcohol and drug addiction or mental health services, to consult the selected local boards and Departments in the development and operation of the pilot program.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: Increases administrative costs for the Departments and certain local boards of alcohol, drug addiction, and mental health services, community mental health boards, and alcohol and drug addiction services boards participating in the pilot program to develop and implement it. The provision also requires interim and final evaluations, which will result in increased costs.

206 (CD-488-DMH) Local Mental Health Systems of Care

Section: 335.40.30

Requires line item 335-505, Local Mental Health Systems of Care, be used for mental health services provided by community mental health boards in accordance with a community mental health plan submitted pursuant to section 340.03 of the Revised Code and as approved by ODMH.

Requires at least \$34,818,917 of appropriation item 335-505, Local Mental Health Systems of Care, be distributed by ODMH on a per capita basis to community mental health boards in each fiscal year.

Earmarks \$100,000 in each fiscal year to fund family and consumer education and support.

No provision.

No provision.

Section: 335.40.30

Same as the Executive.

Same as the Executive, but increases the amount to be distributed to at least \$37,058,917 in each fiscal year.

No provision.

Earmarks \$10,000 in GRF line item 335-505, Local Mental Health Systems of Care, in each fiscal year to The Gathering Place in Athens.

No provision.

Section: 335.40.30

Same as the Executive.

Same as the House.

No provision.

Same as the House.

Earmarks \$150,000 in each fiscal year from GRF appropriation item 335-505, Local Mental Health Systems of Care, to fund family and consumer education and support.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

207 (CD-1131-DMH) Residential State Supplement

No provision.

No provision.

Section: 335.40.40

Requires that appropriation item 335-662, Residential State Supplement (SSR Fund 5CH), be used to provide subsidized support for licensed adult care facilities that serve individuals with mental illness.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

208 (CD-982-DMR) Medicaid Redesign

R.C. 5123.047, 126.04, 5123.048, 5123.049, 5123.0411, 5123.0416, 5126.046, 5126.054, 5126.056, 5126.057, 5126.059, 5126.0510, 5126.0512, 5126.18, 5705.44

R.C. 5123.047, 126.04, 5111.872, 5123.046, 5123.048, 5123.049, 5123.0411, 5123.0416, 5126.046, 5126.054, 5126.056, 5126.057, 5126.059, 5126.0510, 5126.0512, 5126.18, 5705.44

No provision.

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

Same as the House.

No provision.

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

Same as the House.

No provision.

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

Same as the House.

No provision.

Stipulates that ODMR/DD may make the expenditures to assist county boards in paying the nonfederal share of the expenditures that the county boards are required to pay in the form of allocations to county boards or by other means.

Same as the House, but specifies that ODMR/DD shall, rather than may, make the expenditures to assist county boards in the form of allocations to county boards or by other means.

No provision.

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

Same as the House.

No provision.

Requires that funds appropriated for purposes of fulfilling the state's obligations under the Martin settlement for Martin v. Strickland, Case No. 89-CV-00362, U.S. District Court, Southern District, Eastern Division, be in an appropriation

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

item that authorizes expenditures only for purposes of fulfilling those state obligations.

No provision.

Revises current law governing a plan that a county board must submit to ODMR/DD for approval to maintain complete Medicaid local administrative authority under the MR/DD Medicaid Redesign by (1) reducing from four to three the number of components of the plan by eliminating the component that provides for the recruitment, training, and retention of existing and new direct care staff, (2) eliminating a requirement that the component regarding implementation of Medicaid case management services and ODMR/DD-administered home and community-based services include an agreement for the county board to comply with the method of paying for extraordinary costs and ensuring the availability of adequate funds in the event a county property tax levy for services for individuals with MR/DD fails, and (3) eliminating from the Revised Code obsolete deadlines for county boards to submit the different components of the plan for ODMR/DD approval.

Fiscal effect: Same as the House.

Fiscal effect: The provisions have the effect of extending the current fiscal agreements with the Boards through FY 2008. In FY 2008, a county board is required to pay no less than the total amount paid as the nonfederal share for I.O. waiver services provided in FY 2007, but no more than 1% over this amount. In FY 2009, there is no cap on spending. Specifies that unless a county board requests an individual to be enrolled on a waiver, then ODMR/DD must pay. Subject to the availability of funds, the Department is required to expend in FY 2009, and each fiscal year thereafter, not less than the amount appropriated in GRF appropriation item 322-416, Medicaid Waiver - State Match, in FY 2008.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

209 (CD-232-DMR) County Board Subsidies

R.C. 5126.11, 5126.053, 5126.057, 5126.12, 5126.15, 5126.18, 5126.19, 5126.43, 5126.45, 5126.47, Section 337.30.40

Removes from the Revised Code a requirement that ODMR/DD make a general purpose subsidy and subsidies for family support services, service and support administration, and supported living to county boards of mental retardation and developmental disabilities.

Includes an earmark for FY 2008 and FY 2009 that requires ODMR/DD to pay each county board of mental retardation and developmental disabilities an amount that is equal to the amount the boards received in FY 2007 under the general purpose (line item 322-501), family support services (former line item 322-451), service and support administration (former line item 322-452), and supported living subsidies (former line item 322-417).

Fiscal effect: This provision consolidates the appropriations in line items 322-417, Supported Living, 322-451, Family Support Services, and 322-452, Service and Support Administration into line item 322-501, State Subsidy to County MR/DD Boards. Each board will continue to receive the same amount.

R.C. 5126.11, 5126.053, 5126.057, 5126.12, 5126.15, 5126.18, 5126.19, 5126.43, 5126.45, 5126.47, Section 337.30.40

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5126.11, 5126.053, 5126.057, 5126.12, 5126.15, 5126.18, 5126.19, 5126.43, 5126.45, 5126.47, Section 337.30.40

Same as the Executive, but restores, as an ongoing requirement in the Revised Code, a requirement that ODMR/DD make a family support services subsidy to county boards.

Same as the Executive.

Fiscal effect: This provision restores GRF line item 322-451, Family Support Services, and appropriates \$6,938,898 in each fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

210 (CD-822-DMR) Other Residential and Support Service Programs

Section: 337.30.20

Specifies that the Department of Mental Retardation and Developmental Disabilities may develop residential and support service programs funded by appropriation item 322-413, Residential and Support Services; and appropriation item 322-416, Medicaid Waiver – State Match, and the appropriation for supported living in appropriation item 322-501, County Board Subsidy, that enable persons with mental retardation and developmental disabilities to live in the community. The Department may waive the support collection requirements of those statutes for persons in community programs developed by the Department under this section. The Department shall adopt rules under Chapter 119. of the Revised Code or may use existing rules for the implementation of these programs

No provision.

Section: 337.30.20

Same as the Executive.

No provision.

Section: 337.30.20

Same as Executive.

Removes a reference that allows appropriation item 322-451, Family Support Services, to be used for residential and support services.

211 (CD-1142-DMR) Tax Equity Payments

No provision.

No provision.

Section: 337.30.43

Allows county boards of mental retardation and developmental disabilities that would lose tax equity funding in FY 2008 to receive \$25,000 or the amount they received in fiscal year 2007, whichever is less. Remaining tax equity funds will be distributed to counties based on section 5126.18 of the Revised Code.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

212 (CD-1084-DMR) Gallipolis Developmental Center Pilot Program

No provision.

No provision.

Section: 337.40.15

Requires the Director of Job and Family Services, working with the ODMR/DD Director, to seek federal approval to amend the state Medicaid waiver authorizing the Individual Options (IO) program to establish a one-year pilot program under which the Gallipolis Developmental Center provides home and community-based services under the IO program to not more than ten volunteers.

No provision.

No provision.

Provides that the Gallipolis Developmental Center is to be paid in the same manner and at the same rates as other IO program providers.

No provision.

No provision.

Requires that all expenses the Gallipolis Developmental Center incurs in participating in the pilot program are to be paid from the Medicaid payments the Center receives for providing IO program services.

Fiscal effect: Up to ten IO waiver slots, that will be funded by the Martin Settlement, may be filled under the pilot program. The Department will incur additional costs evaluating the pilot program and issuing a report. ODMR/DD and ODJFS may incur minimal costs providing technical assistance to the Gallipolis Developmental Center.

213 (CD-252-DMR) Nonfederal Share of Additional ICF/MR Beds

Section: 337.40.30

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

Section: 337.40.30

Same as the Executive.

Section: 337.40.30

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Requires the ODMR/DD Director to use only (1) funds appropriated to ODMR/DD for home and community-based services and supported living for which the Director is authorized to make allocations to county boards of mental retardation and developmental disabilities if the beds are located in a county served by a county board that does not initiate or support the beds' certification and (2) funds appropriated to ODMR/DD for family support services, service and support administration, and other services for which the Director is authorized to make allocations to counties if the beds are located in a county served by a county board that initiates or supports the beds' certification.

Stipulates that funds the ODMR/DD Director transfers in the case of beds located in a county served by a county board that initiates or supports the beds' certification be funds that the Director has allocated to that county board unless the amount of the allocation is insufficient to pay the entire nonfederal share of the Medicaid costs for the beds in which case the Director is to use as much of such funds allocated to other counties as needed to make up the difference.

Same as the Executive.

Same as the Executive.

Replaces the Executive provision with a provision that (1) specifies the ODMR/DD Director is to use only funds appropriated to ODMR/DD in appropriation item 322-416, Medicaid Waiver - State Match and in appropriation item 322-501, County Board Services, regardless of whether a county board initiates or supports the beds' certification and (2) specifies that the restrictions on the funds the Director may use is subject to the bill's provision regarding the minimum amount of funds that ODMR/DD must expend in fiscal year 2009 and thereafter to pay the nonfederal share of certain Medicaid expenditures and assist county boards in paying such expenditures.

Same as the Executive.

214 (CD-1117-DNR) Coal Mining Provisions

No provision.

No provision.

R.C. 1513.08, 1513.18, 5749.02

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

No provision.

No provision.

Eliminates a provision that prohibits money from the Reclamation Forfeiture Fund from being used for coal preparation plants or coal refuse disposal areas not located within a permitted area of a mine if the performance security was provided together with reliance on the Reclamation Forfeiture Fund.

No provision.

No provision.

Prohibits the use of money from the Reclamation Forfeiture Fund to supplement the performance security of an applicant or permittee that has provided performance security without reliance on the Fund.

No provision.

No provision.

Specifies that the determination of the rate of the severance tax on coal at the end of a fiscal biennium based on the balance of the Reclamation Forfeiture Fund begins July 1, 2007.

No provision.

No provision.

Defines "affiliate of the applicant" as an entity that has a parent entity in common with an applicant for a permit issued under the Coal Surface Mining Law, and adds that an applicant may provide performance security together with reliance on the Reclamation Forfeiture Fund if an affiliate of the applicant has held such a permit for any coal mining and reclamation operation for a period of not less than five years.

Fiscal effect: Any change in the revenues and expenditures in the Reclamation Forfeiture Fund, and or other funds receiving coal severance tax revenues, is currently unknown at this time. A portion of the impact

will depend on the number of current operators with a permit before April 6, 2007 that elect to become partially or fully bonded pursuant to the provisions of Sub. H.B. 443 of the 126th G.A.

215 (CD-1114-DNR) Definitions in Industrial Minerals Mining Law

R.C. 1514.081, 1514.40

No provision.

No provision.

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

No provision.

No provision.

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

No provision.

No provision.

Corrects a cross-reference in the Industrial Minerals Mining Law.

Fiscal effect: No apparent fiscal effect.

216 (CD-907-DNR) Wildlife Conservation Check-off

Section: 343.40

No provision.

Earmarks up to \$75,000 in each fiscal year from WLF Fund 015 appropriation item 725-655, Wildlife Conservation Checkoff, to be used by the Ohio Wildlife Center for wildlife preservation, protection, and education efforts.

No provision.

217 (CD-909-DNR) Soil and Water Conservation District Earmarks

	Section: 343.40	Section: 343.40
No provision.	Earmarks \$220,000 in each fiscal year from SSR Fund 5BV appropriation item 725-683, Soil and Water Districts, to be used to support the Heidelberg College Water Quality Laboratory.	Same as the House.
No provision.	Earmarks \$125,000 in each fiscal year from SSR Fund 5BV appropriation item 725-683, Soil and Water Districts, for the Indian Lake Watershed in Logan County.	Same as the House.
No provision.	Earmarks \$35,000 in each fiscal year from GRF appropriation item 725-502, Soil and Water Districts, for the Conservation Action Project.	Same as the House, except increases the earmark to \$50,000 in each fiscal year.
No provision.	No provision.	Earmarks \$100,000 in each fiscal year from GRF appropriation item 737-321, Division of Soil and Water, for soil and water quality improvements utilizing best management practices.

218 (CD-1113-DNR) Land Conveyance to the City of Celina

		Section: 753.40
No provision.	No provision.	<p>Conveys to the City of Celina the state's right of reverter in 0.5368 acres retained in Am. H.B. 823 of the 112th General Assembly for the mutual benefit accruing to the state and to the City of Celina from the reconfiguration of the entrance to the city park that is located on the land.</p> <p>Fiscal effect: Negligible administrative costs to the Auditor of State, Attorney General, Governor, and Secretary of State for preparation and execution of the deed.</p>

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

219 (CD-1161-NUR) Out-of-state Nursing Students

No provision.

No provision.

R.C. 4723.32

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

Fiscal effect: No provision.**Fiscal effect: No provision.****Fiscal effect: None.****220 (CD-1125-NUR) Nursing Education Study Committee**

No provision.

No provision.

Section: 747.10

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

No provision.

No provision.

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

Fiscal effect: Could increase the Board's administrative costs if the Board has to fund the report and the Committee's administrative costs.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

221 (CD-499-PUB) Amounts Paid Out to Appointed Counsel for Indigent Persons

R.C. 120.33

(1) Requires the county auditor to report periodically to the State Public Defender (instead of the Ohio Public Defender Commission) the amounts paid out to appointed counsel for indigent persons;

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

(3) Provides that the State Public Defender shall not pay the requested reimbursement if it is not accompanied by a financial disclosure form and affidavit of indigency and the court has not certified by electronic signature that a financial disclosure form and affidavit of indigency have been completed by the indigent person and are available for inspection.

Fiscal effect: These provisions may expedite the reimbursement process for indigent defense costs.

R.C. 120.33

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 120.33

(1) Same as the Executive.

(2) Same as the Executive.

(3) Replaces the Executive provision with a provision providing that the State Public Defender may pay a requested reimbursement only if the request for reimbursement is accompanied by the proper documentation or if the court certifies by electronic signature that the proper documentation has been completed.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

222 (CD-964-DHS) Deputy Registrars Accept Credit and Debit Cards for In-person Transactions

No provision.

R.C. 4503.102

Requires the Registrar of Motor Vehicles to adopt rules permitting payment in person at the office of a deputy registrar of all motor vehicle registration taxes and fees, driver's license and commercial driver's license fees, and any other taxes, fees, penalties, or charges imposed or levied by the state by means of a financial transaction device. Permits, but does not require, a deputy registrar to participate in the program.

Fiscal effect: As of this writing, the state and local fiscal effects of this provision, if any, are uncertain.

R.C. 4503.102

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

Fiscal effect: Negligible effect on contracting process.

223 (CD-1168-DHS) Limited Secondary Traffic Offense Enforcement at Checkpoints and Inspections

No provision.

No provision.

R.C. 4511.093

Prohibits a law enforcement officer from issuing a ticket for a secondary traffic offense at a motor vehicle checkpoint or safety inspection unless the officer either makes an arrest or issues a ticket for a violation other than the secondary traffic offense. Prohibits a law enforcement agency that conducts a motor vehicle checkpoint expressly related to a secondary traffic offense from issuing tickets for a secondary offense but allows the agency to distribute information at such a checkpoint. Defines "secondary traffic offense" as any of the current offenses where a law enforcement officer is prohibited from stopping vehicles for the sole purpose of enforcing the particular traffic law (specifically, seat belt violations, certain requirements for temporary instruction permit holders and probationary license holders including curfew and occupant restrictions, and the proper restraint of children between the ages of 4 and 15).

Fiscal effect: It appears that some amount of state and

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

local court cost and fine revenues that might otherwise have been collected in the enforcement of secondary traffic offenses at checkpoints and inspections may, subsequent to the provision's enactment, no longer be collected under similar circumstances in the future. The magnitude of the potential revenue loss to the state and any affected local jurisdiction annually is, as of this writing, uncertain.

224 (CD-1167-DHS) Documentary Service Charge by Motor Vehicle Dealers

No provision.

No provision.

R.C. 4517.261, Section 745.10

Clarifies that a motor vehicle dealer may charge a documentary service charge for a motor vehicle retail or wholesale sale or lease, and that the amount of the charge must be the lesser of either the amount allowed in a retail installment sale (maximum of \$250, not in the bill) or 10% of the amount the buyer or lessee is required to pay pursuant to the contract, excluding tax, title and registration fees, and any negative equity adjustment. Expresses the legislative intent of the General Assembly by recognizing that motor vehicle dealers historically have charged a documentary service charge in all transactions, irrespective of whether a retail installment sale is involved.

Fiscal effect: This provision does not appear to have any direct and readily discernible effect on state or local government revenues and expenditures.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

225 (CD-1049-DHS) State Fire Marshal Fund Cash Transfers and the Southern Ohio Drug Task Force

No provision.

No provision.

Section: 367.10

Requires, notwithstanding section 3737.71 of the Revised Code, at the beginning of each fiscal year or as soon as possible thereafter, the Director of Budget and Management to transfer \$125,000 in cash from the State Fire Marshal Fund (SSR Fund 546) in the Department of Commerce to the Public Safety Services Fund (SSR Fund 5CC) in the Department of Public Safety.

No provision.

No provision.

Earmarks the \$125,000 appropriated to SSR appropriation item 768-607, Public Safety Services, in each fiscal year to be distributed by the Division of Criminal Justice Services in the Department of Public Safety to the Southern Ohio Drug Task Force.

226 (CD-1089-DHS) Cash Transfer to the Drug Law Enforcement Fund

No provision.

No provision.

Section: 367.10

Requires the Director of Budget and Management to transfer \$800,000 in cash in FY 2007 and FY 2008 from the Attorney General's Charitable Foundations Fund (GSF Fund 418) to the Drug Law Enforcement Fund (GSF Fund 5ET), and requires the Division of Criminal Justice Services of the Department of Public Safety to use the appropriated moneys for the purpose of awarding grants to local law enforcement agencies with regard to the enforcement of laws relating to illegal drug activity.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

227 (CD-1086-DHS) Cash Transfer to the State Highway Safety Fund

No provision.

No provision.

Sections: 603.05, 603.06

Amends the temporary law provision enacted pursuant to Am. Sub. H.B. 67 of the 126th G.A., which contains the transportation and public safety programs budget covering FYs 2008 and 2009, that requires the Treasurer of State, prior to making any distributions for the evaporation/shrinkage allowance listed in sections 5735.23, 5735.26, 5735.291, and 5735.30 of the Revised Code, to deposit the first \$1,600,000 received each month to the credit of the State Highway Safety Fund (HSF Fund 036) be made "pursuant to a schedule determined by the Director of Budget and Management."

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

228 (CD-1034-PUC) Telecommunications Relay Service Funding

No provision.

No provision.

Sections: 369.10, 749.10

Requires the Director of Budget and Management to transfer from the Public Utilities Fund (Fund 5F6) to the newly-established Telecommunications Relay Service Fund the amount invoiced to pay costs incurred by the telecommunications relay service vendor during calendar year 2008, and requires the Commission (1) to establish a study mechanism to make recommendations for a funding program for the service that is competitively neutral and (2) to submit a report including the recommendations to the General Assembly by January 1, 2009.

Fiscal effect: Requires the Director of Budget and Management to transfer approximately \$7.0 million in FY 2009 from Fund 5F6 to the newly-created fund; this amount would be nearly 63% of the balance in Fund 5F6 at the beginning of FY 2009 that was projected when the PUCO budget submission was prepared. Appropriates the amount to reimburse the vendor for its costs. The fund balance at the beginning of the year supports PUCO operations until an assessment on utilities is received in October, meaning there has not been a buildup of excess monies in the fund. The transfer would force a reduction in staffing levels and operations. There may also be an increase in costs to the PUCO in both fiscal years due to the requirement to develop recommendations and prepare the report.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

229 (CD-270-BOR) Energy Conservation Studies at State Institutions of Higher Education

R.C. 156.02

(1) No provision.

(2) Permits the Director of Administrative Services (DAS), upon request, to contract with an energy services company, contractor, architect, professional engineer, or other person experienced in the design and implementation of energy conservation measures for analyses and recommendations pertaining to energy conservation measures for buildings owned by state institutions of higher education.

Fiscal effect: The costs of the studies would presumably be paid by institutions requesting the studies. The implementation of energy conservation measures that result from recommendations could lower institutions' costs.

R.C. 156.02

(1) No provision.

(2) Same as the Executive, but requires the costs of analyses and recommendations requested by state institutions of higher education to be paid by those institutions.

Fiscal effect: Same as the Executive, but it is specific that an institution requesting a study must pay for the cost of the study.

R.C. 156.02

(1) Permits DAS to contract with the Office of Energy Efficiency of the Department of Development, instead of with an energy services company, contractor, architect, professional engineer, or other person experienced in the design and implementation of energy conservation measures for analyses and recommendations pertaining to energy conservation measures for buildings owned by the state.

(2) Same as the Executive, but authorizes DAS to contract with the Office of Energy and Efficiency of the Department of Development for analyses and recommendations requested by state institutions of higher education.

Fiscal effect: Same as the Executive, but the workload for the Office of Energy and Efficiency of the Department of Development may also increase.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

230 (CD-927-BOR) Co-located Technical Colleges

R.C. 3357.01, 3357.13

R.C. 3333.201, 3355.01, 3355.15, 3357.01, 3357.13, Section 375.80.70

(1) No provision.

(1) Allows technical colleges that are co-located with other state institutions of higher education to offer baccalaureate-oriented programs, which are curricular programs intended to enable students to receive associate degrees or transfer to colleges and universities for the pursuit of baccalaureate degrees.

(1) Same as the House, but also clarifies that the baccalaureate-oriented programs offered by co-located technical colleges must be associate degree programs, and specifies that new or expanded programs offered at co-located campuses must be approved by the Chancellor of BOR, who must determine whether the proposed programs would promote cooperation between co-located institutions and minimize duplication.

(2) No provision.

(2) No provision.

(2) Permits a university branch to offer any baccalaureate program that has been approved to be offered at the main campus of the university.

(3) No provision.

(4) No provision.

(3) Directs the Chancellor of the Board of Regents to require a college or university offering classes at a co-located technical college to pay a share of the facility maintenance costs based proportionally on the number of students enrolled in classes offered by that college or university.

(4) No provision.

(4) No provision.

(4) Expresses the General Assembly's intent to encourage co-located technical schools and university branches to coordinate and develop "Two Plus Two" programs.

Fiscal effect: Provides flexibility for certain technical colleges in terms of program offerings.

Fiscal effect: Provides flexibility for certain technical colleges and university branches in terms of program offerings.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

231 (CD-1139-BOR) Washington Center Internship Program

No provision.

No provision.

R.C. 3333.36

Requires the Chancellor of BOR, if sufficient GRF appropriations instead of sufficient unencumbered and unexpended GRF appropriations are available within the BOR budget, to allocate the following: (1) "up to" \$70,000 instead of \$70,000 in each fiscal year for a Columbus intergovernmental issue internship program at Kent State University and (2) up to \$165,000 in each fiscal year to provide scholarships to undergraduate students of Ohio's four-year institutions of higher education participating in the Washington Center Internship Program.

Fiscal effect: Could supplement GRF appropriation item 235-518, Capitol Scholarship Program, which currently provides \$125,000 of funding in each fiscal year for scholarships through the Washington Center Internship Program.

232 (CD-979-BOR) Workforce Development Pilot Project and AccelerateOhio

(1) No provision.

R.C. 3333.55, Section 375.20.70

(1) Requires BOR to design and implement a three-year Health Information and Imaging Technology Workforce Development Pilot Project in the vicinity of Clark, Greene, and Montgomery counties. States that the purpose of the pilot project is to enhance P-16 education and workforce development in the field of health information and imaging technology.

R.C. 3333.55, Section 375.20.70

(1) Same as the House.

(2) No provision.

(2) Earmarks \$500,000 in FY 2008 for the Health Information and Imaging Technology Workforce Development Pilot Project.

(2) Same as the Executive, but applies language to the "remainder" of instead of the whole GRF appropriation item 235-436, AccelerateOhio.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(3) Requires that GRF appropriation item 235-436, AccelerateOhio, be used by BOR to create and implement a statewide program that improves the education and skills of low-income working adults in Ohio. Specifies that the program is to consist of competency-based, low-cost, noncredit, and credit-bearing modules and courses in communications, mathematics, information technology, and other fields selected by BOR.

(3) Same as the Executive, but makes the funding of \$2,000,000 in FY 2008 and \$5,000,000 in FY 2009 for AccelerateOhio an earmark of GRF appropriation item 235-436, AccelerateOhio.

(3) Same as the House, but also earmarks \$500,000 in FY 2009 for the Health Information and Imaging Technology Workforce Development Pilot Project.

233 (CD-1120-BOR) Ohio Innovation Partnership

R.C. 3333.60, 3333.61, 3333.62, 3333.63, 3333.64, 3333.65, 3333.66, 3333.67, 3333.68, 3333.69, 3333.70, 3333.38, 3345.32, Sections 375.20.76, 375.20.77

No provision.

No provision.

(1) Requires the Chancellor of BOR to establish and administer the Ohio Innovation Partnership, consisting of two competitive grant programs: the Choose Ohio First Scholarship Program and the Ohio Research Scholars Program.

No provision.

No provision.

(2) (a) Requires the Chancellor, under the Choose Ohio First Scholarship Program, to award state funds to any of the 13 state universities and the Northeastern Ohio Universities College of Medicine for initiatives to recruit Ohio residents as students in the fields of science, technology, engineering, math, and medicine (STEM) or STEM education. Requires the Chancellor to encourage submission of scholarship proposals that recruit Ohio residents enrolled in out-of-state colleges and universities to return to Ohio for graduate studies in STEM fields or STEM education.

No provision.

No provision.

(2) (b) Requires the Chancellor, under the Ohio Research Scholars Program, to award state funds to endow any of the 13 state universities and the Northeastern Ohio Universities College of Medicine for initiatives that recruit scientists to their faculties. Requires award recipients to use only the income generated from the award.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.	No provision.	(3) Specifies that the proposals under either program may be implemented solely by the state university or college or in collaboration with other state institutions of higher education, nonpublic Ohio universities or colleges, or other public or nonpublic Ohio entities.
No provision.	No provision.	(4) Requires the Chancellor to make awards, subject to approval by the Controlling Board, on a competitive basis to a state university or college, based on the programs' common goals of enhancing regional educational and economic strengths and meeting the needs of the state's regional economies.
No provision.	No provision.	(5) Requires the Chancellor to make awards so that the statewide aggregate non-state money pledged to the proposals in each fiscal year equals at least 100% of awarded funds and to attempt to distribute awards so that all regions of the state will benefit and students from all regions can participate in the Choose Ohio First Scholarship Program.
No provision.	No provision.	(6) Specifies that the Chancellor may commit to giving an institution's proposal preference for future awards beyond a two-year period contingent upon future appropriations and the institution's fulfillment of the program's terms. Restricts the Chancellor and the Controlling Board from committing an award to any proposal for more than five years at a time although institutions may reapply when an award commitment expires.
No provision.	No provision.	(7) Requires the Chancellor to submit an annual report on the academic and economic impact of the Ohio Innovation Partnership. Requires that the report include progress and performance metrics for each initiative that received an award in the previous fiscal year and economic indicators for all initiatives as a whole. Specifies that the first report is due on December 31, 2008.
No provision.	No provision.	(8) Specifies that GRF appropriation item 235-438, Choose Ohio First Scholarship, be distributed pursuant to sections

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

No provision.

3333.60 to 3333.70 of the Revised Code.

(9) Specifies that GRF appropriation item 235-439, Ohio Research Scholars Program, be disbursed pursuant to sections 3333.60 to 3333.70 of the Revised Code.

Fiscal effect: The Senate budget provides the same amount of funding (\$50.0 million per year) as provided in the House budget for the Choose Ohio First Scholarship Program. The Senate budget provides \$30.0 million in GRF money in FY 2008 in the BOR budget and \$20 million in the Third Frontier bond money in FY 2009 in the Department of Development budget for the Ohio Research Scholars Program.

234 (CD-1115-BOR) Investment of Funds by State Institutions of Higher Education

No provision.

No provision.

R.C. 3345.05, 3354.10, 3357.10, 3358.06

Allows each state-assisted college or university to pool eligible funds with other institutional funds and invest these funds pursuant to section 1715.54 of the Revised Code. Defines eligible funds as those above 25% of the average amount of the investment portfolio of the college or university over the course of the previous fiscal year in certain specified securities and instrumentalities as required under current law.

Fiscal effect: Provides greater flexibility for state-assisted colleges and universities to invest their funds.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

235 (CD-116-BOR) Jobs Challenge

Section: 375.10.80

Requires that GRF appropriation item 235-415, Jobs Challenge, be distributed to state-assisted community and technical colleges, university regional campuses of state-assisted universities, and other EnterpriseOhio Network campuses to support noncredit job training. Makes the following earmarks:

(1) Earmarks \$2,770,773 in each fiscal year as performance grants to be distributed based upon each campus's documented performance according to criteria developed by BOR.

(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 and regional priorities.

(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 EnterpriseOhio Network campuses for providing non-credit skill upgrading services to Ohio employers and employees. Specifies that this earmark be distributed based on each campus's share of noncredit job-related training revenues received by all campuses for the previous fiscal year.

Section: 375.10.80

Same as the Executive.

(1) Same as the Executive for FY 2008 allocations, but removes the specific allocations of FY 2009 funding and requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

(2) Same as the Executive for FY 2008 allocations, but removes the specific allocations of FY 2009 funding and requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

(3) Same as the Executive for FY 2008 allocations, but removes the specific allocations of FY 2009 funding and requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

Section: 375.10.80

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

236 (CD-117-BOR) Access Challenge

Section: 375.20.10

(1) Specifies that GRF appropriation item 235-418, Access Challenge, be distributed to Ohio's state-assisted access colleges and universities. Requires access campuses to use these funds to sustain, as much as possible, tuition restraints or tuition reductions that were achieved with Access Challenge allocations in prior years. Requires that the subsidies for FY 2008 be distributed based on each campus's share of FY 2005 and FY 2006 subsidy-eligible General Studies FTEs and that the subsidies for FY 2009 be distributed based on each campus's share of FY 2006 and FY 2007 subsidy-eligible General Studies FTEs. Provides an adjustment for Cleveland State University's enrollments for use in the above distribution formula.

(2) Earmarks \$11,756,414 in FY 2008 and \$12,109,106 in FY 2009 to be used by Central State University to keep undergraduate fees below the state average.

Section: 375.20.10

(1) Same as the Executive for FY 2008 allocations, but also requires that access campuses disclose, in their tuition billing statements to students, the amounts of tuitions subsidized by Access Challenges subsidies, removes the specific allocations of FY 2009 funding, and requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

(2) No provision; moves the earmark to its own line item 235-514, Central State Supplement.

Section: 375.20.10

(1) Same as the Executive, but also requires that access campuses disclose, in their tuition billing statements to students, the amounts of tuitions subsidized by Access Challenges subsidies.

(2) No provision; moves the earmark to its own line item 235-514, Central State Supplement.

237 (CD-128-BOR) Success Challenge

Section: 375.20.20

Requires that GRF appropriation item 235-420, Success Challenge, be used to promote degree completion at main campuses of state-assisted universities. Makes the following earmarks:

(1) Earmarks 66.67% of the appropriation in each fiscal year to be distributed based on each main campus's share of bachelor's degrees granted to "at-risk" students. Requires institutions to first submit plans addressing how the subsidies will be used to better serve "at-risk" students. Defines an "at-risk" student in FY 2008 and FY 2009 as a student eligible to receive Ohio Instructional Grants during the past ten years.

Section: 375.20.20

Same as the Executive.

(1) Same as the Executive for FY 2008 allocations, but removes the specific allocations of FY 2009 funding. Requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

Section: 375.20.20

Same as the Executive

(1) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(2) Earmarks 33.33% of the appropriation in each fiscal year to be distributed based on each main campus's share of bachelor's degrees granted to undergraduate students who completed their bachelor's degrees in a "timely manner" (generally, four years) in the previous fiscal year. Requires BOR to collect data to assess the timely completion statistics by university main campuses.

(2) Same as the Executive for FY 2008 allocations, but removes the specific allocations of FY 2009 funding. Requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

(2) Same as the Executive.

238 (CD-131-BOR) Economic Growth Challenge

Section: 375.20.40

Requires that GRF appropriation item 235-433, Economic Growth Challenge, be used to enhance the basic research capabilities of Ohio's public and certain private institutions of higher education, support improved graduate programs, and promote the transfer of technology developed by colleges and universities to private industry. Makes the following earmarks:

(1) Earmarks \$12,000,000 in each fiscal year for the Research Incentive Program that matches part of the institutions' externally obtained research funds. Requires institutions to submit plans for spending of the allocations to BOR for approval, including spending rationales and an evaluation process to provide results. Requires the institutions' plans to include significant 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. Requires BOR to submit a biennial report of the program's progress to the General Assembly.

(2) Earmarks \$4,686,194 in each fiscal year for the Innovation Incentive Plan, to match funds that are required to be set aside from participating state-assisted universities' doctoral reserve allocations under GRF appropriation item 235-501, State Share of Instruction, and those comparable amounts of funds that are required to be set aside by

Section: 375.20.40

Same as the Executive.

(1) Same as the Executive for FY 2008 allocations, but removes the specific allocations of FY 2009 funding and requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

(2) Same as the Executive for FY 2008 allocations, but clarifies that the required FY 2008 matching fund be withheld from a participating state-assisted university's SSI allocation instead of the doctoral reserve portion of the SSI allocation, removes the specific allocations of FY 2009 funding, and requires BOR to study and recommend a distribution for FY

Section: 375.20.40

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive, but clarifies that the required matching fund in each fiscal year be withheld from a participating state-assisted university's SSI allocation instead of the doctoral reserve portion of the SSI allocation.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

participating private universities. Specifies that the combined funding be used to make competitive awards to participating universities, which are to use the awards to restructure their arrays of doctoral programs.

(3) Earmarks \$500,000 in each fiscal year for the Technology Commercialization Incentive to reward public and private colleges and universities for successful technology transfer to Ohio-based business and industry. Requires the Third Frontier Commission to determine eligibility for awards.

2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

(3) Same as the Executive for FY 2008 allocations, but removes the specific allocations of FY 2009 funding and requires BOR to study and recommend a distribution for FY 2009 and seek Controlling Board's approval of the recommended distribution by May 1, 2008.

(3) Same as the Executive.

239 (CD-930-BOR) Distribution of Challenge Funds

No provision.

Section: 375.20.45

Requires BOR to study the effectiveness and appropriateness of the programs funded in GRF appropriation items 235-415, Jobs Challenge, 235-418, Access Challenge, 235-420, Success Challenge, and 235-433, Economic Growth Challenge. Requires the study to focus on the student-based funding, the current workforce development needs, and incentives for student success in the context of a knowledge-based economy.

Requires BOR to recommend a distribution of the funds provided for FY 2009 and seek Controlling Board's approval for the recommended distribution by May 1, 2008.

No provision.

240 (CD-934-BOR) STEM Initiatives

No provision.

Section: 375.20.75

Requires that GRF appropriation item 235-437, STEM Initiatives, be used for STEM academies.

Section: 375.20.75

No provision; funding(\$10.0 million per year) for STEM initiatives is moved to the Department of Education.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

241 (CD-155-BOR) Eminent Scholars

Section: 375.20.80

Requires that GRF appropriation item 235-451, Eminent Scholars, be used to invest educational resources to address problems that are of vital statewide significance while fostering the growth in eminence of Ohio's academic programs.

Authorizes endowment grants of approximately \$685,494 to public and certain private institutions of higher education to match non-state endowment gifts of the same amount. Specifies that all new awards be associated with a Wright Center of Innovation, a Partnership Award from the Biomedical Research and Technology Transfer Trust Fund, or a Wright Capital Project.

Section: 375.20.80

Same as the Executive.

Same as the Executive.

Section: 375.20.80

Same as the Executive.

Same as the Executive, but eliminates language limiting each endowment grant to approximately \$685,494.

242 (CD-928-BOR) State Share of Instruction (SSI) for Fiscal Years 2008 and 2009

(1) (a) No provision.

(1) (b) No provision.

(2) (a) No provision.

Section: 375.30.25

(1) (a) Limits the increase in in-state undergraduate instructional and general fees to no more than 3% in FY 2008 and prohibits any increase in in-state undergraduate instructional and general fees in FY 2009.

(1) (b) No provision.

(2) (a) Guarantees each institution in FY 2008 and FY 2009 to receive the same amount of SSI funding as received in the prior year, notwithstanding the SSI distribution formulas outlined in Section 375.30.20.

Section: 375.30.25

(1) (a) Replaces the House provision with a provision that freezes in-state undergraduate instructional and general fees in both FY 2008 and FY 2009.

(1) (b) Earmarks \$58.0 million in FY 2008 and \$60.0 million in FY 2009 of GRF appropriation item 235-501, State Share of Instruction, to be distributed based on each campus's share of total in-state undergraduate tuition amount for FY 2007.

(2)(a) Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
(2) (b) No provision.	(2) (b) Specifies that in each fiscal year, each institution also receive its proportional share of total SSI appropriation increase for that year (2.0% for FY 2008 and 10.0% for FY 2009) if the institution meets savings requirements of 1% for FY 2008 and 3% for FY 2009.	(2)(b) Same as the House.
(2) (c) No provision.	(2) (c) Specifies that in each fiscal year, each institution's SSI earnings be reduced by the amount, if any, by which debt service charged in the previous five biennia exceeds that institution's capital component earnings. Specifies that the total amount deducted be transferred to appropriation item 235-552, Capital Component, in each fiscal year.	(2)(c) Same as the House.
(2) (d) No provision.	(2) (d) Allows adjustments to be made to SSI payments for exceptional circumstances if recommended by BOR and approved by the Controlling Board.	(2)(d) Same as the House.
(2) (e) No provision.	(2) (e) Requires that any appropriation reductions made to appropriation item 235-501, State Share of Instruction, be uniformly applied to each campus in proportion to its share of the total allocation.	(2)(e) Same as the House.
(2) (f) No provision.	(2) (f) Requires that SSI payments be distributed in equal monthly amounts during the fiscal year unless otherwise determined by the Director of Budget and Management. Specifies that payments during the last six months of the fiscal year be distributed after approval of the Controlling Board upon the request of BOR.	(2)(f) Same as the House.
(3) No provision.	(3) Requires BOR, in consultation with the Department of Development, to commission a study on the needs of the business community relative to higher education in Ohio, including necessary skills and talents required by the business community. Requires the study to be completed by December 31, 2007.	(3) Same as the House.
(4) No provision.	(4) Requires BOR, in consultation with state-supported institutions of higher education, to develop a plan that addresses five specific areas of higher education: access, success, affordability, research and development support, and higher education awareness. Requires the plan, which	(4) Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(5) No provision.

is to be completed by December 31, 2007, to include outcome measures and progress indicators for each area. Requires institutions to commit to increasing inter-institution collaborations and partnerships with the goal of increasing savings.

(5) Requires BOR, in consultation with state-supported institutions of higher education, to study the feasibility of establishing and implementing a tuition flexibility plan by December 31, 2007.

Fiscal effect: Tuition caps could limit the amounts of tuition revenues for public institutions of higher education. SSI appropriations increase by 2% in FY 2008 and 10% in FY 2009. BOR could incur one-time costs for the required studies and plans.

(5) Same as the House.

Fiscal effect: Freezing in-state undergraduate tuition in both fiscal years could limit the amounts of tuition revenues for public institutions of higher education. The earmarked funding (\$58.0 million in FY 2008 and \$60.0 million in FY 2009) is provided to help subsidize the tuition freeze. The overall appropriations (including the earmarked funding) for SSI increase by 5.6% in FY 2008 and 9.8% in FY 2009. BOR could incur one-time costs for the required studies and plans.

243 (CD-165-BOR) Air Force Institute of Technology

Section: 375.30.80

Specifies that GRF appropriation item 235-508, Air Force Institute of Technology, be used to strengthen the research and educational linkages between the Wright Patterson Air Force Base and institutions of higher education in Ohio.

Makes the following earmarks:

(1) Earmarks \$1,233,588 in each fiscal year for research projects that connect the Air Force Research Laboratories with university partners. Requires the Air Force Institute of Technology to report annually to the Third Frontier Commission on current and future collaborations between programs and funding recipients related to technology, research development, commercialization, and support for Ohio's economy.

Section: 375.30.80

Same as the Executive.

(1) Same as the Executive.

Section: 375.30.80

Same as the Executive.

(1) Same as the Executive, but increases the earmark to \$1,358,588 in each fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(2) Earmarks \$691,757 in each fiscal year to match federal dollars. Requires the Development Research Corporation to use these funds to support technology commercialization and job creation.

(2) Same as the Executive.

(2) Same as the Executive.

244 (CD-172-BOR) Shawnee State Supplement**Section: 375.40.70**

Requires that GRF appropriation item 235-520, Shawnee State Supplement, be used by Shawnee State University for the following two purposes:

- (1) To keep its undergraduate fees below state average.
- (2) To allow it to employ new faculty to develop and teach new degrees programs that meet the needs of Appalachians.

Section: 375.40.70

Same as the Executive, but requires that Shawnee State University establish and disburse projected tuition costs for a four-year period of study in order to receive funding in FY 2009 and that Shawnee State University make every effort to restrain its future tuition increases to stay within those projected amounts.

Section: 375.40.70

Same as the Executive.

245 (CD-174-BOR) OSU John Glenn School of Public Affairs**Section: 375.40.80**

Requires that GRF appropriation item 235-521, The Ohio State University Glenn Institute, be used to support the operations of the Glenn Institute.

Section: 375.40.80

Same as the Executive.

Section: 375.40.80

Same as the Executive, but changes the name and beneficiary of the line item from The Ohio State University Glenn Institute to The Ohio State University John Glenn School of Public Affairs.

246 (CD-265-BOR) Eligibility for Student Choice Grants**R.C. 3333.27, Section 375.50.50**

(1) Narrows the eligibility for student choice grants specified in section 3333.27 of the Revised Code by adding a requirement that a student must also qualify for a need-based Ohio College Opportunity Grant.

(2) Requires that GRF appropriation item 235-531, Student Choice Grants, be used to support supplemental need-based grants under section 3333.27 of the Revised Code.

Section: 375.50.50

(1) No provision.

(2) Same as the Executive, but removes the "supplemental need-based grants" reference and specifies that in FY 2008 and FY 2009, student choice grants be awarded only to students who have family incomes of \$95,000 or less.

Section: 375.50.50

(1) No provision.

(2) Same as the House, but eliminates the income limit for FY 2008 and FY 2009, thereby restoring current law's eligibility criteria for student choice grants, as well as transfers and appropriates the unencumbered balance at the

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: It would decrease student choice grant expenditures; however, it is unclear how many students would be affected at this point. The executive budget provides approximately \$18.0 million in each fiscal year for this program, compared with estimated expenditures of approximately \$53.0 million in FY 2007.

Fiscal effect: Increases the number of student eligible for student choice grants compared with the Executive budget and increases the student choice grant appropriations to \$38.5 million in each year.

end of FY 2008 to FY 2009.

Fiscal effect: Provides the same amounts of appropriations as under the House budget, but maintain current law grant eligibility criteria (without the family income restriction).

247 (CD-193-BOR) Ohio Agricultural Research and Development Center (OARDC)

Section: 375.50.60

Requires that GRF appropriation item 235-535, Ohio Agricultural Research and Development Center, be disbursed to the Ohio State University in monthly payments. Exempts OARDC from remitting payments to the Ohio State University for cost reallocation assessments during the biennium. Requires OARDC to competitively allocate funding among programs based on demonstrated performance.

Makes the following earmarks:

(1) Earmarks \$467,578 in each fiscal year to purchase equipment.

(2) Earmarks \$822,592 in each fiscal year to support the Piketon Agricultural Research and Extension Center.

(3) Earmarks \$216,471 in each fiscal year to distribute the Raspberry/Strawberry-Ellagic Acid Research program at the Ohio State University Medical College.

(4) Earmarks \$43,294 in each fiscal year to support the Ohio Berry Administrator.

(5) Earmarks \$86,588 in each fiscal year for the development of agricultural crops and products not currently in widespread production in Ohio.

Section: 375.50.60

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Section: 375.50.60

Same as the Executive, but makes the following changes to the earmarks:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(6) Earmarks \$127,500 in each fiscal year to Wilmington College for the commercialization of agricultural products.

(6) Same as the Executive.

(6) No provision.

248 (CD-203-BOR) School of International Business

Section: 375.50.80

Makes the following earmarks of GRF appropriation item 235-547, School of International Business:

(1) Earmarks \$250,000 in each fiscal year for the continuing development and support of the School of International Business at the University of Akron and business programs of other northeast Ohio state universities.

(2) Earmarks \$100,000 in each fiscal year for the expansion of the international business programs at the University of Toledo College of Business.

(3) Earmarks \$100,000 in each fiscal year to support the Ohio State University BioMEMS program.

(4) No provision.

(5) No provision.

Section: 375.50.80

Makes the following earmarks of GRF appropriation item 235-547, School of International Business:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) No provision.

(5) No provision.

Section: 375.50.80

Makes the following changes to earmarks of GRF appropriation item 235-547, School of International Business:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Earmarks \$100,000 in FY 2009 for the Supporting Education for the Returning Veterans (SERV) program at Cleveland State University.

(5) Earmarks \$100,000 in FY 2009 for the Veterans Upward Bound (VUB) program at Cuyahoga Community College.

249 (CD-209-BOR) Long-term Care Research

Section: 375.60.50

(1) Requires GRF appropriation item 235-558, Long-term Care Research, to be disbursed to Miami University for long-term care research.

Section: 375.60.50

(1) Same as the Executive, but makes the Miami University's long-term care research funding of \$211,047 per year as an earmark of GRF appropriation item 235-558, Long-term Care Research.

Section: 375.60.50

(1) Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(2) No provision.

(2) Earmarks \$100,000 in each fiscal year for research on best practices for long-term care in rural areas.

(2) No provision.

(3) No provision.

(3) No provision.

(3) Earmarks \$100,000 in each fiscal year for Alzheimer's and dementia research at the University of Cincinnati's Aloysius Alzheimer Center.

No provision.

(4) No provision.

(4) Earmarks \$50,000 in each fiscal year for People Working Cooperatively, Inc.

250 (CD-931-BOR) Choose Ohio First Scholarship

No provision.

Section: 375.60.91

Specifies that it is the intent of the House of Representatives to work with the Senate and the Governor to design the criteria for the Choose Ohio First Scholarship funded under GRF appropriation item, 235-569, Choose Ohio First Scholarship.

No provision. Renumbers the Choose Ohio First Scholarship line item from 235-569 to 235-438 and replaces the House intent language with codified language that establishes the Ohio Innovation Partnership, consisting of two competitive grant programs: the Choose Ohio First Scholarship Program and the Ohio Research Scholars Program.

251 (CD-1105-BOR) James A. Rhodes Scholarship

No provision.

No provision.

Section: 375.60.95

Specifies that GRF appropriation item 235-571, James A. Rhodes Scholarship, be disbursed as matching funds upon receiving certification that the James A. Rhodes Leadership Foundation has raised at least \$10 million from nonstate resources.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

252 (CD-1103-BOR) Ohio Humanities Council

No provision.

No provision.

Section: 375.70.15

Specifies that GRF appropriation item 235-573, Ohio Humanities Council, be used to support humanities research, education, teacher development, and outreach activities through the Ohio Humanities Council.

253 (CD-240-BOR) Urban University Program

Section: 375.70.20

Requires universities receiving funds under GRF appropriation item 235-583, Urban University Programs, to certify periodically in a manner approved by 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. Requires matching funds to come from continuing rather than one-time sources when funds received are used to support an ongoing university cost.

Makes the following earmarks:

(1) 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) Earmarks \$1,433,037 in each fiscal year to Cleveland State University to support the Maxine Goodman Levin College of Urban Affairs.

(3) 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. Specifies that the distribution among the three programs be made by the chairman of the Urban University Program.

Section: 375.70.20

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Section: 375.70.20

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

(4) Earmarks \$247,453 in each fiscal year to support a public communication outreach program (WCPN).

(4) Same as the Executive.

(4) Same as the Executive.

(5) Earmarks \$169,310 in each fiscal year to support the Kent State University Learning and Technology Project.

(5) Same as the Executive.

(5) Same as the Executive.

(6) Earmarks \$65,119 in each fiscal year to support the Ameritech Classroom/Center for Research at Kent State University.

(6) Same as the Executive.

(6) Same as the Executive.

(7) Earmarks \$723,547 in each fiscal year to support the Polymer Distance Learning Project at the University of Akron.

(7) Same as the Executive.

(7) Same as the Executive.

(8) Earmarks \$32,560 in each fiscal year to support the Kent State University/Cleveland Design Center program.

(8) Same as the Executive.

(8) Same as the Executive.

(9) Earmarks \$513,886 in each fiscal year to support the Bliss Institute of Applied Politics at the University of Akron.

(9) Same as the Executive, but educes the earmark to \$180,886 in each fiscal year.

(9) Same as the Executive.

(10) Earmarks \$10,851 in each fiscal year to support the Advancing-Up Program at the University of Akron.

(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.

(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, but increases the earmark to \$164,777 in each fiscal year.

(13) Earmarks \$300,368 in each fiscal year to support the Medina County University Center

(13) Same as the Executive.

(13) Same as the Executive, but increases the earmark to \$425,368 in each fiscal year.

(14) Earmarks \$150,000 in each fiscal year to support the Ohio State University African American Studies Program.

(14) Same as the Executive, but changes the earmark name to the Ohio State University African American and African Studies Community Extension Center.

(14) Same as the House.

(15) Earmarks \$75,000 in each fiscal year to support education and technical training at the P.E. Henderson, Sr. Center.

(15) No provision.

(15) No provision

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

(16) No provision.

(16) Earmarks \$200,000 each fiscal year to support the Cleveland Institute of Art.

254 (CD-241-BOR) Rural University Projects

Section: 375.70.30

Makes the following earmarks under GRF appropriation item 235-587, Rural University Projects:

(1) Earmarks \$263,783 in each fiscal year for Bowling Green State University to support the Center for Policy Analysis and Public Service.

(2) Earmarks \$245,320 in each fiscal year for Miami University to support the Center for Public Management and Regional Affairs.

(3) Earmarks \$575,015 in each fiscal year for Ohio University to support the Institute for Local Government Administration and Rural Development (ILGARD). Specifies that a small portion of these funds 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.

(4) Earmarks \$15,942 in each fiscal year to support the Washington State Community College day-care center.

(5) Earmarks \$47,829 in each fiscal year to support the COAD/ILGARD/GOA Appalachian Leadership Initiative.

Section: 375.70.30

Makes the following changes to the earmarks:

(1) Same as the Executive.

(2) Reduces earmark to \$145,320 in each fiscal year.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Section: 375.70.30

Makes the following changes to the earmarks:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Increases the earmark to \$59,829 in each fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

255 (CD-1138-BOR) Cleveland Playhouse Transfer

No provision.

No provision.

Sections: 605.17, 605.18, 605.20, 605.21

Amends Am. Sub. H.B. 699 of the 126th General Assembly to transfer the Cleveland Playhouse community project with an appropriation of \$200,000 (CAP-041, Cleveland Playhouse) from the Cultural Facilities Commission to Cleveland State University under CAP-155, Cleveland Playhouse, in the amount of \$200,000.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

256 (CD-997-DRC) Blue Ribbon Commission

No provision.

Section: 377.30

Creates the eleven-member Blue Ribbon Commission to complete a comprehensive review of Ohio's correctional facilities and inmate population. Requires a final report and recommendations be submitted by January 1, 2009, to the Governor and the Director of Rehabilitation and Correction, upon which the Commission ceases to exist.

Fiscal effect: As of this writing, the potential one-time cost in terms of time and effort necessary to produce the required final report and recommendations is uncertain.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

257 (CD-1011-RSC) Performance Review

No provision.

Section: 379.10

Requires the Auditor of State to complete a performance review of the Rehabilitation Services Commission. Upon completing the performance review, the Auditor of State must submit a report of the findings of the review to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of the Rehabilitation Services Commission.

Fiscal effect: This provision may increase costs for the Auditor of State to conduct the review and prepare a report of the findings. However, the Auditor may charge the agency for these activities and recoup the costs. Ultimately, this provision may increase costs for the Rehabilitation Services Commission to pay for the review.

Section: 379.10

Same as the House, but requires the Auditor of State to complete a performance "audit," rather than a performance "review," and requires the agency to reimburse the Auditor of State for expenses incurred by the Auditor of State in conducting the audit.

Fiscal effect: This provision will increase costs to RSC since reimbursing the Auditor of State is required.

258 (CD-1180-RSC) Internal Review

No provision.

No provision.

Section: 379.10

Requires the Administrator of the Rehabilitation Services Commission to consult with the Director of Budget and Management and representatives of local rehabilitation services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices, to spend savings identified as a result of the internal review and the Auditor's performance audit on community-based care, and requires Controlling Board approval before the Administrator of the Rehabilitation Services Commission may expend any identified funds.

Fiscal effect: This provision will increase costs for RSC to conduct the review.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

259 (CD-436-RDF) Reform Local Government Funds

R.C. 131.51, 5727.45, 5727.84, 5733.12, 5739.21
5741.03, 5747.03, 5747.46, 5747.47, 5747.4
5747.50, 5747.501, 5747.51, 5747.52, 5747.
Sections 757.03, 757.04, 815.09.

Continues to "freeze" the deposits and distributions of the three local government funds – Local Government Fund (LGF), Local Government Revenue Assistance Fund (LGRAF), and Library and Local Government Support Fund (LLGSF) – in the first six months of FY 2008. Monthly distributions from the LGF, LGRAF, and LLGSF to each county's undivided local government fund, undivided local government revenue assistance fund, and undivided library and local government support fund will equal the previously frozen amounts for the corresponding month in the first six month of FY 2007.

Beginning in January 2008, the three local government funds (LGF, LGRAF, and LLGSF) will be replaced with two new local funds - the Local Communities Fund (LCF) and the Local Libraries Fund (LLF). During this period, all tax revenues previously credited to the LGF, LGRAF, and LLGSF will instead be credited to the GRF. The Director of Budget and Management is required to make monthly distributions from the GRF to the newly created funds - LCF and LLF for distribution to local governments. Specifies that, each month, 3.65% of total tax revenues credited to the GRF in the preceding month be credited to the LCF and that 2.2% of that total tax revenue be credited to the LLF.

Fiscal effect: Estimated to increase revenue to the GRF (compared to revenue under current statutory distribution percentages) and decrease the state revenue that will be credited and distributed to the three local government funds.

R.C. 131.51, 5727.45, 5727.84, 5733.12, 5739.21
5741.03, 5747.03, 5747.46, 5747.47, 5747.4
5747.50, 5747.501, 5747.51, 5747.52,
5747.53; Sections 757.03, 757.04, 815.09.

Same as the Executive except increases the percentage of GRF tax revenue to be credited to the proposed Local Communities Fund from 3.65% to 3.68% and the percentage to be credited to the proposed Local Libraries Fund from 2.2% to 2.22%. The percentage increases are needed to ensure that the local funds are held harmless of revenue loss due to tax cuts in FY 2008 and FY 2009.

Fiscal effect: Same as the Executive.

R.C. 131.51, 5727.45, 5727.84, 5733.12, 5739.21
5741.03, 5747.03, 5747.46, 5747.47, 5747.4
5747.50, 5747.501, 5747.51, 5747.52,
5747.53; Sections 757.03, 757.04, 815.09.

Same as the House, except maintains current local funds' names "Local Government Fund" and "Library and Local Government Support Fund" instead of the proposed names "Local Communities Fund" and "Local Libraries Fund" but otherwise does not make changes to the bill's proposed changes to the local government funding scheme.

Fiscal effect: Same as the Executive, but combines the LGF and LGRAF into one fund and maintains the LGF name.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Beginning in January 2008, LGF and LGRAF will be replaced with LCF while LLGSF will be replaced with LLF.

LGF and LGRAF (replaced with LCF) provide revenues to counties, townships, municipalities, and park districts while LLGSF (replaced with LLF) provides revenues to libraries, counties, municipalities, and township park districts in Ohio.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

260 (CD-1056-SFC) Ranking of Expedited Local Partnership Districts

No provision.

No provision.

R.C. 3318.01, 3318.011, 3318.023, 3318.36

Prevents a school district's percentile wealth ranking from being raised to a higher percentile for purposes of scheduling assistance under the Classroom Facilities Assistance Program after (1) the district has entered into an agreement with the School Facilities Commission (SFC) under the Expedited Local Partnership Program and (2) the district's voters have approved a bond issue to pay the district's portion of the basic project cost.

No provision.

No provision.

Requires that the SFC use this "capped" percentile ranking only for determining when a district is eligible for assistance under the Classroom Facilities Assistance Program, and not for calculating the district's portion of the basic project cost.

No provision.

No provision.

Requires the SFC to annually notify the Department of Education of all school districts whose percentile rankings have been capped since the Department completed its most recent ranking list.

Fiscal effect: While districts affected by this "capped" percentage cannot have their share of the basic project cost lowered, project costs overall may be lower for a district that can be served earlier than would otherwise be currently allowed because they would not be subject to higher inflation or material costs in the future.

Contrarily, districts that may be pushed back due to these districts being served earlier, may experience those inflation and material cost increases if they have to wait longer than anticipated.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

261 (CD-1069-SFC) School District Rankings for State-Assisted School Facilities Projects

No provision.

No provision.

R.C. 3318.011

Adds a city, local, or exempted village school district's net gain in interdistrict open enrollment students to its formula ADM (average daily membership) for purposes of determining the district's adjusted valuation per pupil for its school facilities funding ranking, if its open enrollment net gain is at least 10% of its formula ADM. (A district's "open enrollment net gain" is the difference between the number of students coming in from another district and the number of its own resident students going out to enroll in another district.)

Fiscal effect: School districts that are eligible under this provision would potentially see a decrease in their per pupil valuation, which is the major factor in determining the SFC eligibility rankings and the school district share of the basic project cost. As a result of this decrease, these districts could move up the eligibility list and be served quicker than currently anticipated. In addition, having a lower ranking would decrease the eligible school district's share of the basic project cost and increase the state share.

262 (CD-137-SFC) Transfer From Education Facilities Endowment Fund

Section: 512.34

Requires the Director of Budget and Management, notwithstanding division (G) of section 183.27 of the Revised Code, to transfer \$40,000,000 cash from the Education Facilities Endowment Fund (Fund P87) to the Public School Building Fund (Fund 021) in FY 2007 and appropriates the transferred amount to CAP-622, Public School Buildings, of the SFC, to support new and ongoing school facility projects.

Section: 512.34

Same as the Executive, but changes the date of the transfer from FY 2007 to FY 2008.

Section: 512.34

Same as the House, but replaces the Public School Building Fund (Fund 021) with the GRF as the recipient of the \$40,000,000 cash transfer from the Education Facilities Endowment Fund (Fund P87) in fiscal year 2008 and eliminates the appropriation of these funds to CAP-622, Public School Buildings.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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263 (CD-1040-SOS) Board of Election Participation in State Term Purchase Contracts

No provision.

No provision.

R.C. 125.04

Removes the exclusion that prohibits boards of elections from participating in state term purchase contracts and gives county boards of elections the option of participating in state term purchase contracts.

Fiscal effect: Potential decrease in purchase costs for boards of elections.

264 (CD-1039-SOS) Publication of Notice for Statewide Ballot Issues

No provision.

No provision.

R.C. 3501.05, 3501.05, 3501.11, 3505.062, 3505.063

Requires the Secretary of State to contract for the publication of election notices for statewide ballot issues at the direction of the Ohio Ballot Board, and requires the Ohio Ballot Board to reimburse the Secretary of State for the costs of that publication. Requires the Secretary of State to disseminate information regarding each statewide ballot issue as directed by the Ohio Ballot Board in order to inform the voters as fully as possible concerning each proposed constitutional amendment, proposed law, or referendum.

Fiscal effect: No apparent net fiscal effect by requiring the Secretary of State to contract and pay for election notices directly, instead of reimbursing counties for these expenses as under current law.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

265 (CD-1050-SOS) Maintenance of Certain Voting Information

No provision.

No provision.

R.C. 3501.05

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

266 (CD-1048-SOS) Campaign Finance Report Delivery Via Certified Mail

No provision.

No provision.

R.C. 3517.106, 3517.11

Requires a board of elections receiving a printed version of any statement, addendum, or amended statement of contributions and expenditures from a campaign committee of a candidate for the General Assembly or a court of appeals judge to send those copies to the Secretary of State via certified mail, instead of overnight delivery service, on the same day the board receives these documents.

Fiscal effect: Potential cost savings to local boards of elections in shipping charges.

267 (CD-1080-SOS) Election Law Subpoenas

No provision.

No provision.

R.C. 3599.37

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

Fiscal effect: Potential savings in court costs

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

268 (CD-695-SOS) 2005 HAVA Voting Machines**Section: 393.10**

Requires the Director of Budget and Management to transfer on July 1, 2008, or as soon as possible thereafter, any remaining unexpended, unencumbered appropriations in FED Fund 3AS appropriation item 050-616, 2005 HAVA Voting Machines, for use in fiscal year 2009. Requires that this fund shall also receive any ongoing interest earnings.

Requires the Director of Budget and Management to transfer on July 1, 2008, or as soon as possible thereafter, any remaining unexpended, unencumbered appropriations shall in FED Fund 3AH appropriation item 050-614, Election Reform/Health and Human Services Fund, for use in FY 2009. This fund shall also receive any ongoing interest earnings.

No provision.

Section: 393.10

Same as the Executive.

Same as the Executive.

No provision.

Section: 393.10

Same as the Executive.

Same as the Executive.

Earmarks \$15,000 in fiscal year 2008 for the Vinton County Board of Elections and \$15,000 in fiscal year 2008 for the Morgan County Board of Elections for emergency assistance for elections.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

269 (CD-1150-SPE) Speech-Language Student Permit

No provision.

No provision.

R.C. 4753.073, 4753.02, 4753.05, 4753.101, and 4753.11

Authorizes the Board to issue a student permit to an applicant who meets certain specified requirements including a requirement that the person has completed at least one year of postgraduate training in speech-language pathology. The permit expires at the end of two years after the date of issuance, but during that time, authorizes the holder to practice speech-language pathology within certain specified limits.

Fiscal effect: Potential minimal gain in revenue as a result of the new fee associated with creating the permit. Potential minimal annual increase in administrative costs for the Board.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

270 (CD-1187-TAX) Sales Tax Revenue Bonds

No provision.

No provision.

R.C. 133.081

Specifies that sales tax revenue bonds are not general obligation bonds and that an owner of such a bond has no right to have property taxes levied by the taxing authority of any political subdivision.

Commercial Activity Tax**271 (CD-1020-TAX) CAT Revenue Dedicated to School Funding and Certain Technical Corrections**

No provision.

No provision.

R.C. 5751.20, 5751.21

Dedicates 70% of annual CAT revenue in FY 2019 and thereafter to school funding. Current law commits all post-FY 2018 CAT revenue to the GRF.

No provision.

No provision.

Makes various technical corrections to existing law's provisions reimbursing school districts and other taxing units for the phase-out of business personal property taxation.

Fiscal effect: None in the biennium.**272 (CD-988-TAX) Commercial Activity Tax Credits For Net Operating Losses**

No provision.

Section: 757.05

States that the General Assembly intends to consider modifying eligibility for commercial activity tax credits authorized in 2005 (the credits allow corporations to partially reclaim unused net operating loss (NOL) deductions).

Fiscal effect: None in the biennium. Corporations with a NOL deduction of more than \$50 million will be able to claim a tax credit against the CAT beginning in tax year 2010. The credit will be phased in over several years.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Corporation Franchise Tax

273 (CD-1019-TAX) Extension of the Ohio Coal Tax Credit

No provision.

No provision.

R.C. 5733.39, Section 818.03

Extends from January 1, 2008, to January 1, 2010, the \$1 per ton corporation franchise tax credit for electric companies burning Ohio coal, and the income tax credit for individuals or estates that are proprietors or pass-through entity investors.

Fiscal effect: GRF revenue loss of up to \$2.6 million in FY 2009. Loss to local governments of up to \$150,000 from distribution of corporation franchise and personal income tax revenues to local government funds. Minimal revenue loss in FY 2010 due to the elimination of the corporate franchise tax for nonfinancial corporations.

Personal Income Tax

274 (CD-1058-TAX) Number of School District Income Tax Proposals

No provision.

No provision.

R.C. 5705.214, 5748.02, 5748.021, 5748.08, Section 818.03

Provides that up to three elections may be held during a calendar year on the question, or any combination of the questions, of levying school district income taxes and school district property taxes. Current law provides that school district income tax levy questions may be submitted to the electors up to twice a calendar year, and that school district property tax levy questions may be submitted up to three times a calendar year.

Fiscal effect: By allowing an additional election in a year on levying a school district income tax, this provision might result in passage of a tax that would not otherwise be passed. On the other hand, for every

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

275 (CD-1132-TAX) Income tax deduction for organ donation expenses

No provision.

No provision.

election on levying a school district income tax, the number of elections at which a property tax could be considered is reduced by one (assuming two or more taxes are not proposed at the same election), so the change could have the opposite effect.

R.C. 5747.01, Section 818.03

Allows an income tax deduction of up to \$10,000 for specified expenses incurred in making an organ donation

Fiscal effect: Reduce income tax revenue by approximately \$147,000, based on 2006 data on organ donors.

276 (CD-974-TAX) Tax Credits for Sales of E85 and Biodiesel Blended Fuels

No provision.

R.C. 5747.77, 5733.48, 5733.98, 5747.98

Authorizes, for FY 2008 and FY 2009, nonrefundable corporation franchise tax and personal income tax credits for retail sales through a metered pump of E85 blend fuel and blended biodiesel fuels. The credits have no carry forward provision.

Fiscal effect: Reduces state revenues from the personal income tax and the corporation franchise tax in FY 2008 and FY 2009. The extent of the revenue loss is indeterminate. The revenue loss will be limited to the biennium for the corporate franchise tax. Revenue loss from the personal income tax credit may extend beyond the biennium to FY 2010 and FY 2011. The provision also reduces revenues to local governments from the distribution of state receipts from the personal income and the corporation franchise taxes.

R.C. 5747.77, 5733.48, 5733.98, 5747.98

Same as the House, but clarifies that retail dealers may claim the bill's alternative fuel tax credit only for alternative fuel sold at retail service stations located in Ohio; makes technical corrections.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

277 (CD-940-TAX) School District Income Tax Rate Increments

No provision.

R.C. 5748.02, 5748.021, 5748.022, 5748.04, 5748.08, Section 818.03

Requires a school district income tax to be levied in rate increments of 0.1% instead of 0.25% under current law.

Fiscal effect: The fiscal effect, if any, appears indeterminate. A district with an expiring income tax at a rate ending in .25% or .75% would, if it sought voter approval to continue the levy, be required to do so at a rate evenly divisible by 0.1% but that rate might be higher or lower than the expiring levy.

No provision.

Property Taxes and Transfer Fees

278 (CD-1129-TAX) Real Estate Assessment Fund

No provision.

No provision.

R.C. 319.54

Generally increases the percentage of property tax collections credited to county real estate assessment funds, which may be used to defray the expenses of county auditors' property and estate tax-related duties and of boards of revision.

Fiscal effect: Funds available for these purposes will increase. Percentages of tax collections paid to county real estate assessment funds now range from 3.5% of collections, for amounts up to \$100,000, down to 0.6% for amounts in excess of \$150 million, and will range from 4% to 0.585% after July 1, and from 4% to 0.75% beginning in 2011.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

279 (CD-541-TAX) Expanded Homestead Exemption

R.C. 323.151, 133.01, 319.202, 319.54, 322.01, 323.152, 323.153, 323.154, 325.31, 4503.06, 4503.061, 4503.064, 4503.065, 4503.066, 4503.067, 5727.87, 5751.23, Section 803.06

(1) Expands the homestead exemption to \$25,000 of market value for homeowners who are (a) age 65 or older, (b) permanently and totally disabled, or (c) surviving spouses age 59 to 64 of persons who applied and qualified for the tax reduction under (a) or (b). Eliminates the current income ceiling for eligibility. Tax relief would be at the effective millage rate for residential and agricultural real property. Participants in the current homestead exemption program would receive the greater of the tax relief for tax year 2006 under the current program or that provided by the new program. The state would reimburse school districts and other local governments for forgone tax receipts. The change would be effective for tax year 2007, paid one year in arrears for owners of real property and concurrently for homeowners whose primary residences are taxed as manufactured or mobile homes.

(2) Compensates county auditors for the additional costs of administering the expanded homestead exemption, in an amount equal to 1% of property tax relief reimbursement paid to counties for the homestead exemption and the 2.5% rollback.

Fiscal effect: (1) Additional cost to the state for reimbursing local governments would be about \$128.5 million in FY 2008 and about \$257 million in FY 2009. However, the effective tax rate in the bill is as defined in division (B)(3) of section 319.301 of the Revised Code, which excludes fixed-sum levies, inside mills, taxes provided for by the charter of a municipal corporation, and taxes other than those charged for current

R.C. 323.151, 133.01, 319.202, 319.54, 322.01, 323.152, 323.153, 323.154, 325.31, 4503.06, 4503.061, 4503.064, 4503.065, 4503.066, 4503.067, 5727.87, 5751.23, Section 803.06

Same as the Executive, except corrects the reference to the effective tax rate for residential and agricultural property to include all taxes levied. See Comparison Document entry 592-TAX regarding possible delay in commencing the expanded homestead exemption.

Fiscal effect: Same as the Executive, except correction of the reference to the effective tax rate for residential and agricultural property implies that the amount of tax relief, and the cost to the state to reimburse local governments for tax revenues forgone, will be that intended by the Executive.

R.C. 323.151, 133.01, 319.202, 319.54, 322.01, 323.152, 323.153, 323.154, 325.31, 4503.06, 4503.061, 4503.064, 4503.065, 4503.066, 4503.067, 5727.87, 5751.23, Section 803.06

Same as the House, except requires the reimbursement of the county auditor for expenses relating to the homestead exemption to be paid on the first day of August of each year. Clarifies that a homeowner receiving a reduction under the expanded exemption who receives the reduction immediately before the expanded exemption first applies will receive a reduction at least equal to the homeowner's current reduction. For a manufactured or mobile home that acquired its situs in Ohio prior to January 1, 2000, reduces the \$25,000 market value tax exemption by the depreciation percentage applicable to each such property under R.C. 4503.06(D)(1).

Fiscal effect: Same as the House, except reducing the \$25,000 of market value tax exemption by the applicable percentage depreciation, for manufactured homes that acquired situs in this state prior to 2000, may reduce slightly the amount of reimbursement to local governments paid by the state.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

expenses. Excluding these taxes from calculation of tax relief would substantially reduce the amount of tax relief provided. (2) The estimated cost to the state for compensation to county auditors is \$3 million in FY 2009. However, the bill leaves in place compensation provided in current law, Revised Code section 323.156 (not part of the bill), of 2% of the amount of these reductions, which appears to imply total compensation to county treasurers and auditors equaling 3% of these costs.

280 (CD-1133-TAX) New Taxing District: Student Special Services Districts

No provision.

No provision.

R.C. 3313.82, 5705.01, 5705.219, 5705.25

Authorizes two or more school boards in a county with a population greater than 1,200,000 to create a taxing district for the joint funding of special education and behavioral health services for students and their immediate families.

Fiscal effect: Permissive. Based on the 2000 Census, this change currently would apply only to Cuyahoga County. Might result in some efficiencies relative to separate funding of services by individual school districts.

281 (CD-442-TAX) Property Tax Administration Fund

R.C. 5703.80

Raises the fee collected by the state for administration of property taxes based upon taxes charged and payable for the preceding tax year against public utility personal property and tangible personal property, from 0.6% to 0.725% for fiscal year 2009 and thereafter. The fee is excised from property tax distributions to local taxing units.

Fiscal effect: May increase the Department of Taxation

No provision.

R.C. 5703.80

Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

administrative fees receipts from the property tax beginning in FY 2009.

(The Department of Taxation charges a percentage of the property tax collections to cover the costs of administering the property tax on behalf of local subdivisions).

282 (CD-1079-TAX) Valuing Telephone, Telegraph, and Interexchange Telecommunications Tangible Personal Property

No provision.

No provision.

R.C. 5711.01, 5727.06, Section 815.03

Specifies that tangible personal property leased to a telephone, telegraph, or interexchange telecommunications company, other than in a sale and leaseback transaction, is to be taxed at the same assessment percentage as is general business personal property until the general business property tax is completely phased out at the end of 2008, unless it is used to render public utility service. In 2009 and 2010, that property is to be assessed at the phase-down percentage applying to such property that is used to render public utility service, and the value of the property is to be determined in the same manner as property owned by those companies.

Clarifies that tangible personal property of a telephone, telegraph, or interexchange telecommunications company is to be valued in the same manner as other public utility property; that those companies shall continue to file a single return with the Tax Commissioner instead of county auditors; and that the \$10,000 exemption for personal property is not applicable to any personal property valued under the public utility property valuation law.

Fiscal effect: Assessment percentages for tangible personal property leased to a telephone, telegraph, or interexchange telecommunications company, other than in a sale-leaseback transaction, and not used to render public utility service, are 12.5% in tax year 2007, 6.25% in tax year 2008, 10% in tax year 2009, 5% in tax year 2010,

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

and 0% thereafter. If these companies would otherwise have been subject on this property in all years to the phaseout schedule for telecommunications property, the assessment rates would have been 7.5 percentage points higher in 2007 and 8.75 percentage points higher in 2008. The cost of this provision to local governments is uncertain. State reimbursements to local governments for forgone tax receipts would not be affected by this change.

283 (CD-923-TAX) Township TIF Resolutions: Immediate Effective Date

No provision.

Section: 757.08

Provides that resolutions adopted by a board of township trustees of a limited home rule township pursuant to Chapter 504. and section 5709.73 of the Revised Code in December 2005 are deemed to have had an immediate effective date if the board unanimously adopts a resolution so declaring.

Fiscal effect: This provision is permissive. The fiscal effective of the section is unclear.

Section: 757.08

Same as the House, but specifies that the bill's provision asserting that township TIF resolutions adopted in December 2005 have an immediate effective date applies to TIF exemption applications pending on the bill's effective date and to applications filed within 90 days after the bill's effective date.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

284 (CD-592-TAX) Deadline for Application for Homestead Exemption for Tax Year 2007

Section: 803.06

Provides additional time for application for the homestead exemption or the 2.5% rollback for tax year 2007, notwithstanding provisions of current law that set earlier deadlines. The time for application is extended, for both real property and manufactured or mobile homes, from the first Monday in June until 120 days after the effective date of Section 803.06 of the bill.

Fiscal effect: Makes feasible starting the enhanced homestead exemption in tax year 2007, otherwise has no fiscal effect.

Section: 803.06

Replaces the Executive provision with a provision that delays the expanded homestead exemption for real property until the Director of Budget and Management certifies either that there are or will be sufficient revenues, not otherwise appropriated or encumbered, to pay the additional property tax reimbursements that will result from that expansion. Delays the expanded homestead exemption under the manufactured or mobile home tax to the following tax year, implying that the first year of reduced payments would be the same year for real property and for manufactured and mobile homes.

Fiscal effect: Delaying the change to the homestead exemption would reduce state expenditures to reimburse local governments for forgone tax revenues by an estimated \$128.5 million in FY 2008. If implementation of the enhanced homestead exemption is delayed one year, reimbursements to local governments for the loss of tax receipts would be reduced an estimated \$128.5 million in FY 2009; if delayed two or more years, reimbursements in FY 2009 would be reduced \$257 million. The additional 1% compensation to county auditors under R.C. 319.54 remains part of the bill, though it would be calculated on a smaller base than with the expanded homestead exemption.

Section: 803.06

Same as the Executive, except changes the initial application deadline to October 1, 2007. The tax year in which the changes to the homestead exemption first apply to the manufactured home tax is changed to tax year 2008. For homesteads in housing cooperatives, the nonprofit corporation that owns and operates the housing cooperative shall obtain applications from the auditor and provide them to occupants by August 1, to be returned to the corporation by September 1, which is to file them with the auditor by October 1. For an applicant whose request for a homestead exemption is denied, the auditor's deadline in 2007 to notify the applicant of the reasons for the denial is extended to November 1.

Fiscal effect: Same as the Executive, except delaying the start of the homestead exemption changes for the manufactured home tax to tax year 2008 will result in a small reduction in state reimbursements to local governments in FY 2008.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Sales and Use Taxes**285 (CD-1154-TAX) Sales Tax Subsidy for "Impact Facilities"**

No provision.

No provision.

R.C. 333.02, 333.04, 818.03

Extends through December 31, 2007 the current authorization (due to expire June 1, 2007) for a county and a retailer to agree to divert to the retailer up to 75% of county sales and use tax revenue generated at the retailer's "impact facility" (i.e., a \$50 million retail location with some educational or exhibition space) for up to 10 years, in exchange for the retailer performing specified employment and investment requirements.

Fiscal effect: None.**286 (CD-1018-TAX) Sales and Use Tax: Remittance and Reporting Requirements**

No provision.

No provision.

R.C. 5739.032, 5739.122, 5739.124, 5741.122, Section 818.03

Modifies the sales and use tax remittance and reporting requirements for persons required to remit taxes by electronic funds transfer by requiring only one remittance per month instead of two, by basing remittances on estimated liability instead of actual concurrent collections or past liability, and by authorizing the Tax Commissioner to require reporting and remittance through alternative electronic means, including the Ohio Business Gateway.

Fiscal effect: Appears to have no overall fiscal impact.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

287 (CD-327-TAX) Sales and Use Tax Revisions to the Vendor Discount

R.C. 5739.12, 1548.06, 4505.06, 4519.55

Increases the permanent vendor's discount for prompt remittance of sales and use tax to 1%, up from 0.75%. However, the maximum per-return discount is capped at \$30. The provision extends the current temporary discount of 0.9% through July 2007. The executive recommendation also denies the discount if a certified service provider receives an allowance for performing the vendor's sales tax functions.

Requires motor vehicle dealers and sellers of other titled property to claim the discount on their sales tax reports instead of deducting the discount directly from tax remittances to the clerk of courts.

Fiscal effect: State revenue gains of \$35.0 million in FY 2008 and \$39.0 million in FY 2009.

R.C. 5739.12, 1548.06, 4505.06, 4519.55

Returns the permanent vendor discount to 0.75% and eliminates the maximum per-return discount of \$30. The other provisions of the executive recommendation are maintained.

Fiscal effect: State revenue losses of \$35.0 million in FY 2008 and \$39.0 million in FY 2009 (compared to the executive recommendation).

R.C. 5739.12, 1548.06, 4505.06, 4519.55

Same as the House, except reinstates current law which permits vendors of vehicles, watercraft, and outboard motors to deduct the discount from the tax paid to the clerk of the court when the vendor applies for the certificate of title.

Fiscal effect: Same as the House.

Kilowatt-hour and Natural Gas Consumption Taxes

288 (CD-1007-TAX) Kilowatt-Hour Tax - Rate Decrease for Self-Assessors

No provision.

R.C. 5727.81, 757.01

Reduces the rate of the kilowatt-hour tax levied on the basis of the total price of electricity received by a self-assessing commercial or industrial electricity purchaser from 4% to 3.5% beginning July 1, 2008. Also requires the Tax Commissioner to review this percentage every two years during biennial budget deliberations.

Fiscal effect: Reduces revenue from the tax which, under the revised formula that the bill would establish, would reduce receipts of the GRF, the School District Property Tax Replacement Fund (PTRF), and the Local

R.C. 5727.81, 757.01

Same as the House, except revises the time when the rate reduction begins by providing that the reduction first applies for the meter reading period including July 1, 2008 rather than on July 1, 2008.

Fiscal effect: May increase minimally the revenue loss from the House Passed version.

Government PTRF starting in FY 2009. In FY 2009, it would reduce revenue to the GRF by approximately \$3.66 million. It would reduce revenue to the School District PTRF by approximately \$1.48 million and to the Local Government PTRF by approximately \$675,000.

289 (CD-1170-TAX) Distribution of Utility Property Tax Replacement Payments

No provision.

No provision.

R.C. 5727.86

Ensures that the property tax replacement payments from portions of the kilowatt-hour and natural gas (Mcf) taxes and paid on account of county-wide levies be apportioned among the various levies and levy purposes instead of the county general fund. Provides that replacement payments to each local taxing unit must be retained by the county in the county undivided income tax fund if the amount to be distributed is less than \$5, and must be added to the next distribution amount.

Fiscal effect: May shift a portion of these payments to a county as a taxing unit from the county's general fund to other county funds in the specified proportion. For example, property tax replacement payments that derive from a county MR-DD levy would go to the fund that supports the county MR-DD board, while such payments currently go to the general fund. Also may delay payment of very small utility property tax replacement payments to local taxing units within a county.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Cigarette Taxes

290 (CD-324-TAX) Cigarette and Other Tobacco Products Tax: \$300 per month tax exemption

R.C. 5741.02, 5743.331 (repealed)

Repeals \$300 per month cigarette excise tax and use tax exemptions for cigarettes/tobacco products brought into Ohio for personal consumption.

Fiscal effect: Potential GRF revenue increase each year of the biennium. However, gain is indeterminate. Actual collections will depend on enforcement of this provision.

R.C. 5741.02, 5743.331, Section 818.03

Replaces the Executive provision with a provision that applies the existing \$300 per month cigarette excise and use tax exemption only to counties bordering on a state where the tax differential (between Ohio counties and the other state) is at least \$0.90 per pack.

Fiscal effect: Based on current cigarette excise and use tax rates, the exemption applies to counties bordering Kentucky. The provision reduces the revenue gain from the repeal of the exemption when compared to the executive recommendation. However, the reduction in revenue gain is indeterminate. Actual collections will depend on enforcement of the provision.

R.C. 5741.02, 5743.331, Sections 818.03 and 818.09

Same as the Executive.

Fiscal effect: Same as the Executive.

Other Taxation Provisions

291 (CD-1174-TAX) Job Retention Tax Credits

No provision.

No provision.

R.C. 122.171

Authorizes third party entities that are making capital investment project payments and leasing mixed-use project sites for a term of at least 20 years to claim the job retention tax credit.

Fiscal effect: Potential revenue loss from the personal income tax, the corporation franchise tax, and the commercial activity tax. Revenue loss is indeterminate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

292 (CD-938-TAX) Issuing Debt for an Arena or Convention Center Supported by Lodging Taxes

No provision.

R.C. 307.695

Changes the statutory criteria governing which counties may issue securities for, and operate and maintain, an arena or convention center, by eliminating the upper population limit of 800,000 and the requirement that the county be on the border with another state. These changes increase the eligible counties from only Lucas County, adding Cuyahoga, Franklin, Hamilton, Montgomery, and Summit Counties, based on the 2000 Census. The source of the population figures is not specified in the portion of Section 307.695 of the Revised Code governing which counties are eligible.

Fiscal effect: This provision is permissive, and the fiscal effects are indeterminate.

R.C. 307.695

Same as the House, but puts a population cap (500,000) back on, so limits eligible counties to those with more than 400,000 but less than 500,000 people. Based on the 2000 Census, only Lucas County meets this criterion.

Fiscal effect: Same as the House.

293 (CD-1031-TAX) Lodging Tax Increase

No provision.

No provision.

R.C. 5739.09, 305.31, Section 818.03

Authorizes a county with a population greater than 65,000 and less than 70,000, and which last increased its tax rate to 3% in November 1984, to increase lodging taxes by not more than 1% to pay the expenses of the county's convention and visitors' bureau to promote travel and tourism.

Fiscal effect: The only Ohio county in the specified population range is Marion County, based on the 2000 Census. Department of Taxation data indicate that Marion County's 3% tax raised \$297,810 in 2005, divided among the county and 2 of its subdivisions. A 1% additional tax might raise about \$100,000. The provision is permissive.

294 (CD-1037-TAX) Extend County Lodging Taxes for Municipal Educational and Cultural Facilities

No provision.

No provision.

R.C. 5739.09, 307.672, Section 818.03

Authorizes counties with a population of less than 250,000 to extend lodging taxes for up to an additional 15 years to continue to pay costs of acquiring, constructing, equipping, and improving a municipal educational and cultural facility. Current law allows this tax to be levied for this purpose for up to 15 years.

Fiscal effect: Based on information published by the Department of Taxation, this provision appears to apply only to Summit and Fairfield counties. It would likely result in higher lodging taxes than otherwise. The provision is permissive.

295 (CD-1045-TAX) Charter County Lodging Tax Increase

No provision.

No provision.

R.C. 5739.09, Section 815.09

Provides that a charter county may increase its lodging tax by up to 1% for up to 10 years, to be used to pay the costs of improving, expanding, equipping, financing, or operating a convention center by a convention and visitors' bureau.

Fiscal effect: This provision applies only to Summit County and is permissive. Department of Taxation data indicate that Summit County and its political subdivisions raised \$4,088,484 in 2005 from lodging taxes at rates from 3% to 4.5%. An additional 1% tax might raise somewhat more than \$1 million per year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

296 (CD-423-TAX) State Tax Accounting Revenue System**Section: 757.10**

Authorizes the Department of Administrative Services (DAS) to acquire the State Taxation Revenue and Accounting System (STARS) for the Department of Taxation. STARS is an integrated tax collection and audit system that will replace all of the current tax software and administration systems used to collect state taxes. If DAS uses a lease-purchase arrangement to acquire STARS, the arrangement must provide that STARS becomes the property of the state at the end of the lease period.

Fiscal effect: None.

Section: 757.10

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 757.10

Same as the Executive, except reassigns the authority to acquire and install the State Taxation Accounting and Revenue System (STARS) to the Office of Information Technology instead of the Department of Administrative Services.

Fiscal effect: Same as the Executive.

297 (CD-892-TAX) Notification of Muskingum Watershed Conservancy District Maintenance Assessments

No provision.

Section: 757.20

Requires the Muskingum Watershed Conservancy District to provide notice of the scheduled maintenance assessment to persons subject to the assessment, either in each person's tax bill or by mail. The maintenance assessment is scheduled to begin collection in 2008.

Fiscal effect: Muskingum Watershed Conservancy District will incur costs to prepare written notifications to be included in second half tax bills in 2007 and for mailing to persons subject to the assessment who do not receive a second half tax bill in 2007 or that do not

Section: 757.20

Removes the House provision that requires notification of the maintenance assessment--to be levied by the Muskingum Watershed Conservancy District and scheduled to begin collection in 2008--to be provided to persons who are subject to the assessment either in a person's tax bill or by mail, and that precludes the board of directors of the District from collecting the maintenance assessment if the board fails to comply with this requirement. Instead requires the District to provide notification of the maintenance assessment, by U.S. mail, to each person who owns property within the territorial boundaries of the district that is located within a zoned commercial or industrial area.

Fiscal effect: Muskingum Watershed Conservancy District will incur costs to prepare the required mailing.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

otherwise receive the notification. County auditors may incur expenses to include the required notification in the tax bill mailings. Failure to provide the required notifications will preclude the conservancy district from collecting the assessment.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

298 (CD-1092-DOT) Transportation Review Advisory Council Project Prioritization

No provision.

No provision.

R.C. 603.05, 603.06

Clarifies that the requirement of Am. Sub. H.B. 67 of the 127th General Assembly for the Department of Transportation to construct the major new construction projects selected by the Transportation Review Advisory Council on December 20, 2006, as Tier I projects for construction in fiscal years 2007 through 2013 before other new Tier I projects, does not require that projects selected as Tier I projects prior to December 20, 2006, be downgraded in priority and specifically allows the Department to continue with the previously selected projects in accordance with the prior recommendations.

Fiscal effect: No apparent fiscal effect, although may reduce any administrative and/or project funding costs if previously selected projects would otherwise have been interrupted.

299 (CD-1085-DOT) Business Logo Signs for Retail Pharmacies

No provision.

No provision.

R.C. 4511.101

Allows a retail pharmacy open to the public to participate in the Department of Transportation's business logo program and place a logo on state directional signs within the rights-of-way of divided, multi-lane, limited access highways if the business (1) operates continuously for 24 hours per day, seven days per week, (2) has a licensed pharmacist on duty at all times, (3) is located within three miles of an interchange of a divided, multi-lane, limited access highway, and (4) is directly accessible by the public.

Fiscal effect: No apparent fiscal effect. All business logo program costs are paid by the participating businesses and ODOT currently receives no revenue from the

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

300 (CD-1093-DOT) Earl Baltes Highway

No provision.

No provision.

program.

R.C. 5533.531

Names a portion of State Route 118 between the municipal corporation of St. Henry and State Route 47, the "Earl Baltes Highway" and authorizes the Director of Transportation to erect suitable markers along the highway indicating the name.

Fiscal effect: Potential minimal increase to the Highway Operating Fund (Fund 002) to post and maintain signs.

301 (CD-1083-DOT) Brian Montgomery Memorial Highway

No provision.

No provision.

R.C. 5533.632

Designates State Route 2 within Willoughby as the "Brian Montgomery Memorial Highway."

Fiscal effect: Potential minimal increase to the Highway Operating Fund (Fund 002) to post and maintain signs.

302 (CD-569-DOT) Airport Improvement Earmarks

Section: 407.10

Earmarks \$2,500,000 in fiscal year 2008 from GRF appropriation item 777-471, Airport Improvements-State for Dayton Concourse D Air Travel and Support.

Earmarks \$1,500,000 from GRF appropriation item 777-471, Airport Improvements-State in fiscal year 2008 for air travel and support and economic development of statewide airports. Further, allows the Directors of Development and Transportation to enter into one or more agreements as

Section: 407.10

No provision.

Same as the Executive.

Section: 407.10

No provision.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

necessary to implement a statewide strategy to enhance Ohio's airports as centers of regional economic development.

No provision.

Earmarks \$1,500,000 in fiscal year 2008 from GRF appropriation item 777-471, Airport Improvements-State, for Cleveland Hopkins Airport projects to support increased service and expand the existing hub.

Fiscal effect: Earmarks \$3,000,000 out of \$3,293,985 the House proposes for the Airport Improvement Grant program funded by GRF appropriation item 777-471, Airport Improvements-State. Depending on how the \$1,500,000 earmarked for "air travel support and economic development of statewide airports" is construed, there could be an impact on grants distributed and DOT staff reductions.

Changes the source of the earmark to GSF Fund 5AD appropriation item 196-677, Economic Development Contingency, in the Department of Development .

(See DEV entry CD-470, "Economic Development Contingency".)

Fiscal effect: Allows this \$1,500,000 to be directed to other grants and administrative expenses of the Airport Improvement Grant program.

303 (CD-1130-DOT) Diesel Emissions Reduction Grants and Transit Capital Grants

No provision.

No provision.

Section: 512.35

Requires the Director of Budget and Management to transfer \$9,817,105 in FY 2008 and \$10,057,814 in FY 2009 from HOF Fund 002, Highway Operating, to the Diesel Emissions Reduction Grant Fund in the Department of Development for operating and overseeing the Diesel Emissions Reduction Grant Program. Permits funds to be used for projects involving hybrid and alternative fuel vehicles under the federal Congestion Mitigation and Air Quality (CMAQ) program, pursuant to guidance developed by the Director of Development and the Director of Environmental Protection.

No provision.

No provision.

Requires the Director of Budget and Management to transfer \$5,000,000 in each fiscal year from HOF Fund 002, Highway Operating, to the Transit Capital Fund (Fund 5E7) in the Department of Transportation to supplement the capital portion of the Ohio Public Transportation Grant Program.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Fiscal effect: Potential minimal increase in overhead costs for the Environmental Protection Agency and Department of Development for preparing guidance for the distribution of funds for hybrid and alternative fuel vehicle projects.

304 (CD-921-DOT) State Route 33 Avery Muirfield Interchange

No provision.

Section: 603.05

Amends section 310.10 of Am. Sub. H.B. 67 of the 127th General Assembly (the Transportation Budget Bill) and requires ODOT to allocate \$1,000,000 over the FY 2008-2009 biennium, from either state or federal money, for improvements to the State Route 33 Avery Muirfield Interchange.

Section: 603.05

Same as the House, except amends section 227.10 of Am. Sub. H.B. 67 of the 127th General Assembly and earmarks the \$1,000,000 from the Road Work Development Fund (4W0) in the Department of Development.

305 (CD-1095-DOT) State Highway Improvements at Entrances to Public Schools

No provision.

No provision.

Section: 603.05

Amends Am. Sub. H.B. 67 of the 127th G.A. (the FY 2008-2009 Transportation Budget bill) by earmarking \$4,000,000 in FY 2008 from HOF Fund 002 appropriation item 779-491, Administration-State, for grants to make state highway improvements at entrances to public schools. Requires eligible projects to be 1) schools receiving assistance from the Ohio School Facilities Commission, and 2) improvements at entrances within school zones. Limits each grant award to \$500,000 per school district. Makes grant awards contingent on local government officials, the participating school district, or both matching 25 per cent of the improvement cost.

Fiscal effect: Reduces the available moneys that support the administrative expenses such as payroll of administrative personnel in the central offices of the Director, Business Management, District Administration,

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

306 (CD-949-OVH) Cornerstone of Hope

No provision.

Section: 413.10

Earmarks \$100,000 in each fiscal year in GRF appropriation item 430-100, Personal Services, to be distributed to Cornerstone of Hope for professional counseling services to individuals who have recently lost family members, including the loss of service men and service women in the United States Armed Forces.

Section: 413.10

Same as the House, except modifies the earmark to specify that the \$100,000 is for professional counseling services for individuals who have lost family members who were service men and women in the United States Armed Forces.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

307 (CD-1136-MIS) Election Law Investigations

No provision.

No provision.

R.C. 3501.11

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

308 (CD-1158-MIS) Election Funding

No provision.

No provision.

R.C. 3501.17

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

Fiscal effect: No apparent fiscal effect, but provides a new accounting mechanism to handle election revenues and expenditures.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Tobacco Securitization

309 (CD-957-MIS) State Debt Limitation

No provision.

R.C. 126.16

Specifies that bonds that are not issued because the capital improvements they would have financed are being paid for with the proceeds of the tobacco securitization are still to be considered as having been issued for purposes of calculating the state 5% cap on the issuance of state bonds.

Fiscal effect: Restricts the growth of future debt issuances at a level within the 5% debt limit and may improve the state's credit ratings and lower the costs of the debt issuance.

R.C. 126.03

Eliminates the House provision, and specifies that in preparations and recommendations of each capital budget after the issuance of obligations secured by tobacco master settlement agreement payments, the Director of OBM is to limit the capital appropriations funded by direct obligations of the state as needed to ensure that debt service payable by GRF does not exceed the following percentages of GRF revenue plus net state lottery proceeds: 4.25% for fiscal years 2009 through 2012, and 4.50% for fiscal years 2013 through 2020.

Permits the percentages to be adjusted or waived by the Controlling Board but requires notification to the Speaker, President of the Senate, and the Chairpersons of the House and Senate finance and appropriation committees if the percentages are exceeded.

Fiscal effect: The restrictions on the state general obligations debt limit for the specified future fiscal years may reduce the state's debt service expenditures and improve the state's credit ratings.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

310 (CD-713-MIS) Securitization of Tobacco Master Settlement Agreement Payments

R.C. 183.51, 183.52

Creates the Ohio Tobacco Settlement Financing Authority for the purpose of purchasing and receiving an assignment of the tobacco settlement receipts and issuing obligations. The Authority is to consist of the Governor (as the chair), the Director of Budget and Management (as the secretary), the Tax Commissioner, the Treasurer of the State, the Attorney General, and the Auditor of State, or their designees. OBM staff is required to provide support to the Authority.

Permits the state to assign and to sell to the Authority all or a portion of the amounts to be received by the state under the Tobacco Master Settlement Agreement. In addition, the executive proposal permits the Authority to accept and purchase those amounts, and to issue and sell obligations, as provided by the proposal.

Requires the state, among five different orders, to not agree to any amendment of the tobacco master settlement agreement that materially and adversely affects the Authority's ability to receive the portion of the receipts under the tobacco master settlement agreement assigned and sold to the issuing authority and to enforce by the Attorney General the rights of the Authority to receive the receipts under the tobacco master settlement assigned and sold to the issuing authority to the full extent permitted by the agreement.

Specifies that these obligations are to be issued to pay the costs of capital facilities for: (1) housing branches and agencies of state government, including facilities for housing state agencies, for a system of common schools throughout the state, and for use as jail facilities or workhouses; (2) state-supported or state-assisted institutions of higher education; (3) mental hygiene and retardation; and (4) parks and recreation.

R.C. 183.51, 183.52

Same as the Executive, but removes the Attorney General from the Authority.

Same as the Executive.

Same as the Executive, but instead provides that the State may, rather than shall, covenant, pledge and agree in the bond proceedings that it shall maintain statutory authority for, and cause to be collected and paid directly to the Authority the pledged receipts. Also, removes the Attorney General from the provision of enforcing the rights of the Authority to receive the receipts.

Same as the Executive.

R.C. 183.51, 183.52, Section 518.02

Same as the House, but changes the name of the Ohio Tobacco Settlement Financing Authority to the Buckeye Tobacco Settlement Financing Authority.

Same as the Executive.

Same as the House, but adds another provision to the list of five to include that the State may covenant, pledge and agree in the bond proceedings that it will not agree to any amendment of the tobacco master settlement agreement that adversely affects the Authority's ability to receive the settlement amounts assigned and sold to the Authority.

Same as the Executive, but limits the purpose of the bonds to (1) the payment of the costs of capital facilities for a system of common schools throughout the state and for state-supported or state-assisted institutions of higher education and (2) the refunding, renewal, or advance refunding of any obligations previously issued for that purpose.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Specifies that the aggregate principal amount of obligations issued under the bill cannot exceed \$6.0 billion, exclusive of obligations issued to refund, renew, or advance refund other obligations issued or incurred, with at least 75% of the aggregate net proceeds of the obligations issued having to be paid to the state for deposit into the School Building Program Assistance Fund (Fund 032) under the School Facilities Commission.

Same as the Executive.

Same as the Executive, but adds that the use of net proceeds of the obligations by the School Facilities Commission to pay basic project costs without regard to whether those costs are in proportion to the state's and school district's respective shares of the basic project costs cannot result in any change to those respective shares as calculated under the School Facilities Commission law. Provides that any proceeds received from securitization of the Tobacco Master Settlement Agreement, once all expenses of the securitization have been accounted for, in excess of \$5.0 billion be deposited into the School Building Program Assistance Fund (Fund 032).

Provides that, no later than two years following the date on which there are no longer any obligations outstanding under the bond proceedings, all assets of the Authority are to vest in the state, the Authority is to execute any necessary assignments or instruments, including any assignment of any right, title, or ownership to the state for receipt of amounts under the Tobacco Master Settlement Agreement, and the Authority is to be dissolved.

Same as the Executive.

Same as the Executive.

No provision.

Specifies that the Attorney General, as counsel to the Authority, is to represent it in the execution of its powers and duties and to prosecute all actions on its behalf. Requires the Authority and the Attorney General to work together to arrange for counsel appointment by the Attorney General, after receipt of recommendations from the Authority.

Same as the House, but instead requires the Authority, rather than making recommendations of counsel to the Attorney General, to select counsel in consultation with the Attorney General and requires the Attorney General to appoint the counsel selected.

No provision.

Provides for the payment of the Attorney General's enforcement expenses from tobacco master settlement agreement amounts sold to the Authority, from the proceeds of obligations issued by the Authority, or from a combination of both.

Same as the House.

No provision.

No provision.

States that the Authority created by the bill is subject to the Public Records Law (R.C. 149.43) and the Open Meetings Law (R.C. 121.22).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

No provision.

Fiscal effect: Potential increase of capital funds for school district and other capital facility projects. The executive budget states that at least 75% of the aggregate net proceeds of the obligations issued with tobacco securitization moneys must be paid to the School Building Program Assistance Fund (Fund 032) and limits the use of net proceeds, estimated at approximately \$5.04 billion, to School Facilities Commission and other capital facility projects.

According to the Office of Budget and Management, of the estimated \$5.04 billion in net proceeds, \$2.20 billion would cover all of the funding currently allocated by section 183.02 of the Revised Code to the Education Facilities Trust Fund (Fund N87) and to the Education Facilities Endowment Fund (Fund P87) of the School Facilities Commission for FY 2008 through FY 2025. The remaining \$2.84 billion would cover the capital costs of SFC (\$1.92 billion) and higher education (\$0.92 billion) over the next three years. Since these capital costs will not be financed with bonds, GRF debt service payments for SFC and higher education will be lower. As a result, the GRF moneys that would otherwise be used to finance SFC and higher education bonds would be used to cover the expansion of the homestead property tax exemption.

OBM may experience minimal increased administrative costs for providing staff support to the Authority.

No provision.

Fiscal effect: Same as the Executive, but permits Attorney General enforcement activity expenses to be paid from tobacco master settlement agreement amounts sold to the Authority, from the proceeds of obligations issued by the Authority, or from a combination of both.

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

Fiscal effect: Same as the House, but provides that any additional funds in excess of \$5.0 billion be deposited into the School Building Program Assistance Fund (Fund 032) of the School Facilities Commission to assist school districts in new or on-going facility projects.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

311 (CD-1128-MIS) Transfers from the Tobacco MSA Fund to the GRF

No provision.

No provision.

Section: 518.01

Requires that \$9,984,248 be transferred to the GRF from the Tobacco Master Settlement Agreement Fund (Fund 087) on July 1, 2007 or as soon as possible thereafter and before any other transfers from the Tobacco Master Settlement Agreement Fund are made.

312 (CD-714-MIS) Budget Adjustments to Reflect Tobacco Securitization**Section: 518.03**

Authorizes the Director of Budget and Management, notwithstanding any other provision to the contrary, to periodically on any date following the issuance of the tobacco obligations through June 30, 2009 do the following:

(1) Determine any excess amounts after the amounts of debt service obligations have already been paid from GRF appropriation items 235-909, Higher Education General Obligation Debt Service, and 230-908, Common Schools General Obligation Debt Service and transfer all or a portion of those excess funds to GRF appropriation items 200-901, Property Tax Allocation - Education or 110-901, Property Tax Allocation-Taxation, or both, for the purposes of making the state's property tax relief payments to school districts and counties.

(2) Determine the amount by which interest earnings credited to the Higher Education Improvement Fund (Fund 034) and the School Building Program Assistance Fund (Fund 032) from the investment of the net proceeds of the tobacco obligations exceed the amount needed to satisfy the appropriations from those funds, transfer all or a portion of that excess cash balance to the GRF, and increase GRF appropriation items 200-901, Property Tax Allocation -

Section: 518.03

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Section: 518.03

Same as the Executive, but requires instead of authorizing the Director of Budget and Management to periodically on any date following the issuance of the tobacco obligations through June 30, 2009 do the following:

(1) Same as the Executive.

(2) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Education or 110-901, Property Tax Allocation-Taxation, or both, by up to the amount of cash transferred to the GRF.

(3) Determine the amount of capital appropriations in CAP-770, School Building Assistance Program, transfer cash to School Facilities Commission (Fund 5E3) in an amount necessary to fully expend the amount of net proceeds deposited into the School Building Program Assistance Fund (Fund 032) from the issuance of those tobacco obligations, and increase the appropriations for CAP-770 and SSR appropriation item 230-644, Operating Expenses (for SFC), by the necessary amount.

(4) Determine the amount of additional capital appropriations necessary to fully expend the amount of net proceeds deposited from the issuance of those tobacco obligations into the Higher Education Improvement Fund (Fund 034).

(5) Reduce the amount of authorization to issue and sell general obligations to pay the costs of capital facilities for a system of common schools throughout the state granted to the Ohio Public Facilities Commission by prior acts of the General Assembly to reflect the amount of net proceeds of those tobacco obligations deposited into the Higher Education Improvement Fund (Fund 034) that are intended to replace general obligations for that purpose.

(6) Reduce the amount of authorization to issue and sell general obligations to pay the costs of capital facilities for state supported and state assisted higher education institutions granted to the Ohio Public Facilities Commission by prior acts of the General assembly to reflect the amount of net proceeds of those tobacco obligations deposited into the Higher Education Improvement Fund (Fund 034) that are intended to replace general obligations for that purpose.

Requires the Office of Budget and Management to make a report to the Controlling Board, at its next regularly scheduled meeting, when any of these determinations, transfers, and increases or decreases in appropriations and

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

Same as the Executive.

(3) Same as the Executive, but makes clarifying wording changes.

(4) Same as the Executive.

(5) Same as the Executive, but limits the reduction on general obligation bonds for schools to \$800.0 million and modifies the Executive reduction purpose language to state that this reduction reflects the utilization of the net proceeds of the tobacco obligations in place of general obligation bond proceeds to support capital appropriations from the School Building Assistance Fund (Fund 032) instead of from the Higher Education Improvement Fund (Fund 034).

(6) Same as the Executive, but limits the reduction on general obligation bonds for state-supported institutions of higher education to \$950.0 million and modifies the Executive reduction purpose language to state that this reduction reflects the utilization of the net proceeds of the tobacco obligations in place of general obligation bond proceeds to support capital appropriations from the Higher Education Improvement Fund (Fund 034).

Replaces the Executive provision with a requirement that OBM seek Controlling Board approval prior to making any transfers or decreases or increases any appropriations or authorizations to reflect tobacco securitization.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

authorizations described above have been completed.

Local Government Provisions**313 (CD-1159-MIS) Proxy Attendance and Voting by Members of Regional Councils of Government**

No provision.

No provision.

R.C. 167.04

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

314 (CD-1043-MIS) Competitive Bidding for Township Fire Departments

No provision.

No provision.

R.C. 505.37

Establishes a competitive bidding requirement and procedure for expenditures by township trustees for fire fighting purposes in excess of \$50,000. Currently no bidding requirement exists for regular township fire departments.

Fiscal effect: May increase administrative contracting costs to townships to competitively bid projects. However, if through the competitive bidding process, the costs of certain projects is less than what was previously paid, these administrative contracting costs could be offset.

315 (CD-1046-MIS) Township Authority to Lend Money

No provision.

No provision.

R.C. 505.705, 6119.06

Clarifies that a board of township trustees may agree to grant or lend money from the township general revenue fund to another political subdivision that has authority to provide water or sanitary sewerage within the township.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Specifies that the other political subdivision is to use the money granted or lent to pay costs, fees, debt retirement, or other expenses incurred in supplying either of these purposes in the township, or for the planning of or actual construction, maintenance, repair, or operation of water or sanitary sewerage systems within the township.
No provision.	No provision.	Adds storm water drainage within the township as a third purpose for which boards of township trustees may agree to grant or lend money to another political subdivision.
Fiscal effect: May result in future revenues to townships for any interest gained from lending money to other political subdivisions for the described purposes, dependent upon the terms of the loan.		
<hr/>		
316 (CD-1036-MIS) Township Zoning Modifications		
No provision.	No provision.	R.C. 519.12 Changes the vote required for the board of township trustees to deny or modify the recommendations of the township zoning commission from unanimous to two-thirds.
<hr/>		
317 (CD-959-MIS) Prosecution of State Crimes in Greene County		
No provision.	R.C. 1901.34 Authorizes the Greene County Board of County Commissioners to provide for the prosecution of all violations of state law arising within the jurisdiction of any municipal court located in Greene County.	No provision.
Fiscal effect: As of this writing, the potential fiscal implications of this permissive provision on jurisdictions located with the geographical boundaries of Greene County are uncertain.		

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

318 (CD-1100-MIS) Public Nuisance in Subsidized Housing

No provision.

No provision.

R.C. 3767.41

Establishes "public nuisance in subsidized housing" as a separate category of public nuisance that a judge may find and order to be abated. Defines "subsidized housing" and "public nuisance in subsidized housing." Requires a judge to apply federal quality standards in determining whether subsidized housing is a public nuisance. Requires any conveyance of subsidized housing that is a public nuisance to be made pursuant to federal guidelines. Prohibits subsidized housing that is a public nuisance from being conveyed to abate the nuisance unless the purchaser agrees to enter into a federal contract and continue to operate the housing as subsidized housing.

Fiscal effect: As of this writing, the nature, and potential magnitude, of the fiscal effects of these provisions on the state and local governments, if any, is uncertain.

319 (CD-929-MIS) Application of Landlord Registration Law

No provision.

R.C. 5323.011, Section 753.10

Specifies that the landlord registration law requiring owners of residential property to file identifying information with the county auditor, and, if out of state, to appoint an agent for service of process applies in a county only if the board of county commissioners adopts a resolution declaring the law applies to the county.

R.C. 5323.02, 5323.01, 5323.99

No provision.

No provision.

No provision.

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

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Permits the county auditor to impose a \$150 special assessment on the residential rental property, which may be appealed to the county board of revision.
No provision.	No provision.	Requires that the information about the property be filed on the tax list or real property record.
No provision.	No provision.	Increases from 10 to 60 the number of days an owner of residential rental property has to update any changes in information about the property.
No provision.	No provision.	Eliminates the requirement that information filed with the county auditor regarding residential rental property include the year in which the rental units were built and provides that the information filed with the county auditor may be maintained on the tax list or the real property record, rather than on both the tax duplicate and real property record.
No provision.	No provision.	Modifies the definitions of "political subdivisions" by providing that it includes a county that has a population of more than 200,000 according to the most recent decennial census or a township, municipal corporation, or other body politic that is located in a county that has a population of more than 200,000 according to the most recent decennial census. Modifies the definition of "residential rental property" to limit the real property that is covered by the definition to real property located in a county that has a population of more than 200,000, according to the most recent decennial census.
	<p>Fiscal effect: Potential reduction in administrative filing costs for county auditors in those counties where the board of county commissioners opts not to enforce the law.</p>	<p>Fiscal effect: Potential increase in filing costs for counties with populations greater than 200,000 whose county commissioners would not have required such notifications to be filed. Potential decrease in costs for allowing the record to be maintained on either the tax duplicate or real property record instead of both. Potential increase in costs for required notifications to residential property owners. Potential increase in fine revenues for any rental property owner that violates the</p>

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

320 (CD-1063-MIS) Conveyance of State-Owned Real Estate in Franklin County to the City of Columbus

provision.

Section: 753.30

No provision.

No provision.

Authorizes the Governor to convey approximately 12.997 acres of state-owned land located in Franklin County to the City of Columbus for use as a police heliport for \$194,955.00. Allows for additional consideration for any perpetual easement needed by the city to access the purchased land.

No provision.

No provision.

Requires the city and its successors and assigns to obtain the state's written approval to use or develop the land for any purpose other than a police heliport.

No provision.

No provision.

Specifies that the conveyance may be subject to conditions and restrictions assuring there is no interference with state uses on adjoining state-owned land.

No provision.

No provision.

Requires the city, prior to selling, conveying, or transferring the land, to give the state the first opportunity to purchase the land at a price not less than fair market value.

Fiscal effect: Cost increase to Columbus for the purchase of the land, subsequent maintenance, and any other easements needed. Revenue gain to the state for the sale of the land.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Other Provisions**321 (CD-834-MIS) Notice of Hearings and Orders Under the Administrative Procedure Act****R.C. 119.07**

Requires administrative agencies to send secondary notices of hearings in Administrative Procedure Act adjudications by ordinary mail (instead of personal service or publication in a newspaper as under current law) after a notice of hearing that was sent by certified or registered mail is returned because of a failure of delivery.

Requires a second notice upon failure of delivery and service by personal delivery or publication only after the second notice has been returned showing failure of delivery.

Requires the agencies, if that ordinary mail notice is also returned for failure of delivery, to notify the attorneys or other representatives of record. Requires the agency, if there are no attorneys or representatives of record, to serve the notice either through personal service or publication in a newspaper.

Authorizes an employee or agent of an agency to make personal service of a notice on a party at any time.

Specifies that a refusal of delivery, either by personal service or by mail, is not a failure of delivery.

Specifies that failure of delivery occurs only when, with reasonable diligence, a party cannot be found to make personal service of notice, or if a mailed notice is returned by the postal authorities marked undeliverable, addressee unknown, or forwarding address unknown or expired.

Fiscal effect: May reduce the costs incurred by administrative agencies in serving secondary notices of hearings in Administrative Procedure Act adjudications.

R.C. 119.07

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 119.07

Same as the Executive, but distinguishes a "failure of delivery" from a "refusal of delivery." Specifies that a second notice is to be sent by ordinary mail only if the party fails to claim or refuses delivery of the first notice sent by registered mail.

Same as the Executive, but specifies that if any notice sent by registered or ordinary mail is returned showing failure of delivery, the agency is to serve the second notice by personal delivery or by publication (as under current law).

No provision.

Same as the Executive.

Same as the Executive, but adds that service of a notice is deemed to be complete if the party refuses delivery.

Same as the Executive, but limits failure of delivery to the return of a mailed notice marked undeliverable, address or addressee unknown, or forwarding address unknown or expired.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

322 (CD-1188-MIS) Tobacco Use Prevention and Control Foundation

No provision.

No provision.

R.C. 183.061

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

Fiscal effect: This provision may increase the operating expenses of the Foundation, but may ultimately increase funds available to the Foundation to carry out its mission.

323 (CD-515-MIS) Additional Authority for Certain Counties to Establish and Fund Convention Centers

R.C. 307.695

Authorizes counties with a population greater than 400,000, but less than 500,000, to establish and provide local funding options for constructing and equipping a convention center in addition to the funding authority currently granted.

Fiscal effect: Certain counties that were unable to finance a convention center under current law may now be able to finance the construction and equipping of convention centers under this provision. As of this time, population figures show that only Lucas County would qualify for this provision.

R.C. 307.695

Same as the Executive.

R.C. 307.695

Same as the Executive, but specifies that a board of county commissioners of a county with a population of 1.2 million or with a population greater than 400,000 but less than 500,000 may purchase, lease, construct, enlarge, improve, rebuild, equip, or furnish a convention center, in lieu of the authority in the bill passed by the House to "establish and provide local funding options" to construct and equip a convention center. Based on the 2000 Census, only Cuyahoga and Lucas counties meet the population criteria.

Fiscal effect: Certain counties that were unable to finance a convention center under current law may now be able to finance the construction and equipping of convention centers under this provision. As of this time, population figures show that only Cuyahoga and Lucas counties would qualify for this provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

324 (CD-1030-MIS) Transfers of Fiscal Year 2007 General Revenue Fund Ending Balances

No provision.

No provision.

Section: 512.01

Specifies that up to \$100,000,000 in cash from FY 2007 unobligated excess revenue shall remain in the General Revenue Fund (GRF) and roll forward in FY 2008.

Fiscal effect: Possible reduction in amount of surplus funds transferred to the Budget Stabilization Fund (BSF) and Income Tax Reduction Fund (ITRF) in fiscal year 2008.

325 (CD-1044-MIS) Public Contractor Campaign Contributions Made Before January 1, 2007

No provision.

No provision.

Sections: 631.05, 631.06

Specifies that provisions of the Campaign Finance Law that restrict public contracting based on political contributions that were enacted in Am. Sub. H.B. 694 of the 126th General Assembly apply only to contributions made on or after January 1, 2007.

No provision.

No provision.

Repeals provisions of that bill specifying that state agencies and political subdivisions are not prohibited from awarding a contract based on contributions made by a child of a person responsible for an entity seeking a public contract or by any combination of persons responsible for an entity seeking a public contract prior to January 1, 2007.

No provision.

No provision.

Specifies that the provisions of the bill that restrict the application of Am. Sub. H.B. 694 of the 126th General Assembly to contributions made on or after January 1, 2007, are intended to clarify the General Assembly's original intent in enacting that act, are remedial in nature, and apply to contracts awarded on or after the effective date of that act.

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