

Executive

As Passed by the House

As Passed by the Senate

As Enacted

1 PAY - 9 Changes in Annual Vacation Leave for Certain State Employees

	R.C. 124.134, Section 803.30	R.C. 124.134, Section 803.30	R.C. 124.134, Section 803.30
(1) No provision.	(1) Reduces by one year the amount of service required of the following state employees before they accrue specific amounts of vacation leave, effective August 30, 2009: (a) exempt employees, (b) legislative employees, (c) Supreme Court employees, (d) certain employees in the office of the Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, and (e) employees in any position for which authority to determine compensation is given by law to an individual or entity other than the Director of Administrative Services.	(1) Same as the House.	(1) Same as the House.
(2) No provision.	(2) Provides that employees specified in (1) may begin using their vacation leave upon completing their initial probationary period.	(2) Same as the House.	(2) Same as the House.
(3) No provision.	(3) Requires the Director of DAS to determine an additional, prorated amount of vacation leave for employees who are in their fourth, ninth, fourteenth, nineteenth, or twenty-fourth year of service to receive as a result of the transition occurring on that date. Requires the additional, prorated amount to be such that the affected employees are not harmed as a result of the transition, and to be added to the vacation leave balances of the affected employees on August 30, 2009.	(3) Same as the House.	(3) Same as the House.

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(4) No provision.	(4) No provision.	(4) No provision.	(4) Prohibits during fiscal years 2010 and 2011, and limits to 80 hours beginning in fiscal year 2012, payments made under current law for accrued vacation leave in the situation where a state employee has been denied vacation leave and is at the maximum amount of vacation leave that the employee may accrue.
	Fiscal effect: No net effect on wage costs, but there would likely be an increase in vacation leave usage for the specified employees. Likely increase in payments made from ALF Fund 8060, Accrued Leave Fund, for vacation leave cash conversion for those employees leaving state service.	Fiscal effect: Same as the House.	Fiscal effect: Reduction in payroll costs for state agencies attributable to cessation in FY 2010 and FY2011 of vaction leave "cash outs" for those employees that have reached the maximum amount of accruable vacation and have been denied the use of vacation during the previous year.

2 PAY - 11 Life Insurance for Municipal and County Judges

	R.C. 124.81	R.C. 124.81	R.C. 124.81
(2) No provision.	(1) Requires the Department of Administrative Services to obtain group life insurance coverage for all municipal and county court judges.	Same as the House.	Same as the House.
(2) No provision.	(2) Provides that on and after the effective date of the life insurance coverage for municipal and county court judges, these judges are ineligible for life insurance coverage from any county or other political subdivision.	Same as the House.	Same as the House.

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	<p>Fiscal effect: Increase of several thousand dollars annually in expenditures from AGY Fund 8100, Life Insurance Investment Fund, to pay for the cost of providing life insurance to county and municipal judges.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>
3 PAY - 1 Accrued Leave Liability Fund			
<p>Section: 271.10 Requires that ALF Fund 8060 appropriation item 995666, Accrued Leave Fund, be used to make payments for employees that convert unused personal or sick leave, or are owed unused vacation leave, sick leave, or personal leave upon separation from state employment. Appropriates additional amounts if necessary.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>
4 PAY - 2 State Employee Disability Fund			
<p>Section: 271.10 Requires that ALF Fund 8070 appropriation item 995667, Disability Fund, be used to make payments from the State Employee Disability Leave Benefit Fund, and appropriates additional amounts if necessary.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>

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5 PAY - 4 State Employee Health Benefit Fund			
<p>Section: 271.10 Requires that AGY Fund 8080 appropriation item 995668, State Employee Health Benefit Fund, be used to pay state employee health care costs as well as the costs of actuarial studies and audits related to employee health care benefits, and appropriates additional amounts if necessary.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>
6 PAY - 5 Dependent Care Spending Fund			
<p>Section: 271.10 Requires that AGY Fund 8090 appropriation item 995669, Dependent Care Spending Account, be used to make payments for employees that are eligible for benefits under this program, and appropriates additional amounts if necessary.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>

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7 PAY - 6 Life Insurance Investment Fund			
<p>Section: 271.10</p> <p>Requires that AGY Fund 8100 appropriation item 995670, Life Insurance Investment Fund, be used to make payments for costs and expenses related to providing coverage for exempt employees for the State's life insurance benefit program, and appropriates additional amounts if necessary.</p>	<p>Section: 271.10</p> <p>Same as the Executive.</p>	<p>Section: 271.10</p> <p>Same as the Executive.</p>	<p>Section: 271.10</p> <p>Same as the Executive.</p>
8 PAY - 7 Parental Leave Benefit Fund			
<p>Section: 271.10</p> <p>Requires that AGY Fund 8110 appropriation item 995671, Parental Leave Benefit Fund, be used to make payments to employees eligible for parental leave benefits, and appropriates additional amounts if necessary.</p>	<p>Section: 271.10</p> <p>Same as the Executive.</p>	<p>Section: 271.10</p> <p>Same as the Executive.</p>	<p>Section: 271.10</p> <p>Same as the Executive.</p>

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9 PAY - 8 Health Care Spending Account Fund			
Section: 271.10	Section: 271.10	Section: 271.10	Section: 271.10
(1) Requires that AGY Fund 8130 appropriation item 995672, Health Care Spending Account, be used to make payments pursuant to state employees' participation in a flexible spending account for non-reimbursed health care expenses. Permits the Director of Administrative Services to request additional appropriations if needed, subject to the approval of the Director of Budget and Management, and appropriates those amounts.	(1) Same as the Executive.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Authorizes OBM, at the request of DAS, to transfer up to \$145,000 from the GRF to Fund 8130 during FY 2010 and FY 2011 to provide adequate cash flow for the account. Requires the amounts so transferred to be returned to the GRF, along with any accrued interest, at the end of FY2010 and FY2011 if the cash is available.	(2) Same as the Executive.	(2) Same as the Executive.	(2) Same as the Executive.

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10 PAY - 3 Payroll Withholding Fund			
<p>Section: 271.10 Requires that AGY Fund 1240, Payroll Withholding, appropriation item 995673, Payroll Deductions, be used to make payments from Fund 1240 and appropriates additional amounts if necessary.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>	<p>Section: 271.10 Same as the Executive.</p>
11 PAY - 12 Manual Emergency Payroll Account Transfer			
No provision.	No provision.	No provision.	<p>Section: 271.10 Transfers \$33,065.48 from the Payroll Withholding Fund (Fund 1240) to the GRF; closes the Manual Emergency Payroll Account in Fund 1240 upon the completion of the transfer.</p>

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<p>12 OBM - 12 Pay Reduction Strategies</p> <p>R.C. 124.152, 124.18, 124.19, 124.34, 124.392, 126.05, Section 741.10</p> <p>(1) Reduces the compensation of certain full-time and permanent part-time state employees during the FY 2010-FY 2011 biennium by 4%, 4.5%, or 5%. Returns the pay for these employees to the FY 2009 level at the beginning of FY 2012.</p> <p>(2) Authorizes the Governor to declare a fiscal emergency if the Governor ascertains that the available revenue and balances for any fund or across any funds will in all probability be less than appropriations for the year, and to issue such orders as are necessary to the Director of OBM to reduce expenditures, or to the Director of DAS to implement various personnel actions, including but not limited to furloughs.</p> <p>(3) Requires the Director of DAS, in consultation with the Director of OBM, to establish mandatory or voluntary furlough programs for any employee paid by warrant of the Director of OBM as necessary to reduce state expenditures in the event of a fiscal emergency declared by the Governor. Specifies that (a) reductions in pay made as the result of a furlough are not modifications</p>	<p>R.C. 124.15, 124.152, 124.18, 124.181, 124.183, 124.27, 124.34, 124.382, 124.385, 124.386, 124.392, 126.05, Section 741.10</p> <p>(1) No provision.</p> <p>(2) Same as the Executive, but changes the furloughs programs referenced in the executive budget to mandatory cost savings days.</p> <p>(3) Replaces the executive provisions with provisions that (a) require, during each fiscal year of the biennium, that all full-time exempt employees participate in a total of 80 hours of mandatory cost savings through a loss of pay or holiday pay and that all part-time employees not receive holiday pay, (b) require participation in the cost savings program for all employees of the Secretary</p>	<p>R.C. 124.15, 124.152, 124.18, 124.181, 124.183, 124.27, 124.34, 124.382, 124.385, 124.386, 124.392, 126.05, Section 741.10</p> <p>(1) No provision.</p> <p>(2) Same as the House.</p> <p>(3) Same as the House.</p>	<p>R.C. 124.15, 124.152, 124.18, 124.181, 124.183, 124.27, 124.34, 124.382, 124.385, 124.386, 124.392, 126.05, Sections 271.10, 741.10, 812.20</p> <p>(1) No provision.</p> <p>(2) Same as the House.</p> <p>(3) Same as the House, but authorizes the Secretary of State, Auditor of State, Treasurer of State, or Attorney General, after July 1, 2009, to decide to begin participation in the cost savings program for their employees for 80 hours or less.</p>

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<p>or reductions in pay that an employee in the classified civil service can appeal to the State Personnel Board of Review and (b) an employee need not be in active pay status the day preceding a holiday to receive holiday pay, as current law requires, if the employee is furloughed on that day.</p>	<p>of State, Auditor of State, Treasurer of State, or Attorney General unless those officials choose to exempt the office's employees and notifies the Director of DAS in writing on or before July 1, 2009, and (c) authorize the Director of DAS, after June 30, 2011, to implement mandatory cost savings days for exempt employees if the Governor declares a fiscal emergency.</p>		
<p>(4) Authorizes the Governor, during the FY 2010-FY 2011 biennium, to impose a moratorium on the receipt of holiday pay on any holiday by employees paid by warrant of the Director of OBM, if the Governor declares a fiscal emergency. Provides that employees required to work on a holiday by their appointing authority be paid at their regular rate of pay. Exempts employees of the judicial and legislative branches and the Secretary of State, Auditor of State, Treasurer of State, and Attorney General from the moratorium on the receipt of holiday pay.</p>	<p>(4) Replaces the executive provisions with provisions that (a) require that part-time employees receive four hours of holiday pay, rather than on a pro-rated basis as required by current law (excepting FY2010 and FY2011, as provided under section 124.392), and (b) change certain conditions governing the payment of holiday pay for state employees that relate to whether the employee worked the day immediately before or after the holiday.</p>	<p>(4) Same as the House.</p>	<p>(4) Same as the House.</p>
<p>(5) Directs the Office of Collective Bargaining within DAS to negotiate with the respective state collective bargaining units various payroll reduction strategies through the collective bargaining process prior to July 1, 2009, including, but not limited to, reductions in pay for FY 2010 and FY 2011 and an increase in a state employee's share of dental, vision, and life insurance benefits during those fiscal years, to achieve savings of between \$170 million and \$200 million for</p>	<p>(5) Same as the Executive.</p>	<p>(5) Same as the Executive.</p>	<p>(5) Same as the Executive.</p>

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each fiscal year. Authorizes the Director of OBM to transfer cash from non-GRF funds to the GRF to carry out the provisions above.			
(6) No provision.	(6) Imposes moratoria, from December 2009 through December 2011, on the accrual of personal leave by employees paid by warrant of the Director of OBM and on the annual conversion of accrued but unused personal leave. Provides that the moratoria apply to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless those officials decide to exempt the office's employees and so notifies the Director of DAS in writing on or before July 1, 2009.	(6) Same as the House, but exempts Supreme Court, General Assembly, and Legislative Service Commission employees from the moratoria on the accrual and conversion of personal leave imposed during FY 2010-FY 2011 unless the appointing authorities of these employees choose to include them in the moratoria by July 1, 2009.	(6) Same as the Senate, but extends from July 1, 2009, to November 1, 2009, the deadline (a) by which the Secretary of State, Auditor of State, Treasurer of State, or Attorney General can exempt their employees from inclusion in the moratorium on the accrual and annual payment of personal leave and (b) by which the Supreme Court, General Assembly, and Legislative Service Commission can include their employees in this moratorium.
(7) No provision.	(7) Places a general moratorium on annual step advancements for state employees from June 21, 2009, through June 20, 2011, and provides that intermittent employees are not eligible for step advancements.	(7) Same as the House.	(7) Same as the House.
(8) No provision.	(8) Eliminates pay supplements and probationary periods for intermittent employees.	(8) Same as the House.	(8) Same as the House, but makes these provisions effective immediately.
(9) No provision.	(9) Requires that state employees be paid at the employee's regular rate of pay for any hours of compensatory time in excess of maximum amounts specified in existing law if the employee has not used the compensatory time within 365 days after it is granted, rather than within 180 days as provided by current law.	(9) Same as the House.	(9) Same as the House.

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(10) No provision.	(10) Allows an employee paid by warrant of the Director of Budget and Management to use the employee's available compensatory leave balance to supplement disability leave payments.	(10) Same as the House.	(10) Same as the House.
(11) No provision.	(11) Grants in August 2011 to a state employee paid by warrant of the Director of Budget and Management a one-time pay supplement equivalent to 16 hours if the employee is a part-time employee, or equivalent to 32 hours or half the hours of personal leave hours the employee lost as a result of the moratoria on the annual credit and payment of personal leave in effect from December 2009 until December 2011, whichever is less, if the employee is a full-time employee; does not grant the pay supplement described above to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless these employees were subject to these moratoria and the elected officials noted above decide to participate in the pay supplement by July 1, 2009.	(11) Same as the House, but (a) provides that Supreme Court, General Assembly, and Legislative Service Commission employees do not receive a one-time pay supplement if they did not participate in the moratoria on the accrual and conversion of personal leave credit in FY 2010-FY 2011 and (b) changes the date by which appointing authorities having the option to participate in the one-time pay supplement must notify the Director of DAS of the decision to participate to June 1, 2011.	(11) Same as the Senate, but provides that the additional one-time pay supplement applies to firefighters and employees who accrue personal leave under a rule of the Director of Administrative Services.
(12) No provision.	(12) Grants in July 2011 to a state employee paid by warrant of the Director of Budget and Management a one-time credit of sick leave equal to 16 hours if the employee is a part-time employee, or the lesser of 32 hours or one-half of the personal leave hours the employee lost as a result of the moratoria on the crediting and annual payment of personal leave in effect from December 2009 until December 2011,	(12) Same as the House, but (a) provides that Supreme Court, General Assembly, and Legislative Service Commission employees do not receive additional sick leave credit if they did not participate in the moratoria on the accrual and conversion of personal leave credit in FY 2010-FY 2011 and (b) changes the date by which appointing authorities having the option to participate in the additional sick leave crediting must notify the	(12) Same as the Senate, but provides that the additional sick leave credit applies to employees who accrue personal leave under a rule of the Director of Administrative Services.

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(13) No provision.	<p>whichever is less, if the employee is a full-time employee; does not grant the sick leave credit described above to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless these employees were subject to the moratoria on the accrual and annual payment of personal leave in effect from December 2009 until December 2011 and the elected officials noted above decide to participate in the pay supplement by July 1, 2009.</p>	<p>Director of DAS of the decision to participate to June 1, 2011.</p>	<p>(13) Same as the Senate, but (a) requires AGY Fund 8140 appropriation 995674, Cost Savings Days, to be used to pay employees who participated in a mandatory cost savings program, (b) authorizes the Director of OBM to transfer agency savings achieved from the programs to the GRF or any other fund as deemed necessary, make temporary transfers from the GRF to the Cost Savings Fund, and reimburse the GRF for such transfers, and (c) appropriates any additional amounts deemed necessary for these purposes by the Director of OBM.</p>
	(13) No provision.	<p>(13) Creates the Cost Savings Fund and allocates to the fund savings accrued through employee participation in the mandatory cost savings program and in mandatory cost savings days. Permits the fund to be used to pay employees who participated in the mandatory cost savings program or in cost savings days. Specifies that any investment earnings of the fund are to be credited to the fund.</p>	

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Fiscal effect: Decrease in payroll expenditures. In order to achieve the savings described above, the executive budget proposes to reduce exempt employee compensation by up to 5% based on a graduated scale, and by comparable amounts or concessions from employees subject to collective bargaining agreements. According to OBM, employees earning \$125,000 or more would be subject to a 6% reduction. Additionally, the executive proposes to lower the amount of the dental, vision, and life insurance premiums paid by the state from 100% to 90%, to use furloughs when appropriate, and to increase the mandatory early retirement incentive trigger. All of these options may be used in varying degrees.

Fiscal effect: Same as the Executive, but, according to DAS estimates (which include both exempt and non-exempt employees), savings to the state during the FY 2010-FY 2011 biennium are expected to be approximately \$143.7 million from the cost savings days, approximately \$30 million per year from the freeze on step movement, and approximately \$18.1 million per year from the moratoria on personal leave accrual and conversion, for a total of approximately \$191.8 million in annual savings. In addition, there would be additional savings due to the elimination of pay supplements for intermittent employees. Increasing the period after which employees must be paid for unused compensatory time will likely reduce payments for state agencies for unused compensatory time, as employees will have a greater period of time in which to use compensatory time.

Substantial one-time increase in FY 2012 to provide pay supplements to part-time and full-time employees. As of March 2009, there were 55,950 full-time and 1,640 part-time employees working for executive branch agencies, and 2,628 full-time and 120 part-time employees working for the Attorney General, Treasurer, Secretary of State, or Auditor of State. Likely increase in costs during

Fiscal effect: Same as the House.

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FY 2012 to provide sick leave credit to the specified part-time and full-time employees.

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As Passed by the House

As Passed by the Senate

As Enacted

13 INS - 24 Health Insurance Coverage of Autism Spectrum Disorders

Sections: *307.10, R.C. 1739.05, 1751.68, 3923.84, and Section 271.10*

(1) No provision.

(1) Earmarks up to \$20,000 in FY 2010 of SSR Fund 5540 appropriation item 820606, Operating Expenses, to be used by the Department of Insurance for a study related to autism spectrum disorder coverage, and requires the study to be completed by January 31, 2010.

(1) No provision.

(1) No provision.

(2) No provision.

(2) Requires the Director of Budget and Management, in FY 2010, to transfer \$20,000 cash from the General Revenue Fund to Fund 5540.

(2) No provision.

(2) No provision.

(3) No provision.

(3) Prohibits health insurers from excluding coverage for specified autism services for individuals diagnosed with an autism spectrum disorder but allows insurers to impose a yearly maximum of \$36,000 on coverage of those services. Allows an insurer to opt out of the required coverage if the insurer can show that the incurred claims for those coverages caused the insurer's costs to increase by more than 1% and that the increase could reasonably justify an increase of more than 1% in the annual premiums or rates charged by the insurer for health insurance coverage. Exempts this provision from the existing law requirement that the Superintendent of Insurance review all new health benefit

(3) No provision.

(3) No provision.

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(4) No provision.	<p>mandates before a mandate may take effect.</p> <p>(4) Requires the Director of Mental Retardation and Developmental Disabilities to convene a committee on the coverage of autism spectrum disorders to investigate and recommend additional treatments or therapies for autism spectrum disorders to be covered by health insurers.</p>	(4) No provision.	(4) No provision.
(5) No provision.	<p>(5) Delays the applicability of the requirements to plans that are issued or renewed six months after the bill's effective date.</p>	(5) No provision.	(5) No provision.
(6) No provision.	<p>(6) Requires the Director of Budget and Management to transfer \$1.62 million from the GRF to the State Employee Health Benefit Fund (Fund 8080) on June 30, 2010, or as soon as possible thereafter.</p>	(6) No provision.	(6) No provision.

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Fiscal effect: The provision to mandate coverage for screening, diagnosis, and treatment of an autism spectrum disorder may potentially increase the costs to Medicaid in the tens of millions of dollars per year. The federal government would likely reimburse approximately 60% of any increase in Medicaid spending if federal rules allow the federal matching rate to apply.

It would increase costs to the state's health benefit plan for employees and their dependents by approximately \$1.62 million in FY 2011, assuming such coverage applies to approximately 45 children under age 6 per year. The GRF would pay the cost of coverage for approximately half the individuals, with various state funds providing the rest. It would also increase costs, potentially in the millions per year, to counties, municipalities, townships, and school districts statewide of providing such coverage in their health benefits to employees and their dependents.