



# **COMPARISON DOCUMENT BASE**

**Substitute House Bill 1  
128th General Assembly**

**Main Operating Appropriations Bill  
(FY 2010-FY 2011)**

**As Introduced  
(LSC 128 0516-2)**

**Legislative Service Commission  
March 2, 2009**

## Introduction

The Comparison Document provides brief descriptions and estimates of the fiscal effect for the provisions that make up the executive recommended version and subsequent versions of the biennial budget bill of the 128th General Assembly, H.B. 1. This Comparison Document Base edition contains the executive recommendations from Sub. H.B. 1, which is pending in the House Finance and Appropriations Committee. 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). 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.

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. 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 numbers 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 an agency's three-letter Central Accounting System (CAS) code followed by a number (DEV-15, for example). 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. 1, see the Legislative Service Commission's Bill Analysis.

## **Table of Contents**

<b>Agency</b>	<b>Page</b>	<b>Agency</b>	<b>Page</b>
ADJ - Adjutant General	1	EPA - Environmental Protection Agency	145
DAS - Department of Administrative Services	4	ETC - eTech Ohio	149
AGE - Department of Aging	18	EXP - Expositions Commission	152
AGR - Department of Agriculture	26	GOV - Office of the Governor	153
AIR - Air Quality Development Authority	31	DOH - Department of Health	154
ADA - Department of Alcohol and Drug Addiction Services	33	OHS - Ohio Historical Society	167
ART - Ohio Arts Council	35	REP - House of Representatives	168
ATH - Ohio Athletic Commission	36	INS - Department of Insurance	169
AGO - Attorney General	37	JFS - Department of Job and Family Services	177
AUD - Auditor of State	41	JCR - Joint Committee on Agency Rule Review	198
OBM - Office of Budget and Management	42	JCO - Judicial Conference of Ohio	199
CSR - Capitol Square Review and Advisory Board	52	JSC - Judiciary / Supreme Court	200
CIV - Ohio Civil Rights Commission	53	LRS - Legal Rights Service	204
COM - Department of Commerce	54	LIB - State Library Board	205
CEB - Controlling Board	62	LOT - Ohio Lottery Commission	207
COS - State Board of Cosmetology	65	MED - State Medical Board	208
CSW - Counselor, Social Worker, and Marriage and Family Therapist Board	66	AMB - Ohio Medical Transportation Board	209
AFC - Ohio Cultural Facilities Commission	67	DMH - Department of Mental Health	210
BDP - Board of Deposit	68	DMR - Department of Mental Retardation and Developmental Disabilities	215
DEV - Department of Development	69	DNR - Department of Natural Resources	221
EDU - Department of Education	82	NUR - Board of Nursing	229
PAY - Employee Benefits Funds	141	PYT - Occupational Therapy, Physical Therapy, and Athletic Trainers Board	230
ERB - State Employment Relations Board	143	PUB - Ohio Public Defender Commission	231
ENG - State Board of Engineers and Surveyors	144	DPS - Department of Public Safety	234

<b>Agency</b>	<b>Page</b>	<b>Agency</b>	<b>Page</b>
PUC - Public Utilities Commission of Ohio	235		
PWC - Public Works Commission	236		
BOR - Ohio Board of Regents	237		
DRC - Department of Rehabilitation and Correction	255		
RSC - Rehabilitation Services Commission	259		
RDF - Revenue Distribution Funds	261		
OSB - Ohio State School for the Blind	262		
OSD - Ohio School for the Deaf	263		
SFC - School Facilities Commission	264		
SOS - Secretary of State	267		
SEN - Senate	269		
CSF - Commissioners of Sinking Fund	270		
BTA - Board of Tax Appeals	271		
TAX - Department of Taxation	272		
TOS - Treasurer of State	284		
TTA - Ohio Tuition Trust Authority	286		
DVS - Department of Veterans Services	288		
BWC - Bureau of Workers' Compensation	289		
DYS - Department of Youth Services	291		

## Executive

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**1            ADJ - 1            Ohio National Guard Facility and Maintenance Expenses****R.C.            5911.10**

Codifies the Property Operations/Management Fund by merging it into the Armory Improvements Fund (Fund 5340), both funds are used by Adjutant General. Requires proceeds from the sale or lease of vacated armories or other facilities and land owned by the Adjutant General to be deposited into Fund 5340 and used to support Ohio Army National Guard facility and maintenance expenses as the Adjutant General directs; requires Controlling Board approval for any fund expenditure related to the construction, acquisition, lease, or financing of a capital asset; and requires investment earnings of Fund 5340 to be credited to the GRF.

**Fiscal effect: As this provision codifies current practice, it has no fiscal effect.**

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**2            ADJ - 6            Community Match Armories Fund****R.C.            5911.11**

Codifies the Community Match Armories Fund (Fund 5U80) that consists of all amounts received as revenue from contributions from local entities for construction and maintenance of Ohio Army National Guard readiness and community centers and facilities. Requires the moneys in the fund to be used to support the acquisition and maintenance costs of centers and facilities representing the local entity's share of costs, including the local entity's share of utility costs, and investment earnings of the fund to be credited to the fund.

**Fiscal effect: The investment earnings of this fund will now be credited to the fund itself and not the GRF.**

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**3            ADJ - 2            Camp Perry/Buckeye Inn Operations Fund****R.C.            5913.09**

Codifies the Camp Perry/Buckeye Inn Operations Fund (Fund 5360) that consists of all amounts received as revenue from the rental of facilities located at the Camp Perry training site in Ottawa County and the Buckeye Inn at Rickenbacker Air National Guard Base in Franklin County, and all amounts received from the use of the Camp Perry training site and its facilities, including shooting ranges. Requires the moneys in the fund to be used to support the facility operations of the Camp Perry Clubhouse and the Buckeye Inn, and investment earnings of the fund to be credited to the GRF.

**Fiscal effect: As this provision codifies current practice, it has no fiscal effect.**

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## Executive

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**4**      **ADJ - 7**      **National Guard Service Medal Fund****R.C.      5919.20**

Codifies the National Guard Service Medal Fund (Fund 5DN0) to consist of all amounts received from the purchase of Ohio National Guard service medals for eligible National Guard service members as authorized by the General Assembly; requires the moneys in the fund to be used to purchase additional medals; and requires investment earnings of the fund be credited to the fund.

**Fiscal effect: The investment earnings of this fund will now be credited to the fund itself and not the GRF.**

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**5**      **ADJ - 3**      **Ohio National Guard Facility Maintenance Fund****R.C.      5919.36**

Codifies the Ohio National Guard Facility Maintenance Fund (Fund 5370) to consist of all amounts received from revenue from leases of sites, including towers and wells, and from other revenue received from reimbursements for services related to Ohio National Guard programs; requires fund moneys to be used for service, maintenance, and repair expenses, and for equipment purchases for programs and facilities of the Adjutant General; and requires investment earnings of the fund to be credited to the GRF.

**Fiscal effect: As this provision codifies current practice, it has no fiscal effect.**

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**6**      **ADJ - 5**      **Payment of Adjutant General's Workers' Compensation Costs****R.C.      5923.141**

Repeals Ohio law that, upon receipt of a certification from the Administrator of the Bureau of Workers' Compensation, requires the Adjutant General to request from the Controlling Board the amount certified and to request the Director of Budget and Management to provide for payment to the State Insurance Fund of a sum equal to the amount transferred by the Controlling Board.

**Fiscal effect: The Adjutant General's Department historically requests the Controlling Board to release funds to pay worker's compensation costs. These requests generally utilize the moneys appropriated to the Board for emergency purposes/contingencies. By repealing the law, the Department will no longer make requests of the Board for the purposes of paying workers' compensation costs, however, the Department is still required to make these payments. Presumably, these payments will now be paid out of the Adjutant General's budget.**

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**Executive**

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**7            ADJ - 8            National Guard Benefits****Section: 205.10**

(1) Requires GRF appropriation item 745407, National Guard Benefits, to be used for purposes of paying a death benefit where an active duty member dies while performing active duty, and for administrative costs of the associated programs.

(2) Requires, for active duty members of the National Guard who died after October 7, 2001 while performing active duty, the death benefit be paid to the beneficiary or beneficiaries of the member's ServiceMembers' Group Life Insurance Policy.

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**8            ADJ - 9            State Active Duty Costs****Section: 205.10**

Earmarks \$50,000 in each year of GRF appropriation item 745909, Central Administration, for the purpose of paying expenses related to state active duty of members of the Ohio organized militia.

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**9            ADJ - 4            Fund Abolition****Section: 205.20**

Requires the Director of Budget and Management, upon request by the Adjutant General, to transfer the cash balance in the Marksmanship Activities Fund (Fund 5280) to the Camp Perry/Buckeye Inn Operations Fund (Fund 5360), cancel any existing encumbrances against SSR appropriation item 745645, Marksmanship Activities, and re-establish them against GSF appropriation item 745620, Camp Perry/Buckeye Inn Operations; appropriates the re-established encumbrance amount, and, upon completion of the transfer, abolishes Fund 5280.

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## Executive

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10      DAS - 11      Space to be Leased

R.C.      *123.01*

Expands the powers of the Department of Administrative Services (DAS) by authorizing the department to lease any space, not just office space, for use by a state agency.

**Fiscal effect: Potential for increased lease revenues to DAS. If DAS is able to offer state agencies space for lease at below-market rates, the provision could also result in savings for state agencies.**

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11      DAS - 13      State Equal Employment Opportunity Program

R.C.      *124.04, Section 207.20.40*

Requires DAS to administer a state equal employment opportunity program. Requires DAS, with the approval of the Director of Budget and Management, to establish charges for recovering the costs of administering the activities supported by GSF Fund 1880, State Equal Employment Opportunity. Requires charges to be deposited to the fund upon payment made by state agencies, municipal corporations, and other political subdivisions of the state, for services rendered.

**Fiscal effect: DAS already administers a state equal employment opportunity program. This provision codifies existing practice and would therefore have no fiscal effect.**

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12      DAS - 2      Personnel Services Contracts

R.C.      *124.07*

Specifies that DAS's authority to enter into agreements with political subdivisions to provide them with merit program and other human resources services includes providing these services to counties and also services such as providing competitive examinations for persons in the classified civil service of subdivisions.

Requires that amounts DAS receives for providing these services be paid into GSF Fund 1250, Human Resources Services.

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## Executive

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**13      DAS - 12      County Job Classification Plan Reimbursements****R.C.      124.14**

Requires counties that do not have a county personnel department and that use county job classification plans established by DAS to pay a usage fee, with the fees being paid into GSF Fund 1250, Human Resources Services, and generally limits DAS's supervision of county personnel departments.

**Fiscal effect: Potential gain in revenue Fund 1250.**

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**14      DAS - 4      Civil Service Examinations****R.C.      124.23**

Provides that DAS is generally responsible for administering civil service examinations only for positions in the classified civil service of the state, excluding positions of employment with state-supported colleges and universities, counties, cities, city health districts, city, school districts, general health districts, and civil service townships.

**Fiscal effect: Potential savings since DAS would no longer administer civil service examinations on behalf of non-state agencies.**

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**15      DAS - 3      Layoff Notice Statement of Rationale****R.C.      124.321**

Eliminates the requirement that state appointing authorities must file a statement of rationale with DAS before sending out a layoff notice to those employees not paid by warrant of the Director of Budget and Management. Specifies that DAS rules governing employee layoffs apply only to employees in the state service.

**Fiscal effect: Potential minimal administrative cost savings to state agencies in eliminating this filing requirement.**

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## Executive

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**16            DAS - 5            Layoff Retention Points and Displacement Rights****R.C.            124.324, 124.325**

Requires the Director of DAS to verify the calculation of layoff retention points only for employees in the service of the state, which excludes positions of employment with state-supported colleges and universities, counties, cities, city health districts, city school districts, general health districts, and civil service townships.

Specifies that the Director's rules concerning layoff displacement rights and the calculation and assignment of layoff retention points for each affected employee apply only to employees in the service of the state.

**Fiscal effect: Potential decrease in DAS's administrative costs.**

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**17            DAS - 9            Health Care Spending Account Fund****R.C.            124.821**

Codifies AGY Fund 8130, Health Care Spending Account Fund. Requires DAS to use the fund to make payments with regard to the participation of state employees in flexible spending accounts for certain nonreimbursed medical and dental expenses under section 125 of the Internal Revenue Code. Requires that investment earnings be retained in the fund.

**Fiscal effect: None. This provision codifies an existing fund and program administered by DAS.**

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**18            DAS - 10            State Employee Educational Development Fund****R.C.            124.86**

Authorizes DAS to establish and obtain OBM approval of charges sufficient only to cover state administrative costs for employee educational development programs undertaken pursuant to specific collective bargaining agreements and to deposit the proceeds in GSF Fund 5V60, Employee Development, which the provision codifies.

**Fiscal effect: None, as GSF Fund 5V60 and the programs it supports already exist.**

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**19            DAS - 7            Dependent Care Spending Account Fund****R.C.            124.882**

Codifies AGY Fund 8090, Dependent Care Spending Account. Requires DAS to use money in the fund to make payments for state employees who use flexible spending accounts for work-related dependent care expenses under section 125 of the Internal Revenue Code. Requires investment earnings on money in the fund to be credited to the fund.

## Executive

**Fiscal effect: None, as the fund and the program it supports already exist.**

20      DAS - 14      Central Service Agency Consolidation Initiative

R.C.      *125.22, 207.10.90*

Requires that the Central Service Agency (CSA) of DAS, in consultation with the Office of Budget and Management (OBM), review the support services CSA performs for the specified state agencies, the fiscal conditions of those agencies, and make recommendations on how support services can be further consolidated to achieve administrative cost savings and efficiencies.

(1) Adds the following boards and commissions to the list of entities for which CSA is authorized to perform support services: State Medical Board, State Board of Pharmacy, State Medical Transportation Board, Ohio Athletic Commission, Board of Motor Vehicle Collision Repair, Manufactured Homes Commission, Board of Orthotics, Prosthetics, and Pedorthics, and State Board of Career Colleges and Schools.

(2) Authorizes CSA to initiate or deny personnel or fiscal actions for the specified state agencies if doing so would result in administrative cost savings and efficiencies.

(3) Authorizes CSA to require specified state agencies to enter into agreements to share office equipment, space, or other assets to the extent that such agreements would create efficiencies or savings.

(4) Specifies that the bill must not be interpreted as a grant of authority to CSA to supersede or replace the boards or commissions in the performance of their respective statutory duties, or to appoint, remove, or demote the executive directors of the boards or commissions.

(5) Authorizes OBM to take actions made necessary by administrative reorganization for the purpose of cost savings and efficiencies.

**Fiscal effect: Potential cost savings for the affected boards through the consolidation of administrative services under CSA. A portion of these savings will be offset by expected increased operating costs at CSA and the cost of conducting a review of the affected boards. (See also DAS-23, Central Service Consolidation Initiative, for related uncodified law.)**

21      DAS - 43      OAKS Support Organization Fund

R.C.      *126.24*

Changes the purpose of the GSF Fund 5EB0, OAKS Support Organization, from paying the operating expenses of the state's enterprise resource planning system to paying the operating expenses incurred by providing information technology services in support of the system.

## Executive

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**Fiscal effect: None.**


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22      DAS - 39      Corrective Cash Transfer

R.C.      *207.30.90*

Transfers \$7,768 in cash from the GSF Fund 1130, Unemployment Compensation, to GSF Fund 1330, Information Technology, correcting a deposit made to the wrong fund. Abolishes Fund 1130 upon the completion of the transfer.

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23      DAS - 45      Firefighter Collective Bargaining

R.C.      *4117.01*

Specifies that, for the purposes of collective bargaining rights, a township, regardless of its population count, is considered a public employer with respect to permanent, full-time, paid members of its fire department.

**Fiscal effect: Townships that currently do not engage in collective bargaining with firefighters may have to engage in collective bargaining with certain firefighters.**

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24      DAS - 44      MARCS Administration Fund

R.C.      *4501.29*

Requires DAS to collect user fees from subscribers to the MARCS system. Requires DAS, with the advice of the MARCS Steering Committee and the consent of the OBM, to determine the amount of the user fees and the manner by which the fees must be collected. Creates the GSF Fund 5C20, MARCS Administration, in codified law. Requires investment earnings of the fund be credited to the fund.

**Fiscal effect: None, as the fund and the program which it supports already exist.**

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25      DAS - 16      Agency Audit Expenses

**Section:**    *207.10.10*

Requires that GRF appropriation item 100405, Agency Audit Expenses, be used for a auditing expenses designated in section 117.13 of the Revised Code for those state agencies audited on a biennial basis.

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**Executive**

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**26      DAS - 17      Oaks Rental Payments****Section: 207.10.20**

Requires that GRF appropriation item 100415, OAKS Rental Payments, be used for financing the costs associated with the acquisition, development, installation, and implementation of the Ohio Administrative Knowledge System (OAKS), and appropriates additional amounts if needed.

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**27      DAS - 18      STARS System****Section: 207.10.30**

Authorizes DAS, in conjunction with the Department of Taxation, to acquire the State Taxation Accounting and Revenue System (STARS) pursuant to Chapter 125 of the Revised Code, including the application software and implementation and installation of the system.

**Fiscal effect: GRF appropriation item 100416, STARS Lease Rental Payments, appropriates \$4,977,600 in FY 2010 and \$7,638,500 in FY 2011 for this purpose.**

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**28      DAS - 19      STARS Lease Rental Payments****Section: 207.10.40**

Requires that GRF appropriation item 100416, STARS Lease Rental Payments, be used for financing costs associated with the acquisition, development, installation, and implementation of STARS. Appropriates additional amounts if needed.

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**29      DAS - 20      Building Rent Payments****Section: 207.10.50**

Requires GRF appropriation item 100447, OBA - Building Rent Payments, to be used to meet all payments at the times they are required to be made during the period from July 1, 2009, to June 30, 2011, by DAS to the Ohio Building Authority (OBA) pursuant to leases and agreements under Chapter 152. of the Revised Code.

Requires GRF appropriation item 100448, OBA - Building Operating Payments, to be used to meet all payments at the times that they are required to be made during the period from July 1, 2010, to June 30, 2011, by DAS to OBA pursuant to leases and agreements under Chapter 152. of the Revised Code, but limited to the aggregate amount of \$51,206,000.

**Executive**

Specifies that payments to OBA are for the expenses of agencies that occupy space in the various state facilities, and that DAS may enter into leases and agreements with the OBA providing for the payment of these expenses. Requires OBA to report to DAS and OBM not later than five months after the start of a fiscal year the actual expenses incurred by the OBA in operating the facilities and any balances remaining from payments and rentals received in the prior fiscal year. Requires DAS to reduce subsequent payments by the amount of the balance reported to it by OBA.

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**30            DAS - 21            DAS - Building Operating Payments****Section: 207.10.60**

Requires GRF appropriation item 100449, DAS - Building Operating Payments, to be used to pay the rent expenses of veterans' organizations. Allows for the appropriation to be used to pay for property appraisals or building studies that DAS may be required to obtain for property that is being bought, sold, or renovated. Allows the appropriation to be used to pay the operating expenses of state facilities maintained by DAS that are not billed to building tenants, notwithstanding section 125.28 of the Revised Code. Specifies that expenses may include the costs for vacant space and space undergoing renovation, and the rent expenses of tenants that are relocated due to building renovations. Requires payments to be processed by DAS through ISTVs and placed in GSF Fund 1320, Building Management. Allows DAS to use money in Fund 1320 to support utility costs at the State of Ohio Computer Center that exceed the available appropriation in GRF appropriation item 100433, State of Ohio Computer Center.

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**31            DAS - 22            Central Service Agency Fund****Section: 207.10.70**

Requires that GSF Fund 1150, Central Service Agency, appropriation item 100632, Central Service Agency, be used to make purchases as necessary to support the board licensing functions. Requires DAS to establish charges and bill the boards as applicable for carrying out these functions, the total of which is not to be greater than \$363,678 in each fiscal year of the biennium.

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**Executive**

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**32 DAS - 23 Central Service Consolidation Initiative****Section: 207.10.80**

Earmarks \$308,230 in FY2010 and \$235,230 in FY2011 of GRF appropriation item 130321, State Agency Support Services, be used for the Central Service Agency Consolidation Initiative. (See also DAS-14, Central Service Agency Consolidation Initiative.)

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**33 DAS - 24 General Service Charges****Section: 207.20.10**

Requires DAS, with the approval of the Director of Budget and Management, to establish charges for recovering the costs of administering the programs funded by GSF Fund 1170, General Services, and GSF Fund 2100, State Printing. Appropriates any additional amounts necessary in GSF Fund 1170 appropriation item General Services Division-Operating to pay for consulting and administrative costs related to lower pricing, but only upon the approval of the Director of OBM.

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**34 DAS - 25 Collective Bargaining Arbitration Expenses****Section: 207.20.20**

Authorizes DAS to seek reimbursement from state agencies for the actual costs and expenses DAS incurs in the collective bargaining arbitration process. Requires the reimbursements to be processed through intrastate transfer vouchers and credited to GSF Fund 1280, Collective Bargaining.

**Fiscal effect: Increased revenue to the Collective Bargaining Fund (Fund 1280); increased costs to those state agencies that use collective bargaining arbitration services.**

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**35 DAS - 6 NextGen Broadband Network****Sections: 207.20.30, 259.30.80, 610.10, 610.11**

(1) Reappropriates the unexpended, unencumbered amounts of GSF Fund 1330 appropriation item 100607, IT Services Delivery that were allocated for implementation of NextGen Network in FY 2008 and FY 2009 for the same purpose in FY 2010 and FY 2011.

**Executive**

(2) Reappropriates the unexpended, unencumbered amounts of Department of Development's Third Frontier Fund 7011 appropriation item 195687, Third Frontier Research and Development projects, and Fund 7014 appropriation item 195692, Research and Development Taxable Bond Projects, that were allocated for implementation of the NextGen Network in FY 2008 and FY 2009 for the same purpose in FY 2010 and FY 2011.

(3) Reappropriates the unexpended, unencumbered amounts of capital appropriation item C23506, Third Frontier Project, which were previously allocated to implement the NextGen Network in FY 2008, for the same purpose in FY 2009 and FY 2010.

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**36            DAS - 27            Merchandise Resale Fund****Section:    207.20.50**

Transfers the cash balance, functions, assets, and liabilities of the Merchandise Resale Fund (Fund 2010) to the State Printing Fund (Fund 2100) on July 1, 2009 or as soon as possible thereafter. Abolishes Fund 2010 after the transfer.

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**37            DAS - 28            Leveraged Enterprise Purchase Program****Section:    207.20.60**

Allows DAS to use GSF Fund 2290, appropriation item 100640, Leveraged Enterprise Purchases, to operate a leveraged Enterprise Purchases Program to make enterprise-wide technology purchases. Authorizes DAS to recover the cost of operating such a program from all participating government entities and deposit such revenues into the GSF Fund 2290, IT Governance.

**Fiscal effect: Potential savings to state agencies that make technology purchases through DAS procurement contracts.**

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**38            DAS - 29            Information Technology Assessment****Section:    207.20.70**

Authorizes DAS to establish an information technology assessment for the purpose of recovering the cost of selected infrastructure and statewide programs. Exempts legislative and judicial agencies, as well as the Bureau of Workers' Compensation and the Adjutant General, from the charge. Requires that all revenue attributable to the charge be deposited in GSF Fund 2290, IT Governance.

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**Executive**

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**39            DAS - 30            Investment Recovery Fund****Section: 207.20.80**

- (1) Authorizes DAS to use cash balances in the GSF Fund 4270, Investment Recovery, to support the operating expenses of the Federal Surplus Operating Program.
- (2) Authorizes DAS to use cash balances in Fund 4270 to support the operating expenses of the Asset Management Services Program.
- (3) Earmarks \$2,093,564 in FY 2010 and \$2,107,388 in FY 2011 of GSF Fund 4270 appropriation item 100602, Investment Recovery, to pay the operating expenses of the State Surplus Property Program, the Surplus Federal Property, Property Program, and the Asset Management Services Program. Authorizes DAS to seek additional appropriations via Controlling Board.
- (4) Requires that \$3,590,000 in FY 2010 and \$3,576,176 in FY 2011 of GSF Fund 4270 appropriation item 100602, Investment Recovery, be used to transfer proceeds from the sale of surplus property from Fund 4270 to non-General Revenue Funds under Section 125.14 of the Revised Code. Appropriates any additional amounts approved by the Director of OBM.

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**40            DAS - 31            DAS Information Services****Section: 207.20.90**

Establishes Fund 4P30, DAS Information Services Fund, and requires that appropriation item 100603, DAS Information Services, be used to provide information systems and services in DAS. Requires DAS to establish all user charges allowable in the statewide indirect cost allocation plan, and deposit all such charges in this fund.

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**41            DAS - 32            Administrative Hearings****Section: 207.30.10**

- (1) Creates GSF Fund 5DQ0, Administrative Hearings, to pay operating costs associated with a centralized administrative Hearing Office in DAS. Requires that Fund 5DQ0 appropriation item 100638, Administrative Hearings, be used to make payments from the fund.
- (2) Requires DAS, with the approval of OBM, to establish user charges to recover the costs of providing adjudicatory services and deposit such collected charges in Fund 5DQ0.

**Executive**

- (3) Requires DAS to submit a spending plan to OBM to justify operating charges to agencies and transfers to Fund 5DQ0. Limits the total amount to be transferred to the fund for the creation of an Office of Administrative Hearings to \$200,000.
- (4) Requires that any cash balance in Fund 5DQ0 be returned to the agencies from which funds were originally transferred according to a plan submitted by the Director of DAS to the Director of OBM when DAS submits its budget request for the FY 2012-FY 2013 biennium.

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**42            DAS - 33            OAKS Support Organization****Section: 207.30.20**

Requires that GSF Fund 5EB0 appropriation item 100635, OAKS Support Organization, be used by the Office of Information Technology to support the operating costs associated with the implementation and maintenance of the state's enterprise resource planning system.

Requires DAS to develop a cost allocation plan including (1) up to \$9,610,874 in FY 2010 and \$9,733,416 in FY 2011 from OBM via ISTV, and (2) amounts from DAS's Human Resources Division via ISTV, and (3) other DAS Services Funds via ISTV.

Allows the Director of DAS to request that the Director of OBM transfer cash from other funds used by DAS to GSF Fund 5EB0, OAKS Support Organization, in lieu of ISTV billings. Requires that these amounts, whether made by ISTV billings or cash transfers, not be in excess of the limits under the federal indirect cost allocation plan.

Requires DAS's Human Resources Division to operate and maintain the human capital management module of OAKS and include in the human resources payroll rate the estimated costs of maintaining the module. Requires that such revenues be deposited in GSF Fund 1250, Human Resources, and transferred not less than quarterly to Fund 5EB0.

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**43            DAS - 34            Transfer to OAKS Support Organization Fund****Section: 207.30.30**

Authorizes OBM to transfer \$1,317,922.16 in cash from the GSF Fund 1330, IT Services Delivery to GSF Fund 5EB0, OAKS Support Organization, to correct an ISTV deposited mistakenly in Fund 1330.

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**Executive**

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**44 DAS - 35 Professional Development Fund****Section: 207.30.40**

Requires that the GSF Fund 5L70, Professional Development appropriation item 100610, Professional Development, be used to pay the costs of administering educational programs for state employees who are exempt from collective bargaining coverage.

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**45 DAS - 36 Employee Educational Development****Section: 207.30.50**

Requires that GSF Fund 5V60 appropriation item 100619, Employee Educational Development, be used to pay for educational programs under existing collective bargaining agreements with District 1199, the Health Care and Social Service Union; State Council of Professional Educators; Ohio Education Association and National Education Association; the Fraternal Order of Police Ohio Labor Council, Unit 2; and the Ohio State Troopers Association, Units 1 and 15. Appropriates additional amounts upon the request of the Director of DAS and approval of the Director of OBM.

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**46 DAS - 37 Centralized Gateway Enhancement Fund****Section: 207.30.60**

Creates the Centralized Gateway Enhancements Fund (Fund 5X30) and requires related appropriation item 100634, Centralized Gateway Enhancements, to be used to pay the costs of expanding, enhancing, and operating the infrastructure of the Ohio Business Gateway, State Portal, and Shared Hosting Environment.

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**47 DAS - 38 Major IT Purchase****Section: 207.30.70**

Requires the Director of DAS to compute the amount of revenue attributable to amortization of all equipment purchases and capitalized systems from (1) GSF Fund 1330 appropriation item 100607, (2) IT Services Delivery, (3) GSF Fund 4N6 appropriation item 100617, Major IT Purchases, and (4) appropriation item C10014, Major Computer Purchases, which is recovered as part of the rates charged by the IT Service Delivery Fund. Allows the Director of OBM to transfer cash in an amount not to exceed the amount amortization computed from Fund 1330 to GSF Fund 4N60.

**Executive**

**Fiscal effect: Allows Fund 4N60 to be used to make infrequent, large-scale technology purchases which would otherwise have to be made by sharply increasing computer services user rates during the fiscal year.**

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48      DAS - 15      Cash Transfers From the Major IT Purchase Fund

**Section: 207.30.80**

Allows for the following transfers from GSF Fund 4N60, IT Purchases, upon the approval of the Director of OBM:

(1) Up to \$2,800,000 in each fiscal year of the biennium to GSF Fund 1310, State Architect, to support the OAKS Capital Improvements Module and other costs of the State Architect's Office that are not directly related to capital projects managed by the State Architect.

(2) Up to \$1,097,412 in FY 2010 and up to \$1,111,575 in FY 2011 to the GSF Fund 1120, Director's Office, to support operating expenses of the Accountability and Results Initiative.

(3) Up to \$4,000,000 in FY 2010 and up to \$1,000,000 in FY 2011 to the GSF Fund 5EB0, OAKS Support Organization, for OAKS operating costs not billed to GSF Fund 1050, Accounting and Budgeting, which is used by OBM, to GSF Fund 1250, Human Resources Services, which is used by DAS, or paid from other DAS's funds.

Appropriates these approved transfer amounts to the following GSF line items: 100639, State Architect's Office in FY 2010 and FY 2011; 100616, DAS Administration, in FY 2010 and FY 2011; and 100635, OAKS Support Organization, in FY 2010 only.

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49      DAS - 40      MARCS Debt Service Payments

**Section: 207.40.10**

Requires the Director of DAS, with advice from the MARCS Steering Committee, to determine the amount of debt service payments attributable to spending for MARCS components that are not specific to any one agency, and that are charged to agencies supported by the Motor Fuel Tax.

Requires that such debt service payments be calculated for MARCS capital disbursements made beginning July 1, 1997. Within thirty days of any payment made from appropriation item 100447, OBA - Building Rent Payments, requires the Director of DAS to certify to the Director of OBM the amount of this share. Requires the Director of OBM to transfer these amounts to the GRF from the State Highway Safety Fund 7036.

Requires DAS to consider renting or leasing existing tower sites at reasonable market rates, so long as the existing sites are equipped with the technical capabilities to support the MARCS project.

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**Executive**

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**50      DAS - 8      Accountability and Results****Section: 207.40.20**

Creates the Accountability and Results Fund (Fund 5GD0) to pay for the Results and Accountability Initiative. Identifies the following potential funding sources: gifts, grants, devises, bequests, and other financial contributions made to DAS. Requires that all investment earnings of the fund be credited to the fund.

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**51      DAS - 41      Declaration of Public Exigency****Section: 207.40.30**

Requires the Director of DAS to notify the members of the Controlling Board whenever the Director declares public exigency pursuant to R.C. 125.15.

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**52      DAS - 42      Lease Payments to OPFC, OBA, and Treasurer of State****Section: 518.20**

Appropriations additional amounts, if necessary, for the purpose of making lease payments pursuant to leases and agreements relating to bonds and notes issued by the Ohio Building Authority or the Treasurer of State, or previously, by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the General Assembly.

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## Executive

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53      AGE - 15      Ohio Community Service Council

R.C.      *121.40, 121.401 and 121.402*

Requires the Council, when appointing an Executive Director, to do so with the advice and consent of the Governor. Removes the Department of Aging as the Council's fiscal agent. Instead, requires the Council to enter into a written agreement with another state agency to serve as the fiscal agent. Eliminates the prohibition that the Council's fiscal agent approves any payroll or other personnel related documents, or any biennial budget, grant, expenditure, audit, or other fiscal-related document. Specifies that the agreement must specify all fiscal matters and financial transactions for which the fiscal agent will be responsible. Requires the Council to work with and consult with the fiscal agent with regard to the Council's fiscal matter and to follow all state fiscal, human resources, statutory, and administrative rule requirements. Adds the Director of the Governor's Office of Faith-based and Community Initiatives to the Ohio Community Service Council as a nonvoting member.

**Fiscal effect: The Department may realize a minimal decrease in administrative costs.**

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54      AGE - 2      Civil Penalties Against Long-Term Care Providers

R.C.      *173.28*

Permits the Director of Aging to impose civil fines for violating prohibitions against (1) subjecting a long-term care facility resident or community long-term care services recipient to retaliation for filing a complaint or (2) denying the Long-Term Care Ombudsperson access to a long-term care facility or community-based long-term care site to investigate a complaint. Provides that the imposition of civil fines may be in lieu of the existing criminal fines for violating the prohibitions, and requires the Attorney General to collect unpaid civil fines.

**Fiscal effect: There could be a decrease in local prosecutorial costs if the Department of Aging fines a long-term care provider for violations rather than seeks action through the criminal courts. As a result, local courts would lose the fine revenues associated with these cases. Instead, these fines would be deposited into the Regional Long-Term Care Ombudsman Program Fund (Fund 4C40), used by the Department. The amount deposited would depend on the number of violations. The Attorney General's Office may realize an increase in costs if the Office is required to prosecute cases to collect any unpaid fines.**

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## Executive

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**55            AGE - 1            Community-Based Long-Term Care Services****R.C.            173.392**

Expressly provides that a community-based long-term care agency is not required to be certified in order to receive payment from the Department of Aging if the agency has a grant agreement with the Department or the Department's designee to provide community-based long-term care services.

Expressly requires the Director of Aging to adopt rules governing grant agreements regarding the services.

Extends the Director's rulemaking authority regarding contracts and grant agreements by including those that are entered into by the Department's designee.

**Fiscal effect: There could be a minimal increase in costs associated with rulemaking.**

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**56            AGE - 7            Long-Term Care Consultations****R.C.            173.42**

Requires the Long-Term Care Consultation Program to be administered in a manner that includes (1) coordination and collaboration regarding funding, (2) assessments of service needs, (3) assessments of on-going eligibility for services, (4) assistance in accessing and coordinating services, (5) procedures for monitoring the provision of services, and (6) priorities for using resources efficiently and effectively.

Requires that a consultation be provided to (1) each nursing facility resident, in place of the current requirement that is based on a resident's potential eligibility for Medicaid and (2) each individual identified as being likely to benefit from a consultation and, for this purpose, grants the Department of Aging or a program administrator access to nursing facility resident assessment data.

Eliminates the requirement to provide a written summary of each consultation.

Permits the Director of Aging to fine a nursing facility for denying access to the facility or a resident as needed to perform a consultation or implement the program and requires the Director to give notice and an opportunity for a hearing before imposing any fine.

Authorizes the adoption of additional rules regarding: (1) criteria and procedures for identifying and recommending service options, (2) types of nursing facility information needed to assist a resident with relocation, and (3) standards to prevent conflicts of interest relative to referrals made by persons providing consultations.

## Executive

**Fiscal effect:** These provisions could increase the number of long-term care consultations performed and thus increase costs for the Department of Aging. However, if more consultations are performed then it is possible that services may be more efficiently allocated, which could ultimately save costs for the Department. The Department may realize an increase in fine revenue for denying access to the facility or to a resident as needed to perform consultations. Minimal administrative savings could occur for entities conducting the consultations due to the elimination of the requirement to provide a written summary of each consultation performed.

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57      AGE - 3      Home First Process for PACE

R.C.      *173.501, 173.50*

Establishes a home first process for the Program for All-Inclusive Care (PACE) under which an individual who is admitted to a nursing facility while on a waiting list for PACE is to be enrolled in the program in accordance with priorities established in rules if it is determined that PACE is appropriate for the individual and the individual would rather participate in PACE than continue residing in the nursing facility.

**Fiscal effect:** If individuals are enrolled into PACE and thus diverted from nursing homes, there could be savings to the state since PACE service costs are lower than nursing home service costs. The savings would depend upon the number of individuals diverted.

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58      AGE - 8      Brain Injury Advisory Committee

R.C.      *3304.231*

Adds the Director of Aging to the Brain Injury Advisory Committee.

**Fiscal effect:** None.

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59      AGE - 14      Long-Term Care

**Section:** *209.20*

Specifies that the Department of Aging is required to provide long-term care consultations to assist individuals in planning for long-term health care needs. GRF appropriation item 490423, Long Term Care Budget - State, and FED 3C40 appropriation item 490623, Long Term Care Budget, may be used to provide preadmission screening and resident review.

Specifies that GRF appropriation items 490423, Long Term Care Budget State, and FED Fund 3C40 appropriation item 490623, Long Term Care Budget, may be used to provide long-term care consultations regardless of Medicaid eligibility.

**Executive**

Specifies that GRF appropriation item 490423, Long Term Care Budget State, and FED Fund 3C40 appropriation item 490623, Long Term Care Budget, may be used to provide nonwaiver funded PASSPORT services to persons determined to be eligible to participate in the program, including those persons not yet determined to be financially eligible to participate by a county department of job and family services.

Specifies that the Department is required to administer the PASSPORT, Choices, Assisted Living, and PACE programs as delegated through an interagency agreement with the Department of Job and Family Services. Specifies that GRF appropriation item 490423, Long Term Care Budget State, be used for the state match for federal Medicaid funds supporting the previously mentioned programs. Specifies that FED Fund 3C40 appropriation item 490623, Long Term Care Budget, be used for the federal match for all program costs eligible for Medicaid reimbursement. Allows both appropriation items to be used to support the Department of Aging's administrative costs relating to the programs.

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60      AGE - 16      Allocation of PACE Slots

**Section: 209.20**

Allows the Director of Aging, as appropriate and to the extent funding is available, to allocate funds for the Program for All-Inclusive Care (PACE) between the PACE sites in Cleveland and Cincinnati.

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61      AGE - 28      Home First Program

**Section: 209.20**

Specifies that on a quarterly basis, on receipt of certified expenditures related to sections 173.401, 173.351, and 5111.894 of the Revised Code, the Director of Budget and Management may do the following:

- (1) Transfer cash from SSR Fund 5R20, Nursing Facility Stabilization, used by the Department of Job and Family Services, to SSR Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging;
- (2) Authorize additional expenditures from FED Fund 3C40, PASSPORT, when receipts credited exceed appropriated amounts;
- (3) Authorize additional expenditures from FED Fund 3G50, Interagency Reimbursement, used by the Department of Job and Family Services, when receipts credited exceed appropriated amounts.

Specifies that individuals placed in the PASSPORT, Assisted Living, Residential State Supplement, and PACE pursuant to this section must be in addition to the individuals placed on these programs during FY 2010 and FY 2011 before any transfers to GRF appropriation item 490423, Long Term Care Budget - State, are made.

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**Executive**

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62      AGE - 11      Residential State Supplement Program Income and Payment Standards

**Section: 209.30**

Specifies the amounts the Department of Aging must use to determine whether an individual is eligible for a payment under the Residential State Supplement Program and the amount each resident is to receive per month.

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63      AGE - 12      Residential State Supplement Workgroup

**Section: 209.30**

Creates the Residential State Supplement Workgroup and requires the Workgroup to examine solely the issue of which state agency is the most appropriate to administer the Residential State Supplement Program.

**Fiscal effect: None, the members do not receive compensation for duties performed during their time on the Workgroup.**

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64      AGE - 17      Ohio Community Service Council

**Section: 209.30**

Specifies that GRF appropriation item 490409, AmeriCorps Operations, and FED Fund 3R70 appropriation item 490617, AmeriCorps Programs, must be used in accordance with section 121.40 of the Revised Code.

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65      AGE - 19      Senior Community Services

**Section: 209.30**

Specifies that GRF appropriation item 490411, Senior Community Services, be used for services designated by the Department of Aging and that service priority be given to low-income, frail, and cognitively impaired persons age 60 and over. Provides that cost sharing, including sliding-fee payments, be promoted when possible.

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**Executive**

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**66      AGE - 20      Transfer of Residential State Supplement Appropriations****Section: 209.30**

Specifies that GRF appropriation item 490412, Residential State Supplement, and SSR Fund 4J40 appropriation item 490610, PASSPORT/Residential State Supplement, may be used by the Director of Aging to transfer cash, by intrastate transfer voucher, to SSR Fund 4J50, Home and Community Based Services for the Aged, used by the Department of Job and Family Services. Requires the transferred cash to be used for benefit payments to Residential State Supplement recipients.

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**67      AGE - 21      Alzheimer's Respite****Section: 209.30**

Specifies that GRF appropriation item 490414, Alzheimer's Respite, is to only be used to fund Alzheimer's disease services under section 173.04 of the Revised Code.

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**68      AGE - 22      Alzheimer's Respite - Federal Stimulus****Section: 209.30**

Specifies that GRF appropriation item 490625, Alzheimer's Respite - Federal Stimulus, must only be used to fund Alzheimer's disease services under section 173.04 of the Revised Code.

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**69      AGE - 23      Education and Training****Section: 209.30**

Specifies that GSF Fund 4800 appropriation item 490606, Senior Community Outreach and Education, may be used to provide training to workers in the aging field pursuant to division (G) of section 173.02 of the Revised Code.

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**70      AGE - 24      Regional Long-Term Care Ombudsman Program****Section: 209.30**

Specifies that SSR Fund 4C40 appropriation item 490609, Regional Long-Term Care Ombudsman, must be used to pay the costs of operating the regional long-term care ombudsman programs designated by the Long-Term Care Ombudsman.

## Executive

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**71      AGE - 25      PASSPORT/Residential State Supplement****Section: 209.30**

Specifies that SSR Fund 4J40 appropriation item 490610, PASSPORT/Residential State Supplement, may be used to fund the Residential State Supplement Program and that the remainder be used for the PASSPORT Program.

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**72      AGE - 26      Transfer of Appropriations - Federal Independence Services and Federal Aging Grants****Section: 209.30**

Specifies that at the request of the Director of Aging, the Director of Budget and Management may transfer appropriation between FED Fund 3M40 appropriation item 490612, Federal Independence Services, and FED Fund 3220 appropriation item 490618, Federal Aging Grants. Limits the amounts transferred to not exceeding 30% of the appropriation from which the transfer was made. Requires such transfers be reported at the next scheduled Controlling Board meeting.

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**73      AGE - 27      Transfer of Resident Protection Funds****Section: 209.30**

Specifies that the Director of Budget and Management may transfer \$600,000 cash in each fiscal year from SSR Fund 4E30, Resident Protection, used by the Department of Job and Family Services, to SSR Fund 5BA0, Ombudsman Support, used by the Department of Aging.

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**74      AGE - 13      Unified Long-Term Care Budget****Section: 209.40**

Creates the Unified Long-Term Care Budget Workgroup and requires the Workgroup to develop a unified long-term care budget.

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

Allows the Director of Budget and Management to seek Controlling Board approval to transfer cash from SSR Fund 5R20, Nursing Facility Stabilization, used by the Department of Job and Family Services, to SSR Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging. Appropriates any cash transferred to SSR Fund 4J40 appropriation item 490610, PASSPORT/Residential State Supplement.

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**Executive**

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**75      AGE - 10      Ohio's Best Rx Program**

**Sections:** *209.50, R.C. 127.16, 173.99, 2921.13,*  
*Repealed: R.C. 173.71 - 173.91*

Discontinues the Ohio's Best Rx Program and requires the Director of Aging to wind up the program's affairs according to the following timeline: (1) program enrollment ceases on the bill's effective date, (2) previously enrolled persons may purchase drugs until November 15, 2009, (3) program accounts are to be reconciled between November 15, 2009, and January 1, 2010, and (4) all statutes governing the program are repealed on January 1, 2010.

Abolishes SSR Fund 5AA0, Ohio's Best Rx Administration, on January 1, 2010 and transfers any cash balance to the GRF. Cancels any existing encumbrances against SSR Fund 5AA0 appropriation item 490673, Ohio's Best Rx Administration.

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**76      AGE - 18      Long-Term Care Ombudsman**

**Section:** *290.30*

Specifies that GRF appropriation item 490410, Long-Term Care Ombudsman, must be used to fund ombudsman program activities as authorized in sections 173.14 to 173.27 and 173.99 of the Revised Code.

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**Executive**

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**77            AGR - 5            Sustainable Agriculture Program Fund****R.C.            901.041**

Creates in the state treasury the Sustainable Agriculture Program Fund that consists of money credited to it, including federal money. Requires the Director of Agriculture to use the fund to support activities and programs that advance sustainable agriculture.

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**78            AGR - 8            Increase in Fees in Nursery Stock and Plant Pests Law****R.C.            901.22, 923.46, 927.53, 927.54, and 927.69**

Eliminates the Commercial Feed, Fertilizer, and Lime Inspection and Laboratory Fund and creates the Plant Pest Program Fund (Fund 5FC0) and the Commercial Feed and Seed Fund (Fund 4C90) in its place.

Renames the Pesticide Program Fund the Pesticide, Fertilizer, and Lime Program Fund (Fund 6690).

Increases the following fees under the Nursery Stock and Plant Pests Law:

- (1) Nursery stock collector or dealer license, from \$75 to \$125
- (2) Woody nursery stock inspection, from \$65 to \$100
- (3) Intensive production for areas for woody nursery stock inspection, per acre, from \$4.50 to \$11
- (4) Nonintensive production for areas for woody nursery stock inspection, per acre, from \$3.50 to \$7
- (5) Nonwoody nursery stock inspection, from \$65 to \$100
- (6) Intensive/nonintensive production areas for nonwoody nursery stock inspection, per acre, from \$4.50 to \$11
- (7) Phyto sanitary certificate for certain collectors or dealers, from \$25 to \$100
- (8) Compliance agreements, from \$20 to \$40

Eliminates the \$20 solid wood packing certificate fee.

**Fiscal effect: The executive estimates that these fee increases would result in \$1.2 million in additional revenue over the biennium.**

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## Executive

## 79      AGR - 3      Central Support Indirect Costs Fund

## R.C.      901.91

Creates the Department of Agriculture Central Support Indirect Costs Fund (Fund 5GH0) and authorizes the Director of Agriculture to assess the operating funds of the Department of Agriculture to pay a share of the Department's central support and administrative costs.

## 80      AGR - 4      License Fees for Poultry and Meat Establishments

## R.C.      918.08, 918.28

Increases the fee to operate a meat or poultry processing establishment from \$50 to \$100.

**Fiscal effect: The executive estimates that this fee increase would result in an additional \$27,000 revenue in each fiscal year.**

## 81      AGR - 7      Livestock Dealers' Fees

R.C.      942.02, 943.01, 943.02, 943.031, 943.04,  
943.05, 943.06, 943.07, 943.13, 943.14,  
953.23, 901.43

Increases the following fees under the Livestock Dealers' Law:

- (1) Fee for dealers or brokers that purchased, sold, or exchanged less than 1,000 head of livestock, from \$10 to \$50
- (2) Fee for dealers or brokers that purchased, sold, or exchanged 1,001 to 10,000 head of livestock, from \$25 to \$125
- (3) Fee for dealers or brokers that purchased, sold, or exchanged more than 10,000 head of livestock, from \$50 to \$250
- (4) Weighers fees, from \$5 to \$10

Increases other livestock fees as follows:

- (1) Annual License fee to feed treated garbage to swine, from \$50 to \$100
- (2) Food rendering plant fees, from \$100 per plant to \$300 per plant

Establishes the following new fees:

- (1) \$50 for a late renewal of license to feed treated garbage to swine
- (2) \$25 license fee for small dealers of livestock
- (3) \$100 late fee for renewal of livestock dealers or brokers license
- (4) \$25 late fee for renewal of small dealers' license
- (5) \$20 fee for employees of small dealers, dealers, or brokers of livestock

**Executive**

(6) \$25 fee for each vehicle used by an entity to pick up or transporting raw rendering material (currently one singular license for that entity)

(7) \$10 late fee for renewal of vehicle license to pick up or transport raw rendering material

(8) \$100 late fee for renewal of license to operate a food rendering plant

Renames the Animal Health and Food Safety Fund the Animal and Consumer Analytical Laboratory Fund.

**Fiscal effect: Increases several different fees related to livestock dealers (\$55,000 in additional revenue over the biennium) and food processing rendering plant fees (\$240,000 in additional revenue over the biennium) for the meat inspection program.**

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82            AGR - 6            Weights and Measures and Motor Fuel Testing

R.C.            1327.46, 1327.50, 1327.501, 1327.51,  
1327.511, 1327.52, 1327.54, 1327.57,  
1327.58, 1327.60, 1327.62, 1327.70, 1327.71,  
1327.99

Establishes new rulemaking requirements for the motor fuel quality testing program and creates the Fuel Quality Testing Fund (Fund 5FB0) to pay for costs related to the motor fuel quality testing and the weights and measures programs, as well as to pay departmental overhead costs.

Requires persons proposing to operate a commercially used weighing and measuring device to obtain an annual permit of operation from the Director of Agriculture, and makes other changes to the Weights and Measures Law.

Requires the proceeds of fees for commercially used weighing and measuring device permits to be deposited into the renamed Metrology and Scale Certification and Device Permitting Fund (Fund 5H20), which provides funding for the administration of the weights and measures program.

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83            AGR - 2            Elimination of GRF for Amusement Ride Inspections

R.C.            1711.58

Eliminates the requirement that the Governor include in the executive budget proposal a GRF appropriation to supplement funding from the Amusement Ride Inspection Fund (Fund 5780).

**Fiscal effect: No direct fiscal effect. The fund has not been supplemented by the GRF since FY 2005.**

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**Executive**

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**84            AGR - 9            Federal Stimulus****Section: 211.20**

Requires the Department of Agriculture to use appropriation item 700654, Agriculture Operating-Federal Stimulus, for government services consistent with federal funds received for fiscal stabilization and recovery purposes.

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**85            AGR - 10            County Agricultural Societies****Section: 211.20**

Requires that appropriation item 700501, County Agricultural Societies, be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

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**86            AGR - 11            Commercial Feed and Seed Fund Transfer****Section: 211.30**

Requires the Director of Budget and Management to cancel existing encumbrances against appropriation item 700605, Commercial Feed and Seed, and reestablish them against appropriation item 700635, Pesticide, Fertilizer, and Lime Inspection Program.

Requires the Director of Budget and Management to transfer 32% of the cash balance in the Commercial Feed and Seed Fund (Fund 4C90) as of June 30, 2009, to the Pesticide, Fertilizer, and Lime Inspection Program Fund (Fund 6690).

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**87            AGR - 12            Pesticide, Fertilizer, and Lime Inspection Fund Transfer****Section: 211.30**

Requires the Director of Budget and Management to transfer \$600,000 in cash from the Pesticide, Fertilizer, and Lime Inspection Fund (Fund 6690) to the Plant Pest Program Fund (Fund 5FC0).

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**88            AGR - 13            Clean Ohio Agricultural Easement****Section: 211.30**

Requires appropriation item 700632, Clean Ohio Agricultural Easement, to be used to administer the Clean Ohio Agricultural Easement Purchase Program under sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised Code.

**Executive**

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**Executive**

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89            AIR - 1            Energy Strategy Development

**R.C.            3706.04, 3706.35, Section 213.20**

Requires the Ohio Air Quality Development Authority to establish the Energy Strategy Development Program for the purpose of developing energy initiatives, projects, and policy for the state. Codifies the Energy Strategy Development Fund (Fund 5EG0) consisting of money credited to it and money obtained for advanced energy projects from federal or private grants, loans, or other sources. Specifies that interest earned on money in Fund 5EG0 be credited to the GRF.

Permits the Director of Budget and Management to make the following cash transfers to Fund 5EG0:

- (1) \$35,000 in each fiscal year from the Office Services Fund (Fund 1170), used by the Department of Administrative Services;
- (2) \$35,000 in each fiscal year from the Central Support Indirect Cost Fund (Fund 5GH0) used by the Department of Agriculture;
- (3) \$35,000 in each fiscal year from the Supportive Services Fund (Fund 1350) used by the Department of Development;
- (4) \$35,000 in each fiscal year from the Central Support Indirect Cost Fund (Fund 2190) used by the Environmental Protection Agency;
- (5) \$35,000 in each fiscal year from the Central Support Indirect Chargeback Fund (Fund 1570) used by the Department of Natural Resources; and
- (6) \$50,000 in each fiscal year from the Highway Operating Fund (Fund 7002) used by the Department of Transportation.

**Fiscal effect: Potential revenue increase of \$225,000 in each fiscal year to GSF Fund 5EG0.**

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90            AIR - 2            Coal Development Office

**Section:    213.10**

Specifies that GRF appropriation item 898402, Coal Development Office, is for the administrative costs of the Coal Development Office.

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**Executive**

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91            AIR - 3            Coal Research and Development General Obligation Debt Service

**Section: 213.10**

Specifies that GRF appropriation item 898901, Coal Research and Development General Obligation Debt Service, is to pay for all debt service and related financing costs at the times they are required to be made during the period from July 1, 2009, to June 30, 2011, for obligations issued under sections 151.01 and 151.07 of the Revised Code.

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92            AIR - 4            Reimbursement to Air Quality Development Authority Trust Account

**Section: 213.30**

Authorizes the Air Quality Development Authority to reimburse its trust account established under section 3706.10 of the Revised Code from all operating funds of the Authority for expenses related to its administration and shared costs of its responsibilities under Chapter 3706 of the Revised Code.

**Fiscal effect: None.**

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93            AIR - 5            Advanced Energy Research and Development

**Section: 523.10**

Specifies that the appropriation items C89800, Advanced Energy Research and Development Taxable (Fund 7004), and C89801, Advanced Energy Research and Development (Fund 7005), be used for advanced energy projects in fiscal years 2011 and 2012. Allows the Director of Budget and Management to authorize additional expenditures from Fund 7004 or Fund 7005 if the Executive Director of the Air Quality Development Authority certifies that a need exists and if the Director of Budget and Management determines that investment earnings of Fund 7004 and Fund 7005 are available for such additional expenditures, and appropriates such authorized additional expenditures. Allows the Director of Budget and Management to transfer cash between the two funds upon request of the Executive Director of the Air Quality Development Authority, and appropriates any amounts transferred.

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## Executive

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94            ADA - 2            ODADAS Representation on Commissions

R.C.        *3701.78, 5101.34*

Adds the Director of Alcohol and Drug Addiction Services, or the Director's designee, to the Commission on Minority Health and the Ohio Commission on Fatherhood.

**Fiscal effect: None. The Director of Alcohol and Drug Addiction Services or designee would attend meetings of the commissions as part of their official duties as an ODADAS employee.**

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95            ADA - 1            Anabolic Steroid Warning Sign

R.C.        *3793.02*

Replaces ODADAS's duty to print and distribute an anabolic steroid warning sign with a requirement to make the sign available on its website.

**Fiscal effect: Decrease in costs associated with printing and distributing the sign.**

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96            ADA - 5            Information Systems Maintained by ODADAS

R.C.        *3793.04, 340.033*

Expressly authorizes ODADAS, in consultation with the Department of Mental Health, to establish and maintain more than one information system to aid in developing a statewide plan and evaluating services.

Modifies the existing prohibition on the collection of identifying information by ODADAS from ADAMHS boards by specifying (1) that the prohibition applies to the collection of information that is personal, (2) that the prohibition does not apply when state or federal law allows the collection (rather than only when the law requires the collection) and (3) that the collection must be for purposes related to payment, health care operations, program and service evaluation, reporting activities, research, system administration, and oversight.

**Fiscal effect: Potential increase in costs for ODADAS to develop and implement additional information systems.**

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## Executive

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**97            ADA - 3            Administrative Funds Provided to ADAMHS Boards****R.C.            3793.21**

Requires ODADAS to annually set a limit on the state and federal funds provided by ODADAS that may be used by boards of alcohol, drug addiction, and mental health services (ADAMHS boards) for administrative functions, permits ODADAS to deny funds to an ADAMHS board that exceeds the limit, allows ODADAS to waive the limit on request, and requires each ADAMHS board to submit an annual report to ODADAS on the board's use of funds for administrative functions.

**Fiscal effect: To the extent that a board currently spends more than the limit ODADAS sets, a board may have to decrease administrative expenditures and the difference would be used for community services.**

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**98            ADA - 4            Local Indigent Drivers Alcohol Treatment Funds****R.C.            4511.191, 2949.094, 4503.235, 4510.14,  
4510.45, 4511.19, 4511.193**

Eliminates the existing county indigent drivers alcohol treatment funds, county juvenile indigent drivers alcohol treatment funds, and municipal indigent drivers alcohol treatment funds that are under control of the courts and replaces them with local indigent drivers alcohol treatment funds created by and under the control of ADAMHS and ADAS boards.

**Fiscal effect: Creates one fund for each ADAMHS/ADAS board region and eliminates the current system of each court jurisdiction having three separate funds.**

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**Executive**

99           ART - 1           Program Subsidies

**Section: 219.10**

Specifies that a museum is not eligible to receive funds from GRF appropriation item 370502, State Program Subsidies, if \$8,000,000 or more in capital appropriations were appropriated by the state for the museum between January 1, 1986, and December 31, 2002.

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## Executive

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**100          ATH - 2          Promoter's License Requirements****R.C.          3773.35, 3773.43**

Requires that an applicant for a promoter's license to conduct a public or private competition involving boxing or martial arts submit a surety bond of at least \$20,000 rather than at least \$5,000, as is currently required.

Eliminates surety bonding for wrestling promoters.

Eliminates the option to provide a cash bond, certified check, or a bank draft instead of a surety bond for a promoter's license.

Eliminates the requirement that an applicant for a promoter's license verify the application under oath.

**Fiscal effect: None related to the boxing and mixed martial arts surety bond provision, since it conforms statute to the Commission's current practice, and none related to the elimination of the surety bond for wrestling promoters, which has never been enforced. However, eliminating the wrestling promoter surety bond could lead to more wrestling events, and thus more revenue to the Occupational Licensing and Regulatory Fund (Fund 4K90).**

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**101          ATH - 1          Promoter's License Information****R.C.          3773.36, 3773.43**

Changes the information that appears on a promoter's license issued by the Ohio Athletic Commission to include the date of expiration instead of the date of issuance, an identification number rather than a serial number, and removes the requirement that the license contain the signature of the commission chairperson.

Conforms the relevant statutes to other changes in the Athletic Commission regulatory law.

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**Executive**

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**102      AGO - 11      Domestic Violence Shelters Fund****R.C.      2743.191, 3113.37**

Abolishes the Domestic Violence Shelters Fund (Fund 4170), and states that money currently required to be deposited in that fund be deposited in the Reparations Fund (Fund 4020) and permits Fund 4020 to be used for providing assistance to domestic violence shelters.

**Fiscal effect: None.**

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**103      AGO - 1      County Sheriffs' Pay Supplement****Section:    223.10**

Requires GRF appropriation item 055411, County Sheriffs' Pay Supplement, be used for the purpose of supplementing the annual compensation of county sheriffs as required by section 325.06 of the Revised Code, and permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055411, County Sheriffs' Pay Supplement.

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**104      AGO - 2      County Prosecutors' Pay Supplement****Section:    223.10**

Requires GRF appropriation item 055415, County Prosecutors' Pay Supplement, be used for the purpose of supplementing the annual compensation of county prosecutors as required by section 325.111 of the Revised Code, and permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055415, County Prosecutors' Pay Supplement.

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**Executive**

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**105      AGO - 3      Workers' Compensation Section****Section: 223.10**

Permits the Workers' Compensation Fund (Fund 1950) to receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund legal services provided by the Attorney General to those two state agencies, requires the advance payments be subject to adjustment, requires the Bureau of Workers' Compensation to transfer quarterly payments for the support of the Attorney General's Workers' Compensation Fraud Unit, and requires the amounts of these quarterly payment be mutually agree upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

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**106      AGO - 4      Corrupt Activity Investigation and Prosecution****Section: 223.10**

Requires GSF Fund 6290 appropriation item 055636, Corrupt Activity Investigation and Prosecution, be used as provided for under current law (section 2923.35 of the Revised Code) to dispose of the proceeds, fines, and penalties deposited in the state treasury to the credit of the Corrupt Activity Investigation and Prosecution Fund (Fund 6290).

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**107      AGO - 5      General Holding Account****Section: 223.10**

Requires Holding Account Redistribution Fund appropriation item 055631, General Holding Account, be used to distribute moneys under the terms of relevant court orders received from settlements in a variety of cases involving the Office of the Attorney General.

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**108      AGO - 6      Attorney General Pass-Through Funds****Section: 223.10**

Requires FED Fund 3E50 appropriation item 055638, Attorney General Pass-Through Funds, be used to receive federal grant funds (generally pertaining to criminal justice activities such as law enforcement or victim services) provided to the Attorney General by other state agencies, including, but not limited to, the Department of Youth Services and the Department of Public Safety.

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**Executive**

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**109      AGO - 7      Antitrust Settlements****Section: 223.10**

Requires Holding Account Redistribution Fund appropriation item 055632, Antitrust Settlements, be used to distribute court-ordered settlements in which the Attorney General represents the state or a political subdivision under section 109.81 of the Revised Code.

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**110      AGO - 8      Consumer Frauds****Section: 223.10**

Requires Holding Account Redistribution Fund appropriation item 055630, Consumer Frauds, be used for distribution of moneys from court-ordered judgments against sellers in actions brought by the Attorney General under certain sections of the Revised Code to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments.

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**111      AGO - 9      Organized Crime Commission Account****Section: 223.10**

Requires Holding Account Redistribution Fund appropriation item 055601, Organized Crime Commission Account, be used by the Organized Crime Investigations Commission, as provided by section 177.011 of the Revised Code, to reimburse political subdivisions for the expenses political subdivisions incur when their law enforcement officers participate in an organized crime task force.

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**112      AGO - 10      Fund Abolishments****Section: 223.10**

(1) Requires the Director of Budget and Management transfer the cash balance in the Domestic Violence Shelters Fund (Fund 4170) to the Reparations Fund (Fund 4020) and authorizes that funds received for deposit in the state treasury on or after July 1, 2009 that would otherwise have been credited to Fund 4170 be credited to Fund 4020, and abolishes Fund 4170 once the transfer has been completed.

(2) Requires the Director of Budget and Management transfer the cash balance in the Asbestos Abatement Fund (Fund 6740) to the General Revenue Fund (GRF), and abolishes Fund 6740 once the transfer has been completed.

**Executive**

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(3) Abolishes the Bingo License Refunds Fund (Fund R003).

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**Executive**

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**113      AUD - 1      Fiscal Watch/Emergency Technical Assistance****Section: 225.10**

Requires GRF appropriation item 070403, Fiscal Watch/Emergency Technical Assistance, to be used to pay the expenses incurred by the Auditor of State in its role relating to fiscal watch or fiscal emergency activities under Chapters 118. and 3316. of the Revised Code.

Specifies that these qualifying expenses include but are not limited to: (1) duties related to the determination or termination of fiscal watch or fiscal emergency of municipal corporations, counties, townships, or school districts; (2) development of preliminary accounting reports; (3) performance of annual forecasts; (4) provision of performance audits; and (5) supervisory, accounting, or auditing services for the municipal corporations, counties, townships, or school districts.

Reappropriates the unexpended, unencumbered portion of appropriation item 070403, Fiscal Watch/Emergency Technical Assistance, at the end of FY 2010 for the same purpose in FY 2011.

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**114      AUD - 2      Public Audit Expense Transfer****Section: 512.80**

Requires the Director of Budget and Management to transfer \$400,900 in cash in FY 2010 from the GRF to the Public Audit Expense Intra-State Fund (Fund 1090), to be used to pay for expenses incurred in the Auditor of State's role relating to fiscal caution, fiscal watch, and fiscal emergency activities, as well as for performance audits of school districts in fiscal distress.

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## Executive

## 115 OBM - 2 Financial Planning and Supervision Commissions

## R.C. 118.05, Section 701.20

Modifies the makeup of a Financial Planning and Supervision Commission from seven to five if a political subdivision in fiscal emergency has a population of less than 1,000. Modifies the qualifications of commission members. Specifies the number of members necessary to constitute a quorum.

**Fiscal effect: Potential negligible decrease in expenditures from the GRF if there are fewer Financial Planning and Supervision Commission members to reimburse for actual and necessary expenses.**

## 116 OBM - 12 Pay Reduction Strategies

R.C. 124.152, 124.18, 124.34, 124.392, 126.05,  
Section 741.10

(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.

(2) 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.

(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 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. 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.

(4) 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

**Executive**

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 each fiscal year. Authorizes the Director of OBM to transfer cash from non-GRF funds to the GRF to carry out the provisions above.

**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 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.**

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117          OBM - 4          Exempt Employees of the Shared Services Center

**R.C.          126.21**

Authorizes the Director of OBM to appoint and fix the compensation of OBM employees whose primary duties include the consolidation of statewide financing functions and common transactional processes.

Authorizes the Director of OBM to enter into contracts relating to consolidation of these statewide functions and processes.

**Fiscal effect: These duties relate to the Shared Services Center within OBM, which has been budgeted for over 120 employees and payroll costs of \$8.3 million in FY 2010 and \$10.3 million in FY 2011.**

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118          OBM - 1          PERS Retirement Incentive Plans

**R.C.          145.298**

Makes the current requirement that a state institution or state employing unit establish a retirement incentive plan if it proposes to close or lay off, within a six-month period, the lesser of 50 or 10% of its employees applicable only to actions taken before July 1, 2009.

Requires a state institution or state employing unit to establish a retirement incentive plan if, on or after July 1, 2009, it proposes to close or lay off, within a six-month period, the lesser of 200 or 30% of its employees.

**Fiscal effect: Potential fiscal effect to the state if a state institution or state employing unit is required to establish a retirement incentive plan under specified conditions by the bill. If a retirement incentive plan is established, an agency is required to make payments to the retirement system of additional actuarial obligations that occur as a result of the plan. The provision only applies to state agencies. It has no fiscal effect on local governments.**

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**Executive**

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**119      OBM - 13      Audit Costs****Section: 229.10**

Requires that not more than \$456,000 in FY 2010 and not more than \$467,000 in FY 2011 of GSF Fund 1050 appropriation item 042603, State Accounting and Budgeting, be used for centralized audit costs associated with either Single Audit Schedules or financial statements prepared in conformance with generally accepted accounting principles.

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**120      OBM - 14      Shared Services Center****Section: 229.10**

Requires the Director of OBM to use the OAKS Project Implementation Fund (Fund 5N40) and the Accounting and Budgeting Fund (Fund 1050) to implement a Shared Services Center within OBM for the purpose of consolidating statewide finance functions and common transactional processes. Requires the Director of OBM to transfer the unobligated cash balance remaining in Fund 5N40 to the GRF before the end of FY 2011.

Requires the Director of OBM to include the recovery of costs to operate the Shared Services Center in the accounting and budgeting payroll rate and through a direct charge using intrastate transfer vouchers to agencies for services rendered. Requires the Director of OBM to determine the cost recovery methodology and cost recovery revenues to be deposited into Fund 1050.

Allows the Director of OBM to enter into contracts or agreements necessary to carry out the Director's duties.

**Fiscal effect: OBM estimates accounting and budgeting payroll check-off rates of 0.116% in FY 2010 and 0.106% of gross pay per employee in FY 2011 will fund the Shared Services Center (SSC), with the total check-off rate each fiscal year being 0.824% of gross pay per employee. The payroll check-off allocated to SSC will generate about \$3.6 million in FY 2010 and \$3.4 million in FY 2011. SSC will also be funded with \$2.1 million each fiscal year from the OAKS Project Implementation Fund (Fund 5N40), direct charges to the agencies participating in the program, and other revenue allocations.**

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## Executive

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121      OBM - 16      Internal Control and Audit Oversight

**Section: 229.10**

Requires the Director of OBM to include the recovery of costs to operate the Internal Control and Audit Oversight Program in the accounting and budgeting services payroll rate and through a direct charge using intrastate transfer vouchers to agencies reviewed by the program. Requires the Director of OBM, with advice from the Internal Audit Advisory Council, to determine the cost recovery methodology. Requires such cost recovery revenues to be deposited into the Accounting and Budgeting Fund (Fund 1050).

**Fiscal effect: The Internal Audit program will be primarily funded by direct charges to the agencies participating in the program, with eight agencies scheduled to participate in FY 2010 and expanding to 21 by FY 2011. The direct charges are based on billable hours and are expected to generate about \$3.8 million in FY 2010 and \$4.4 million in FY 2011. Accounting and budgeting payroll check-off rates of 0.063% in FY 2010 and 0.058% of gross pay per employee in FY 2011 are the other major revenue source for the Internal Audit program, with the total check-off rate each fiscal year being 0.824% of gross pay per employee. The payroll check-off for Internal Audit functions will generate about \$2.0 million in FY 2010 and \$1.9 million in FY 2011. The total budget for the Internal Audit program is \$6.0 million in FY 2010 and \$6.6 million in FY 2011.**

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122      OBM - 15      Forgery Recovery

**Section: 229.10**

Requires AGY Fund 5EH0 appropriation item 042604, Forgery Recovery, to be used to reissue warrants that have been certified as forgeries by the rightful recipient as determined by the Bureau of Criminal Identification and Investigation and the Treasurer of State. Requires the Director of OBM to reissue a state warrant upon receipt of funds to cover the reissuance of the warrant.

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123      OBM - 17      OAKS Support

**Section: 229.10**

Requires the Director of OBM to operate and maintain the financial management module of the state's enterprise resource planning system, referred to as the Ohio Administrative Knowledge System (OAKS). Requires the Director of OBM to include in the accounting and budgeting services payroll rate the recovery of estimated costs of the information technology services provided by the Office of Information Technology (OIT) in DAS in support of the financial management module of OAKS, up to \$9,610,874 in FY 2010 and up to \$9,733,416 in FY 2011.

**Executive**

Requires such cost recovery revenue to be deposited into the Accounting and Budgeting Fund (Fund 1050) and paid at least quarterly to the OAKS Support Organization Fund (Fund 5EB0) by intrastate transfer vouchers in accordance with the budget and cost allocation plan approved by the Director of OBM for each fiscal year.

Allows the Director of DAS to offset this proportional allocation with intrastate transfer voucher billings to or cash transfers from other funds used by DAS to support costs paid from Fund 5EB0.

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**124 OBM - 18 Personal Service Expenses****Section: 503.10**

Requires any appropriation from which personal service expenses are paid to bear the employer's share of various costs, unless otherwise prohibited by law. Requires that these costs be determined in conformity with the appropriate sections of law and paid in accordance with procedures specified by OBM.

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**125 OBM - 38 Satisfaction of Judgments and Settlements Against the State****Section: 503.20**

Permits the use of certain appropriations to satisfy judgments, settlements, and administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state.

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**126 OBM - 19 Capital Project Settlements****Section: 503.30**

Specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of OBM determines that sufficient unencumbered moneys do not exist in the particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation.

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**127 OBM - 20 Re-issuance of Voided Warrants****Section: 503.40**

Provides funds for the reissuance of voided warrants under section R.C. 117.47, when approved by OBM.

## Executive

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**128      OBM - 21      Reappropriation of Unexpended Encumbered Balances of Operating Appropriations****Section: 503.50**

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

Upon approval of the Director of OBM, allows an operating expense encumbrance to remain available for more than five months from the end of a fiscal year. Requires the Director to report each approved item to the Controlling Board.

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**129      OBM - 22      Appropriations Related to Cash Transfers and Re-Establishment of Encumbrances****Section: 503.60**

Specifies that any cash transferred by the Director of OBM under R.C. 126.15 (for the purpose of making adjustments to capital or operating budgets) and any amounts necessary to re-establish appropriations or encumbrances under that section are appropriated.

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**130      OBM - 23      Transfers to the General Revenue Fund of Interest Earned****Section: 512.10**

Authorizes the Director of OBM to transfer to the GRF interest earned in any state fund, with the exception of funds that are restricted or protected by the Ohio Constitution, federal tax law, or the federal Cash Management Improvement Act.

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**131      OBM - 24      GRF Transfer to the OAKS Project Implementation Fund****Section: 512.30**

Requires the Director of OBM, on July 1 of each fiscal year or as soon as possible thereafter, to transfer \$2,100,000 from the GRF to the OAKS Project Implementation Fund (Fund 5N40).

**Fiscal effect: The transfers of cash from the GRF to Fund 5N40 are intended to support the Shared Services Center (SSC) within OBM. The transfers enable OBM to offer the program at a lower cost (via a lower voucher rate) to agencies in the early years of the program to incentivize its use. As more agencies use SSC, the program will benefit from increased economies of scale. As such, the GRF subsidy is planned to end after FY 2011 and direct charges to the agencies will provide most of SCC's funding.**

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## Executive

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**132      OBM - 5      Transfers from the Budget Stabilization Fund****Section: 512.40**

Permits the Director of OBM, in either year of the biennium, to transfer cash from the Budget Stabilization Fund to the GRF in order to balance GRF revenues with GRF expenditures. Requires the Director of OBM, within ten days of any transfer, to notify the Governor, the Speaker of the House of Representatives, the President of the Senate, and the Minority Leaders of each house of the date and amount of the transfer and the cash balance remaining in the Budget Stabilization Fund.

**Fiscal effect: Potential increase in revenue to the GRF. The current cash balance in the Budget Stabilization Fund (BSF) is approximately \$1.0 billion. The executive proposal plans for the transfer of \$948 million from the BSF to the GRF in FY 2011. If the transfers occur as planned, the resources in the BSF would be exhausted (for FY 2009, \$63.3 million in the BSF will be used to support the state share of Medicaid costs incurred by the GRF). Additionally, it would decrease investment income due to lower available balance in the BSF.**

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**133      OBM - 8      Cash Transfers to the General Revenue Fund from Non-GRF Funds****Section: 512.60**

Permits the Director of OBM to transfer cash from non-GRF funds that are not constitutionally restricted to the GRF in order to ensure that available GRF receipts and balances are sufficient to support GRF appropriations in each fiscal year. Requires the Director of OBM, before September 1 of each fiscal year, to issue quarterly reports identifying the non-GRF funds targeted for cash transfers to the GRF and the estimated amount of these cash transfers in each fiscal year.

Requires the Director of OBM, in conjunction with OBM's monthly financial report, to provide an update each quarter, beginning with the quarter ending September 30, 2009, comparing the estimated and actual amounts transferred by fund.

**Fiscal effect: Potential increase in GRF revenue. According to the executive proposal, planned transfers of \$116.8 million of non-GRF funds will occur in FY 2010 and \$151.8 million in such transfers are planned for FY 2011.**

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## Executive

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134      OBM - 3      State Agency Administrative Cost Savings and Efficiency

**Section: 512.90**

Permits a state agency to enter into one or more interagency agreements with another state agency or agencies for the purpose of achieving administrative cost savings and greater efficiency and authorizes the Director of OBM to take any steps regarding budget or fund changes or program transfers necessary due to the reorganization or consolidation for purposes of cost savings and greater efficiency.

**Fiscal effect: Potential decrease in administrative expenses for the agencies that enter into such agreements.**

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135      OBM - 25      Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments

**Section: 518.30**

Directs OBM to process payments from general obligation and lease rental payment appropriation items during the FY 2010-FY 2011 biennium relating to bonds or notes issued under Sections 2i, 2k, 2l, 2m, 2n, 2o, 2p, 2q and 15 of Article VIII, Ohio Constitution, and Chapters 151. and 154. of the Revised Code. Requires payments to be made upon certification by the Treasurer of State, Office of the Sinking Fund, of the dates and the amounts due on those dates.

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136      OBM - 9      Authorization for Ohio Building Authority and OBM to Effectuate Certain Lease Rental Payments

**Section: 518.40**

Requires OBM, in FY 2010 and FY 2011, to execute lease rental debt service payments in accordance with the lease agreements involving the bonds or notes issued under Section 2i of Article VIII, Ohio Constitution, and Chapter 152. of the Revised Code. Requires the Ohio Building Authority to certify the date and the amount due for each payment to the Director of OBM.

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**Executive**

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**137      OBM - 27      State and Local Rebate Authorization****Section: 521.10**

Appropriates, from the funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code. Requires OBM to approve and voucher rebate payments.

**Fiscal effect: None. Rebate payments, if any, will be paid out of the bond fund in which excess earnings were realized. Federal laws prohibit tax-exempt bond issuers, in this case the state of Ohio, from earning a higher rate of interest from investment of bond proceeds than the interest paid on the bonds.**

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**138      OBM - 28      Statewide Indirect Cost Recovery****Section: 521.20**

Appropriates from available receipts amounts required for statewide indirect costs when the Director of OBM has determined that an appropriation made to a state agency for this purpose is insufficient.

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**139      OBM - 29      GRF Transfers on Behalf of the Statewide Indirect Cost Allocation Plan****Section: 521.30**

Allows a director of an agency to certify to the Director of OBM the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation Plan under federal regulations. Authorizes the Director of OBM to transfer from the GRF into the fund for which the certification is made, up to the amount of the certification upon determining that no alternative funding source is available to pay for such expenses.

Requires the director of an agency receiving such funds to include a request for funding for such activities from an alternative source as part of the next budget submission.

Prohibits total transfers made from the GRF by the Director of OBM under this provision from exceeding the amounts transferred into the GRF under R.C. 126.12.

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## Executive

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140      OBM - 33      Fiscal Year 2009 General Revenue Fund Ending Balance

**Section: 521.40**

Notwithstanding divisions (B) and (C) of section 131.44 of the Revised Code, requires all FY 2009 surplus revenue in excess of the year-end balance required under division (A)(3) of section 131.44 of the Revised Code to remain in the GRF.

**Fiscal effect: Prevents transfers to the Budget Stabilization Fund and the Income Tax Reduction Fund that might otherwise be required by section 131.44 of the Revised Code.**

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141      OBM - 31      Federal Government Interest Requirements

**Section: 521.50**

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.

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142      OBM - 32      Federal Cash Management Improvement Act

**Section: 521.60**

Allows the Director of OBM to cancel and re-establish all or part of encumbrances in like amounts within the funds identified by the Federal Cash Management Improvement Act as required by R.C. 131.36.

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143      OBM - 11      Fiscal Stabilization and Recovery

**Section: 521.70**

Permits the Director of OBM to issue guidelines to agencies applying for federal money made available to the state for fiscal stabilization and recovery purposes. Requires that such federal funding that is intended for use for specified purposes be deposited into the GRF, and prohibits the use of such funding for providing the state share of Medicaid.

Permits the Director of OBM to authorize GRF expenditures in excess of the amounts appropriated to provide additional government services if additional federal stimulus funding is available, and appropriate such additional GRF expenditures.

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**Executive**

144      CSR - 1      Warehouse Payments

**Section: 231.10**

Requires up to \$48,000 in each fiscal year from Fund 2080 line item 874601, Underground Parking Garage Operations, to be used to pay bond service charges related to the acquisition and improvement of a warehouse to store Capitol Collection Trust items.

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## Executive

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145          CIV - 3          Fair Housing Law Changes

R.C.          *4112.01, 4112.04, 4112.051*

(1) Defines an "aggrieved person" for the purposes of who may participate in certain fair housing civil rights proceedings to include (1) persons who have been or may be injured by the discrimination and (2) certain other individuals and organizations who can investigate and enforce Fair Housing Laws.

(2) Authorizes the complainant or any aggrieved person involved in an administrative hearing to enforce certain fair housing provisions in the Ohio Civil Rights Law to intervene as a matter of right in a related civil action with respect to the issues to be determined in that civil action .

(3) Broadens the types of persons who may request the Civil Rights Commission to issue subpoenas from respondents to any party to the administrative proceeding (thereby including complainants and aggrieved persons who have become parties), and delays the point at which the respondents (expanded to all parties under the bill) may request the Civil Rights Commission to issue a subpoena to after the person becomes a party to an administrative hearing.

**Fiscal effect: These provisions bring Ohio's fair housing laws into compliance with federal laws, reducing the risk posed for the funding that the Commission receives from the federal Department of Housing and Urban Development (HUD). The Commission receives over \$2 million per year from HUD.**

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## Executive

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**146          COM - 4          Mortgage Broker and Loan Officer License Fees**

R.C.          *1322.03, 1322.031, 1322.04, 1322.041*

Increases the application and renewal fees for a mortgage broker certificate of registration from \$350 to \$500.

Increases the application and renewal fees for a loan officer license from \$100 to \$150.

Increases the threshold at which an applicant must pay for the Superintendent's excess costs of investigation outside Ohio from \$350 to \$500.

Removes the provision exempting persons registered under the Mortgage Loan Law (R.C. 1321.51 to 1321.60) from having to pay such fees when applying for or renewing a mortgage broker certificate of registration.

**Fiscal effect: Gain in revenue of approximately \$600,000 over the biennium to the Consumer Finance Fund (Fund 5530).**

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**147          COM - 8          Video Service Authorization Program Funding**

R.C.          *1332.24, 1332.25*

Permits the Director of Commerce to collect an annual assessment on video service providers, except for those classifications of video service providers exempted by rule of the Director based on specified, unique circumstances.

Directs the assessment revenue to the Video Service Authorization Fund (Fund 5X60). Requires the assessment to (1) be based on actual administrative costs in overseeing the video service authorization program and (2) allocated proportionately among the video service providers using a competitively neutral formula established by rule.

Grants rulemaking authority to the Director of Commerce to carry out the duties under the Video Service Authorization Law.

**Fiscal effect: Gain in revenue to the Video Service Authorization Fund (Fund 5X60), sufficient to fund operating costs. The current authorization application and amendment fees paid by video service providers have generated minimal revenue to Fund 5X60, making the Department rely on the Division of Administration Fund (Fund 1630) to support the video service authorization (VSA) program. For FY 2009, the VSA's program's budget is \$336,800, as approved by the Controlling Board.**

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## Executive

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**148**      **COM - 2**      **Securities License and Filing Fees****R.C.      1707.17**

Increases the following fees:

- (1) securities dealer license and annual renewal fee from \$100 to \$200;
- (2) investment advisor's license and annual renewal fee from \$50 to \$100;
- (3) investment advisor's notice filing fee from \$50 to \$100;
- (4) securities salesperson license and annual renewal fee from \$50 to \$60; and
- (5) investment advisor representative's license and annual renewal fee from \$35 to \$50.

**Fiscal effect: Gain in revenue of about \$2.4 million over the biennium to the Division of Securities Fund (Fund 5500), including the securities dealer or investment advisor transfer fees specified below.**

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**149**      **COM - 3**      **Securities Dealer or Investment Advisor License Transfer Fees****R.C.      1707.18**

Increases the fee for every salesperson's license that is transferred from \$10 to \$15 in the case of a transfer of a dealer's license and the licenses of its salespersons to a successor entity.

Increases the fee for every investment advisor representative's license that is transferred from \$10 to \$15 in the case of a transfer of an investment advisor's license and the licenses of its investment advisor representatives.

**Fiscal effect: Gain in revenue to the Division of Securities Fund (Fund 5500). Estimated revenue from the various securities industry fee increases is about \$2.4 million over the biennium, including the fee increases noted above.**

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**150**      **COM - 1**      **State Fire Marshal's Fund Transfers****R.C.      3737.71**

Allows the Director of OBM, at any time and upon determining that the money in the State Fire Marshal's Fund (Fund 5460) exceeds the amount necessary to defray ongoing operating expenses in a fiscal year, to transfer the excess to the GRF.

**Fiscal effect: Potential gain in revenue to the GRF and corresponding decrease in available cash in Fund 5460.**

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## Executive

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**151          COM - 5          Boiler Inspection and Related Occupational License Fees****R.C.          4104.07, 4104.101, 4104.18**

Eliminates a current law requirement that a renewal fee of \$45 be paid to the Treasurer of State before the renewal of any certificate of operation for a boiler.

Increases the following inspection fees for boilers:

- (1) Annual inspection fee from \$45 to \$50;
- (2) Biennial inspection fee from \$90 to \$100;
- (3) Triennial inspection fee from \$135 to \$150; and
- (4) Quinquennial inspection fee from \$225 to \$250.

Increases the examination application fee for a boiler and pressure vessel inspector from \$50 to \$150.

Increases the application permit fee for making any installation or major repair or modification of a boiler from \$50 to \$100.

Increases the application fee for applicants for steam engineer, high pressure boiler operator, or low pressure boiler operator licenses from \$50 to \$75

Increases the fee for each original or renewal steam engineer, high pressure boiler operator, or low pressure boiler operator license from \$35 to \$50.

**Fiscal effect: Gain in revenue of \$375,000 over the biennium to the Industrial Compliance Operating Fund (Fund 5560), proposed to be renamed the Labor Operating Fund in other provisions in the bill.**

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**152          COM - 6          Elevator Inspection Fees****R.C.          4105.17**

Requires a fee to be paid for the inspection or attempted inspection by a general inspector before the operation of an elevator after an adjudication under the Elevator Law.

Increases the fee for inspections or attempted inspections of elevators by a general inspector from \$20 to \$120.

Changes the amount of the additional fee the Superintendent of Industrial Compliance (proposed to be the Superintendent of Labor) may assess for the reinspection of an elevator under specified conditions from \$125 plus \$5 for each floor where the elevator stops to \$120 plus \$10 for each floor where the elevator stops.

Increases the fee for issuing or renewing a certificate of operation for an elevator that is inspected every six months from \$200 plus \$10 for each floor where the elevator stops to \$220 plus \$12 for each floor where the elevator stops.

## Executive

**Fiscal effect: Gain in revenue of about \$782,000 over the biennium to the Industrial Compliance Operating Fund (Fund 5560), proposed to be renamed to the Labor Operating Fund in other provisions of the bill.**

153      COM - 18      Changes to the Real Estate Brokers Law

R.C.      *4735.01, 4735.03, 4735.05, 4735.051, 4735.052, 4735.06, 4735.07, 4735.09, 4735.10, 4735.12, 4735.13, 4735.14, 4735.141, 4735.15, 4735.16, 4735.17, 4735.18, 4735.182, 4735.19, 4735.21, 4735.211, 4735.22 (repealed), 4735.23 (repealed), 4735.32, 4735.55, 4735.58, 4735.71, 4735.72, 4735.74, 4735.99, 4767.07, 4767.08, Section 815.10*

Changes a number of fees, including the following:

- (1) Increases the application fee for a real estate broker's license from \$69 to \$100 and the renewal fee from \$49 to \$75;
- (2) Increases the fee for application for a real estate salesperson's license from \$49 to \$75 and the associated renewal fee from \$39 to \$60;
- (3) Increases the fee for every ten real estate salespersons or fraction of that number above 20 associated with a broker who is renewing the broker's license from \$37 to \$40;
- (4) Increases the fee for reactivation or transfer of a license by a real estate salesperson from \$20 to \$25;
- (5) Increases the fee for a branch office license from \$8 to \$15;
- (6) Reduces the amount of certain application and renewal fees that must be credited to the Real Estate Education and Research Fund from \$4 to \$1; and
- (7) Eliminates the option for a real estate broker or salesperson license application fee to be partially refundable and makes non-refundable the fees for reactivation or transfer of a license.

Requires any civil penalties collected for operating as a real estate broker or salesperson without a license to be deposited into the Real Estate Operating Fund (Fund 5490) instead of the Real Estate Recovery Fund (Fund 5480).

Makes various changes to the complaint process regarding licensed real estate brokers and salespersons and unlicensed persons.

Requires a licensee to notify the Superintendent of Real Estate in writing, within 15 days, if the licensee has been convicted of certain crimes, violated certain laws, engaged in discriminatory practices regarding housing accommodations, or is required to permanently surrender any professional license, certificate or registration by order of anyone other than

**Executive**

the Superintendent.

Changes the experience requirements to qualify for a real estate broker's license. Changes the nature of the classroom instruction that may be used to fulfill the ten hours of instruction required for real estate brokers and salespersons.

Changes the provision that allows payment out of the Real Estate Recovery Fund to require the application for payment to be filed in the Court of Common Pleas of Franklin County, instead of any court of common pleas as under current law.

Makes various other changes to the regulation of real estate brokers, salespersons, and so forth as well as to the administration and enforcement of Chapter 4735. of the Revised Code.

**Fiscal effect: Potential gain in revenue to the Real Estate Operating Fund (Fund 5490) from the license fee increases and the redirection of fees from the Real Estate Education and Research Fund (Fund 5470); potential loss in revenue to Fund 5470 from the reduction in fees allocated to it. Fund 5470 license fee revenue has been between \$386,300 in FY 2006 and \$269,300 in FY 2008. The current cash balance for Fund 5470 is over \$1.8 million.**

**Potential gain in revenue to the Real Estate Operating Fund (Fund 5490) from the redirection of certain fines and penalties and corresponding loss in revenue to the Real Estate Recovery Fund (Fund 5480), depending on violations. In recent fiscal years, total fine and penalty revenue has ranged from \$65,300 to \$257,000. So far in FY 2009, about \$74,000 has been collected. The current cash balance of Fund 5480 is approximately \$1.4 million.**

**Potential negligible increase in Franklin County Court of Common Pleas caseload from the requirement that all Fund 5480 payment cases be assigned to that jurisdiction.**

**Provides greater flexibility for the Division of Real Estate and Professional Licensing to carry out its duties by removing or lengthening various time limitations in addressing complaints.**

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154      COM - 7      Real Estate Appraiser Licensing Law Changes

R.C.      *4763.01, 4763.03, 4763.04,  
4763.05, 4763.07, 4763.09, 4763.11, 4763.13,  
4763.14, 4763.17, Section 815.10*

Expands the definition of "appraisal report" to include appraisal review and appraisal consulting service and defines those terms.

Changes the procedure for service of subpoenas to compel witnesses by allowing subpoenas to be made by certified mail, return receipt requested, rather than only by sheriffs and constables.

**Executive**

Establishes that, instead of having to meet the continuing education requirements for appraisers, a state-registered real estate appraiser assistant must meet those continuing education requirements only after two years in that position.

Increases the maximum initial license and annual renewal fee for a certified or registered real estate appraiser from \$125 to \$175; increases the maximum fee for appraiser assistants from \$50 to \$100.

Changes the time period for the Division of Real Estate and Professional Licensing to act on a complaint.

Changes the procedures the Superintendent of Real Estate and Professional Licensing must follow in handling and investigating a complaint, including eliminating the requirement of a mandatory meeting but enabling a mediation meeting.

Suggests the Real Estate Appraiser Board impose a fine of up to \$2,500 per violation, as a discretionary action.

**Fiscal effect: Gain in revenue of approximately \$180,000 over the biennium to the Real Estate Appraiser Operating Fund (Fund 6A40). Potential decrease in administrative costs.**

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155      COM - 17      Merger of Division of Labor and Worker Safety with Division of Industrial Compliance

**Sections:** 121.04, 121.08, 121.083, 121.084, 124.11, 3301.55, 3703.01, 3703.03 to 3703.08, 3703.10, 3703.21, 3703.99, 3713.01 to 3713.10, 3721.071, 3722.02, 3722.04, 3722.041, 3743.04, 3743.25, 3781.03, 3781.102, 3781.11, 3783.05, 3791.02, 3791.04, 3791.05, 3791.07, 4104.01, 4104.02, 4104.06 to 4104.101, 4104.12, 4104.15 to 4104.19, 4104.21, 4104.33, 4104.42 to 4104.44, 4104.48, 4105.01, et al. Section 241.20

Combines the Division of Labor and Worker Safety and the Division of Industrial Compliance in the Department of Commerce into the Division of Labor in the Department of Commerce, which will be led by the Superintendent of Labor.

Transfers the duties of the Superintendent of Labor and Worker Safety, the Division of Labor and Worker Safety, the Superintendent of Industrial Compliance, and the Division of Industrial Compliance to the Superintendent of Labor and the Division of Labor.

Renames the Industrial Compliance Operating Fund the Labor Operating Fund.

**Fiscal effect: Potential minimal increase in administrative costs in the short term to effectuate the merger, but potential long-term decreases in administrative costs to the extent that operations are streamlined.**

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**Executive**

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**156      COM - 9      Small Government Fire Departments****Section: 241.10**

Permits, notwithstanding R.C. 3737.17, GSF Fund 5F10 appropriation item 800635, Small Government Fire Departments, to be used to provide loans to private fire departments.

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**157      COM - 10      Unclaimed Funds Payments****Section: 241.10**

Requires GSF Fund 5430 appropriation item 800625, Unclaimed Funds-Claims, to be used to pay claims under R.C. 169.08 and appropriates additional amounts for this purpose if necessary, ensuring that unclaimed funds owners receive the funds due them.

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**158      COM - 11      Unclaimed Funds Transfers****Section: 241.10**

Requires the Director of Commerce to transfer up to \$200 million of unclaimed funds to the GRF prior to June 30, 2010 and another \$85 million of unclaimed funds to the GRF prior to June 30, 2011.

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**159      COM - 12      Fire Department Grants****Section: 241.10**

Earmarks from SSR Fund 5460 appropriation item 800639, Fire Department Grants, (1) up to \$760,000 in each fiscal year to make annual grants to volunteer fire departments of up to \$10,000 or up to \$25,000 if the volunteer fire department provides service for an area affected by a natural disaster, and (2) up to \$887,140 in each fiscal year for full or partial reimbursement to local units of government and fire departments for firefighter training and equipment, with priority given to fire departments that serve small villages and townships.

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**Executive**

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**160      COM - 13      Increased Appropriation - Merchandising****Section: 241.10**

Specifies that the Division of Liquor Control must use LCF Fund 7043 appropriation item 800601, Merchandising, for operating expenses to pay for liquor products. Provides for additional appropriations that may be necessary.

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**161      COM - 14      Development Assistance Debt Service****Section: 241.10**

Establishes that LCF Fund 7043 appropriation item 800633, Development Assistance Debt Service, is to pay debt service on bonds issued to support the Chapter 166 loan program operated by the Department of Development and appropriates additional sums if necessary.

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**162      COM - 15      Revitalization Debt Service****Section: 241.10**

Requires that LCF Fund 7043 appropriation item 800636, Revitalization Debt Service, be used to pay debt service on bonds issued for the urban revitalization component of the Clean Ohio bond program and appropriates additional amounts if necessary. Appropriation \$15,632,800 for this purpose in FY 2010 and \$20,359,000 in FY 2011.

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**163      COM - 16      Administrative Assessments****Section: 241.10**

Specifies that the Division of Administration Fund (Fund 1630) is entitled to receive assessments from all operating funds of the Department, subject to OBM approval, in order to pay for centralized services such as communications, fiscal administration, human resources, legal, legislative affairs, quality control, training, employee development, and support services.

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**Executive**

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164          CEB - 1          Disaster Services Fund Transfers to the Emergency Purposes/Contingency Appropriation Line Item

**Section: 245.10**

Permits the Controlling Board, at the request of any state agency or the Director of Budget and Management, to transfer all or part of the appropriation in GRF appropriation item 911401, Emergency Purposes/Contingencies, 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 noted in Section 245.10 of the bill.

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165          CEB - 4          Federal Shares

**Section: 245.10**

Requires the Controlling Board, in transferring appropriations to and from appropriation items that have federal shares identified in the bill, add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in the bill, and appropriates such changes.

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166          CEB - 5          Disaster Assistance

**Section: 245.10**

Permits the Department of Public Safety to request, and the Controlling Board to approve, transfers from GRF appropriation item 911401, Emergency Purposes/Contingencies, to line items used by the Department to provide funding for assistance to political subdivisions and individuals made necessary by natural disasters or emergencies, and allows such transfers to be requested and approved prior to or following the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

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167          CEB - 6          Disaster Services

**Section: 245.10**

(1) Permits the Department of Public Safety to request, and the Controlling Board to approve, transfers from the Disaster Services Fund (Fund 5E20) to a fund and appropriation item used by the Department to provide for assistance to political subdivisions made necessary by natural disasters or emergencies.

**Executive**

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- (2) Allows such transfers to be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.
- (3) Requires the Emergency Management Agency (EMA) to use the funding for the State Disaster Relief Program for disasters declared by the Governor, and the State Individual Assistance Program for disasters declared by the Governor and the federal Small Business Administration, and requires the EMA to publish and make available application packets for those two programs.
- (4) Requires the Controlling Board to use Fund 5E20 to transfer cash and appropriations to any fund and appropriation item for the payment of state agency disaster relief for disasters declared by the Governor, if the Director of Budget and Management determines that sufficient funds exist.
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168      CEB - 7      Southern Ohio Correctional Facility Cost

**Section: 245.10**

Permits the Division of Criminal Justice Services and the Public Defender Commission to request, upon approval of the Director of Budget and Management, additional funds from the GRF appropriation item 911401, Emergency Purposes/Contingencies, for costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility.

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169      CEB - 2      Mandate Assistance

**Section: 245.10**

- (1) Requires that the amounts appropriated to GRF appropriation item 911404, Mandate Assistance, be used to provide financial assistance to local units of government and school districts for the cost of two 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 911404 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 911404, or to the other program of state financial assistance identified under this provision.

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**Executive**

- (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.
- (6) Permits any moneys allocated to GRF appropriation item 911404 not fully utilized, upon application of the Ohio Public Defender Commission, and with the approval of the Controlling Board, to be disbursed to boards of county commissioners to provide additional reimbursement for the costs incurred by counties in providing indigent defense legal services.
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170      CEB - 3      Ballot Advertising Costs

**Section: 245.10**

Requires the Controlling Board, pursuant to requests submitted by the Ohio Ballot Board, to approve transfers from GRF appropriation item 911441, Ballot Advertising Costs, to an Ohio Ballot Board appropriation item in order to reimburse county boards of elections for the cost of providing public notices associated with statewide ballot initiatives.

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**Executive**

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171        COS - 1        Cosmetology License Restoration

**R.C.        4713.63**

Requires a person who wishes to restore an expired license to pay additional fees including the current renewal fee, any applicable late fees, and a lapsed renewal fee of \$45 per renewal period that has elapsed since the license was last issued or renewed, and specifies that the lapsed renewal fee must be deposited into the GRF.

Removes a requirement that a person wishing to restore an expired instructor license complete continuing education requirements. Specifies that a person wishing to renew a practicing or managing license that has been expired for more than two consecutive renewal periods must complete eight hours of continuing education for each license renewal period that has elapsed since the license was last issued or renewed, up to a maximum of twenty-four hours, and specifies that at least four of those hours must include a course pertaining to sanitation and safety methods.

Removes an existing requirement that a person wishing to renew a practicing or managing license that has been expired for more than two years retake and pass a licensure examination.

**Fiscal effect: Increase in revenue to the GRF and to Fund 4K90 for license reinstatement fees. There are currently 136,843 licenses in lapsed status.**

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172        COS - 2        Maximum Fines

**R.C.        4713.64**

Increases the maximum fines that the State Board of Cosmetology may impose for specified offenses, from \$100 to \$500 for a first offense, from \$500 to \$1,000 for a second offense, and from \$1,000 to \$1,500 for a third and any additional offenses.

**Fiscal effect: Potential increase in fine revenue to Fund 4K90. The additional fine intake from first offenses alone is expected to be approximately \$40,000 annually.**

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Executive

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173      CSW - 1      Fees and Fines

R.C.      *4757.10, 4757.31, 4757.36*

Permits the Counselor, Social Worker, and Marriage and Family Therapist Board to establish fees for (1) verification, to another jurisdiction, of a license or registration the Board has issued, (2) continuing education programs offered by the Board, (3) late renewals of licenses and registrations.

Permits the Board's professional standards committees to take disciplinary actions by imposing fines (not to exceed \$500 per incident) according to a graduated system to be established by the Board in rules.

**Fiscal effect: Projected annual increase of \$167,000 in revenue deposited into the Occupational Licensing Regulatory Fund (Fund 4K90).**

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**Executive**

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**174 AFC - 2 Operating Expenses****Section: 253.10**

Requires GRF appropriation item 371321, Operating Expenses, to be used for the responsibilities of the Cultural Facilities Commission under Chapter 3383. of the Revised Code.

Requires the Director of Budget and Management to determine the amount of cash from interest earnings to the Cultural and Sports Facilities Building Fund (Fund 7030) to be transferred to SSR Fund 4T80, the Cultural Facilities Commission Administration Fund, and requires the Director of Budget and Management to determine the amount of available cash in Fund 7030 from any premium paid on each bond issuance that is to be transferred to Fund 4T80 after all other issuance costs have been paid.

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**175 AFC - 3 Capital Donations Fund Certifications and Appropriations****Section: 253.10**

Requires 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 (Fund 5A10) and that are related to an anticipated project, and appropriates these amounts to appropriation item C37146, Capital Donations. Requires the Executive Director to make a written agreement with the participating entity on the necessary cash flows required for the anticipated construction or equipment acquisition project.

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**176 AFC - 1 Lease Rental Payments****Section: 253.10**

Requires GRF appropriation item 371401, Lease Rental Payments, to be used to meet all required bond service payments made between July 1, 2009 and June 30, 2011 from the Cultural Facilities Commission to the Treasurer of State under primary lease agreements for cultural and sports facilities under Chapters 152. and 154. of the Revised Code.

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**Executive**

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177      BDP - 1      Board of Deposit Expense Fund

**Section: 257.10**

Requires that after receiving certification of expenses from the Treasurer of State, the Director of Budget and Management transfer cash from the Investment Earnings Redistribution Fund (Fund 6080) to the Board of Deposit Expense Fund (Fund 4M20) to pay for any and all necessary expenses of the Board of Deposit or for banking charges and fees required for the operation of the State of Ohio Regular Account.

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## Executive

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178        DEV - 6        Appalachian Region Expansion

R.C.        107.21

Adds Ashtabula, Mahoning, and Trumbull counties to the statutory definition of Ohio's Appalachian region for the purposes of receiving funds from the Appalachian Regional Commission and the Governor's Office of Appalachia.

**Fiscal effect: Expands the area eligible for funding from GRF appropriation items 195416, Governor's Office of Appalachia, and 195501, Appalachian Local Development Districts, and Federal Special Revenue Fund 3080 appropriation item 195602, Appalachian Regional Commission.**

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179        DEV - 4        Export Promotion Assistance and Foreign Investment

R.C.        122.05, 122.051

(1) Permits the Director of Development to provide export promotion assistance to Ohio businesses, to organize or support missions to foreign countries to promote the export of Ohio products and services, and to encourage direct foreign investment in Ohio.

(2) Permits the Director of Development to charge fees to businesses receiving export assistance and to participants in foreign missions to recover the direct cost of those activities, and requires those fees to be deposited in the International Trade Cooperative Projects Fund (Fund 5W60). Requires the Director to adopt a procedure for setting the fees as an internal management rule, and requires the Director to review the fees annually.

**Fiscal effect: Increases revenue to the International Trade Cooperative Projects Fund (Fund 5W60) through a new export assistance fee to recover the costs of export assistance operations and foreign missions.**

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180        DEV - 2        Development Financing Advisory Council

R.C.        122.40

Increases the number of members on the Development Financing Advisory Council from 10 to 11 and specifies that the affirmative vote of a majority of the members present at a meeting of the council where a quorum is present is necessary for any action taken by the council.

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## Executive

## 181      DEV - 3      Capital Access Loans for Minority Business Enterprises

## R.C.      122.603

Requires a financial institution participating in the Capital Access Loan Program to indicate in its loan certifications whether a recipient is an eligible minority business enterprise and requires the Director of Development to disburse 80% of the principal amount of a loan to a minority business enterprise from the Capital Access Loan Fund (Fund 5S90) instead of the percentages required for other Capital Access Loans.

**Fiscal effect: Potentially increases expenditures for loans to minority business enterprises from Fund 5S90 line item 195628, Capital Access Loan Program.**

## 182      DEV - 5      Ohio Housing Trust Fund

## R.C.      174.02, 174.03, 174.06, 173.08

Eliminates the 6% set-aside from SSR Fund 6460, the Low-and-Moderate Income Housing Trust Fund, for programs for transitional and permanent housing for homeless persons; increases the set-aside for emergency shelter grant programs from 7% to 10%, and expands that program to include shelter facilities serving unaccompanied youth; and eliminates the prohibition of using trust fund money to pay for legal services.

**Fiscal effect: Increases the set-aside for emergency shelter grants from 7% to 10%, or up to \$5,300,000 per year at FY 2010-FY 2011 appropriation levels.**

## 183      DEV - 9      Thomas Edison Program

## Section:    259.10.10

Requires GRF appropriation item 195401, Thomas Edison Program, to be used according to R.C. 122.28 to 122.38 and permits up to 10% of the appropriation to be used for administrative expenses of the Technology and Innovation Division.

## 184      DEV - 10      Small Business Development

## Section:    259.10.20

Requires GRF appropriation item 195404, Small Business Development, to be used as matching funds for federal grants and permits the line item to be used to provide grants for small business development centers and other local entrepreneurship activities.

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**Executive**

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**185      DEV - 11      Rapid Outreach Grants****Section: 259.10.30**

Requires GRF appropriation item 195412, Rapid Outreach Grants, to be used as an incentive to attract, expand, or retain businesses in Ohio, specifies eligible activities for grant funding, requires grants to be approved by the Controlling Board, and permits the Director of Transportation to request funds for rail freight projects.

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**186      DEV - 12      Strategic Business Investment Division and Regional Offices****Section: 259.10.40**

Requires GRF appropriation item 195415, Strategic Business Investment Division and Regional Offices, to be used for the Division's operating costs and for cooperative development grants.

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**187      DEV - 13      Governor's Office of Appalachia****Section: 259.10.50**

Permits GRF appropriation item 195416, Governor's Office of Appalachia, to be used for financial assistance to Appalachian counties, to match federal funds, and for the Office's administrative costs.

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**188      DEV - 14      Technology Action****Section: 259.10.60**

Requires GRF appropriation item 195422, Technology Action, to be used for the administrative costs of the Technology and Innovation Division, and if the appropriation is not sufficient for this purpose, permits Third Frontier Research and Development Fund appropriation item 195686, Third Frontier Operating, to be used only upon approval by the Controlling Board.

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**189      DEV - 15      Clean Ohio Implementation****Section: 259.10.70**

Requires GRF appropriation item 195426, Clean Ohio Implementation, to be used to administer the Clean Ohio program and other urban revitalization programs.

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**Executive**

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**190      DEV - 16      Global Markets****Section: 259.10.80**

Requires GRF appropriation item 195432, Global Markets, to be used to administer Ohio's foreign trade and investment program, out-of-state trade offices, to operate the Global Markets Division, and to provide export assistance and encourage foreign direct investment.

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**191      DEV - 17      Ohio Workforce Guarantee Program****Section: 259.10.90**

Permits GRF appropriation item 195434, Industrial Training Grants, to be used for the Ohio Workforce Guarantee Program and specifies eligible activities under the program. Requires Federal Special Revenue Fund 3AE0 appropriation item 195643, Workforce Development Initiatives, to be used for the Ohio Workforce Guarantee Grant Program.

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**192      DEV - 18      Ohio Film Office****Section: 259.20.10**

Requires the Ohio Film Office to promote media productions in the state through policies that increase employment and tax revenues, to serve as an informational clearinghouse and to provide technical assistance to the media production industry and business entities engaged in media production in the state, and to promote the media production industry in Ohio. Specifies other objectives including attracting private investment through a tax infrastructure, increased employment opportunities, and competition with other states.

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**193      DEV - 19      Discover Ohio!****Section: 259.20.20**

Requires GRF appropriation item 195521, Discover Ohio!, to be used for the costs of marketing and promotion activities by the Ohio Tourism Division.

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**Executive**

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**194      DEV - 20      Third Frontier Research & Development Debt Service****Section: 259.20.30**

Requires GRF appropriation item 195905, Third Frontier Research and Development General Obligation Debt Service, to be used to pay all debt service on obligations issued by the Ohio Public Facilities Commission for research and development purposes under sections 151.01 and 151.10 of the Revised Code.

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**195      DEV - 21      Job Ready Site Development Debt Service****Section: 259.20.30**

Requires GRF appropriation item 195912, Job Ready Site Development General Obligation Debt Service, to be used to pay all debt service on obligations issued by the Ohio Public Facilities Commission for Job Ready Site purposes under sections 151.01 and 151.11 of the Revised Code.

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**196      DEV - 22      Supportive Services****Section: 259.20.40**

Permits the Director of Development to assess the department's divisions for administrative costs using a methodology containing administrative ease and uniform application and requires such assessments to be deposited into Fund 1350, the Supportive Services Fund.

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**197      DEV - 23      Economic Development Contingency****Section: 259.20.40**

Requires GSF Fund 5AD0 appropriation item 195677, Economic Development Contingency, to be used to award funds directly to businesses considering Ohio for expansion or new site location opportunities or to political subdivisions for costs involved in business attraction, and permits the Director of Development to award funds for alternative purposes to satisfy an extraordinary economic development opportunity or need.

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**Executive**

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**198      DEV - 24      Direct Cost Recovery Expenditures****Section: 259.20.40**

Requires GSF Fund 6850 appropriation item 195636, Direct Cost Recovery Expenditures, to be used for reimbursable costs and requires the General Reimbursement Fund (Fund 6850) to consist of charges for non-central service costs.

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**199      DEV - 25      HEAP Weatherization****Section: 259.20.50**

Requires 15% of the federal funds received by the state for the Home Energy Assistance Block Grant to be deposited in Federal Special Revenue Fund 3K90, the Home Energy Assistance Block Grant Fund, and appropriated in Fund 3K90 appropriation item 195614, HEAP Weatherization, for home weatherization services.

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**200      DEV - 26      State Special Projects****Section: 259.20.50**

Permits SSR Fund 4F20, the State Special Projects Fund, to be used for the deposit of private-sector moneys from utility companies and other state moneys, and requires the fund to be used to match federal housing grants for the homeless and to market economic development opportunities in the state. Requires private-sector moneys to be appropriated in Fund 4F20 appropriation item 195699, Utility Provided Funds, for various costs associated with HEAP and low-income energy assistance programs.

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**201      DEV - 27      Tax Incentive Programs Operating****Section: 259.20.60**

Requires SSR Fund 4S00 appropriation item 195630, Tax Incentive Programs Operating, to be used for the administrative costs of the Office of Grants and Tax Incentives.

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**Executive**

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**202      DEV - 28      Minority Business Enterprise Loan****Section: 259.20.70**

Requires repayments from the Minority Development Financing Advisory Board Loan Program and the Ohio Mini-Loan Guarantee Program to be deposited into Fund 4W10, the Minority Business Enterprise Loan Fund and requires the administrative costs of the Minority Business Enterprise Loan Program to be paid from the fund.

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**203      DEV - 29      Minority Business Bonding Fund****Section: 259.20.70**

Permits the Director of Development, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10 million in unclaimed funds over the FY 2010-FY 2011 biennium for the Minority Business Bonding Program. Specifies that a transfer of unclaimed funds may only occur if funds are needed for the payment of losses arising from the Minority Business Bonding Program, and only after proceeds of the initial transfer of \$2.7 million by the Controlling Board to the program has been used for that purpose. Requires that the amount needed to cover the losses be appropriated in SSR Fund 4490 appropriation item 195623, Minority Business Bonding Contingency.

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**204      DEV - 30      Alternative Fuel Transportation****Section: 259.20.80**

Prohibits more than 10% of SSR Fund 5CG0 appropriation item 195679, Alternative Fuel Transportation, from being used for administrative costs.

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**205      DEV - 31      Advanced Energy Fund****Section: 259.20.80**

Requires SSR Fund 5M50 appropriation item 195660, Advanced Energy Programs, to be used to provide assistance for eligible advanced energy projects for residential, commercial, and industrial business, local government, educational institutions, nonprofit organizations, and agricultural customers, and for administrative costs as provided in statute and administrative rules.

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## Executive

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**206      DEV - 32      Global Analyst Settlement Agreements Payments****Section: 259.20.80**

Requires all payments received by the state pursuant to settlements between the U.S. Securities and Exchange Commission and ten brokerage firms to be deposited into SSR Fund 5Y60, the Economic Development Contingency Fund, and requires that fund to be used for economic development projects for which appropriations would not otherwise be available, subject to Controlling Board approval.

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**207      DEV - 33      Volume Cap Administration****Section: 259.20.80**

Requires SSR Fund 6170 appropriation item 195654, Volume Cap Administration, to be used for administering the Volume Cap program. Requires revenues to the Volume Cap Administration Fund (Fund 6170) to consist of application fees, forfeited deposits, and interest earned by the custodial account held by the Treasurer of State.

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**208      DEV - 34      Innovation Ohio Loan Fund****Section: 259.20.80**

Requires Facilities Establishment Fund 7009 appropriation item 195664, Innovation Ohio, to be used for loans and loan guarantees under the Innovation Ohio program pursuant to Chapter 166. of the Revised Code.

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**209      DEV - 35      Research and Development****Section: 259.20.80**

Requires Facilities Establishment Fund 7010 appropriation item 195665, Research and Development, to be used for research and development purposes, including loans under Chapter 166. of the Revised Code.

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**210      DEV - 36      Logistics and Distribution Infrastructure****Section: 259.20.90**

Requires Facilities Establishment Fund 7008 appropriation item 195698, Logistics and Distribution Infrastructure, to be used for eligible logistics and distribution infrastructure purposes under Chapter 166. of the Revised Code.

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## Executive

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**211      DEV - 37      Facilities Establishment Fund****Section: 259.20.90**

- (1) Requires Facilities Establishment Fund 7037 appropriation item 195615, Facilities Establishment, to be used for the purposes of the Facilities Establishment Fund under Chapter 166. of the Revised Code.
- (2) Authorizes the transfer of up to \$2 million in each fiscal year from the Facilities Establishment Fund (Fund 7037) to Fund 4510, the Economic Development Financing Operating Fund, subject to Controlling Board approval.
- (3) Authorizes the transfer of up to \$5 million in each fiscal year from the Facilities Establishment Fund (Fund 7037) to Fund 5D20, the Urban Redevelopment Loan Fund, for urban core redevelopment, requires the Director of Development to develop guidelines for the transfer and release of funds, and requires Controlling Board approval for such transfers and releases.
- (4) Authorizes the transfer of up to \$5 million in each fiscal year from the Facilities Establishment Fund (Fund 7037) to Fund 4Z60, the Rural Industrial Park Loan Fund, subject to Controlling Board approval.
- (5) Authorizes the transfer of up to \$6,102,500 in each fiscal year from the Facilities Establishment Fund (Fund 7037) to the GRF, and appropriates such transfers to GRF appropriation item 195412, Rapid Outreach Grants.
- (6) Authorizes the transfer of up to \$4,275,000 in each fiscal year from the Facilities Establishment Fund (Fund 7037) to Fund 5AD0, the Job Development Initiatives Fund, and appropriates such transfers to GSF Fund 5AD0 appropriation item 195677, Economic Development Contingency.

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**212      DEV - 38      Alternative Fuel Transportation Grant Fund****Section: 259.20.90**

Requires transfers of up to \$1 million in FY 2010 and up to \$500,000 in FY 2011 from the Facilities Establishment Fund (Fund 7037) to Fund 5CG0, the Alternative Fuel Transportation Grant Fund.

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**213      DEV - 39      Rural Development Initiative Fund****Section: 259.20.90**

- (1) Authorizes Fund 5S80, the Rural Development Initiative Fund to receive moneys from the Facilities Establishment Fund (Fund 7037), and authorizes the Director of Development to make grants from Fund 5S80 to eligible applicants in Appalachian counties and designated distressed rural areas.

**Executive**

(2) Requires grants to go only to applicants who also qualify under the Rural Industrial Park Program and sets out other requirements for the use of grants. Requires the Director of Development to develop guidelines for the transfer and use of funds and requires grants to be subject to Controlling Board approval.

(3) Authorizes a transfer of up to \$3 million in each fiscal year on an as-needed basis from Fund 7037 to Fund 5S80, subject to Controlling Board approval.

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**214      DEV - 40      Capital Access Loan Program**
**Section: 259.20.90**

Requires Facilities Establishment Fund 5S90 appropriation item 195628, Capital Access Loan Program, to be used for the administrative expenses of the program and to assist participating financial institutions in making program loans to eligible businesses. Authorizes a transfer of up to \$3 million in each fiscal year from the Facilities Establishment Fund (Fund 7037) to the Capital Access Loan Fund (Fund 5S90), subject to Controlling Board approval.

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**215      DEV - 41      Clean Ohio Operating Expenses**
**Section: 259.30.10**

Requires Clean Ohio Revitalization Fund 7003 appropriation item 195663, Clean Ohio Operating, to be used to administer brownfield revitalization projects under sections 122.65 to 122.658 of the Revised Code.

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**216      DEV - 42      Third Frontier Research and Development and Taxable Bond Projects**
**Section: 259.30.20**

Requires Third Frontier Research and Development Fund 7011 appropriation items 195687, Third Frontier Research and Development Projects, and Third Frontier Research and Development Fund 7014 appropriation item 195692, Research and Development Taxable Bond Projects, to be used to fund selected projects for which funds in the Third Frontier Research and Development Fund (Fund 7011) and the Research and Development Taxable Bond Project Fund (Fund 7014) are applicable.

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**Executive**

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**217      DEV - 43      Transfers of Third Frontier Appropriations****Section: 259.30.20**

Authorizes the Director of Budget and Management to approve requests from the Director of Development to transfer appropriations between Third Frontier Research and Development Fund 7011 appropriation item 195687, Third Frontier Research and Development Projects, and Third Frontier Research and Development Fund 7014 appropriation item 195692, Research Development Taxable Bond Projects, based upon award recommendations by the Third Frontier Commission, and specifies that any unexpended and unencumbered balances in these line items as of June 30, 2010 are reappropriated for the same purpose in FY 2011.

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**218      DEV - 44      Authorization to Issue and Sell Original Obligations****Section: 259.30.20**

Authorizes the Ohio Public Facilities Commission to issue and sell up to \$100 million in original obligations of the State of Ohio in addition to any prior authorized issuance, and requires these bonds to be sold to ensure that there are sufficient amounts in the Third Frontier Research and Development Fund (Fund 7011) to pay for research and development projects under that fund.

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**219      DEV - 45      Job Ready Site Operating****Section: 259.30.30**

Requires Job Ready Site Development Fund 7012 appropriation item 195688, Job Ready Site Operating, to be used for the operating expenses of the Job Ready Site Development Program, including certain expenses of District Public Works Integrating Committees, engineering review expenses, and other site certification costs.

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**220      DEV - 46      Third Frontier Biomedical Research and Commercialization Program****Section: 259.30.40**

Specifies the intent of the General Assembly, Governor, Director of Development, and Director of Budget and Management to continue providing comprehensive state support for the biomedical industry through the Third Frontier Biomedical Research and Commercialization Program.

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**Executive**

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**221      DEV - 47      Jobs Fund Bioproducts and Biomedical****Section: 259.30.50**

Requires TSF Fund 5Z30 appropriation item 195694, Jobs Fund Bioproducts, to be used for the Ohio Bioproducts Development Program and specifies that not more than 5% of the appropriation may be used for administrative expenses.

Requires TSF Fund 5Z30 appropriation item 195695, Jobs Fund Biomedical, to be used for the Ohio Biomedical Development Program and specifies that not more than 5% of the appropriation may be used for administrative expenses.

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**222      DEV - 8      Jobs Fund Cash Transfer****Section: 259.30.60**

Requires the Director of Budget and Management to transfer the unexpended and unencumbered cash balance in SSR Fund 5Z30, the Jobs Fund, to the GRF at the end of FY 2011, at which time the Jobs Fund is abolished.

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**223      DEV - 48      Unclaimed Funds Transfer****Section: 259.30.70**

(1) Authorizes the transfer of up to \$4 million in each fiscal year in unclaimed funds overseen by the Department of Commerce to GSF Fund 5AD0, the Job Development Initiatives Fund.

(2) Authorizes the transfer of up to \$6.1 million in each fiscal year in unclaimed funds overseen by the Department of Commerce to SSR Fund 4F20, the State Special Projects Fund.

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**224      DEV - 49      Workforce Development****Section: 259.30.90**

Requires the Director of Development and the Director of Job and Family Services to enter into one or more interagency agreements and take other actions to further the integration of a statewide workforce development strategy, implement recommendations and activities of the Workforce Policy Board, and expend moneys to support the Board's recommendations with respect to integration of employment functions.

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**Executive**

225      DEV - 7      Science and Technology Collaboration

**Section: 701.30**

Requires the Department of Development, Board of Regents, Air Quality Development Authority, and Department of Agriculture to collaborate on Technology-Based Economic Development Programs; defines and identifies such programs; sets out requirements for administering and reporting on such programs; and requires such programs to be connected to the NextGen Network.

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## Executive

School Funding

226      EDU - 125      School Funding Formula

R.C.      *3306.01, 3306.011*

Replaces the current school funding method with a new method that calculates an "adequacy amount" for each city, local, and exempted village school district.

Directs ODE to calculate and report separately the amount of funding for each factor of a district's adequacy amount.

**Fiscal effect: State aid for each school district is calculated differently than under current law. Transitional aid, which is described below in entry EDU-139, guarantees that no district experiences a decrease in state aid in FY 2010 and limits any decrease in FY 2011 to 2%. There is also a cap that limits growth in state aid for each district to 15% in FY 2010 and 16% in FY 2011. The bill appropriates \$7.13 billion in FY 2010 and \$7.39 billion in FY 2011 for formula aid for school districts, community schools, STEM schools, and joint vocational school districts.**

227      EDU - 143      Formula Average Daily Membership (ADM)

R.C.      *3306.02, 3317.03, 3306.01*

Directs that students attending community schools, a district other than the one in which they reside due to an open enrollment policy, and certain STEM schools be counted directly where they are educated as opposed to where they reside as under current law.

Directs that all students enrolled in kindergarten be counted as one full-time equivalent (FTE) student regardless of whether the student is enrolled in a part-day or all-day kindergarten class. (Under current law kindergarten students are counted as 0.5 FTE and additional funding is provided for certain districts with above average poverty concentrations for kindergarten students receiving all-day services.)

Requires for the calculation of formula ADM, the use of the ADM for the prior fiscal year unless that number for the current year exceeds the prior year by 2% or more, in which case the current year ADM is to be used.

Eliminates the requirement for the second ADM report by school districts during the first full week of February.

**Fiscal effect: Counting kindergarten students as 1.0 FTE increases statewide ADM by about 66,000. There may be administrative savings for districts with significant numbers of resident students attending community schools achieved by funding students where they are educated, as opposed to where they reside, because less resources may be needed for tracking students. Using ADM from the prior year allows a greater level of planning by districts as they better know in advance the amount of state funding they are likely to receive.**

## Executive

## 228      EDU - 126      Adequacy Amount

## R.C.      3306.03

Defines the adequacy amount of the proposed school funding formula as the sum of the following:

- (1) Instructional services support under R.C. 3306.05;
- (2) Additional services support under R.C. 3306.06;
- (3) Administrative services support under R.C. 3306.07;
- (4) Operations and maintenance support under R.C. 3306.08;
- (5) Gifted education and enrichment support under R.C. 3306.09;
- (6) Technology resources support under R.C. 3306.10;
- (7) The professional development factor, calculated by multiplying the sum of a school district's core teacher, specialist teacher, career-technical teacher, supplemental teacher, lead teacher, special education teacher, special education teacher's aide, and limited English proficiency teacher positions by \$1,833;
- (8) The instructional materials factor, calculated by multiplying the school district's formula ADM by \$165, phased in for all school districts except Cleveland Municipal School District at 25% in FY 2010-2011, 50% for FY 2012-2013, and 75% in FY 2014-2015.

**Fiscal effect: The phased in amount for instructional materials is \$41 per student for FY 2010 and FY 2011.**

## 229      EDU - 127      Organizational Units

## R.C.      3306.04, 3306.02

Calculates the number of organizational units for all but small school districts, as the sum of the following:

- (1) the number of elementary school organizational units, which is calculated by dividing formula ADM for grades K-5 by 418;
- (2) the number of middle school organizational units, which is calculated by dividing formula ADM for grades 6-8 by 557;
- (3) the number of high school organizational units, which is calculated by dividing formula ADM for grades 9-12 by 733.

Specifies that each small school district, defined as having formula ADM of less than 800 students, constitutes one organizational unit.

## Executive

**Fiscal effect: Some of the components of the adequacy amount are determined on the basis of the number of organizational units. Except for small districts, students in grades K-5 have a higher weight in this calculation than students in grades 6-8 who in turn have a higher weight than students in grades 9-12.**

230      EDU - 128      Instructional Services Support

R.C.      *3306.05, 3306.051, 3306.11*

Defines the instructional services support component as consisting of funding for core teachers, specialist teachers, career-technical education teachers, lead teachers, special education teachers, special education teacher's aides, limited English proficiency (LEP) teachers, and supplemental teachers.

Specifies the number of teacher positions funded as:

- (1) Core teachers - 1:25 teacher to student ratio for grades 4-12, 1:15 ratio for grades K-3;
- (2) Specialist teachers - 20% of the number of core teachers determined for grades K-8, 25% of the number of core teachers determined for grades 9-12;
- (3) Career-technical education teachers - 10% of the number of core teachers determined for grades 9-12;
- (4) Lead teachers – one per organizational unit;
- (5) Special education teachers – one per 20 special education students where the number of special education students is 90% of the weighted number of children with disabilities;
- (6) Special education teacher's aides – one for every two special education teachers;
- (7) LEP teachers – one per 100 LEP students, where the number of LEP students is the district's formula ADM multiplied by its percentage of LEP students as defined under federal law;
- (8) Supplemental teachers – one per 100 economically disadvantaged students, where the number of economically disadvantaged students is the district's formula ADM multiplied by the percentage of students who are economically disadvantaged as determined for the district report card.

Lists the Ohio Instructional Quality Index (IQ Index) for each district and specifies that the IQ Index have a minimum value of 0.9 and a maximum value of 1.65 for FY 2010 and FY 2011 and be based on the following characteristics:

- (1) the college attainment rate of the district's population;
- (2) the district's wealth per pupil, based on property valuation and federal adjusted gross income;
- (3) the district's concentration of poverty.

**Executive**

Specifies total funding for instructional services support be calculated as the IQ Index times the statewide base teacher salary of \$51,407 in FY 2010 and \$52,402 in FY 2011 times the number of teacher positions funded.

Directs each school district to account for expenditures of the amount received for instructional services support and report it to ODE.

**Fiscal effect: This component is the largest component of the adequacy amount for districts. Funding per teacher ranges from \$46,266 to \$84,822 in FY 2010 and from \$47,162 to \$86,463 in FY 2011, depending on the district's IQ Index.**

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231      EDU - 129      Additional Services Support

**R.C.      3306.06**

Defines the additional services support component as consisting of funding for student support staff, counselors, summer remediation, school nurses, and registered nurses.

Specifies student support staff be funded as one per 75 economically disadvantaged students using a salary of \$38,633 in FY 2010 and \$39,381 in FY 2011 and with the number of economically disadvantaged students calculated as the district's formula ADM multiplied by the percentage of students who are economically disadvantaged as reported on the district's report card.

Specifies counselors be funded as one counselor for every 250 students in grades 6-12, using a salary of \$66,375 in FY 2010 and \$67,660 in FY 2011.

Specifies summer remediation be funded as one teacher for every 30 participating students, where the participating students are calculated as 50% of economically disadvantaged students, using a stipend of \$3,000 per teacher.

Specifies school nurses be funded as one per organizational unit, using a salary of \$28,009 in FY 2010 and \$28,551 in FY 2011. Specifies that small school districts, defined as having formula ADM of less than 800 students, do not receive funding for a school nurse.

Specifies registered nurses be funded as one per school district, using a salary of \$51,407 in FY 2010 and \$52,402 in FY 2011.

Directs each school district to account for expenditures of the amount received for additional services support and report it to ODE.

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## Executive

232 EDU - 130 Administrative Services Support

R.C. 3306.07

Defines the administrative services support component as consisting of funding for superintendents, treasurers, principals, and administrative support personnel.

Specifies superintendents be funded as one per district, using a salary of \$108,758 in FY 2010 and \$110,864 in FY 2011, phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

Specifies treasurers be funded as one per district, using a salary of \$78,418 in FY 2010 and \$79,937 in FY 2011 phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

Specifies principals be funded as one per organizational unit, using a salary of \$89,563 in FY 2010 and \$91,297 in FY 2011.

Specifies that administrative support personnel includes building managers, secretaries, and noninstructional aides and is to be funded in the following manner, except that small school districts receive funding for one building manager, one secretary, and one noninstructional aide:

(1) One building manager per organizational unit, using a salary of \$33,624 in FY 2010 and \$34,275 in FY 2011;

(2) One secretary per elementary and middle school organizational unit and three secretaries per high school organizational unit, using a salary of \$33,624 in FY 2010 and \$34,275 in FY 2011;

(3) Two noninstructional aides per elementary and middle school organizational unit and three noninstructional aides per high school organizational unit, using a salary of \$19,966 in FY 2010 and \$20,353 in FY 2011.

Directs each school district to account for expenditures of the amount received for administrative services support and report it to ODE.

**Fiscal effect: The phased-in amount for superintendents is \$27,190 in FY 2010 and \$27,716 in FY 2011 per district. The phased-in amount for treasurers is \$19,605 in FY 2010 and \$19,984 in FY 2011 per district.**

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## Executive

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**233**      **EDU - 131**      **Operations and Maintenance Support****R.C.      3306.08**

Calculates operations and maintenance support funding as \$902 per student, phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in. Directs each school district to account for expenditures of the amount received for operations and maintenance support and report it to ODE.

**Fiscal effect: The phased-in amount is \$226 per student in FY 2010 and FY 2011.**

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**234**      **EDU - 132**      **Gifted Education and Enrichment Support****R.C.      3306.09**

Calculates gifted education support funding as \$25 per student. Specifies that each school district must use the amount to provide instruction, activities, materials, and supplies for students identified as gifted.

Calculates enrichment support funding as \$200 per student, phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in. Specifies that each school district must use the amount to support enrichment activities to encourage the intellectual pursuits of all students, including postsecondary courses and advanced placement opportunities, or may use the amount to support gifted programming.

Directs each school district to account for expenditures of the amount received for gifted education and enrichment support and report it to ODE.

**Fiscal effect: The phased-in amount for student enrichment is \$50 per student in FY 2010 and FY 2011.**

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**235**      **EDU - 133**      **Technology Resources Support****R.C.      3306.10**

Defines the technology resources support component as consisting of funding for media services and technical equipment.

Calculates media services funding as \$60,000 per organizational unit.

Calculates technical equipment funding as \$250 per student.

Phases in funding for media services and technical equipment at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

**Executive**

Directs each school district to account for expenditures of the amount received for technology resources support and report it to ODE.

**Fiscal effect: The phased-in amount for media services is equal to \$15,000 per organizational unit and for technical equipment is equal to \$63 per student in FY 2010 and FY 2011.**

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**236      EDU - 134      Special Education Weights**
**R.C.      3306.11**

Updates the weights used to calculate weighted special education ADM as follows (current law weight in parentheses):

- (1) Category 1 = 0.2906 (0.2892);
- (2) Category 2 = 0.3613 (0.3691);
- (3) Category 3 = 1.7809 (1.7695);
- (4) Category 4 = 2.3143 (2.3646);
- (5) Category 5 = 3.5071 (3.1129);
- (6) Category 6 = 5.3543 (4.7342).

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**237      EDU - 135      Transportation Funding**
**R.C.      3306.12, 3306.01**

Enacts a new formula for transportation funding for school districts based on recommendations of ODE.

Directs ODE to calculate statewide transportation cost per student as follows:

- (1) Determine each school district's transportation cost per student by dividing the district's total costs for school bus service in the previous fiscal year by its qualifying ridership in the previous fiscal year;
- (2) Calculate the average after excluding districts that do not provide school bus service, the ten districts with the highest cost per student, and the ten districts with the lowest cost per student.

Directs ODE to calculate statewide transportation cost per mile as follows:

- (1) Determine each school district's transportation cost per mile by dividing the district's total costs for school bus service in the previous fiscal year by its total number of miles driven in the previous fiscal year;
- (2) Calculate the average after excluding districts that do not provide school bus service, the ten districts with the highest cost per mile and the ten districts with the lowest cost per mile.

**Executive**

Directs ODE to calculate each school district's base transportation payment as follows:

- (1) Multiply the statewide cost per student by the district's qualifying ridership for the current fiscal year;
- (2) Multiply the statewide cost per mile by the district's total number of miles for the current fiscal year;
- (3) Multiply the greater of the amount calculated per student or per mile by the greater of 60% or the district's state share percentage, which is equal to the district's state share of the adequacy amount divided by the district's total adequacy amount.

Directs additional funds be distributed for transportation of nontraditional riders (community school, STEM school, or nonpublic school students), transportation of high school students, transportation of students enrolled in grades K-8 who live less than two miles but more than one mile from school, and demonstration of efficiency by transporting more than a target number of students per bus.

Limits the allocation for each district to the district's actual transportation costs.

Continues to require ODE to pay for students transported by a method other than school bus service using a formula adopted by the State Board.

Requires that, in FY 2010 and FY 2011, ODE pay a pro rata portion of the amount calculated for each school district based on state appropriations for transportation.

**Fiscal effect: The bill appropriates \$376.9 million in each fiscal year for these payments.**

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238      EDU - 136      Local Share of Adequacy Amount

**R.C.      3306.13**

Calculates each district's local share ("charge-off") of the adequacy amount as:

- (1) 20 mills times the district's total taxable valuation, for districts that levy less than 20.1 effective class-one current expense mills; or
- (2) 20 mills times the district's recognized valuation for districts that levy 20.1 or more effective class-one current expense mills.

**Fiscal effect: Under current law, school districts contribute 23 mills of their recognized valuation toward base cost funding and up to 3.3 mills of recognized valuation toward special education, career-technical education, and transportation funding. Reducing the local share to 20 mills increases the state share of the calculated adequacy amount and reduces the local share. Additionally, the use of recognized valuation smoothes changes in state aid due to valuation reappraisals and updates. Using taxable value instead of recognized value for districts that levy less than 20.1 effective class-one operating mills eliminates this smoothing effect for those districts.**

## Executive

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**239**      **EDU - 110**      **Funding for Joint Vocational School Districts****R.C.**      **3306.14, Section 265.30.50**

Directs ODE to distribute funds within GRF appropriation item 200550, Foundation Funding, to each joint vocational school district (JVSD) receiving funds in FY 2009. Specifies that each JVSD receive funding equal to the amount received in the previous year inflated by 1.9%.

Requires the Partnership for Continued Learning to establish a JVSD funding committee to study the extent to which current JVSD programming and funding are responsive to state, regional, and local business and industry needs.

Requires the committee to issue a report by September 1, 2010, containing its recommendations for revisions to JVSD programming and funding.

States that the General Assembly will enact laws implementing revisions to JVSD programming and funding by July 1, 2011.

**Fiscal effect: The bill earmarks \$263.2 million in FY 2010 and \$268.2 million in FY 2011 for payments to JVSDs. There are also likely administrative costs associated with the JVSD funding committee.**

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**240**      **EDU - 112**      **Educational Service Centers Funding****R.C.**      **3306.15, Section 265.50.10**

Specifies that state funding for educational service centers (ESCs) in FY 2010 and FY 2011 be equal to 90% of the funding provided in FY 2009.

Establishes the Educational Service Center (ESC) Study Committee to study the extent to which the current ESC system supports school districts in academic achievement, teacher quality, shared educational services, and the purchasing of services and commodities. Directs the committee to make recommendations regarding (1) a new regional service delivery system, (2) ESC governance structure, and (3) accountability metrics for ESCs. Requires a progress report due by July 1, 2010 and a final report due to the Governor by October 1, 2010.

Requires each ESC to undergo a performance audit during FY 2010 and FY 2011 conducted by the Auditor of State or a vendor contracted by ODE. Directs ODE, the Office of Budget and Management, and the Auditor of State to agree to the audits' scope and set metrics for (1) operational standards utilized by each ESC, (2) utilization of services by school districts, and (3) the quality of educational and professional development services.

## Executive

**Fiscal effect: The bill earmarks \$42.3 million in each fiscal year for payments to ESCs. The bill earmarks \$16.4 million in FY 2010 and \$18.0 million in FY 2011 for audits and a portion of the amount is directed to be used for the performance audits of ESCs. There are likely administrative costs associated with the ESC Study Committee.**

241      EDU - 141      Community School Funding

R.C.      *3306.16, 3314.03, 3314.08, 3314.083,  
3314.084, 3314.087, 3314.091, 3314.10,  
3314.26, 3317.03, Repealed: 3314.085,  
3314.13*

Requires that state payments be made directly to community schools, calculated using some elements of the adequacy amount for school districts, as follows:

- (1) specifies that all community schools constitute one organizational unit for funding purposes, regardless of enrollment size;
- (2) does not apply the IQ Index in calculating community school payments;
- (3) adjusts the model for "brick and mortar" community schools as follows:
  - (a) for additional services support, limits community schools to one counselor regardless of enrollment size, and one school nurse if ADM is less than 800 or one registered nurse if ADM is 800 or more;
  - (b) for administrative services support, does not provide funding for a superintendent or a treasurer, and otherwise limits funding to one principal, one building manager, and one secretary.
- (5) adjusts the model for Internet- or computer-based community schools ("e-schools") as follows:
  - (a) for instructional services support, provides funding for core teachers, special education teachers, special education teacher's aides, and LEP teachers. Determines the number of core teachers funded by using a 1:125 student to teacher ratio for all grades. Does not provide funding for specialist teachers, career-technical teachers, lead teachers, or supplemental teachers.
  - (b) for additional services support, provides funding for one counselor regardless of enrollment size. Does not provide funding for student support staff, summer remediation, school nurses, or registered nurses.
  - (c) does not provide funding for administrative services support (superintendent, treasurer, principals, and administrative support personnel), operations and maintenance support, gifted education and enrichment support, or professional development.

**Executive**

(d) for technology resources support, provides \$1,037 per pupil for technical equipment with no phase-in applied; does not provide funding for media services.

Repeals the law requiring each e-school to spend at least a portion of its per-pupil state payment on instruction, as the calculation is based on elements of the current funding formula, instead of the new model.

**Fiscal effect: E-schools receive fewer components of the adequacy amount, thereby significantly reducing the amount of state funds they will receive through the funding formula as opposed to traditional school districts.**

**The bill appropriates \$495.9 million in FY 2010 and \$532.2 million in FY 2011 for formula aid payments to community schools, including e-schools.**

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242      EDU - 142      STEM School Funding

R.C.      3306.17, 3317.03, 3326.31 - 3326.34,  
             3326.38, 3326.51

Specifies the funding methodology and distribution for STEM schools based on the school's governance:

(1) if the school is governed by a school district board of education as one of the schools of the district, counts the students in the school's formula ADM and credits funding to the district. (Counts students from other districts who enroll in the school in the formula ADM of the district operating the school, instead of the formula ADM of their resident districts.) Subjects the district to current law requiring the board to allocate to the STEM school the funds generated by the STEM school's students.

(2) pays other STEM schools state funds directly, calculated using the proposed school funding formula incorporating the adequacy amount, with the following modifications:

(a) does not apply the IQ Index in calculating the school's payments;

(b) subjects the STEM school's funding calculation to the same modifications provided for "small school districts," meaning considers the school to be one organizational unit; does not provide funding for school nurses; and provides funding for one principal, one secretary, and one noninstructional aide under the administrative support services.

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243      EDU - 139      Transitional Aid and Growth Cap

R.C.      3306.19

Requires payment of a transitional aid subsidy to school districts to ensure that:

**Executive**

(1) no district's combined state share of the adequacy amount plus prorated transportation payment in FY 2010 is less than 100% of its transitional aid base for FY 2009, which is equal to the state formula aid credited to the district for FY 2009 less any amount of that aid attributable to community school students and net of any additions or deductions for open enrollment students;

(2) no district's combined state share of the adequacy amount plus prorated transportation payment in FY 2011 is less than 98% of its FY 2010 amount.

Limits growth in a district's state share of the adequacy amount plus prorated transportation payment as follows:

(1) In FY 2010, to no more than 115% of its transitional aid base for FY 2009.

(2) In FY 2011, to no more than 116% of its FY 2010 amount.

**Fiscal effect: Transitional aid ensures that no school district receives a decrease in state aid in FY 2010 and limits the decrease to 2% in FY 2011. The cap on growth ensures that no school districts sees growth in state aid greater than 15% in FY 2010 or 16% in FY 2011.**

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244      EDU - 140      Ohio Research-Based Funding Model Advisory Council

**R.C.      3306.29**

Establishes the Ohio Research-Based Funding Model Advisory Council to submit biennial recommendations for revisions to the components of the adequacy amount calculation. Directs the Council to meet quarterly, beginning August 2009, and submit its recommendations by September of each even-numbered year.

Directs the Office of School Resource Management in ODE to provide staffing assistance to the Council.

**Fiscal effect: There are likely administrative costs associated with the Council. There is no direct appropriation for this purpose, however the bill earmarks \$600,000 in each fiscal year for the Office of School Resource Management which, among its other duties, is directed to provide staffing assistance to the Council.**

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245      EDU - 23      School Spending Accountability

**R.C.      3306.30, 3306.18, 3306.31-3306.34, 3306.40,  
117.54**

Requires each school district, each community school, and each STEM school to submit to ODE a spending plan for state funds received for components of the school funding adequacy amount that deploys those funds for the purposes designated for each component and complies with the operating standards adopted by the State Board.

**Executive**

Requires each school district that has a high school with a graduation rate of 70% or less (1) to obtain the approval of its spending plan from ODE and the Governor's Closing the Achievement Gap Initiative and (2) to create and staff within its state-funded student support staff the position of linkage coordinator to serve as the primary mentor and service coordinator for students identified as potential nongraduates.

Requires ODE to annually reconcile each district's, community school's, and STEM school's spending plan with its actual spending.

Requires the Superintendent of Public Instruction to certify to the State Board of Education by July 15 each year the amount each city, local, and exempted village school district spent in the previous fiscal year on each component of the district's adequacy amount.

Requires each school district, community school, and STEM school to undergo a performance audit once every five years under the direction of the Office of School Resource Management within ODE. Requires each district or school to submit a written response that specifies a timeline for implementing the audit recommendations. Requires that, at the end of that timeline, each district or school report its progress on implementing the recommendations.

Specifies the actions ODE must take when a school district, community school, or STEM school either fails to properly allocate state funds for at least five components of the adequacy amount, fails to submit or comply with a spending plan, fails to cooperate with a performance audit or submit a response or progress report, or fails to implement recommendations from a performance audit. Requires (1) ODE to provide technical assistance and the district or school to develop a three-year operations improvement plan in the first year of noncompliance, (2) ODE to appoint a State Intervention Team to assist the district or school in the second year of noncompliance, (3) the Superintendent of Public Instruction to appoint an Accountability Compliance Commission or a trustee to manage the district or school in the third year of noncompliance, and (4) the State Board of Education to revoke the district's charter or ODE to order the community school or STEM school to close in the fourth year of noncompliance.

Specifies that the State Board of Education, at any time that a school district fails to comply with the spending accountability measures or to comply with the State Board's new operating standards, may revoke the district's charter. Specifies that ODE may order a community school or STEM school to close if it fails to comply with the spending accountability measures.

Requires the Auditor of State, when conducting an audit of a school district, community school, or STEM school, to determine whether the district or school (1) has developed and submitted, and is complying with a spending plan, and (2) is implementing recommendations from a performance audit. Requires that these determinations be recorded in the audit report.

**Executive**

Permits school districts, community schools, and STEM schools to apply to the Superintendent of Public Instruction for a waiver of the bill's spending requirements or the State Board of Education's new operating standards. Directs that the waiver may be in effect for up to five years and may be renewed.

**Fiscal effect: (1) School district flexibility in the use of state funds will be restricted.**

**(2) School districts, community schools, and STEM schools will likely bear a local administrative cost for the preparation of spending plans, audit responses, and implementation plans.**

**(3) ODE will bear an administrative cost relating to the review of spending plans and associated monitoring and reconciliation.**

**(4) ODE will bear the cost of the performance audits. The bill earmarks \$16.4 million in FY 2010 and \$18.0 million in FY 2011 for these audits.**

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246      EDU - 123      Formula Amount

R.C.      *3317.02*

Prescribes formula amounts of \$5,841 for FY 2010 and \$5,952 for FY 2011 for (1) districts to use in calculating deposits into their textbook and instructional materials fund and capital and maintenance fund, and (2) the state to use in calculating payments to colleges and universities under the Post-Secondary Enrollment Options program.

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247      EDU - 124      ODJFS Reports to ODE

R.C.      *3317.10, (Repealed)*

Repeals the law requiring the Department of Job and Family Services (ODJFS) to annually report to ODE the number of children in each school district ages 5 to 17 whose families participate in the Ohio Works First program.

**Fiscal effect: The proposed school funding formula will not use the number of students whose families are enrolled in Ohio Works First to determine the economically disadvantaged for funding purposes, but will instead use the percentage of students reported as economically disadvantaged on the district report cards to target funding for economically disadvantaged students.**

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## Executive

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248      EDU - 28      All-Day Kindergarten

R.C.      *3321.05, 3321.01, 3317.03*

Requires each school district to offer all-day kindergarten to all kindergarten students, beginning in FY 2011, subject to the following exceptions: (1) requires districts to continue to accommodate kindergartners whose parents elect to enroll them for only half-day kindergarten; and (2) permits districts to apply for a waiver of the requirement to the Superintendent of Public Instruction. Permits the Superintendent to take into consideration space concerns or alternative delivery approaches when considering the waiver.

Eliminates the provision by which districts providing all-day kindergarten may charge tuition or fees.

**Fiscal effect: Districts currently not providing all-day kindergarten may need to hire more teachers and acquire more classroom space. Districts currently charging tuition or fees for all-day kindergarten will no longer be able to do so, thus eliminating that local revenue stream. However, the school funding formula counts all kindergarten students as full time students instead of half time students as under current law.**

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249      EDU - 51      Post-Secondary Enrollment Options Alternative Funding

R.C.      *3365.12, 3314.08, 3326.36, 3365.04,  
3365.041, 3365.07-3365.10*

Authorizes the Superintendent of Public Instruction and the Chancellor of the Ohio Board of Regents jointly to adopt rules allowing school districts, community schools, STEM schools, and nonpublic schools to enter into alternative funding agreements to pay colleges and universities for high school students taking college courses through PSEO programs, including Seniors to Sophomores.

**Fiscal effect: The rules adopted may provide flexibility in the amount and manner of payments made to colleges and universities for high school students participating in PSEO programs.**

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250      EDU - 111      Cleveland Municipal School District Early Adopter Project

**Section:    *265.40.90***

Provides the Cleveland Municipal School District (CMSD) full funding of its state share of the adequacy amount under the provisions of R.C. 3306.

Permits the CMSD CEO, upon the expiration of the current collective bargaining agreement, to reassign teachers according to the needs of students in individual organizational units.

**Executive**

Requires CMSD to undergo a curriculum audit and a business and operational management study, to be conducted by an organization with experiences in conducting such studies of urban districts selected by the Superintendent of Public Instruction in consultation with the CMSD CEO.

Requires the CMSD CEO to collaborate with CMSD's Advisory Council to create a five-year strategic plan. Requires the plan to implement the recommendations of the curriculum audit and the business and operational management study, unless the Superintendent of Public Instruction grants a waiver of the requirement. Requires the district board of education to adopt the strategic plan and monitor its implementation. Requires the Superintendent of Public Instruction to provide technical assistance and monitoring.

Requires CMSD to hire a Chief Systems Redesign Officer, who reports directly to the CMSD CEO, to create a five-year redesign plan for each organizational unit.

Requires CMSD to create a Systems Redesign Advisory Council. Directs the Council to make recommendations to the Chief Systems Redesign Officer regarding implementation of the system redesign of the organizational units; implementation of the recommendations of the curriculum audit, business and operational management study, and the Human Ware Audit; and any other matters requested by the Chief Systems Redesign Officer.

Requires CMSD to create a Transformational Leadership Team in each organizational unit to implement a systems redesign of the organizational unit and to define student success.

Requires the CMSD CEO to issue a progress report at the end of each fiscal year to the Governor and Superintendent of Public Instruction. Requires that if the Superintendent determines there has been insufficient progress toward meeting the recommendations of the curriculum audit and business and operational management study in FY 2010, CMSD is not eligible in FY 2011 for funds provided for the Early Adopter Project in GRF appropriation item 200422, School Management Assistance, and transitional aid.

**Fiscal effect: Unlike other school districts, no part of the adequacy amount will be phased in for CMSD. Additionally, \$1.0 million is earmarked in each fiscal year in GRF appropriation item 200422, School Management Assistance, to fund the studies directed and assist with training and implementation of the Early Adopter Project.**

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251      EDU - 55      State School for the Blind and School for the Deaf

**Section: 265.60.50**

Requires the Superintendent of Public Instruction to study the viability of funding the Ohio State School for the Blind and Ohio School for the Deaf through the evidence-based funding model proposed by the bill and to issue, by June 30, 2010, a report describing the findings and recommendations for a transparent, sustainable funding mechanism for the schools.

**Executive**

**Fiscal effect: Minimal increase in administrative costs for completion of the study.**

252      EDU - 20      Foundation and Transitional Aid Funding Reimbursement

**Section: 265.60.70**

Specifies that no school district for which a reduction was made in its reported formula ADM for FY 2005 based on community school enrollment reports and, accordingly, for which a reduction was made in its foundation or transitional aid funding for FY 2005, FY 2006, or FY 2007, has a legal right to reimbursement for that reduction in funding except as expressly provided in a final court judgment or settlement agreement.

**Community Schools**

253      EDU - 50      Funding and Expenditure Accountability Reports

**R.C. 3302.031**

Requires ODE annually to prepare a funding and expenditure accountability report for each community school and STEM school as it currently does for all school districts.

**Fiscal effect: Minimal.**

254      EDU - 91      Sale of School District Property

**R.C. 3313.41, 3314.051, 3318.08**

Repeals the following requirements:

- (1) 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) 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.

**Fiscal effect: None.**

## Executive

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255      EDU - 5      Community School Report Cards

R.C.      *3314.012*

Eliminates the requirement that a community school must be in operation for two full school years before ODE may issue a report card for that community school.

**Fiscal effect: Minimal increase in administrative costs for ODE.**

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256      EDU - 7      Community School Operators

R.C.      *3314.014, 3314.024, 3314.028*

Requires operators of community schools to be nonprofit entities. Exempts community schools with current contracts with for-profit operators from this requirement until the contracts expire.

Requires that contracts between a community school and an operator be selected through a competitive bidding process established by ODE.

**Fiscal effect: Some community schools may need to contract with a different operator after the termination of their current contracts.**

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257      EDU - 87      Community School Sponsor Oversight

R.C.      *3314.015, 3314.021, 3314.027, 3314.191*

Clarifies that ODE's authority to oversee and monitor community school sponsors applies to all sponsors, regardless of whether they must initially be approved by ODE for sponsorship.

Permits ODE to place a sponsor in probationary status or to suspend or restrict the sponsor's authority to sponsor community schools for failure to intervene to correct problems at a school.

Prescribes other, graduated sanctions that ODE must take if the sponsor fails to take certain oversight actions or if one or more of the sponsor's community schools fails to meet certain criteria. Requires that, in the first year, ODE provide technical assistance and the sponsor prepare a three-year improvement plan and notify parents. Requires that, if a failure occurs in a second consecutive year, ODE place the sponsor on probationary status and monitor the sponsor's implementation of remedies. Requires that, if a failure occurs in a third consecutive year, ODE revoke the sponsor's authority to sponsor community schools.

**Executive**

Requires a sponsor to provide annual assurances to ODE that each community school it sponsors is in compliance with criminal records check and supervision requirements for private contractor employees working in the school.

Requires ODE's annual report on community schools to include the performance of community school sponsors.

**Fiscal effect: May increase administrative costs for ODE.**

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258      EDU - 12      New Start-Up Community Schools

R.C.      *3314.016*

Revises the exception to the cap on new start-up community schools by prohibiting contracts with operators that manage other schools in Ohio, unless at least one of those schools has a report card rating higher than academic watch.

**Fiscal effect: May limit a start-up community school's choice of operator.**

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259      EDU - 13      Appeal of Termination or Nonrenewal of Operator Contract

R.C.      *3314.026, Repealed*

Repeals current law that permits a community school operator whose contract will be terminated or not renewed by the school's governing authority to appeal the decision to the school's sponsor, or in some cases, to the State Board of Education, and that requires the operator to replace the school's governing authority if the operator prevails in the appeal.

**Fiscal effect: Any costs related to the appeal process would be eliminated and community schools would have more flexibility in terminating or not renewing contracts with operators.**

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260      EDU - 52      Community School Accountability

R.C.      *3314.03, 3314.42-3314.44*

Removes the opening date exception for community schools that serve dropouts and requires those schools to open not later than September 30 of each school year as required of other community schools.

Requires the governing authority of each community school to submit to the school's sponsor a copy of any corrective action plan for the school required by ODE.

Specifies that community schools are educational institutions to which student records may be released for a legitimate educational purpose without the consent of the student or the student's parent.

Specifies that if a community school closes, the chief administrative officer must transmit all educational records to ODE and that failure to do so is a third degree misdemeanor.

## Executive

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**Fiscal effect: Minimal.**

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261      EDU - 4      Community School Teachers

R.C.      *3314.102, 3314.03, 3314.19, 3314.21*

Requires that teachers hired on or after the provision's effective date to teach core academic subjects in community schools that receive federal Title I funds meet the definition of highly qualified teacher as defined in section 3319.074 of the Revised Code.

**Fiscal effect: None.**

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262      EDU - 6      Unauditable Community Schools

R.C.      *3314.38, 269.60.60*

Codifies and makes permanent Section 269.60.60 of Am. Sub. H.B. 119 of the 127th General Assembly, which prescribes procedures for the Auditor of State, community school sponsors, and ODE, with regard to community schools that are declared unauditale.

**Fiscal effect: None.**

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263      EDU - 83      Community School On-Site Evaluations

R.C.      *3314.39*

Requires ODE to conduct an on-site visit of each community school at least every five years to evaluate the school's operations. Requires ODE, during each visit, to do the following:

- (1) Determine if the school has complied with the terms of the contract with its sponsor;
- (2) Determine if the school has complied will all applicable laws and administrative rules, including laws regarding community school academic and fiscal accountability;
- (3) Corroborate the academic and fiscal performance of the school reported annually to ODE by the sponsor; and,
- (4) Review, if applicable, the school's progress in implementing a continuous improvement plan.

Requires schools to provide any data, documents, or other materials ODE considers necessary to conduct a thorough on-site visit.

Requires ODE, upon completion of each visit, to issue a written report summarizing its findings and establishes procedures for review of the report by the sponsor and governing authority of the school. Requires ODE to post the final version of the

**Executive**

report on its website.

Permits the sponsor of a community school to consider the findings contained in the report in deciding whether to place the school in probationary status, to suspend the operation of the school, or to terminate the school's contract. Specifies that ODE may revoke the sponsor's approval to sponsor community schools if the sponsor fails to take any of these actions ODE determines are warranted based on the report.

Requires the State Board of Education to adopt rules to implement this section.

**Fiscal effect: The bill permits these visits to be conducted in conjunction with visits required for schools in academic emergency, thus, limiting travel costs for these trips. However, visits conducted for schools not in academic emergency could result in increased administrative costs for ODE. Schools may also have increased administrative costs depending on what is required of them by ODE to conduct a thorough on-site visit.**

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264      EDU - 107      Community School SBH Subsidy

**Section: 265.50.60**

Continues the payment in FY 2010 and FY 2011 of a subsidy for certain community schools with at least 50% of students enrolled receiving education and services for a severe behavior handicap (SBH). Specifies that the amount of the subsidy not be deducted from the students' resident school district.

**Fiscal effect: Provides for higher state payments to the affected community school.**

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265      EDU - 108      Community School Operation from Residential Facilities

**Section: 265.50.80**

Continues to prohibit a community school that was not open for operation as of May 1, 2005, from operating from certain residential facilities that receive and care for children.

**Fiscal effect: None.**

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266      EDU - 109      Early College Start Up Community School

**Section: 265.50.90**

Continues to permit an early college high school that is currently run by a Big Eight school district in partnership with a private university to operate as a start-up community school if certain conditions are met.

**Fiscal effect: None.**

## Executive

Educator Provisions

## 267      EDU - 27      Educator Preparation Programs

R.C.      *3301.12, 3333.048, 3333.049, Repealed: R.C. 3319.23*

Transfers responsibility for approving teacher preparation programs from the State Board of Education to the Chancellor of the Board of Regents and expands the requirement to include approval of preparation programs for other school personnel. Directs the Chancellor, jointly with the Superintendent of Public Instruction, to:

(1) establish metrics and courses of study for the preparation of educators and other school personnel and the institutions of higher education with preparation programs; and (2) provide for inspection of the institutions.

Requires the Chancellor to issue an annual report on the quality of approved teacher preparation institutions.

**Fiscal effect: There will likely be some costs relating to the establishment of metrics and inspections of institutions. The provision specifies that if the adopted metrics and regulations require curricular changes in the institutions that money be allocated from its existing appropriations.**

## 268      EDU - 35      Teacher Tenure

R.C.      *3319.08*

Adds to the qualifications for a continuing contract (tenure) for regular classroom teachers who become licensed for the first time on or after January 1, 2011, a requirement that the teacher has held an educator license for at least nine years. Stipulates that these tenure requirements override any conflicting collective bargaining agreement entered into on or after the provision's effective date.

Clarifies that classroom teachers first licensed prior to January 1, 2011, are eligible for tenure if they have completed current continuing education requirements since the initial receipt of an educator license, unless that license was a substitute teaching license.

**Fiscal effect: None.**

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**Executive**

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**269      EDU - 29      Termination of Teacher Employment Contracts****R.C.      3319.16**

Eliminates "gross inefficiency or immorality" and "willful and persistent violations of reasonable regulations of the board of education" as statutory grounds for termination of a school district teacher employment contract.

Retains "good and just cause" as statutory grounds for termination of a school district teacher employment contract.

Specifies that the bill's changes to the grounds for termination prevail over any conflicting collective bargaining agreement entered into after the changes' effective date.

**Fiscal effect: None**

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**270      EDU - 18      School District Reductions in Force****R.C.      3319.17, 3319.172**

Removes the phrase "for financial reasons" from the list of statutory reasons a school district or educational service center may make reductions in force in its teaching and nonteaching staff.

Repeals the current law specifying that statutory standards for reductions in force of teaching and nonteaching employees prevail over conflicting provisions of collective bargaining agreements entered into after September 29, 2005.

**Fiscal effect: May reduce some of the flexibility the districts and ESCs have in reducing staff.**

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## Executive

271 EDU - 26 Educator Licensure

R.C. 3319.22, 3319.222, 3319.26, 3319.28,  
*Repealed: R.C. 3319.222, 3319.302, 3319.304*

Requires the State Board of Education to establish qualifications for the following types of educator licenses and to begin issuing them January 1, 2011:

- (1) A four-year, nonrenewable resident educator license for which the minimum qualifications must be a bachelor's degree from a teacher preparation program;
- (2) A five-year, renewable professional educator license for which the minimum qualifications must be a bachelor's degree, successful completion of the Ohio Teacher Residency Program for applicants whose prior license was a resident educator license or an alternative resident educator license, and demonstration that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent of Public Instruction;
- (3) A five-year, renewable senior professional educator license for which the minimum qualifications must be a master's degree, previous receipt of a professional educator license, meeting the criteria for the accomplished or distinguished level of performance described in the Educator Standards Board's teacher standards, and demonstration that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent; and
- (4) A five-year, renewable lead professional educator license for which the minimum qualifications must be a master's degree, previous receipt of a professional or senior professional educator license, meeting the criteria for the distinguished level of performance described in the Educator Standards Board's teacher standards, either certification from the National Board for Professional Teaching Standards or meeting the Educator Standards Board's criteria for a lead teacher, and demonstration that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent.

Permits the State Board to issue additional educator licenses of categories and types it elects to provide.

Specifies that the State Board's qualifications for obtaining a principal license (1) must be aligned with the Educator Standards Board's principal standards, and (2) require an applicant to demonstrate that students in the applicant's classroom or building have achieved a value-added measure designated by the Superintendent.

Repeals the prohibition on the State Board requiring an educator license for teaching children two years old or younger.

Renames the alternative educator license as the "alternative resident educator license" and makes it a four-year license for teaching in grades 4-12, instead of a two-year license limited to grades 7-12. Requires applicants for the license to complete an intensive pedagogical training institute to be developed by the Superintendent and the Chancellor of the Board of Regents. Requires a holder of the license to participate in the Ohio Teacher Residency Program.

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**Executive**

Eliminates the one-year conditional teaching permit for teaching in grades 7-12 and the one-year conditional teaching permit in the area of intervention specialist, which are optional precursors to the current alternative educator license.

Requires the holder of a provisional educator license for teaching in a STEM school who seeks a professional educator license to meet all of the State Board's requirements for the professional license in addition to current requirements.

Requires the State Board to accept applications for the current types of educator licenses through December 31, 2010, and to issue the licenses in accordance with existing requirements. Specifies these licenses remain valid until they expire, at which point the applicants must meet the State Board's new licensure qualifications.

**Fiscal effect: There are likely administrative costs associated with implementing the new licensing standards and particularly relating to the creation of tools to measure the academic achievement of a teacher's students as a determinant for whether the teacher is eligible for a teaching license of a particular level and relating to the creation of the Pedagogical Training Institute required for alternative resident educators. The bill earmarks \$5.1 million annually in FY 2010 and FY 2011 for alternative licensure programs.**

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272      EDU - 25      Ohio Teacher Residency Program

**R.C.      3319.223**

Requires the Superintendent of Public Instruction and the Chancellor of the Board of Regents, by January 1, 2011, to establish the Ohio Teacher Residency Program, which is a four-year, entry-level program for classroom teachers.

Requires that the program include (1) mentoring by lead teachers, (2) counseling regarding needed professional development, (3) use of measures of student academic gain to evaluate teacher effectiveness, and (4) measures of appropriate progression through the program.

**Fiscal effect: District costs for supplying mentors to entry-level teachers will likely increase as the current entry-year program authorized in State Board rules, which also requires mentoring, only lasts one year. Districts may use lead teachers to mentor entry-level teachers. Lead teachers are funded in the proposed school funding model as a factor in the instructional services component of the adequacy amount.**

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## Executive

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273      EDU - 24      Educator Standards Board

**R.C.      3319.60, 3319.61, 3319.611, 3319.612**

Adds a school district treasurer or business manager member and a parent member to the Educator Standards Board, to be appointed by the State Board of Education. Adds the ranking minority members from the education committees of the Senate and House of Representatives as nonvoting, ex officio members. Requires that the Educator Standards Board's membership reflect the diversity of the state in terms of gender, race, ethnic background, and geographic distribution.

Changes the appointing authority of the three members employed by institutions of higher education from the State Board of Education to the Chancellor of the Board of Regents.

Requires that the standards developed for teachers and principals align with the operational standards adopted by the State Board. Requires that the standards developed for teachers align with certain aspects of the academic standards and reflect the Ohio leadership framework.

Directs the Educator Standards Board to develop and recommend to the State Board of Education standards for school district superintendents and standards for school district treasurers and business managers. Creates the Subcommittee on Superintendent Standards and the Subcommittee on School Treasurer and Business Manager Standards.

Directs the Educator Standards Board to investigate and make recommendations for the creation, expansion, and implementation of school building and district leadership academies.

Repeals the requirement that the Educator Standards Board collaborate with teachers colleges to align their courses with the standards developed by the Board.

Repeals the requirement that the Educator Standards Board study the model for agricultural education developed by the College of Food, Agricultural, and Environmental Sciences and the College of Education at The Ohio State University.

Directs the Educator Standards Board to develop model teacher and principal evaluation instruments.

Requires the Educator Standards Board to propose new standards to the State Board of Education by September 1, 2010.

**Fiscal effect: There are likely ODE administrative costs associated with the development of new standards, model evaluation instruments for principals and teachers, criteria for lead teachers, and recommendations for leadership academies. The bill appropriates \$1.7 million in each fiscal year to support the Educator Standards Board.**

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## Executive

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274      EDU - 16      Lead Teachers

R.C.      3319.61, 3301.0714, 3302.03, 3319.56

Renames "master teacher" to "lead teacher".

Directs the Educator Standards Board to adopt criteria that certain applicants for a lead professional educator license must meet to be considered a lead teacher.

**Fiscal effect: None.**

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275      EDU - 33      Teach Ohio Program

R.C.      3333.39

Directs the Chancellor of the Board of Regents and the Superintendent of Public Instruction to establish and administer the Teach Ohio Program which includes:

- (1) a statewide program administered by a nonprofit corporation that encourages high school students from economically disadvantaged groups to become teachers;
- (2) the Ohio Teaching Fellows Program;
- (3) the Ohio Teacher Residency Program;
- (4) alternative licensure programs;
- (5) any other program as identified by the Chancellor and Superintendent.

**Fiscal effect: The bill earmarks \$1.0 million in each fiscal year for the nonprofit-administered program, \$5.1 million in each fiscal year for alternative licensure programs, and \$2.5 million in FY 2011 for the Ohio Teaching Fellows Program.**

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276      EDU - 34      Ohio Teaching Fellows Program

R.C.      3333.391, 3333.392

Creates the Ohio Teaching Fellows Program to provide undergraduate scholarships for qualified students going into the teaching profession who commit to teaching in a hard-to-staff or academic watch or emergency public school for at least four years. Provides additional consideration in the scholarship application process to students participating in the Teach Ohio program that encourages economically disadvantaged high school students to become teachers, and to those planning to teach students with special needs or within the STEM disciplines.

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**Executive**

Stipulates that failure to fulfill the four year teaching commitment will result in the conversion of the scholarship into a loan that accrues interest at 10% annually.

**Fiscal effect: The bill appropriates \$2.5 million in FY 2011 for the Ohio Teaching Fellows Program.**

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277      EDU - 145      Task Force on Teacher Compensation and Performance

**Section: 265.60.20**

Creates the 19-member Task Force on Teacher Compensation and Performance to make recommendations by December 1, 2010, for improving connections between teacher compensation, teaching excellence, and higher levels of student learning.

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**Early Childhood**

278      EDU - 116      Early Childhood Advisory Council and Early Childhood Financing Workgroup

**R.C. 3301.90, Section 265.70.20**

Creates the Early Childhood Advisory Council to serve as the federally mandated state advisory council on early childhood education and care, and advise the state regarding the creation and duties of the Center for Early Childhood Development in ODE.

Directs the Early Childhood Advisory Council to establish an Early Childhood Financing Workgroup, to be chaired by the chairperson of the Early Childhood Advisory Council, to develop recommendations for a single financing system for early care and education programs. Requires the Council to submit its recommendations to the Governor by December 31, 2009.

**Fiscal effect: There are likely minimal administrative costs associated with the implementation and duties of both the Early Childhood Advisory Council and the Early Childhood Financing Workgroup.**

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## Executive

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279      EDU - 38      Early Childhood Education

**Section: 265.10.20**

Continues the GRF-funded early childhood education program at school districts, joint vocational school districts, or educational service centers for children at least three years old as of the district entry date for kindergarten (except that children with an IEP where the early childhood education program is the least restrictive environment may be enrolled on their third birthday), not eligible for kindergarten, and whose families earn not more than 200% of the federal poverty guidelines.

Makes the following requirements for participating programs: (1) development and administration costs may not exceed 15% of the cost of each program, (2) fiscal records must be maintained, (3) a corrective action plan, approved by ODE, must be implemented if the program is found to not be meeting standards (ODE may deny funding if a program fails to successfully complete its plan), (4) teacher qualification requirements prescribed by law must be met, including a requirement that teachers attend a minimum of 20 hours every two years of professional development regarding implementation of content standards and assessments, (5) curriculum must be aligned to the early learning content standards, (6) child progress must be documented and reported, (7) early learning program guidelines must be met, (8) child or program assessment requirements must be met, (9) families who earn more than the 200% of the federal poverty guidelines must be charged a fee based on a sliding scale.

Specifies that per-pupil funding must be sufficient to provide eligible children with services for a standard early childhood schedule, defined as one-half of the statewide average length of the school day, as determined by ODE, for the minimum school year as prescribed by law.

Directs that funds first be distributed to those who received funds for early childhood programs in the previous fiscal year, and the balance be distributed to new providers of early childhood education programs, existing providers to serve more eligible children, or for purposes of program expansion, improvement, or projects to promote quality and innovation.

Requires ODE to provide an annual report regarding early childhood education programs and the early learning program guidelines.

**Fiscal effect: The bill appropriates \$34.8 million in each fiscal year for the program, including an earmark of 2% for ODE's administrative costs.**

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## Executive

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280      EDU - 57      Center for Early Childhood Development

**Section: 265.70.10**

Creates the Center for Early Childhood Development, comprised of staff from ODE, and the departments of Job and Family Services and Health, to research and make recommendations regarding the transfer from various state agencies to ODE of the authority and responsibility to implement and coordinate early childhood programs and services for children, beginning with prenatal care until entry into kindergarten.

Directs the Superintendent of Public Instruction to hire a Director for the Center.

Requires the Director of the Center to submit an implementation plan regarding coordination and implementation of early childhood education plans to the Superintendent and Governor not later than August 31, 2009.

Permits the Director of Budget and Management to seek Controlling Board approval to create new funds and non-GRF appropriation items, transfer cash between funds, and transfer appropriation within the same fund used by the same state agency to support the preparation of the implementation plan.

**Fiscal effect: Increase in personnel cost for the Director of the Center for Early Childhood Development.**

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281      EDU - 144      Early Learning Initiative

**Section: 309.40.60**

Reauthorizes the Early Learning Initiative (ELI), jointly administered by ODE and the Department of Job and Family Services (ODJFS) to provide early learning services 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 200% of the federal poverty guidelines (FPG).

Requires each county department of job and family services (CDJFS) to determine eligibility for Title IV-A services for children seeking to enroll in an early learning program within 15 days after the CDJFS receives a completed application.

Requires families of eligible children whose income is more than 100% of the federal poverty guidelines (FPG) and equal to or less than 200% FPG to pay copayments for ELI services and exempts families whose income is equal to or less than 100% FPG from co-payment requirements.

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

**Executive**

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. Specifies both separate duties for ODJFS and ODE to fulfill for ELI, and joint duties.

Requires that ODJFS and ODE enter into an interagency agreement to claim expenditures for ELI to the state's TANF maintenance of effort requirement and develop reporting guidelines for these expenditures.

Requires ODJFS and ODE to contract for up to 12,000 enrollment slots for eligible children each fiscal year.

**Fiscal effect: Potential decrease in expenditures due to increase in copayments received from participating families. In FY 2008 and FY 2009 copayments were required only of families whose incomes were 165% FPG to 200% FPG.**

**The executive proposal recommends funding ELI services through GRF appropriation item 600535, Early Care and Education, in the ODJFS budget. Expenditures from this appropriation item will be used to help meet the state's TANF maintenance of effort. In FY 2008 and FY 2009 ELI was funded through an earmark from the TANF Block Grant.**

**Scholarship Programs**

282      EDU - 3      Assessments at Nonpublic Schools with Scholarship Students

R.C.      *3310.14, 3313.976*

Requires all nonpublic schools that participate in the Educational Choice scholarship program or the Cleveland Scholarship Program to administer state assessments to all enrolled students, instead of just to scholarship students as under current law, and report student scores to ODE.

**Fiscal effect: ODE would bear the cost of furnishing the tests to participating nonpublic schools.**

**Other Education Provisions**

283      EDU - 137      School Operating Standards

R.C.      *3301.07*

Requires the State Board to adopt additional standards for school districts including (1) standards for the effective and efficient organization, administration, and supervision of each district; (2) standards for the establishment of a business advisory committee and a family and community engagement team; (3) standards for the expenditure of the amounts received under each component of the school funding formula; and (4) standards for district organizational units.

Specifies that the standards for organizational units require (1) effective and efficient organization, administration, and supervision of the unit; (2) a school organizational unit leadership team; and (3) compliance with standards for

**Executive**

expenditures of the amounts received under each component of the school funding formula.

Specifies that these additional standards prevail over collective bargaining agreements entered into after the provision becomes effective.

Permits the Superintendent of Public Instruction to waive these additional standards as they relate to school district schools.

Requires that in the minimum operating standards for schools adopted by the State Board of Education, the Board require that instructional materials and equipment be aligned with the academic standards.

**Fiscal effect: ODE's administrative costs may increase as a result of developing and adopting these additional standards.**

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284      EDU - 67      School Financial Reporting

R.C.      *3301.07, 3314.03, 3326.21*

Modifies a current requirement for the State Board to develop a standard of financial reporting by (1) specifying that it must apply to community schools and STEM schools, as well as school districts and educational service centers as under current law; (2) requiring the inclusion of annual budgets for each school building; (3) eliminating a requirement for year-to-year comparisons over a five-year period.

**Fiscal effect: Possible increase in costs for districts, community schools, and STEM schools for increased reporting requirements.**

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285      EDU - 117      Academic Standards

R.C.      *3301.079, 3301.0710, 3301.0711, 3301.0712,  
3301.16, 3301.42, 3302.01, 3302.02,  
3313.603, 3313.608, 3313.61, 3313.611,  
3313.612, 3313.614, 3314.36, 3325.08,  
Section 265.60.80, Repealed: R.C. 3301.43,  
3302.032*

Requires the State Board of Education, by June 30, 2010, and at least once every five years thereafter, to adopt new statewide academic standards for all grades in English language arts, math, science, and social studies to replace the current content standards in reading, writing, math, science, and social studies. Requires the State Board to adopt model curricula reflecting these standards by December 31, 2010.

**Executive**

Requires the State Board to convene a committee of national and state experts and local practitioners by July 15, 2009, to provide guidance in the design of the updated standards and model curricula.

Requires the State Board, after completing the standards listed above, (1) to revise the academic standards and model curricula for grades K-12 in fine arts and foreign language, (2) to revise the standards and curricula in computer literacy and to expand them to cover grades K-12 (instead of 3-12 as in current law), and (3) to adopt standards and curricula for K-12 in the new areas of financial literacy and entrepreneurship and wellness literacy.

Requires that the standards emphasize coherence, focus, and rigor, and specify (1) skills related to creativity and innovation, critical thinking and problem solving, and communication and collaboration; (2) skills that promote information, media, and technological literacy; (3) skills that promote flexibility and adaptability, initiative and self-direction, social and cross-cultural skills, productivity and accountability, and leadership and responsibility; (4) interdisciplinary, project-based real world learning opportunities; (5) opportunities for community service learning.

Requires the State Board to periodically revise and update the physical education standards.

Repeals the current law prohibition on adopting or revising health standards and curriculum without approval by concurrent resolution of the General Assembly.

**Fiscal effect: The bill appropriates \$5.8 million in each fiscal year for development, revision, and communication to school districts of the academic standards and curriculum models.**

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286      EDU - 118      Student Assessments

R.C.      *3301.079, 3301.0710, 3301.0711, 3301.0712,*  
*3301.16, 3301.42, 3302.01, 3302.02,*  
*3313.603, 3313.608, 3313.61, 3313.611,*  
*3313.612, 3313.614, 3314.36, 3325.08,*  
*Repealed: 3301.43, 3302.032*

Requires the State Board of Education to develop achievement assessments that reflect the new academic standards. Replaces each of the current achievement tests in grades 3-8 with a new assessment, except reduces the number of assessments by two by combining the current reading and writing assessment into an English language arts assessment. (Under current law a separate writing assessment is given in grades 4 and 7.)

Reduces the reported levels of achievement on the assessments from 5 to 3 by eliminating the accelerated and basic levels. Retains the advanced, proficient, and limited skill levels.

Repeals the current law restrictions on the dates and times for administering each assessment and instead requires the Superintendent of Public Instruction to designate these dates and times.

**Executive**

Requires the State Board, the Superintendent, and the Chancellor of the Board of Regents to develop a new high school assessment system to replace the Ohio Graduation Tests (OGT) as a requirement for a high school diploma. Specifies that the new assessment system consist of: (1) a nationally standardized assessment in science, math, and English language arts; (2) a series of end-of-course examinations in science, math, English language arts, and social studies; (3) a community service learning project; (4) a senior project completed individually or by a group of students.

Requires the State Board to adopt rules for implementation of the new high school assessment system, including timelines, high school diploma requirements, and application to dropout programs.

Prohibits the release of the OGT as a public record.

**Fiscal effect: According to ODE, development of the new assessments in grades 3-8 may cost approximately \$70,000 per assessment. Costs for the English language arts assessments may be somewhat higher as they incorporate two of the subjects currently being assessed. Costs for administering these assessments may decrease as the number of assessments decreases by two. ODE estimates the cost for developing end-of-course exams at about \$2.1 million per exam and currently foresees developing eight exams. Cost of federal peer review of these exams to meet NCLB requirements is approximately \$400,000. Additional costs may be incurred for developing alternate exams for students with disabilities. Administering and scoring these tests is estimated to cost about \$27 per student. The estimated cost for administering the ACT (a nationally standardized test) is approximately \$35-40 per student. Approximately 120,000 to 150,000 students would be tested each year. Schools may incur additional costs in scoring the senior project.**

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287      EDU - 8      Office of School Resource Management

**R.C.      3301.80**

Establishes the Office of School Resource Management within ODE. Requires the office to (1) determine fiscal data to be included on the funding and expenditure accountability reports; (2) collaborate with the Auditor of State in establishing metrics for performance audits of schools and in publishing best practices identified in the audits; (3) ensure that districts and schools act timely to develop plans for implementation of recommendations contained in the performance audits; (4) provide staff assistance to the Ohio Research-Based Funding Model Advisory Council; and (5) conduct assessments and evaluations as directed by the Superintendent of Public Instruction.

**Fiscal effect: The bill earmarks \$600,000 in each fiscal year to support this office.**

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## Executive

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288      EDU - 63      Office of Urban and Rural Student Success

R.C.      *3301.81*

Creates the Office of Urban and Rural Student Success in ODE to (1) develop systems redesign and improvement strategies for urban and rural school districts; (2) provide school districts with recommendations and strategies to improve the academic success of students from economically disadvantaged areas and to address nonacademic barriers; (3) work with the University System of Ohio's institutions, private institutions of higher education, and national and international experts to implement its duties; and (4) provide other assistance and support as directed by the Superintendent of Public Instruction.

**Fiscal effect: The bill earmarks \$200,000 in each fiscal year to support this Office.**

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289      EDU - 10      Center for Creativity and Innovation

R.C.      *3301.82*

Creates the Center for Creativity and Innovation within ODE to monitor, develop, and disseminate information about creative and innovative education practices.

**Fiscal effect: The bill earmarks up to \$200,000 in each fiscal year to support the activities of this center.**

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290      EDU - 68      On-Site Visits to Schools

R.C.      *3301.83, 265.60.10*

Requires ODE to establish a pilot program of school on-site visits. Requires the on-site visits to be conducted in cooperation with one or more institutions of higher education. Requires ODE, during each visit, to do the following: (1) determine if the school has complied with the operating standards prescribed by the State Board of Education; (2) determine if the school has complied with all applicable laws and administrative rules, including laws regarding academic and fiscal accountability; and (3) review the school's progress in implementing a continuous improvement plan.

Requires schools to provide any data, documents, or other materials ODE considers necessary to conduct a thorough on-site visit.

Requires ODE, upon completion of each visit, to issue a written report summarizing its findings. Establishes procedures for review of the report by the district board of education. Requires ODE and each school district board, if applicable, to post the final version of the report on their respective web sites.

**Executive**

Directs the ODE to report to the Governor and the General Assembly no later than December 31, 2010 on the progress of the pilot program and recommendations for full implementation to include an on-site visit of each school district school at least every five years.

**Fiscal effect: The bill permits these visits to be conducted in conjunction with visits required for schools or districts in academic emergency, thus, limiting travel costs for these trips. However, these visits will likely result in increased administrative costs for ODE. Schools may also have increased administrative costs depending on what is required of them by ODE to conduct a thorough on-site visit.**

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291      EDU - 119      Report Card Performance Indicators

R.C.      *3302.02, 3301.079, 3301.0710, 3301.0711,  
3301.0712, 3301.16, 3301.42, 3302.01,  
3313.603, 3313.608, 3313.61, 3313.611,  
3313.612, 3313.614, 3314.36, 3325.08,  
Repealed: 3301.43, 3302.032*

Requires the State Board of Education, by December 31, 2009, and once every six years thereafter, to establish new performance indicators for the school district and building report cards, based on recommendations of the Superintendent of Public Instruction.

Eliminates the requirement that there be a minimum of 17 performance indicators.

Repeals a requirement that the State Board include measures of high school graduates' preparedness for higher education and the workforce on the report cards, beginning with report cards issued for 2012-2013.

**Fiscal effect: Increased administrative costs for ODE to develop new indicators.**

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292      EDU - 17      Value-Added Data

R.C.      *3302.021*

Requires ODE to share aggregate student value-added data and calculations, analyses, and reports using aggregate student value-added data with the Chancellor of the Board of Regents.

**Fiscal effect: None.**

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## Executive

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**293**      **EDU - 120**      **Educational Choice Scholarships****R.C.**      **3310.08, 3310.09, 3310.03**

Disqualifies from eligibility for the scholarship pilot program any student enrolled in a nonpublic school for any portion of the school year in which an application for a scholarship is submitted.

Continues the practice of counting Educational Choice Scholarship recipients in the formula ADM of their resident school districts and then deducting amounts from the district.

Increases the deduction for kindergarten students from \$2,700 to \$5,200 per pupil to account for the new school funding model's counting each kindergarten student as one instead of one-half student.

Establishes a maximum scholarship amount of \$4,500 for grades K-8 and \$5,300 for grades 9-12. (Under current law the maximum scholarship increases each year by the same percentage as the base cost formula amount.)

**Fiscal effect: Prohibiting eligibility for students who have been enrolled in a nonpublic school may reduce the total number of scholarships awarded.**

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**294**      **EDU - 22**      **Minimum School Year****R.C.**      **3313.48, 3313.481, 3313.482, 3313.485,  
3313.62, 3314.031, 3306.01, 3317.01**

Extends the number of days in a learning year for school district and STEM schools from 182 days, the number of hours for a community school from 920 hours, and the number of hours for districts operating under an ODE approved alternative schedule from 910 hours as follows:

- (1) 186 days and 930 hours in FY 2010 and FY 2011;
- (2) 190 days and 950 hours in FY 2012 and FY 2013;
- (3) 194 days and 970 hours in FY 2014 and FY 2015;
- (4) 198 days and 990 hours in FY 2016 and FY 2017;
- (5) 202 days and 1,010 hours in FY 2018 and thereafter.

Uses the terms "learning day" and "learning year" in place of the current terms "school day" and "school year" in defining the minimum days and hours a school must be open for instruction.

Specifies that new minimum learning year provisions do not prevail over conflicting provisions of a collective bargaining agreement entered into prior to the bill's effective date, but requires that all collective bargaining agreements entered into, renewed, or amended on or after the bill's effective date comply with the applicable minimum number of days or hours

**Executive**

specified in the new "learning year" provisions.

Retains the current requirement regarding "calamity days" that permits up to five learning days to be waived if necessary for school closings for specified purposes. Directs the State Board of Education to adopt standards to apply in the determination of waivers for districts operating state-approved alternative schedules.

Allows school districts to amend their contingency plans for make-up days, after the initial adoption of such plan by September 1st, if it is determined the plan cannot be implemented as originally adopted.

**Fiscal effect: Schools will likely see increased costs for school operations as the school year is extended.**

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295      EDU - 73      School Emergency Procedures

R.C.      3313.536

Requires school districts, community schools, STEM schools, and chartered nonpublic schools to inform, prior to opening day each school year, each enrolled student and the student's parent of the parental notification procedures in the school's protocol for responding to threats and emergency events, which are established under existing law.

**Fiscal effect: Minimal.**

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296      EDU - 2      Eighth Grade American History

R.C.      3313.60

Allows school district boards to waive the requirement to take an American History course for promotion from eighth grade to ninth grade for academically accelerated students who show a mastery of the subject. (Retains current law requiring one unit of American history and government in high school for a diploma.)

**Fiscal effect: Districts may have more flexibility in choosing their course offerings.**

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297      EDU - 79      Life and Career Ready Skills in Curriculum

R.C.      3313.60, 3313.607, 3314.03, 3326.11

Requires school districts, community schools, and STEM schools to add "life and career-ready skills" to the schools' curriculum, to be offered in the seventh or eighth grade. Requires the Superintendent of Public Instruction to issue program guidance and guidelines to assist in implementing this requirement.

**Executive**

Requires students of all school districts, community schools, and STEM schools to develop a career and college plan by the end of the eighth grade as part of their coursework on life and career-ready skills. Permits the schools to provide individual career passports to students (school districts are already permitted to do so under current law).

**Fiscal effect: May increase administrative costs of ODE for development and distribution of program guidelines and guidance. May also increase administrative costs for school districts, community schools, and STEM schools for development and implementation of a life and career-ready skills curriculum.**

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298      EDU - 49      High School Graduation Requirements

R.C.      3313.603

Clarifies that a high school that permits students below the ninth grade to take advanced work for high school credit must award high school credit for successful completion of that work.

**Fiscal effect: None.**

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299      EDU - 9      Community Service Education

R.C.      3313.605

Requires all school districts, community schools, and STEM schools to include community service education in their educational programs, to create community service advisory committees, and to develop and implement community service plans.

**Fiscal effect: School districts, community schools, and STEM schools may incur costs in the development and implementation of a community service plan.**

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300      EDU - 121      School Fees for Low-Income Students

R.C.      3313.642

Revises the law prohibiting school districts that receive state poverty-based assistance from charging instructional or materials fees to certain low-income students by applying the prohibition to districts that received the subsidy in FY 2009.

**Fiscal effect: None.**

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## Executive

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**301      EDU - 60      Student Health Screenings****R.C.      3313.673, 3301.0714**

Requires school districts and community schools to report to ODE, through the Education Management Information System (EMIS), the aggregate results of hearing, vision, speech and communications, health and medical, and developmental screenings for entering kindergarteners and first graders.

**Fiscal effect: Currently, schools are required to screen students enrolling in school for the first time. Administrative costs for schools may increase as a result of entering the data in EMIS.**

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**302      EDU - 80      Administration of Prescription Drugs to Students****R.C.      3313.713**

Limits, beginning July 1, 2011, the authority to administer prescription drugs to students in school districts to registered nurses and licensed practical nurses employed by the school district.

**Fiscal effect: Districts may need to hire more nurses.**

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**303      EDU - 66      School Business Advisory Councils****R.C.      3313.82, 3314.03, 3315.17, 3326.11**

Requires all school districts, educational service centers, community schools, and STEM schools to appoint a business advisory council. (Under current law, only city and exempted village school districts and educational service centers are required to appoint a council.)

Expands the matters on which business advisory councils must provide advice and recommendations to include coordination with the Ohio Skills Bank and University System of Ohio institutions and development of responses to and implementation of recommendations from a performance audit of a school.

Requires each school board, governing authority, or governing body to annually report to ODE the names of council members.

**Fiscal effect: Minimal.**

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## Executive

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**304      EDU - 82      Family and Community Engagement Teams****R.C.      3313.821, 3314.03, 3326.11**

Requires each school district, community school, and STEM school to appoint a family and community engagement team, to include parents, community representatives, health and human service representatives, business representatives, and other representatives identified by the board, governing authority, or governing body, to do the following:

- (1) Work with local county family and children first councils to recommend qualifications and responsibilities for school family and community engagement coordinators.
- (2) Develop five-year family and community engagement plans.
- (3) Provide annual progress reports on the development and implementation of the plans that are to be submitted along with the plan to the county family and children first council.
- (4) Advise and provide recommendations to the board, governing authority, or governing body on matters specified by those entities.

**Fiscal effect: Potential administrative cost for schools.**

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**305      EDU - 19      Termination of School District Transportation Staff****R.C.      3319.0810, (Repealed)**

Repeals a statutory procedure for a school district not covered by the State Civil Service Law (exempted village and local school districts and some city school districts) to terminate some or all of its pupil transportation staff and to instead engage an independent contractor to provide pupil transportation.

**Fiscal effect: May reduce the flexibility these districts have in terminating transportation staff.**

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**306      EDU - 30      School Safety and Violence In-Service Training****R.C.      3319.073**

Extends to public middle and high schools a requirement that under existing law applies to public elementary schools, under which specified employees must complete four hours of in-service training in the prevention of child abuse, violence, and substance abuse, and the promotion of positive youth development.

Establishes a deadline of two years after the effective date of the amendment for the specified middle and high school employees to take the required four hours of in-service training.

**Executive**

Allows districts and schools to adapt or adopt the curriculum developed by ODE for that in-service training, as an alternative to the existing law requirement that each district or school develop its own curriculum.

Directs districts and schools to incorporate training in school safety and violence prevention into their in-service training in the prevention of child abuse, violence, and substance abuse, and the promotion of positive youth development.

**Fiscal effect: Additional costs will be associated with providing in-service training for the middle and high school employees covered by the amendment. The bill appropriates \$1.2 million in each fiscal year for violence prevention and school safety subsidies.**

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307      EDU - 31      Licensure of School Nurses

**R.C.      3319.221**

Requires the State Board of Education to adopt rules establishing standards and requirements for obtaining a school nurse or school nurse wellness coordinator license. Requires that at a minimum, the rules require an applicant for the school nurse license to be a registered nurse and an applicant for a school nurse wellness coordinator to be a licensed practical nurse.

Directs that if any examinations are required for licensure the results be provided by ODE to the Chancellor of the Board of Regents, to the extent permitted by law.

**Fiscal effect: There are potential administrative costs associated with the creation of the standards for the school nurse and school nurse wellness coordinator licenses.**

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308      EDU - 81      Corporal Punishment

**R.C.      3319.41**

Prohibits corporal punishment in school districts, educational service centers, community schools, STEM schools, and chartered nonpublic schools.

**Fiscal effect: None.**

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## Executive

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309      EDU - 32      School Health Services Advisory Council

R.C.      *3319.70, 3319.71*

Establishes the nine-member School Health Services Advisory Council to make recommendations on:

- (1) the content of courses of instruction required to obtain a school nurse license or a school nurse wellness coordinator license; and
- (2) best practices for the use of school nurses and school nurse wellness coordinators in providing health and wellness programs for students and employees of public schools.

**Fiscal effect: There are potential administrative costs related to creation and proceedings associated with the School Health Services Advisory Council.**

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310      EDU - 77      Special Education Procedure

R.C.      *3323.05*

Modifies existing procedural guidelines established for ODE to protect the rights of a child whenever the parents of a child are not known, specifying that the surrogate parent be assigned by the school district or other educational agency responsible for educating the child or by the court with jurisdiction over the child's custody.

**Fiscal effect: None.**

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311      EDU - 104      Waiver of Required Pupil Teacher Ratio

**Section:**    *265.50.20*

Permits the Superintendent of Public Instruction to waive the pupil to teacher ratio in grades K-4 in rule 3301-35-05 of the Administrative Code if the following apply: (a) the board of education of the district requests the waiver; (b) ODE determines that meeting the required ratio would impose an extreme hardship on the district; and (c) the board of education provides assurances that it will act in good faith to meet the required ratio as soon as possible.

**Fiscal effect: Allows certain districts to continue to receive state funding even if the required pupil to teacher ratio is not met.**

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## Executive

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**312      EDU - 105      Private Treatment Facility Project****Section: 265.50.30**

Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment facility are enrolled in an approved educational program in or near the facility. Requires that the school district responsible for tuition for a residential child pay the tuition to the provider for the educational programs. Prohibits a district from including the youth in the district's average daily membership (ADM). Requires that ODE track the utilization of funds and monitor the program for educational accountability.

**Fiscal effect: In addition to the tuition payment, the bill earmarks \$1.0 million in each fiscal year for the Private Treatment Facility Project.**

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**313      EDU - 106      National Assessment of Education Progress****Section: 265.50.40**

Expresses the General Assembly's intention that Ohio school districts participate in the administration of the National Assessment of Education Progress (NAEP). Requires each school and school district selected to participate.

**Fiscal effect: Small cost for districts chosen to participate. Federal funding is provided for coordination of the state's participation in NAEP.**

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**314      EDU - 113      Use of Volunteers****Section: 265.60.30**

Authorizes ODE to use the services of volunteers to accomplish any of the purposes of ODE.

Authorizes the Superintendent of Public Instruction to reimburse volunteers for necessary expenses in accordance with state guidelines and to designate volunteers as state employees for the purposes of motor vehicle accident liability insurance and for indemnification from liability incurred in the performance of their duties.

**Fiscal effect: May reduce costs for ODE if they are able to use volunteers to fulfill purposes for which they would otherwise need to hire.**

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## Executive

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315      EDU - 75      State School for the Blind and School for the Deaf

**Sections:** 265.60.40, R.C. 3325.01-3325.16, 3301.13

Merges the State School for the Blind and the School for the Deaf into ODE effective July 1, 2009.

Authorizes the Superintendent of Public Instruction to appoint, fix the salaries of, and terminate employment of employees who work at the state schools. Permits the Superintendent to reassign and reclassify employee positions for efficient administration.

Transfers control over expenditures from the State School for the Blind Student Activity and Work-Study Fund and the State School for the Deaf Educational Program Expenses Fund to ODE, but retains current law requiring money in the funds be used for specified school programs. Permits the Director of Budget and Management to make budget and accounting changes necessary for the transfer.

**Fiscal effect: All appropriations for the schools are made to ODE.**

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316      EDU - 95      School Employees Health Care Board

**Section:** 265.60.90

Transfers the School Employees Health Care Board and any unexpended and unencumbered appropriations or reappropriations for the Board from DAS to ODE. Requires the transfer to take effect on July 1, 2009, or as soon as possible thereafter. Requires the Director of Budget and Management to make budget changes made necessary by the transfer.

**Fiscal effect: Increased expenditures of ODE presumably offset by transfer of appropriations from DAS.**

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Appropriation Language

317      EDU - 36      Personal Services

**Section:** 265.10.10

Permits ODE to use GRF appropriation item 200100, Personal Services, to pay fees for ODE's membership in the Education Commission of the States and makes the following earmarks:

- (1) Up to \$25,000 in each fiscal year for travel expenses for the members of the State Board of Education.
- (2) Up to \$150,000 in each fiscal year to support Ohio's Partnership for Continued Learning.

**Executive**

- (3) Up to \$500,000 in each fiscal year for expenses associated with the Governor's Closing the Achievement Gap Initiative.
- (4) Up to \$200,000 in each fiscal year to support ODE's Office of Urban and Rural Student Success.
- (5) Up to \$200,000 in each fiscal year to support ODE's Center for Creativity and Innovation.

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**318      EDU - 37      Early Childhood Education****Section: 265.10.20**

Earmarks up to 2% of GRF appropriation item 200408, Early Childhood Education, in each fiscal year to be used by ODE for support and technical assistance of early childhood education programs.

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**319      EDU - 39      Career-Technical Education Match****Section: 265.10.30**

Specifies that GRF appropriation item 200416, Career-Technical Education Match, be used to provide vocational administration matching funds.

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**320      EDU - 40      Computer/Application/Network Development****Section: 265.10.30**

Specifies that GRF appropriation item 200420, Computer/Application/Network Development, be used to support the development and implementation of information technology solutions designed to improve the performance and services provided by ODE. Permits this appropriation to also be used to support data-driven decision-making and differentiated instruction and to communicate academic content standards and curriculum models through the Internet.

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**321      EDU - 41      Alternative Education Programs****Section: 265.10.40**

Specifies that GRF appropriation item 200421, Alternative Education Programs, be used for the renewal of successful implementation grants and competitive matching grants to urban, rural, and suburban districts.

Permits ODE to waive minimum education standards for the alternative schools funded by the grants.

Specifies that a portion of the appropriation may be used for program administration, monitoring, technical assistance, support, research, and evaluation.

## Executive

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**322**      **EDU - 42**      **School Management Assistance****Section: 265.10.50**

Makes the following earmarks of GRF appropriation item 200422, School Management Assistance:

- (1) Up to \$1,000,000 in each fiscal year for expenses incurred by the Auditor of State for the Auditor's role in performing audits of districts in fiscal distress.
- (2) Up to \$350,000 in each fiscal year for 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 of resources.
- (3) Up to \$1,000,000 in each fiscal year to fund studies associated with the Cleveland Municipal School District Early Adopter Project and for ODE to assist with training and implementation of the project.
- (4) Up to \$16,394,000 in FY 2010 and up to \$17,980,000 in FY 2011 to contract with an entity to conduct performance audits of school districts and community schools on a five year cycle. Requires that a portion of this amount in each fiscal year be used to conduct performance audits of ESCs and JVSDs to inform the recommendations of new funding models for ESCs and JVSDs to be implemented in the FY 2012-FY 2013 biennium.

Specifies that the remainder 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.

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**323**      **EDU - 43**      **Policy Analysis****Section: 265.10.60**

Specifies that GRF appropriation item 200424, Policy Analysis, be used to support a system of administrative, statistical, and legislative education information to be used for policy analysis and makes the following earmark:

Up to \$600,000 in each fiscal year to support the ODE's Office of School Resource Management. Specifies that a portion of this amount be used in conjunction with GRF appropriation item 200439, Accountability/Report Cards, to develop a fiscal reporting dimension to the school report card beginning in FY 2011.

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**Executive**

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**324      EDU - 44      Tech Prep Consortia Support****Section: 265.10.60**

Specifies that GRF appropriation item 200425, Tech Prep Consortia Support, be used to support state-level activities in support of tech prep programs.

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**325      EDU - 45      Ohio Educational Computer Network****Section: 265.10.70**

Specifies that GRF appropriation item 200426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance in support of the P-16 State Education Technology Plan. Makes the following earmarks:

- (1) Up to \$15,874,498 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet.
- (2) Up to \$2,163,657 in each fiscal year for the Union Catalog and InfOhio Network.
- (3) Up to \$7,942,391 in each fiscal year to subsidize the activities of designated information technology centers.

Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems.

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**326      EDU - 46      Academic Standards****Section: 265.10.80**

Specifies that GRF appropriation item 200427, Academic Standards, be used by ODE for the development and dissemination of academic content standards and curriculum models.

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**327      EDU - 47      School Improvement Initiatives****Section: 265.10.90**

Makes the following earmarks of GRF appropriation item 200431, School Improvement Initiatives:

- (1) Up to \$510,990 in each fiscal year to support educational media centers to provide Ohio public schools with instructional resources and services.

**Executive**

(2) Up to \$9,349,007 in each fiscal year to support districts in the development and implementation of continuous improvement plans.

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328      EDU - 48      Student Assessments

**Sections: 265.20.10, 265.50.50**

Makes the following earmarks of GRF appropriation item 200437, Student Assessments:

(1) Up to \$212,486 in each fiscal year for costs associated with the state's required diagnostic assessments.

Directs the Superintendent of Public Instruction and the Chancellor of the Board of Regents to determine a percentage of the appropriation in each fiscal year to support: (1) a college readiness exam for high school juniors; (2) preparation, practice examinations, and diagnostics related to a college readiness exam. Specifies that for examinations paid for by these funds where scores may be submitted to institutions of higher education, all students must submit their scores to the University System of Ohio.

Directs that a portion of the appropriation may be used to reimburse public school districts for: (1) costs associated with Advanced Placement testing and programming, (2) costs associated with taking the International Baccalaureate Examination.

Specifies that the remainder of the appropriation be used to develop, field test, print, distribute, score, and report results of tests. If funds remain in this appropriation after all other purposes have been fulfilled, permits ODE to use the remainder to develop end-of-course exams.

Authorizes the Director of Budget and Management to transfer unspent and unencumbered funds within ODE, as necessary, to GRF appropriation item 200437, Student Assessments, to fully fund the student assessment requirements of state law. If these transferred funds 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.

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329      EDU - 53      Accountability/Report Cards

**Section: 265.20.20**

Earmarks up to \$2,378,976 in each fiscal year of GRF appropriation item 200439, Accountability/Report Cards, to train district and regional specialists and district educators in the use of value-added progress dimension.

**Executive**

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.

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**330**      **EDU - 54**      **Child Care Licensing**

**Section: 265.20.20**

Specifies that GRF appropriation item 200442, Child Care Licensing, be used by ODE to license and to inspect preschool and school-age child care programs.

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**331**      **EDU - 56**      **Education Management Information System**

**Section: 265.20.30**

Specifies that GRF appropriation item 200446, Education Management Information System, be used to improve the education management information system (EMIS) and makes the following earmarks:

- (1) Up to \$1,276,761 in each fiscal year to be distributed to information technology centers for costs related to processing, storing, and transferring data for the effective operation of EMIS.
- (2) Up to \$7,874,541 in each fiscal year to be distributed on a per-pupil basis to school districts, community schools, educational service centers (ESCs), joint vocational school districts (JVSDs), and other educational 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 and community school with between 1 and 100 students and each ESC and each county board of MRDD that submits data receive \$3,000 in each fiscal year.

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 Board. Specifies that any provider of software meeting the standards approved by the Education Data Advisory Board 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 law. 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.

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**Executive**

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**332      EDU - 58      GED Testing****Section: 265.20.40**

Specifies that GRF appropriation item 200447, GED Testing, be used to provide General Educational Development (GED) testing at no cost to applicants and to reimburse school districts and community schools for a portion of the costs incurred in providing services to students who have not graduated because of their inability to pass a state achievement test.

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**333      EDU - 59      Educator Preparation****Section: 265.20.50**

Earmarks up to \$350,000 in each fiscal year of GRF appropriation item 200448, Educator Preparation, to be used for training and professional development of school administrators, treasurers, and business officials.

Permits the remainder of the appropriation to be used by ODE to support the Educator Standards Board, to develop alternative preparation programs for school leaders, and for the coordination of a career ladder for teachers.

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**334      EDU - 61      Community Schools****Section: 265.20.60**

Makes the following earmarks of GRF appropriation item 200455, Community Schools:

(1) Up to \$1,308,661 in each fiscal year to support the State Office of Community Schools in ODE.

(2) Up to \$225,000 in each fiscal year for the development and conduction of training sessions for sponsors and prospective sponsors of community schools.

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**335      EDU - 62      STEM Initiatives****Section: 265.20.60**

Specifies that GRF appropriation item 200457, STEM Initiatives, be used for initiatives that support innovative mathematics and science education and mathematics and science professional development for teachers.

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**Executive**

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336      EDU - 64      Public School Employees Health Care Board

**Section: 265.20.60**

Specifies that GRF appropriation item 200458, Public School Employees Health Care Board, be used by the School Employees Health Care Board to hire staff to provide administrative support to the Board.

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337      EDU - 65      Pupil Transportation

**Section: 265.20.70**

Makes the following earmarks to GRF appropriation item 200502, Pupil Transportation:

(1) Up to \$838,930 in each fiscal year for training school bus drivers.

(2) Up to \$60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county MR/DD boards.

Specifies that the remainder of the appropriation be used for state reimbursement of public school districts' costs in transporting pupils to and from school as computed under the school funding formula.

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338      EDU - 69      Bus Purchase Allowance

**Section: 265.20.80**

Specifies that GRF appropriation item 200530, Bus Purchase Allowance, be distributed to school districts, educational service centers, and county MRDD boards for the purchase of school buses. Earmarks up to 28% of the amount appropriated for the purchase of buses to transport handicapped and nonpublic school students.

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339      EDU - 70      School Lunch Match

**Section: 265.20.80**

Specifies that GRF appropriation item 200505, School Lunch Match, be used to provide matching funds to obtain federal funds for the school lunch program.

Specifies any remaining appropriation be used to reimburse school buildings required to have a school breakfast program.

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**Executive**

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**340      EDU - 71      Auxiliary Services****Section: 265.20.90**

Specifies that GRF appropriation item 200511, Auxiliary Services, be used for providing services and materials to students enrolled in nonpublic schools.

Earmarks up to \$2,121,800 in each fiscal year for nonpublic school student participation in the Post-Secondary Enrollment Options Program and requires ODE to adopt rules governing the distribution of these funds.

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**341      EDU - 72      Nonpublic Administrative Cost Reimbursement****Section: 265.30.10**

Specifies that GRF appropriation 200532, Nonpublic Administrative Cost Reimbursement, be used to reimburse chartered nonpublic schools for their administrative costs associated with maintaining their state charter.

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**342      EDU - 74      Special Education Enhancements****Section: 265.30.20**

Makes the following earmarks to GRF appropriation item 200540, Special Education Enhancements:

(1) Up to \$2,906,875 in each fiscal year for home instruction for children with disabilities.

(2) Up to \$47,518,582 in FY 2010 and up to \$48,421,435 in FY 2011 to fund special education and related services at county MRDD boards and institutions. Notwithstands the distribution formulas for those students and inflates the per pupil amount received by each MRDD board and institution in the prior fiscal year by 1.9% and provides that inflated per pupil amount for each student served in the current fiscal year.

Specifies that the remainder of the appropriation be used to fund preschool special education and preschool supervisory units at county MRDD boards, educational service centers, and school districts.

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**343      EDU - 76      Career-Technical Education Enhancements****Section: 265.30.30**

Makes the following earmarks to GRF appropriation item 200545, Career-Technical Education Enhancements:

**Executive**

- (1) Up to \$2,633,531 in FY 2010 and up to \$2,683,568 in FY 2011 to fund career-technical education at institutions. Directs ODE to distribute funds on a grant basis rather than through the current method of unit funding.
- (2) Up to \$2,228,281 in each fiscal year to fund competitive grants to tech prep consortia.
- (3) Up to \$2,890,850 in each fiscal year to support existing High Schools That Work (HSTW) sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs.

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**344      EDU - 84      Foundation Funding****Section: 265.30.40**

Provides the following concerning GRF appropriation item 200550, 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, School District Property Tax Replacement-Utility, upon certification by ODE of the actual state aid offset.
- (2) Specifies that the appropriation in FY 2010 includes \$106,768,866 and in FY 2011 includes \$238,511,467 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 G.A. Permits the Director of Budget and Management to increase or decrease the cash transfer from Fund 047, 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.
- (4) Earmarks up to \$15,000,000 in each fiscal year to be reserved for payments to certain school districts with large changes in valuation. Permits the Controlling Board to increase the amount if requested.
- (5) Earmarks up to \$10,000,000 in each fiscal year to provide additional state aid to school districts for the special education catastrophic cost supplement. Permits the Controlling Board to increase the amount if requested.
- (6) Earmarks up to \$2,000,000 in each fiscal year for Youth Services tuition payments.
- (7) Earmarks up to \$42,300,000 in each fiscal year to fund the state reimbursement of educational service centers (ESCs).
- (8) Requires that an amount be available in each fiscal year for transitional aid for school districts.
- (9) 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.
- (10) Earmarks up to \$8,686,000 in FY 2010 and \$8,722,860 in FY 2011 to operate the school choice program.

**Executive**

(11) Specifies that up to \$11,901,887 in each fiscal year of the foundation program funds credited to the Cleveland Municipal School District be used to operate the school choice program in that district. Further specifies that of that amount, up to \$1,000,000 in each fiscal year be used by the district to provide tutorial assistance. Requires that the use of funds for tutorial assistance be reported in the district's three-year continuous improvement plan.

(12) Earmarks \$263,184,858 in FY 2010 and \$268,185,371 in FY 2011 to fund joint vocational school districts (JVSDs).

(14) Specifies that GRF appropriation items 200455, Community Schools; 200502, Pupil Transportation; 200540, Special Education Enhancements; 200541, Special Education - Federal Stimulus; 200550, Foundation Funding; 200551, Foundation Funding - Federal Stimulus; and 200609, Poverty Funding - Federal Stimulus, 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, or other GRF appropriation items in which there are excess appropriation, in order to meet these obligations.

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345      EDU - 85      Teach Ohio

**Section: 265.30.60**

Earmarks \$1,000,000 in each fiscal year of GRF appropriation item 200555, Teach Ohio, to support the Teach Ohio program to encourage high school students interested in entering the teaching profession.

Specifies that the remainder of the be used to support alternative teach licensure programs.

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346      EDU - 86      Violence Prevention and School Safety

**Section: 265.30.70**

Earmarks up to \$224,250 in each fiscal year of GRF appropriation item 200578, Violence Prevention and School Safety, to fund a safe school center to provide resources for parents and for school and law enforcement personnel.

Specifies that the remainder of the appropriation be distributed based on guidelines developed by ODE to enhance school safety.

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347      EDU - 88      Property Tax Allocation - Education

**Section: 265.30.80**

Prohibits the Superintendent of Public Instruction from requesting, and the Controlling Board from approving, the transfer of funds from GRF appropriation item 200901, Property Tax Allocation - Education, to any other appropriation item.

**Executive**

Specifies that GRF appropriation item 200901, Property Tax Allocation - Education, be used to pay for the state's costs incurred because of the homestead exemption, the property tax rollback, and reimbursements associated with conversion levies.

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**348**      **EDU - 89**      **Teacher Certification and Licensure**

**Section: 265.30.90**

Specifies that GSF Fund 4L20 appropriation item 200681, Teacher Certification and Licensure, be used in each fiscal year to administer and support teacher certification and licensure activities.

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**349**      **EDU - 90**      **School District Solvency Assistance**

**Section: 265.30.90**

Specifies that funds in GSF Fund 5H30 appropriation item 200687, School District Solvency Assistance, be used to provide assistance and grants to school districts to enable them to remain solvent. Requires that assistance and grants be subject to the approval of the Controlling Board.

Earmarks \$9,000,000 in each fiscal year for the School District Shared Resource Account to make advances to districts that must be repaid.

Earmarks \$9,000,000 in each fiscal year for the Catastrophic Expenditures Account to make grants to school districts that need be repaid only if the district receives third party reimbursement funding.

Permits the Director of Budget and Management to make transfers into Fund 5H30 in each fiscal year to maintain sufficient cash balances in the fund. Appropriates any funds so transferred.

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**350**      **EDU - 92**      **Schools Medicaid Administrative Claims**

**Section: 265.40.10**

Allows the Director of Budget and Management, at the request of the Superintendent of Public Instruction, to transfer up to \$639,000 in each fiscal year from the GRF to FED Fund 3AF0, Schools Medicaid Administrative Claims, to pay expenses incurred in administering the Medicaid School Component of the Medicaid program.

Requires the Director of Budget and Management on June 1 of each fiscal year, or as soon as possible thereafter, to transfer cash from FED Fund 3AF0, Schools Medicaid Administrative Claims, back to the GRF in an amount equal to that transferred to Fund 3AF0 in that fiscal year.

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**Executive**

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**351      EDU - 93      Reading First****Section: 265.40.20**

Specifies that FED Fund 3Y40 appropriation item 200632, Reading First, be used by school districts to administer federal diagnostic tests as well as other functions permitted by federal statute. Specifies that federal diagnostic tests may be recognized as meeting the state diagnostic testing requirements.

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**352      EDU - 94      Half-Mill Maintenance Equalization****Section: 265.40.20**

Specifies that SSR Fund 5BJ0 appropriation item 200626, Half-Mill Maintenance Equalization, be used to make payments to eligible school districts to equalize districts' half-mill maintenance levies required under the Classroom Facilities Assistance program of the School Facilities Commission to the statewide average wealth level.

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**353      EDU - 96      Start-Up Funds****Section: 265.40.30**

Specifies that funds appropriated for the purpose of providing start-up grants to Title IV-A Head Start and Title IV-A Head Start Plus agencies in FY 2004 and FY 2005 for services to children eligible for Title IV-A services be reimbursed to the GRF as follows:

- (1) Requires an entity that was a Title IV-A Head Start or Title IV-A Head Start Plus agency but will not be an early learning agency or provider in FY 2010 or FY 2011 to repay the entire amount of the start-up grant it received in FY 2004 and FY 2005 no later than June 30, 2019.
  - (2) Permits an entity that was a Title IV-A Head Start or Title IV-A Head Start Plus agency and will be an early learning agency or provider in FY 2010 and FY 2011 to retain any amount of the start-up grant it received.
  - (3) Requires that any start-up grants that are retained by early learning agencies or providers be reimbursed to the GRF when the early learning program ceases or is no longer funded from Title IV-A or if the provider's participation in the early learning program ceases or is terminated.
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## Executive

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**354      EDU - 97      Auxiliary Services Reimbursement****Section: 265.40.40**

Requires that the Treasurer of State transfer, if the unobligated cash balance is sufficient, \$1,500,000 in each fiscal year from the Auxiliary Services Personnel Unemployment Compensation Fund to SSR Fund 5980, Auxiliary Services Reimbursement Fund.

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**355      EDU - 98      Lottery Profits Education Fund****Section: 265.40.50**

Specifies that LPE Fund 7017 appropriation item 200612, Foundation Funding, be used in conjunction with GRF appropriation item 200550, Foundation Funding, to provide formula aid payments to school districts.

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**356      EDU - 99      Lottery Profits Education Reserve Fund****Section: 265.40.60**

Creates the Lottery Profits Education Reserve Fund (Fund 7018) in the State Treasury. Stipulates that at no time shall the amount to the credit of the fund exceed \$75,000,000 and that investment earnings of the fund be credited to the fund. Appropriates in each fiscal year an amount necessary to make adjustments in state aid to school districts with certain amounts of uncollected local taxes. Requires these adjustments to be paid back to ODE if the taxes are eventually collected.

Requires that the Director of Budget and Management, on or before July 15 following the respective fiscal year, determine the amount by which the lottery profit transfers received by the Lottery Profits Education Fund for FY 2009 exceed \$667,900,000 and for FY 2010 exceed \$705,000,000.

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**357      EDU - 100      School District Property Tax Replacement - Business****Sections: 265.40.70, 265.40.80**

Specifies that RDF Fund 7047 appropriation item 200909, School District Property Tax Replacement - Business, be used to make direct reimbursement payments to school districts and joint vocational school districts for losses due to the phase-out of tangible personal property taxes. Appropriates any additional appropriations determined to be necessary by the Director of Budget and Management.

**Executive**

Permits the Director of Budget and Management to make temporary transfers between the GRF and the School District Property Tax Replacement - Business Fund (Fund 7047) used by ODE to ensure sufficient balances in Fund 7047 and to replenish the GRF for such transfers.

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358      EDU - 101      School District Property Tax Replacement - Utility

**Section: 265.40.80**

Specifies that RDF Fund 7053 appropriation item 200900, School District Property Tax Replacement - Utility, be used to make direct reimbursements to school districts and joint vocational school districts for losses incurred due to the reduction of assessment rates on public utility tangible personal property. Appropriates any additional appropriations determined to be necessary by the Director of Budget and Management.

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359      EDU - 102      Distribution Formulas

**Section: 265.40.80**

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 date.

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360      EDU - 103      Earmark Accountability

**Section: 265.50.70**

Authorizes the Superintendent of Public Instruction to request accountability reports from any entity that receives a budget earmark under ODE's budget.

**Fiscal effect: None.**

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**Executive**

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**361          PAY - 1          Accrued Leave Liability Fund**

**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.

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**362          PAY - 2          State Employee Disability Fund**

**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.

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**363          PAY - 4          State Employee Health Benefit Fund**

**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.

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**364          PAY - 5          Dependent Care Spending Fund**

**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.

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**Executive**

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**365      PAY - 6      Life Insurance Investment Fund****Section: 271.10**

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.

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**366      PAY - 7      Parental Leave Benefit Fund****Section: 271.10**

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.

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**367      PAY - 8      Health Care Spending Account Fund****Section: 271.10**

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.

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.

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**368      PAY - 3      Payroll Withholding Fund****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.

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**Executive**

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**369            ERB - 1            SERB/PBR Merger****R.C.            124.03, 4117.01, 4117.02, 4117.12, Section  
273.20**

Creates the State Personnel Board of Review (SPBR) as a separate entity within the administrative structure of the State Employment Relations Board (SERB), allows for the employees of SERB to carry out functions of both boards, and makes other administrative changes needed to absorb the SPBR as a separate entity within the SERB. Declares the SERB Chairperson the appointing authority for all SPBR and SERB employees, and makes additional changes to the law governing SERB regarding specific SERB employees.

Transfers the cash balance, assets, liabilities, etc. of the GSF Fund 6360, Transcript and Other Documents, to the GSF Fund 5720, Training, Publications, and Grants. Abolishes Fund 6360 upon completion of the transfer.

**Fiscal effect: Potential savings in the long term due to consolidation of staff and office space.**

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**370            ERB - 2            Collective Bargaining Elections****R.C.            4117.07**

Enables SERB to conduct a representative election by secret ballot cast, at the board's discretion, by mail, electronically, or in person, rather than requiring representative elections to be conducted in person as under current law.

**Fiscal effect: Reduces employee travel and other administrative costs for overseeing collective bargaining elections at job sites.**

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**Executive**

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371      ENG - 1      Professional Engineer or Surveyor Registration Verification

**R.C.      4733.10**

Requires the Board to issue an official verification of the status of any person registered as a professional engineer or professional surveyor in Ohio once the Board receives a verification form and the payment of a fee established by the Board.

**Fiscal effect: Gain in revenue to the Occupational Licensing and Regulatory Fund (Fund 4K90) of up to \$30,000 from the proposed \$24 verification fee. According to the Board, the proposed fee amount is based on actual staff time required to process reciprocity applications.**

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## Executive

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**372 EPA - 6 Scrap Tire Fund Transfer****R.C. 1502.12, 3734.82**

Eliminates the \$750,000 cap on the Scrap Tire Management Fund that may be used for the administration of the Scrap Tire Program.

Alters the purposes for which money in the Scrap Tire Management Fund (Fund 4R50) can be used by authorizing up to \$500,000 in each fiscal year to be transferred to the Scrap Tire Grant Fund (Fund 5860) in the Department of Natural Resources for scrap tire amnesty and clean up events, in addition to the \$1 million transferred under current law in each fiscal year for scrap tire and synthetic rubber from tire manufacturers and recycling processes.

**Fiscal effect: Results in more money that could be used for scrap tire amnesty and clean up events.**

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**373 EPA - 5 E-Check Extension; Fee on Tire Sales for Auto Emissions Testing****R.C. 3704.14, 3737.901**

Provides authority for the extension of the operation of the motor vehicle inspection and maintenance program (E-Check) through June 30, 2012 in those counties of the state in which the Director of Environmental Protection determines the program is necessary to comply with the federal Clean Air Act.

Authorizes the Director of Administrative Services, upon the request of the Director of Environmental Protection, to extend the existing E-Check contract, which expires on June 30, 2009, for up to six months. Allows the Director of Administrative Services, upon the request of the Director of Environmental Protection, to enter into a new E-Check contract, beginning upon the termination of the six-month contract extension through June 30, 2011, with a one-year option thereafter.

Abolishes the Motor Vehicle Inspection and Maintenance Fund (Fund 6020) and replaces it with the Auto Emissions Test Fund (Fund 5BY0) in permanent law.

Establishes a \$2.30 fee on the sale of each new tire and requires the proceeds of the fee to be deposited into the Auto Emission Test Fund (Fund 5BY0).

**Fiscal effect: Extends the E-Check program until June 30, 2011. Funds the program with the proceeds from an increase in the fee on the sale of new tires. Generates an estimated additional \$15 million in each fiscal year for the operation of the Auto Emissions Testing Program**

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## Executive

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**374**      **EPA - 2**      **Electronic Payment of Construction and Demolition Debris Fees****R.C.**      **3714.07**

Authorizes owners or operators of construction and demolition debris facilities to submit monthly construction and demolition debris disposal fee returns electronically rather than by mail as in current law.

**Fiscal effect: Reduces some administrative costs for EPA for receiving and processing these fees.**

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**375**      **EPA - 4**      **Natural Resource Damages Fund****R.C.**      **3734.28, 3734.281, 3734.282**

Creates the Natural Resource Damages Fund (Fund 3C50), which consists of federal money distributed to the state for natural resource damages, and repeals current law provisions that the Hazardous Waste Clean-Up Fund (Fund 5050) and Environmental Protection Remediation Fund (Fund 5BC0) consist of, in part, natural resource damages collected by the state under federal law. Repeals a current law provision under which money in Fund 5050 may be used only through October 15, 2005, to fund certain emergency and remedial actions and the Voluntary Action Program, thus allowing money in the Fund to be used for those purposes permanently

Authorizes the Director of Environmental Protection to enter into contracts and grant agreements with federal, state, or local government agencies for the purposes of carrying out the responsibilities for which monies can be expended from the Natural Resource Damages Fund (Fund 3C50), Hazardous Waste Clean-up Fund (Fund 5050), and the Environmental Protection Remediation Fund (Fund 5BC0).

**Fiscal effect: No direct fiscal impact, but directs federal moneys for natural resource damages collected under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) to Fund 3C50.**

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**376**      **EPA - 1**      **Electronic Payment of Fees for Solid Waste****R.C.**      **3734.57**

Authorizes owners or operators of solid waste transfer facilities and disposal facilities to submit solid waste disposal fee returns electronically rather than by mail as in current law.

**Fiscal effect: Reduces some administrative costs for EPA for the receiving and processing of these fees.**

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## Executive

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**377 EPA - 10 State Solid Waste Disposal Fees****R.C. 3734.57**

Extends from June 30, 2010, to June 30, 2012, the expiration date of the state fees on the disposal of solid waste, the proceeds of which are used to fund solid, infectious, and hazardous waste and construction and demolition debris management programs and to pay EPA's costs associated with administering and enforcing environmental protection programs.

**Fiscal effect: Continues this revenue stream for funds that collect solid waste disposal fee revenues, and therefore has no new fiscal effect.**

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**378 EPA - 11 Synthetic Minor Facility Emission Fees, Water Pollution Control Fees, and Safe Drinking Water Fees****R.C. 3745.11, 6109.21**

Extends for two years the sunset on annual emissions fees for minor synthetic facilities (air permits).

Extends for two years the authority to levy higher fees for the following: applications for plan approvals of wastewater treatment works and public water systems, certification of laboratories and laboratory personnel, applications and examinations for certification as operators of water supply or wastewater systems, and applications for permits, variances, and plan approvals.

Extends for two years the sunset on the following EPA fees related to the Water Pollution Control Law or Safe Drinking Water Law: annual discharge fees for holders of NPDES permits, and annual license fees for public water system licenses.

**Fiscal effect: Continues this revenue stream for funds that collect minor facility emission fees, water pollution control fees, and safe drinking water fee revenues, and therefore has no new fiscal effect.**

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**379 EPA - 7 Auto Emission Testing Program Transfer****Section: 277.10**

Requires the Director of Budget and Management to transfer up to \$1,500,000 in cash from the Central Support Indirect Fund (Fund 2190) to the Auto Emissions Test Fund (Fund 5BY0) for the operation and oversight of the auto emissions testing program. Requires that Fund 2190 be reimbursed once Fund 5BY0 has accrued sufficient cash to maintain the Auto Emissions Testing Program (E-Check).

**Executive**

Requires the Director of Budget and Management, on September 30, 2009, or as soon as possible thereafter, to transfer cash balance in the Motor Vehicle Inspection and Maintenance Fund (Fund 6020) to Fund 5BY0. (Fund 6020 is abolished in H.B. 1.)

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**380          EPA - 8          Areawide Planning Agencies****Section: 277.10**

Requires the Director of Environmental Protection Agency to award grants from appropriation item 715687, Areawide Planning Agencies, to areawide planning agencies engaged in areawide water quality management and planning activities in accordance with Section 208 of the Federal Clean Water Act, 33 U.S.C. 1288.

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**381          EPA - 9          Corrective Cash Transfer for the Copperweld Settlement****Section: 277.10**

Requires the Director of Budget and Management to transfer \$1,323,933.19 in cash, which the Agency received from the Copperweld bankruptcy settlement, that was mistakenly deposited in the Hazardous Waste Cleanup Fund (Fund 5050) to the Environmental Protection Remediation Fund (Fund 5410).

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**Executive**

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**382**        **ETC - 1**        **Statehouse News Bureau**

**Section: 281.20**

Specifies that GRF appropriation item 935401, Statehouse News Bureau, be used solely to support the operation of the Ohio Statehouse News Bureau.

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**383**        **ETC - 2**        **Ohio Government Telecommunications Services**

**Section: 281.20**

Specifies that GRF appropriation item 935402, Ohio Government Telecommunications Services, be used solely to support the operation of the Ohio Government Telecommunications Services, which include providing multimedia support to the state government and its affiliated organizations and broadcasting the activities of the legislative, judicial, and executive branches of state government.

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**384**        **ETC - 3**        **Technology Operations**

**Section: 281.20**

Specifies that GRF appropriation item 935409, Technology 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.

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**385**        **ETC - 4**        **Content Development, Acquisition, and Distribution**

**Section: 281.20**

Specifies that GRF appropriation item 935410, Content Development, Acquisition, and Distribution, be used for the development, acquisition, and distribution of information resources by public media and radio reading services and for educational use in the classroom and online. Makes the following earmarks:

(1) Up to \$1,104,605 in FY 2010 and up to \$1,104,905 in FY 2011 to be allocated equally among Ohio's 12 educational television stations and used with the advice and approval of eTech. Specifies that funds be used for the production of interactive instructional programming series with priority given to resources aligned with state academic content standards in consultation with ODE and for teleconferences to support eTech. Requires that funding be targeted to the needs of the poorest 200 school districts as determined by the district's adjusted valuation per pupil as defined in former section

**Executive**

3317.0213 of the Revised Code as that section existed prior to June 30, 2005.

(2) Up to \$2,696,736 in FY 2010 and up to \$2,696,336 in FY 2011 to be distributed by eTech to support the operations of Ohio's qualified public educational television stations and radio stations. Specifies that the funds be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by eTech in consultation with Ohio's qualified educational television stations and radio stations.

(3) Up to \$336,965 in FY 2010 and up to \$337,003 in FY 2011 to be distributed by eTech to support the operations of Ohio's qualified radio reading services. Specifies that the funds be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by eTech in consultation with Ohio's qualified radio reading services.

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**386            ETC - 8            Technology Integration and Professional Development**

**Section: 281.30**

Specifies that GRF appropriation item 935411, Technology Integration and Professional Development, be used by eTech for the provision of staff development, hardware, software, telecommunications services, and information resources in support of educational uses of technology in the classroom and at a distance and for teacher, administrator, and technology staff professional development in qualifying schools, including the School for the Blind, the School for the Deaf, and the Department of Youth Services. Makes the following earmark:

Up to \$2,575,641 in FY 2010 and up to \$2,575,966 in FY 2011 to contract with educational television to provide Ohio public schools with instructional resources and services. Specifies that priority be given to resources and services aligned with state academic standards and be based upon the advice and approval of eTech, based on a formula used by the Ohio SchoolNet Commission unless a substitute formula is developed by eTech in consultation with Ohio's educational technology agencies and noncommercial education television stations.

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**387            ETC - 5            Telecommunity**

**Section: 281.40**

Specifies that SSR Fund 4W90 appropriation item 935630, Telecommunity, be used by eTech on a grant basis to eligible school districts to establish distance learning through interactive video technologies in the school districts.

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**Executive**

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**388          ETC - 6          Distance Learning****Section: 281.40**

Specifies that SSR Fund 4X10 appropriation item 935634, Distance Learning, be used to by eTech on a grant basis to eligible school districts to establish distance learning in the school districts.

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**389          ETC - 7          Gates Foundation Grants****Section: 281.40**

Specifies that SSR Fund 5T30 appropriation item 935607, Gates Foundation Grants, be used to provide professional development to school district principals, superintendents, and other administrative staff on the use of education technology.

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## Executive

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390      EXP - 1      State Fair Reserve

**Section: 285.10**

Allows the General Manager of the Expositions Commission to submit a request to the Director of Budget and Management to use available amounts in the State Fair Reserve Fund (Fund 6400) under the following conditions:

- (1) Admissions receipts for the 2009 or 2010 Ohio State Fair are less than \$1,982,000 because of inclement weather or extraordinary circumstances;
- (2) The Ohio Expositions Commission declares a state of fiscal exigency; and
- (3) The request contains a plan describing how the Expositions Commission will eliminate the cash shortage causing the request.

Appropriates the amount requested upon approval of the Director of Budget and Management.

**Fiscal effect: Provides additional operating revenue in the event that receipts from the State Fair fall below what is necessary to support the Expositions Commission's year-round operating expenses.**

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**Executive**

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**391          GOV - 3          Federal Relations****Section: 287.10**

Allows a portion of the foregoing appropriation items 040403, Federal Relations, and 040607, Federal Relations, to be used to support Ohio's membership in national or regional associations.

Allows the Office of the Governor to charge executive branch agencies for costs incurred in conducting federal relations concerning issues that can be attributed to each agency. Requires that these amounts be billed by ISTV and deposited in Fund 5AK0, Federal Relations.

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**392          GOV - 2          Funds for Governor's Residence****Section: 503.90**

If the Governor's Residence Fund (Fund 4H20) receives payment for use of the residence, appropriates the amounts to appropriation item 100604, Governor's Residence Gift.

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**393          GOV - 1          Service Coordination Workgroup****Section: 751.20**

Creates the Service Coordination Workgroup to develop procedures for coordinating services that any of the following provide to individuals under age 21 and their families: the Office of the Governor, the Departments of Alcohol and Drug Addiction Services, Education, Health, Job and Family Services, Mental Health, Mental Retardation and Developmental Disabilities, and Youth Services; the Office of Budget and Management; and the Family and Children First Cabinet Council.

Requires the Workgroup, not later than July 31, 2009, to submit a report to the Governor with recommendations for implementing the procedures.

Permits the Director of Budget and Management to seek Controlling Board approval to transfer cash and appropriations as necessary to implement the Workgroup's recommendations.

**Fiscal effect: Since the representative of the Governor's Office is to serve as the chairperson of the Council, this provision may cause a minimal increase in the Governor's Office's costs to produce the workgroup's report.**

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## Executive

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**394 DOH - 15 Child Fatality Review Board Reports****R.C. 307.626, 149.43, 307.629, and 3701.045**

Provides confidentiality protection for reports submitted to the Department of Health (ODH) or a national child death review database by local child fatality review boards.

Expands the annual report ODH and the Children's Trust Fund Board must jointly make to the General Assembly and local child fatality review boards to also include data from the Department of Health Child Death Review Database or the National Child Death Review Database.

**Fiscal effect: This provision could increase administrative expenses for the Department.**

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**395 DOH - 30 Asbestos Hazard Abatement****R.C. 3701.01, 3701.01, 3701.05, 3701.051,  
3701.06, 3701.07, 3701.08, 3710.12, 3710.13,  
and 3710.141**

Requires ODH to deny the application for an asbestos hazard abatement contractor's license to any person who has been found civilly liable under environmental protection laws.

Removes ODH's authority to: (1) in an emergency, waive certification requirements for certain types of asbestos hazard abatement workers; and (2) approve alternatives to worker protection requirements that contractors and asbestos hazard evaluation specialists must follow.

Authorizes ODH to: (1) deny, suspend, or revoke a license or certificate under the Ohio Asbestos Abatement Law for a violation or threatened violation of certain federal asbestos regulations, (2) serve by personal delivery the Director of Health's order pertaining to an asbestos proceeding, and (3) issue orders to unlicensed or uncertified persons requiring any action necessary to meet a public health emergency involving asbestos. If immediate action is not taken, the Attorney General, at the request of the Director of Health, may commence a civil action for civil penalties and injunctions.

Clarifies that a licensee or certificate holder's right to demand a hearing relating to the Ohio Asbestos Abatement Laws is limited to ten business days after receiving notice of the right to a hearing.

Clarifies what constitutes an "asbestos hazard abatement activity" and an "asbestos hazard abatement project" and clarifies which provisions in the Ohio Asbestos Abatement Law apply to each of those terms.

**Executive**

Revises the definition of "asbestos hazard abatement activity" to: (1) lower the amount of asbestos-containing materials needed to qualify as such an activity and (2) include the operation and maintenance of friable asbestos containing materials.

Creates a threshold amount of friable asbestos-containing material that must be involved for an asbestos hazard abatement activity to constitute an "asbestos hazard abatement project."

Revises the definition of "friable asbestos-containing material" to (1) change the method by which the amount of asbestos in "friable asbestos-containing material" is determined and (2) specifically include previously non-friable material that has become damaged.

Includes inspectors as persons who are considered "asbestos hazard evaluation specialists" and expands the description of specialists' duties to apply to suspect materials.

Expands the possible duties of an "asbestos hazard abatement project designer" to include the oversight of an asbestos hazard abatement activity.

Removes from the definition of "asbestos hazard abatement air-monitoring technician" the exception relating to a certified industrial hygienist in training.

Expressly limits only to asbestos hazard abatement contractors an existing prohibition against persons contracting to perform any aspect of an asbestos hazard abatement project without a written contract containing specified provisions.

**Fiscal effect: It is possible that ODH could experience an increase in costs related to this provision. Additionally, the provision allows ODH to request that the Attorney General begin proceedings for civil actions and civil penalties and injunctions, which could increase costs to the Attorney General. The amount would depend on the number of actions required.**

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396      DOH - 12      Program for Medically Handicapped Children Diagnostic Services

R.C.      *3701.024*

Authorizes ODH, under its program for medically handicapped children, to charge counties for expenses for diagnostic services not paid from federal funds or Medicaid.

**Fiscal effect: Currently, ODH is authorized to charge counties for any part of expenses incurred for treatment services on behalf of medically handicapped children. The provision would also allow counties to be charged for diagnostic services. This would increase the amount the Department charges counties and deposits into SSR Fund 6660, Medically Handicapped Children - County Assessments.**

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## Executive

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397      DOH - 11      Governor's Advisory Council on Physical Fitness, Wellness, and Sports

R.C.      *3701.77, (Repealed), Sections 630.10, 630.11,  
Repealed: R.C. 3701.771, 3701.772*

Eliminates the Governor's Advisory Council on Physical Fitness, Wellness, and Sports.

**Fiscal effect: Minimal decrease. Members of the Council serve without compensation, but are reimbursed for actual and necessary expenses incurred in the performance of their duties.**

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398      DOH - 14      Certificate of Need Program

R.C.      *3702.59, 3702.51, 3702.52, 3702.524,  
3702.525, 3702.53, 3702.532, 3702.54,  
3702.544, 3702.55, 3702.57, 3702.592,  
3702.593, 3702.60, 3702.61, Repealed: R.C.  
3702.511, 3702.523, 3702.527 - 3702.529,  
3702.542*

Eliminates the scheduled termination (June 30, 2009) of a provision of the certificate of need (CON) statutes permitting addition of long-term care beds to a facility if the beds either replace existing beds or are relocated from a facility in the same county.

Establishes a new CON comparative review procedure under which long-term care beds may be relocated from a county with excess beds to a county with a bed need, as determined by the Director of Health.

Requires a facility, when any of its beds are relocated to another county, to remove additional beds from service and permits the Director to approve CONs for redistribution of these beds.

Eliminates provisions of the CON statutes concerning health care activities for which a CON is no longer needed.

**Fiscal effect: As a result of the provisions, it is possible that the Department could have increased administrative duties relating to the CON Program. There is an application fee charged for CON applications, so any increase would be paid for with these fee revenues.**

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## Executive

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**399 DOH - 6 Dentist Loan Repayment Program****R.C. 3702.87, 3702.89 - 3702.94, Section 289.20**

Increases to two years (from one) the minimum length of service that must be completed by a dentist participating in the Dentist Loan Repayment Program.

Replaces the program's maximum annual loan repayment amount of \$20,000 (as well as the total maximum repayment amount of \$80,000) with the following: (1) a maximum amount of \$25,000 for each of the first two years of service; and (2) a maximum amount of \$35,000 for each of the third and fourth years of service.

Modifies the program's administrative provisions by (1) eliminating the express authority to assign a dentist's loan to the Department of Health, (2) allowing a dentist's employer or other funding source to be a party to the dentist's contract for participation in the program, (3) eliminating the authority to reimburse an applicant for costs incurred in visiting a dental health resource shortage area, (4) eliminating the authority to refer an applicant to the Ohio Dental Association for recruitment purposes, (5) requiring additional information to be specified in an application if a dental residency was completed, and (6) requiring the Director of Health, in designating dental health resource shortage areas in Ohio, to consider designating areas that have been federally designated as health professional shortage areas.

Modifies provisions governing the Dentist Loan Repayment Advisory Board by (1) increasing the Board's membership from seven to ten, (2) eliminating the authority to reimburse Board members for expenses, and (3) requiring that the Board's annual report also be submitted to the Governor.

**Fiscal effect: The Dentist Loan Repayment Program is funded through a surcharge of \$20 on dentist license fees, which is deposited into SSR Fund 5Z70, Dentist Loan Repayment Fund. The provision that increases the maximum loan repayment amounts could increase expenditures for the program; however, the program would be constrained by the amount of revenue in Fund 5Z70. There could also be minimal savings as a result of the elimination of the reimbursement of board member expenses.**

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**400 DOH - 2 Vital Statistics Fees****R.C. 3705.24**

Increases to \$12 (from \$7) the minimum fee the Public Health Council must prescribe for the following items or services provided by the State Office of Vital Statistics: (1) a certified copy of a vital record or certification of birth, (2) a search by the Office of its files and records pursuant to an information request, and (3) a copy of a record provided pursuant to an information request.

## Executive

Requires the Director of Health to transfer \$4 of each minimum \$12 fee to the Office.

**Fiscal effect: The Department would realize a gain in fee revenue, which would be deposited into SSR Fund 4700, Fee Supported Programs Fund.**

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401      DOH - 7      Fees for Board of Health Services

R.C.      *3709.09, 3701.344, 3709.092, 3717.07,  
3717.23, 3717.25, 3717.43, 3717.45, 3718.06,  
3729.07, 3733.04, 3733.25, 3749.04*

Provides that rules adopted by a board of health establishing fees for specified services are to be adopted, recorded, and certified in the same manner as municipal ordinances.

Reduces to 20 (from 30) the number of days of advance notice that must be provided to entities affected by a proposed board of health fee, including licensing fees for food service operations and retail food establishments.

Establishes the greater of the following as a penalty for late payment of board of health fees: (1) 25% of the applicable fee or (2) for each week late, 10% of the applicable fee.

Applies the late payment penalties to food service operations and retail food establishments, both of which currently cannot be charged more than \$50.

Establishes a quarterly schedule to be followed by boards of health when transmitting to the Director of Health any additional fee amounts imposed by the Public Health Council.

**Fiscal effect: Local boards of health could realize a gain in fee revenues as a result of these provisions.**

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402      DOH - 9      Fees for Hospice Care Programs

R.C.      *3712.03*

Increases from \$300 to \$600 the maximum amount that the Public Health Council may establish as a license fee or license renewal fee for a hospice care program.

**Fiscal effect: As a result of the fee increase, the Department could realize an annual revenue gain of approximately \$11,000, which would be deposited into SSR Fund 5B50, Quality, Monitoring, and Inspection Fund.**

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## Executive

## 403 DOH - 1 Nursing Home and Residential Care Facility Licensing Fees

## R.C. 3721.02

Increases the application fee and annual renewal licensing and inspection fee for nursing homes and residential care facilities to (1) \$220 (from \$170) for each 50 persons or part thereof of the home or facility's licensed capacity for fiscal year 2010, (2) \$270 for each 50 persons or part thereof of the home or facility's licensed capacity for fiscal year 2011, and (3) \$320 for each 50 persons or part thereof of the home or facility's licensed capacity for each fiscal year thereafter.

**Fiscal effect: As a result of the fee increase, the Department estimates that there would be a gain of revenue in the following amounts: \$168,400 in FY 2010; \$168,250 in FY 2011; and \$168,247 in future years. This revenue would be deposited into SSR Fund 5B50, Quality, Monitoring, and Inspection Fund.**

## 404 DOH - 8 Nurse Aide Registry

## R.C. 3721.23, 1347.08

Provides that a statement of neglect added to the nurse aide registry regarding a nurse aide or other individual may be removed, and any accompanying information expunged if, in the judgment of the Director of Health, the neglect was a singular occurrence and the employment and personal history of the nurse aide or other individual does not reflect a pattern of abuse or neglect.

Provides that the petition for rescission and the Director's notice that it has been granted are not subject to expungement and are not public records.

**Fiscal effect: There could be minimal administrative costs relating to this provision.**

## 405 DOH - 13 Adult Care Facilities

R.C. 3722.01, 3722.011 - 3722.021, 3722.022,  
3722.04, 3722.05, 3722.06, 3722.08 -  
3722.10, 3722.13 - 3722.15, 3722.16 -  
3722.18, 3722.99

Prohibits an adult care facility owner or manager whose license has been revoked or denied renewal (other than for nonpayment of fees) from applying for another license until two years have elapsed, and permanently prohibits such a person from applying if the revocation or refusal was based on abuse, neglect, or exploitation of a resident.

Eliminates the issuance of temporary licenses.

**Executive**

Eliminates the requirement that proof of insurance be submitted with an application for a license.

Specifies that an adult family home or adult group home is an adult care facility when supervision is provided to all of the home's residents.

Increases the fine for operating an adult care facility without a license to \$2,000 (from \$500) for a first offense and \$5,000 (from \$1,000) for each subsequent offense, and increases the fines for violating other adult care facility licensing laws.

Requires a court that grants injunctive relief concerning unlicensed operation of an adult care facility to include an order suspending admission of new residents and requiring the facility to assist in relocating its residents.

Permits the Director of Health to determine whether inspections will be announced or unannounced.

Eliminates a requirement that the Director prescribe how a violation is to be corrected and instead requires an adult care facility to submit a plan of correction.

Modifies provisions regarding the imposition of penalties by (1) eliminating a provision that prevents the Director from imposing a penalty for a class I violation if certain conditions are met and (2) permitting, rather than requiring, the Director to cancel a penalty for a class II or class III violation if the violation is corrected within the specified time and the facility has not been previously cited for the same violation.

Prohibits an adult care facility from admitting a resident requiring publicly funded mental health services without first notifying the appropriate board of alcohol, drug addiction, and mental health services (ADAMHS board).

Expands the circumstances under which an employee of an ADAMHS board or mental health agency must be permitted to enter an adult care facility that has a resident who is receiving mental health services.

Prohibits employees of public entities and related agencies from placing an individual in an adult care facility that has reached its licensed capacity.

Provides that in an emergency, an adult care facility is not required to provide a resident with advance notice of a proposed transfer or discharge.

Specifies that individuals providing skilled nursing care in adult care facilities must be appropriately licensed.

Requires each adult care facility to post the telephone number maintained by the Department of Health for accepting complaints.

**Fiscal effect: It is possible that the Department may realize a gain in revenue due to the provision increasing the penalty for operating without a license and increasing the fines for violating other adult care facility licensing laws. Additionally, the other provisions may decrease some administrative costs for the Department.**

## Executive

## 406 DOH - 4 Community Alternative Homes

R.C. 3724.01 (repealed), 173.35, 2317.422, 2903.33, 3313.65, 3701.07, 3721.01, 3722.01, 3722.02, 5101.60, 5101.61, Repealed: R.C. 3724.02 - 3724.99

Repeals the laws governing community alternative homes -- residences or facilities that provide accommodations, personal assistance, and supervision for three to five unrelated persons who have AIDS or AIDS-related conditions.

**Fiscal effect: The Department currently is responsible for licensing and regulatory activities for community alternative homes. If these responsibilities are eliminated, then the Department would experience a decrease in costs. However, there would likely be a corresponding loss of revenue, since these homes may currently pay licensing fees.**

## 407 DOH - 3 Hospital Accreditation

R.C. 3727.02

Modifies the accreditation requirements for operation of a hospital by requiring the hospital to be accredited by a national accrediting organization approved by the Centers for Medicare and Medicaid Services (CMS) and the Director of Health, rather than the Joint Commission or the American Osteopathic Association.

**Fiscal effect: None. It is assumed that any organization chosen as the accrediting organization by CMS and the Director of Health would be the national body that hospitals are currently using for accreditation.**

## 408 DOH - 10 Minimum Standards for Hospitals

R.C. 3727.05, 3701.71, 3701.72, 3727.04, 3727.051, 3727.052, 3727.053, 3929.67, Repealed: R.C. 3701.73

Requires the Department of Health to establish, maintain, and enforce minimum standards for hospitals and units providing medical and nursing care in city and county institutions, and requires the Director of Health to institute the Department's legal proceedings for violations of the standards.

## Executive

**Fiscal effect:** The Department could experience an increase in expenditures relating to the requirement to establish, maintain, and enforce minimum standards if they do not already do so. The Department is allowed to institute fees for violations. Any revenues from violations would be deposited into the General Revenue Fund. If necessary, the Department could petition the appropriate county court of common pleas for injunctive relief for alleged violations. This could increase costs to county courts. However, some court costs could be recovered, which would partially or fully offset this.

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409      DOH - 28      Agricultural Labor Camp Fees

R.C.      3733.43

Increases the amount of the following fees for licenses to operate agricultural labor camps issued on or after July 1, 2009 as follows:

Increases if submitted prior to April 15, the annual license fee from \$75 to \$150.

Increases if submitted on or after April 15, the annual license fee from \$100 to \$166.

Increases if submitted prior to April 15, the fee charged per housing unit from \$10 per unit to \$20 per unit.

Increases if submitted on or after April 15, the fee charged per housing unit from \$15 per unit to \$42.50 per unit.

**Fiscal effect:** According to the Department, it is estimated that these fee increases will bring in an additional \$23,000 per year, which would be deposited into SSR Fund 4700, Fee Supported Programs Fund.

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410      DOH - 5      Radiation Fees

R.C.      3748.04, 3748.01, 3748.07, 3748.12, 3748.13

Clarifies an existing requirement that the following individuals pay fees established by rule of the Public Health Council: (1) handlers of radioactive material; (2) handlers, other than medical practitioners, of radiation-generating equipment; and (3) radiation experts.

Clarifies an existing requirement that medical-practitioner handlers of radiation-generating equipment pay fees specified in statute, and raises the statutory fees by 20%.

**Fiscal effect:** As a result of the fee increase, the Department would realize a gain in fee revenue, which would be deposited into SSR Fund 5B50, Quality, Monitoring, and Inspection Fund.

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**Executive**

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**411 DOH - 29 Child Passenger Safety Seat Fines****R.C. 4511.81**

Directs that \$50 from each fine for a child safety restraint violation (including safety seats, booster seats, and child seat belt violations) be deposited into HSF Fund 4T40, Child Highway Safety; increases the minimum fine for such violations from \$25 to \$50; and eliminates the designation of pediatric trauma centers as one of the authorized purposes of the fund. Specifies that, if an offender has previously been convicted of or pleaded guilty to this or of a municipal ordinance that is substantially similar, the offender is guilty of a fourth degree misdemeanor and be fined not less than \$100. (Currently, there is no minimum amount specified.)

**Fiscal effect: There would be an increase in revenues deposited in HSF Fund 4T40, Child Highway Safety Fund. The amount is unknown at this time.**

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**412 DOH - 16 HIV/AIDS Prevention and Treatment****Section: 289.20**

Specifies that GRF appropriation item 440444, AIDS Prevention and Treatment, is to be used to assist persons with HIV/AIDS in acquiring HIV-related medications and to administer educational prevention initiatives.

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**413 DOH - 17 Infectious Disease Prevention****Section: 289.20**

Specifies that GRF appropriation item 440446, Infectious Disease Protection and Surveillance, is to be used for coordination and management of prevention program operations and the purchase of drugs for sexually transmitted diseases.

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**Executive**

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**414 DOH - 18 Help Me Grow****Section: 289.20**

Specifies that GRF appropriation item 440459, Help Me Grow, is to be used to distribute subsidies to counties to implement the Help Me Grow Program. Allows the appropriation item to also be used in conjunction with Early Intervention funding from the Department of Mental Retardation and Developmental Disabilities, and in conjunction with other early childhood funds and services to promote the optimal development of young children. Requires the Department of Health 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 that all early childhood programs and initiatives are coordinated and school-linked.

Specifies that GRF appropriation item 440459, Help Me Grow, is also to be used for the Autism Diagnosis Education Pilot Program.

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**415 DOH - 19 Health - Federal Stimulus****Section: 289.20**

Specifies that upon the request of the Director of Health, the Director of Budget and Management may transfer appropriation from GRF appropriation item 440469, Health – Federal Stimulus, to the following GRF appropriation items:

- (1) \$300,000 in FY 2010 and \$257,709 in FY 2011 to appropriation item 440407, Animal Borne Disease and Prevention;
  - (2) \$50,000 in each fiscal year to appropriation item 440412, Cancer Incidence Surveillance System;
  - (3) \$106,194 in each fiscal year to appropriation item 440413, Local Health Department Support;
  - (4) \$800,000 in FY 2010 and \$700,000 in FY 2011 to appropriation item 440418, Immunizations;
  - (5) \$200,000 in each fiscal year to appropriation item 440431, Free Clinics Safety Net Services;
  - (6) \$200,000 in fiscal year to appropriation item 440446, Infectious Disease Protection and Surveillance;
  - (7) \$100,000 in each fiscal year to appropriation item 440454, Local Environmental Health;
  - (8) \$50,000 in each fiscal year to appropriation item 440465, Federally Qualified Health Centers;
  - (9) \$100,000 in each fiscal year to appropriation item 440468, Chronic Disease and Injury Prevention;
  - (10) \$773,841 in FY 2010 and \$700,000 in FY 2011 to appropriation item 440511, Uncompensated Care/Emergency Medical Assistance.
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**Executive**

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**416 DOH - 20 Targeted Health Care Services Over 21****Section: 289.20**

Specifies that GRF appropriation item 440507, Targeted Health Care Services Over 21, is to be used to administer the Cystic Fibrosis Program and to implement the Hemophilia Insurance Premium Payment Program.

Specifies that GRF appropriation item 440507, Targeted Health Care Services Over 21, is to 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 participants for the Cystic Fibrosis Program.

Specifies that GRF appropriation item 440507, Targeted Health Care Services Over 21, may also be used, to the extent that funding is available, to provide up to 18 in-patient hospital days for participants in the Cystic Fibrosis Program.

Specifies that the Department is to expend all funds in GRF appropriation item 440507, Targeted Health Care Services Over 21.

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**417 DOH - 21 Genetics Services****Section: 289.20**

Specifies that SSR Fund 4D60 appropriation item 440608, Genetics Services, is to be used to administer programs authorized by sections 3701.501 and 3701.502 of the Revised Code. Prohibits these funds from being used to counsel or refer for abortion, except in the case of a medical emergency.

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**418 DOH - 22 Medically Handicapped Children Audit****Section: 289.20**

Specifies that SSR Fund 4770, Medically Handicapped Children Audit, is to receive revenue from audits of hospitals and recoveries from third-party payers. Allows moneys to be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits. Allows moneys to also be expended for payments for diagnostic and treatment services on behalf of medically handicapped children and for residents who are 21 or older and suffering from cystic fibrosis or hemophilia. Furthermore, allows moneys to be expended for administrative expenses incurred for the Medically Handicapped Children's Program.

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**Executive**

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419      DOH - 23      Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund

**Section: 289.20**

Specifies that the Director of Budget and Management must set a schedule to transfer cash from LCF Fund 7043, Liquor Control, used primarily by the Department of Commerce, to SSR Fund 5C00, Alcohol Testing and Permit, used by the Department of Health, to meet the operating needs of the Alcohol Testing and Permit Program. Allows the Director to transfer amounts as determined by the transfer schedule.

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420      DOH - 25      Medically Handicapped Children - County Assessments

**Section: 289.20**

Specifies that SSR Fund 6660 appropriation item 440607, Medically Handicapped Children - County Assessments, is to be used to make payments under division (E) of section 3701.023 of the Revised Code.

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421      DOH - 26      Cash Transfer from the Sewage Innovation Fund to Fee Supported Programs Fund

**Section: 289.20**

Specifies that on July 1, 2009, or as soon as possible thereafter, the Director of Health certify to the Director of Budget and Management the amount of cash to be transferred from SSR Fund 5CJ0, Sewage Innovation, which is used by the Department, to SSR Fund 4700, Fee Supported Program, which is also used by the Department, to meet the needs of the Sewage Program. Appropriates transferred amounts for the Sewage Program.

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422      DOH - 27      Nursing Facility Technical Assistance Program

**Section: 289.20**

Specifies that on July 1, 2009, or as soon as possible thereafter, the Director of Budget and Management, may transfer cash from SSR Fund 4E30, Resident Protection, used by the Department of Job and Family Services, to SSR Fund 5L10, Nursing Facility Technical Assistance Program, used by the Department of Health. Limits the transfer to \$698,595 in each fiscal year.

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**Executive**

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**423            OHS - 1            Subsidy Appropriation****Section: 295.10**

Requires that, upon approval by the Director of Budget and Management, funds for the GRF appropriation items for the Ohio Historical Society (OHS) be released to OHS in quarterly amounts that in total do not exceed the annual appropriations, requires that the funds and fiscal records of OHS for each fiscal year be examined by independent certified public accountants approved by the Auditor of State, and requires a copy of the audited financial statements to be filed with the Office of Budget and Management.

Requires OHS to prepare and submit to the Office of Budget and Management an estimated operating budget for each fiscal year of the biennium at or near the beginning of each calendar year and semiannual financial reports indicating actual receipts and expenditures for the fiscal year to date.

Specifies that the GRF appropriation items for OHS are considered to be the contractual consideration provided by the state to support the state's offer to contract with OHS under section 149.30 of the Revised Code.

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**424            OHS - 2            State Archives****Section: 295.10**

Earmarks \$910,459 in each fiscal year from GRF appropriation item 360501, Education and Collections, for the State Archives, Library, and Artifact Collections Program.

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**425            OHS - 3            Hayes Presidential Center****Section: 295.10**

Specifies that if a United States government agency, including, but not limited to, the National Park Service, chooses to take over the operations or maintenance of the Hayes Presidential Center, in whole or in part, OHS must make arrangements with the agency for the efficient transfer of operations or maintenance.

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**Executive**

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426      REP - 1      Operating Expenses

**Section: 301.10**

Authorizes the Clerk of the House of Representatives to certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of GRF appropriation item 025321, Operating Expenses, at the end of one fiscal year to be reappropriated for the next fiscal year, and reappropriates the certified amount.

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## Executive

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427        INS - 11        Health Insuring Corporation Provider Networks

R.C.        *1751.03, 1751.04, 1751.05, 1751.19, 1751.32,  
1751.321, 1751.34, 1751.35, 1751.36,  
1751.45, 1751.46, 1751.48, and 1753.09*

Transfers the responsibility to review and certify that a health insuring corporation's (HIC's) provider network is sufficient to meet specified requirements to the Superintendent of Insurance from the Director of Health. Removes a requirement that the Superintendent consult with the Director concerning standards relating to those requirements. Removes existing provisions that required HICs to send annual reports, audit reports, and complaints and responses to the Director in addition to the Superintendent and removes the Director's authority to enforce the Health Insuring Corporation Law (R.C. Chapter 1751).

**Fiscal effect: Potential increase, not likely to be significant, in the Department of Insurance's administrative costs associated with the responsibility to review and certify a health insuring corporation's provider network. Any such costs would be paid from the Department of Insurance Operating Fund (SSR Fund 5540). Corresponding decrease in administrative costs for the Department of Health. Potential decrease in overall costs for the state due to streamlining of regulation in this area.**

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## Executive

428        INS - 10        Open Enrollment Health Insurance Program, Conversion of Group Health Insurance Policies to Individual Policies, and Ohio Health Care Plans

R.C.        *1751.15, 1751.16, 3923.122, 3923.57,  
3923.58, 3923.581, 3924.01, 3924.09, and  
3924.10*

Increases the number of people that insurers, carriers, and health insuring corporations (HICs) are required to accept for health insurance coverage under open enrollment, from 0.5% (or 1.0% for HICs) of the company's total number of insured individuals residing in Ohio to 4.5%. Reduces the maximum premium rate that insurers and carriers are permitted to charge people accepted for health insurance coverage under open enrollment. Makes other changes to existing law regarding open enrollment, generally with respect to the effective date of coverage, payment of commissions to insurance agents, and the way preexisting conditions exclusions and limitations are determined.

Reduces the maximum premium rates and contractual periodic prepayments that insurers and HICs may charge federally eligible individuals for individual health insurance contracts or policies that are converted from group contracts and policies, and prohibits insurers and HICs from using health status as a basis for refusing to renew a converted contract. Substitutes the term "base rate" for "midpoint of the standard rate" as that term relates to open enrollment and group-to-individual health insurance contract conversions, and defines "base rate" generally as the lowest premium rate for new or existing business for the same or similar coverage.

Removes the Ohio Health Reinsurance Program's authority to design Ohio Health Care (OHC) plans and gives that authority to the Superintendent of Insurance; allows the Ohio Health Reinsurance Program to make recommendations to the Superintendent regarding the design of OHC plans; allows the Superintendent to consider those recommendations along with the recommendations of the Ohio Health Care Coverage and Quality Council.

**Fiscal effect: Potential increase in the Department of Insurance's administrative costs associated with new authority to design Ohio Health Care (OHC) plans and with other insurance reforms recommended by the Health Care Coverage and Quality Council. Any such costs would be paid out of the Department of Insurance Operating Fund (Fund 5540).**

## Executive

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429      INS - 12      Continuation of Health Insurance Coverage after Termination of Employment

R.C.      *1751.53, 3923.38*

Eliminates the requirement that an individual be eligible for unemployment compensation in order to be eligible for continued coverage under the individual's employer-sponsored health insurance plan after termination of employment, and instead requires only that the individual's employment was not terminated as a result of any gross misconduct on the part of the individual. Lengthens the time that the individual would be eligible for continued coverage from six months to twelve months.

**Fiscal effect: None to state and local governments as this provision does not apply to employees of state and local governments. It applies only to employees of small employers (i.e., those that employ fewer than 20 employees) who are not covered under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).**

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430      INS - 15      External Review of Health Care Denials by Insurance Companies

R.C.      *1751.831, 1751.84, 3923.66, 3923.67,  
3923.68, 3923.75, 3923.76, and 3923.77*

Requires that a health insuring corporation (HIC) cover a health care service if the Superintendent of Insurance determines that the service is a covered service. (Current law allows an insured person or an "authorized person" to submit a request for a review by the Superintendent whenever an insurer denies coverage of a service, and requires HICs to either cover the service or afford the enrollee an opportunity for an external review; if the Superintendent determines that the service is not a covered service, existing law does not require any further action from the insurer.)

Allows the Superintendent to notify an "authorized person" instead of the insured, if the Superintendent cannot make a determination about coverage because doing so requires the resolution of a medical issue (existing law requires that the Superintendent inform both the insured and the insurer, HIC, or plan). Requires that the health insurer or plan initiate an external review automatically, i.e., without a request from the insured, upon receiving such notification from the Superintendent (current law requires that the health care insurer or plan afford the insured an opportunity for an external review, meaning the insurer or plan must conduct an external review upon the insured's request).

**Fiscal effect: Potential increase, not likely to be significant, in the Department of Insurance's administrative costs associated with the review of health care denials by insurance companies. Any such costs would be paid out of the Department of Insurance Operating Fund (SSR Fund 5540).**

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## Executive

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431        INS - 8        Prompt Payment Fines

R.C.        *3901.3812*

Incorporates as a separate account in the Department of Insurance Operating Fund (Fund 5540) the existing Claims Processing Education Fund into which the Superintendent of Insurance must deposit 10% of fines collected under certain insurance prompt pay statutes.

**Fiscal effect: None.**

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432        INS - 14        Health Insurance Premium Rate Filing

R.C.        *3923.021, 3924.06*

Allows the Superintendent of Insurance to review the premium rates of sickness and accident insurance policies made available by insurers in the individual market to individuals through a group according to the current review requirements for all individual policies of sickness and accident insurance.

Clarifies that insurers that offer health benefit plans to small employers must file those plans for premium rate review by the Superintendent pursuant to the current requirements for all policies and certificates of sickness and accident insurance and health insuring corporations.

**Fiscal effect: Potential increase, not likely to be significant, in the Department of Insurance's administrative costs associated with the health insurance premium rate filings. Any such costs would be paid out of the Department of Insurance Operating Fund (SSR Fund 5540).**

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## Executive

## 433      INS - 13      Administrative Expenses Incurred by Sickness and Accident Insurers

## R.C.      3923.022

Includes in the definition of administrative expenses for the purposes of the current cap on sickness and accident insurers' administrative expenses premiums "earned" rather than just "received" (not necessarily equal amounts), the amount of losses recovered from reinsurance coverage, the amount "incurred" for state fees rather than "paid," and the "incurred" costs related to payment of commissions.

Requires insurers to provide specified information concerning the insurer's earnings and administrative expenses related to the insurer's sickness and accident insurance business separately, including the insurer's individual, small group, and large group sickness and accident insurance businesses, as part of the currently required annual statement of the insurer's administrative expenses.

Allows the Superintendent of Insurance to suspend the license of an insurer if the insurer fails to submit the required annual statement.

**Fiscal effect: Potential increase, not likely to be significant, in the Department of Insurance's administrative costs associated with sickness and accident insurers' filing requirements. Any such costs would be paid from the Department of Insurance Operating Fund (SSR Fund 5540).**

## 434      INS - 18      Health Insurance Coverage of Dependent Children

R.C.      3923.24, 1739.05, 1751.14, 3923.241,  
5747.01, Sections 803.10, 803.20

Requires that all health care plans (i.e., sickness and accident insurance policies, health insuring corporation plans, multiple employer welfare arrangements, and public employee benefit plans) that provide coverage for unmarried dependent children extend coverage, under certain conditions, until the dependent child reaches 29 years of age.

Exempts these provisions from the existing law requirement that the Superintendent of Insurance review all new health benefit mandates before a mandate may take effect.

Allows an Ohio income tax deduction for the portion of payments for employer-sponsored health insurance that would normally be excluded from federal adjusted gross income but is not because it relates to a person who is not a "qualifying dependent" for federal income tax purposes. Additionally allows an Ohio income tax deduction for amounts the taxpayer paid for medical care insurance or qualified long-term care insurance for certain relatives that are members of the taxpayer's household.

## Executive

**Fiscal effect: Increase in the cost to the state and to local governments to provide health benefits to employees and their dependents. The increase in cost to the state may be in the millions in FY 2010 and is estimated to be approximately \$9 million in FY 2011 and future fiscal years. The costs would be paid by the State Employee Health Benefit Fund (Fund 8080), of which somewhat less than half would be derived from GRF-supported payroll. The increase in cost to municipalities, townships, and counties is estimated to be approximately \$31.5 million per year statewide, and the costs to school districts are estimated to be approximately \$36.7 million statewide, starting in the first fiscal year that the requirement is fully phased in.**

**The executive proposal estimates that the tax provisions would result in a loss of GRF revenue from the income tax of approximately \$6.0 million in FY 2011. That implies a loss of approximately \$0.4 million to the local government funds.**

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435        INS - 16        Health Care Coverage and Quality Council

R.C.        3923.90, 3923.91

Creates a 26-member Health Care Coverage and Quality Council to advise the Governor, General Assembly, public and private entities, and consumers on strategies to expand affordable health insurance coverage to more individuals and improve the cost and quality of Ohio's health care system. Enumerates the criteria for selecting those Council members. Specifies that members be reimbursed for mileage and other necessary expenses only. Requires the Council to issue a report on or before December 31 of each year. Exempts for the Council from the current sunset requirement.

**Fiscal effect: Increases the Department of Insurance's administrative costs related to the Health Care Coverage and Quality Council. The 26 members of the Council are not to be compensated for their services, but will be reimbursed for mileage and other necessary expenses. The executive proposal includes \$479,575 each fiscal year in a new line item, 820609, State Coverage Initiative Administration, in order to cover administrative costs of the Council. The new line item is funded by the Department of Insurance Operating Fund (SSR Fund 5540).**

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436        INS - 17        The Ohio Fair Plan Underwriting Association

R.C.        3929.43

Removes the cap on homeowners insurance rates and basic property insurance rates established by the Ohio Fair Plan Underwriting Association, which currently cannot exceed the rates filed by the state's major rating organization, and instead requires that those rates be subject directly to the approval of the Superintendent of Insurance.

Allows the Association to approve payment of a percentage of the annual premium due for a binder issued under the plan; changes the effective date of the binder from 15 days after the date of application to the day after the Association receives the application.

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**Executive**

**Fiscal effect: Potential increase, not likely to be significant, in the Department of Insurance's administrative costs associated with the homeowners and basic property insurance rates. Any such costs would be paid from the Department of Insurance Operating Fund (SSR Fund 5540).**

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437           INS - 9           Employer-sponsored Health Insurance Coverage

**R.C.        4113.11**

Requires employers that employ ten or more employees to adopt and maintain a "cafeteria" health insurance plan that allows the employer's employees to pay for health insurance coverage by a salary reduction arrangement under the Internal Revenue Code. Requires the Superintendent of Insurance to adopt rules to implement and enforce the requirement and requires the Health Care Coverage and Quality Council to make specified recommendations to the Superintendent concerning employer and employee implementation of the requirement.

Employers that employ more than 500 employees are required to comply with the requirements by January 1, 2011, or six months after rules related to the requirements are adopted by the Superintendent. Employers that employ 150 to 500 employees must comply by July 1, 2011, or 12 months after rules are adopted. Employers that employ 10 to 149 employees must comply by January 1, 2012, or 18 months after the adoption of the rules.

**Fiscal effect: The provision would require certain private and public employers to offer a "cafeteria" health insurance plan and enable them to withhold part of their employees' pre-tax earnings to pay for the plan. The benefits under the plan are not subject to federal or state taxes. As a result the provision would decrease state income tax revenue collections beginning in FY 2011. The executive proposal reports that there would be no fiscal effect from this provision during the biennium due to the timing involved with the phase-in of the requirement.**

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438           INS - 3           Examinations of Domestic Fraternal Benefit Societies

**Section:   307.10**

Permits the Director of Budget and Management, at the request of the Superintendent of Insurance, to transfer funds from the Department of Insurance Operating Fund (Fund 5540) to the Superintendent's Examination Fund (Fund 5550). Specifies that the permitted transfer amount is limited to expenses incurred in examining domestic fraternal benefit societies.

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**Executive**

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439        INS - 4        Transfer from Fund 5540 to General Revenue Fund

**Section: 307.10**

Requires the Director of Budget and Management to transfer \$5.0 million from the Department of Insurance Operating Fund (Fund 5540), not later than the thirty-first day of July each fiscal year, to the GRF.

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440        INS - 5        Market Conduct Examination

**Section: 307.10**

Allows the Superintendent of Insurance to assess the cost of conducting a market conduct examination of an insurer against the insurer. Allows the Superintendent to enter into consent agreements to impose administrative assessments or fines for violations of insurance laws or rules. Provides that all costs, assessments, and fines collected be deposited to the Department of Insurance Operating Fund (Fund 5540).

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## Executive

General

441 JFS - 34 Expenditure of Federal Grant Funds

R.C. 131.33

Permits federal grant funds that are obligated by ODJFS for financial allocations to county family services agencies and local workforce investment boards to be available for expenditure for the duration of the federal grant period.

**Fiscal effect: County family services agencies and local workforce investment boards will be able to spend federal grant dollars awarded in federal fiscal years (Oct. 1 to Sept. 30) in subsequent state fiscal years as necessary.**

442 JFS - 5 Collaboration on Welfare Reform Training

R.C. 5101.072, (Repealed)

Ends a requirement that ODJFS collaborate with county departments of job and family services to develop and provide training regarding county departments' duties under previous welfare reform legislation.

**Fiscal effect: Potential minimal decrease in costs related to training.**

443 JFS - 26 ODJFS General Services Administration and Operating Fund

R.C. 5101.073

Creates in the state treasury GSF Fund 5DM0, General Services Administration and Operating. Provides for the Treasurer of State to transfer money in 7090 Fund R012, Refunds and Audit Settlements, to Fund 5DM0, following a final closeout of a federal grant regarding a program ODJFS administers or a reconciliation of all final transactions with the federal government regarding federal funds for a program ODJFS administers. Provides for money in Fund 5DM0 to be used for ODJFS's administrative expenses.

**Fiscal effect: Allows ODJFS to access unused federal grant money following a final closeout or reconciliation of federal funds for programs administered by ODJFS and use them for administrative expenses.**

## Executive

Child Care

444 JFS - 47 Help Me Grow Advisory Council

R.C. 3701.611

Codifies the existing Help Me Grow Advisory Council mirroring the requirements set forth in federal law. The provision also specifies the duties of the Council. Members can be reimbursed for actual and necessary expenses.

**Fiscal effect: If the Council currently exists and receives reimbursements for actual and necessary expenses, there should be no fiscal effect.**

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445 JFS - 53 Early Learning Initiative

Section: 309.40.60

Information on the Early Learning Initiative is located in the Department of Education section under the subject heading titled "Early Childhood."

Child Support Enforcement

446 JFS - 50 Office of Child Support Requests for Medical Insurance Information

R.C. 3119.371

Defines "health insurance provider," for the purposes of this provision, as (1) a person authorized to engage in the business of sickness and accident insurance, (2) a person or government entity providing coverage for medical services or items to individuals on a self-insurance basis, (3) a health insuring corporation, (4) a group health plan, (5) any organization, business, or association described in 42 U.S.C. 1396a(a)(25), or (6) a managed care organization.

Defines "information," for the purposes of this provision, as (1) an individual's name, address, date of birth, and Social Security number, (2) the group or plan number or other identifier assigned by a health insurance provider to a policy held by an individual or a plan in which the individual participates and the nature of the coverage, and (3) any other data specified by the Director of Job and Family Services in rule.

Requires health insurance providers to send information to the Office of Child Support in ODJFS identifying policy holders and policy information upon request.

**Fiscal effect: Potential savings for ODJFS as this provision enables the Office of Medicaid to share certain information it receives with the Office of Child Support.**

## Executive

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447      JFS - 48      Mandatory Electronic Remittance of Child Support by Certain Payors

R.C.      *3121.19, 3121.037, 3121.0311, and 3121.20*

Requires payors who submit combined child support payments to provide the individual case numbers from the income withholding or deduction notice. Requires employers with more than 50 employees to send child support by electronic means.

**Fiscal effect: Potential savings to ODJFS to receive child support payments electronically.**

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448      JFS - 49      Waiver and Compromise of Assigned Child Support Arrearages

R.C.      *3125.25*

Requires the Director of Job and Family Services to adopt rules for the compromise and waiver of child support arrearages owed to the state and federal governments, consistent with the federal Title IV-D program.

**Fiscal effect: ODJFS may experience additional administrative costs associated with the adoption of rules.**

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449      JFS - 31      Child Support Collections/TANF MOE

**Section: *309.40.50***

Requires that GSF Fund 4A80 appropriation item 600658, Child Support Collections, be used by ODJFS to meet the TANF maintenance of effort (MOE) requirements.

Specifies that once the state is assured that it will meet the MOE requirements, ODJFS may use the funds from the appropriation item to support public assistance activities.

**Fiscal effect: Persons receiving child support and OWF cash assistance are required to assign ODJFS to receive their child support payments to cover part of their cash assistance benefits. These funds are deposited into GSF Fund 4A80 and expended through appropriation item 600658. ODJFS plans to use \$23 million in each fiscal year to meet the state's TANF MOE requirements.**

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## Executive

Child Welfare and Adoption

450          JFS - 55          Alternative Response

**Section: 309.40.40**

Requires ODJFS to implement, oversee, and evaluate an 18-month pilot program based on the "Alternative Response" approach to reports of child abuse, neglect, and dependency. Requires the pilot program to be implemented in not more than ten counties selected by ODJFS that agree to participate in the program.

Requires ODJFS to assure that the Alternative Response pilot program is independently evaluated with respect to outcomes for children and families, costs, worker satisfaction, and any other criteria determined by ODJFS to be useful in the consideration of the statewide implementation of Alternative Response.

Allows ODJFS to expand the Alternative Response approach statewide at any point during, or at the conclusion of the pilot period.

Requires ODJFS to seek statutory framework for the Alternative Response approach to child protection if the independent evaluation recommends statewide implementation.

**Fiscal effect: ODJFS began implementation of the Alternative Response pilot program in July 2008. In the FY 2010-FY 2011 biennium, ODJFS will experience costs associated with contracting for an independent evaluation.**

Title IV-A Temporary Assistance for Needy Families

451          JFS - 18          Fraudulent Assistance

**R.C. 5101.83**

Ends a prohibition against an assistance group's participation in the Prevention, Retention, and Contingency program until a member repays the cost of fraudulent assistance that a county director of job and family services determines the assistance group received.

Provides that the prohibition applies only to fraudulent cash assistance received under the Ohio Works First program rather than any fraudulent assistance or services received under that program.

**Fiscal effect: Potential minimal increase in TANF expenditures from county allocations, as these individuals could potentially receive PRC services that under current law, they are otherwise ineligible to receive.**

## Executive

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452          JFS - 4          Felony Drug Conviction Not a Bar to TANF Program

R.C.          *5101.84*

Provides that an individual is not to be denied aid under any TANF program (rather than just the Ohio Works First or Prevention, Retention, and Contingency programs) on the basis of having been convicted of a felony offense that has as an element the possession, use, or distribution of a controlled substance.

**Fiscal effect: This provision would allow such individuals to be eligible for other programs supervised by the Department of Job and Family Services that are funded with TANF funds. These may include publicly funded child care, the Kinship Permanency Incentive Program as well as other programs that the Department may establish. This could result in a minimal increase in TANF expenditures.**

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453          JFS - 1          Ohio Works First Sanctions

R.C.          *5107.16, 5107.05, 5107.17, 5111.01*

Reenacts prior law that provides for a sanction under the Ohio Works First Program to continue for the longer of one to six months (depending on the number of previous sanctions) and the date the failure or refusal to comply with a self-sufficiency contract ceases.

Requires ODJFS to provide an Ohio Works First assistance group member, who causes a sanction, a compliance form the member may complete to indicate willingness to come into full compliance with a provision of a self-sufficiency contract.

Provides that an Ohio Works First member's failure or refusal to comply in full with a provision of a self-sufficiency contract is deemed to have ceased on the date a county department of job and family services receives the compliance form from the member if the compliance form is completed and provided to the county department in the manner specified in ODJFS's rules.

Provides that an Ohio Works First assistance group must reapply to participate in Ohio Works First before resuming participation following a sanction if a county department does not receive the compliance form within a period of time specified in ODJFS rules.

**Fiscal effect: This provision will standardize sanctions across all counties.**

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## Executive

Medicaid

454 JFS - 20 Disqualifying Offenses -- Medicaid Providers and Home and Community Waiver Services Providers

R.C. 109.572, 5111.032, 5111.033, 5111.034

Adds to the offenses that disqualify a person from being a Medicaid provider or employed by a Medicaid provider, applies the same disqualifying offenses to a provider of home and community-based waiver services and any of its employees, and includes the following among the additional disqualifying offenses: cruelty to animals, permitting child abuse, menacing, arson, and a violation of any municipal ordinance that is substantially equivalent to the new or existing disqualifying offenses.

**Fiscal effect: None.**

455 JFS - 9 Nursing Home Franchise Permit Fee

R.C. 3721.51, 3721.56

Increases the franchise permit fee on nursing home beds and hospitals' long-term care beds from \$6.25 per day to \$11.00 per day.

Provides for SSR Fund 4J50, Home and Community-Based Services for the Aged, to receive 9.09% of the money generated by the nursing home/hospital franchise permit fee and for SSR Fund 5R20, Nursing Facility Stabilization, to receive 90.91%.

**Fiscal effect: The executive estimates the increase in the fee will generate \$122.2 million in FY 2010 and \$162.9 million in FY 2011.**

456 JFS - 14 Third Party Liability

R.C. 5101.573

Requires a third party against which ODJFS has a right of recovery for payment of a medical item or service provided to a Medicaid recipient to do the following: (1) consider ODJFS's payment to be the equivalent of the recipient having obtained prior authorization for the item or service from the third party and (2) not deny a claim solely on the basis of the Medicaid recipient's failure to obtain prior authorization from the third party.

**Fiscal effect: By enhancing the state's ability to recover payments from liable third parties for certain claims, the state may realize cost savings in the Medicaid Program.**

## Executive

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**457            JFS - 8            Administrative Actions Relative to Medicaid Provider Agreements****R.C.            5111.06**

Provides that ODJFS is not required to issue an order pursuant to an adjudication conducted in accordance with the Administrative Procedure Act when (1) denying, terminating, or not renewing a Medicaid provider agreement because a provider's owner, officer, authorized agent, associate, manager, or employee has been convicted of an offense that caused the provider agreement to be suspended, (2) terminating or not renewing a Medicaid provider agreement because the provider has not billed or otherwise submitted a Medicaid claim to ODJFS for at least two years, regardless of whether ODJFS has determined that the provider has moved from the address on record with ODJFS without leaving an active forwarding address, or (3) denying, terminating, or not renewing a Medicaid provider agreement because the provider fails to provide to ODJFS the National Provider Identifier assigned to the provider.

**Fiscal effect: None.**

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**458            JFS - 17            Medicaid E-Prescribing System****R.C.            5111.083**

Repeals law that expressly authorizes the Director of Job and Family Services to establish an e-prescribing system for the Medicaid Program.

**Fiscal effect: None. This provision removes the requirement for e-prescribing from the law. However, beginning March 2009, ODJFS will begin offering, on a voluntary basis, e-prescribing to all Medicaid providers who prescribe or dispense prescription medications within the traditional fee-for-service Medicaid system.**

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**459            JFS - 19            Medicaid Managed Care Reimbursement Rate for Noncontracting Hospitals****R.C.            5111.162**

Revises the requirement that a hospital not under contract with a Medicaid managed care organization (MCO) provide services to Medicaid recipients enrolled in the MCO and accept from the MCO, as payment in full, the amount that would have been paid under Medicaid's fee-for-service reimbursement system by: (1) requiring that medically necessary services be provided whenever authorized by the MCO, rather than only on referral, (2) extending the fee-for-service reimbursement rate to other types of noncontracting providers in a hospital system, including physicians, and (3) eliminating the exemption that applies to any hospital that had a contract with at least one Medicaid MCO before January 1, 2006, and has retained one such contract.

## Executive

**Fiscal effect: Indirect.** The state pays MCO's a monthly capitated rate for the provision of services for Medicaid recipients. This provision governs the payments by MCO's to hospital systems. Any change in payments may, or may not, impact future capitation rates paid by the state to MCO's.

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460          JFS - 15          Medicaid Health Insuring Corporation Franchise Permit Fee

R.C.          *5111.176*

Terminates the assessment of a franchise permit fee on Medicaid health insuring corporations after the third quarter of calendar year 2009.

**Fiscal effect: The executive estimates the state will lose \$520 million in revenue annually.**

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461          JFS - 7          Nursing Facility and ICF/MR Inflation Measuring Systems and Factors

R.C.          *5111.23, 5111.231, 5111.235, 5111.24,  
5111.241, 5111.251*

Removes from statute some of the specific inflation measuring systems used in determining the Medicaid rates for nursing facilities and ICFs/MR and provides instead for the ODJFS Director to specify in rules the inflation measuring systems or inflation factors to be used in those cases.

Removes from statute a requirement that the difference between the actual and estimated inflation rate used in determining the Medicaid rates for a fiscal year be added to or subtracted from the inflation rate estimated for the following fiscal year.

**Fiscal effect: This provision could have a fiscal impact on the state. The impact will depend on the inflation measuring systems that ODJFS is to specify in rules and the difference between the actual and estimated inflation rate.**

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462          JFS - 2          Deadline for Nursing Facility to Submit Corrections

R.C.          *5111.232*

Revises the deadline for a nursing facility to submit corrections to assessment information by providing that ODJFS may not assign a quarterly average case-mix score due to late submission of the corrections unless the nursing facility fails to submit the corrections before the earlier of (1) the 46th (rather than 81st) day after the end of the calendar quarter to which the information pertains or (2) the deadline established by federal Medicare and Medicaid regulations.

**Fiscal effect: None.**

## Executive

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463      JFS - 3      Limits on Costs of Outside ICF/MR Resident Meals

R.C.      *5111.261*

Eliminates ODJFS's authorization to place limits on the costs for resident meals prepared and consumed outside an ICF/MR when determining whether an ICF/MR's direct care and indirect care costs are allowable.

**Fiscal effect: Removing ODJFS' authorization to place limits on certain costs could increase state Medicaid costs for ICFs/MR. A portion of the increased costs may be reimbursed by the federal government.**

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464      JFS - 12      Exiting Operator Fund

R.C.      *5111.688, 5111.65, 5111.651, 5111.689,  
5111.874, 5111.875*

Establishes GSF Fund 5FX0, Exiting Operator Fund, and provides for money withheld from a nursing facility or ICF/MR undergoing a change of operator, facility closure, voluntary termination, or voluntary withdrawal of participation for purposes of collecting debts the facility owes the Medicaid Program to be temporarily deposited in the fund.

**Fiscal effect: None. This provision allows ODJFS to maintain a distinct fund for Medicaid nursing facility or ICF/MR provider payment withholding. It is an accounting change and thus has no fiscal impact on the state.**

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465      JFS - 16      Home First Rules for Home and Community-Based Services

R.C.      *5111.85, 5111.705, 5111.851*

Permits the ODJFS Director to adopt rules establishing procedures for (1) identifying individuals who are eligible and on a waiting list for a Medicaid waiver program that provides home and community-based services; are receiving inpatient hospital services or residing in an ICF/MR or nursing facility; and choose to be enrolled in the waiver program and (2) approving such individuals' enrollment in the waiver program.

**Fiscal effect: The provision may result in a savings to the Medicaid Program to the extent to which individuals admitting to nursing facilities or ICFs/MR enroll in Home First, which is less expensive. However, the savings to Medicaid would depend on the number of individuals leaving nursing facilities or ICFs/MR and the individual's needs, which cannot be estimated at this time.**

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## Executive

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466      JFS - 13      Home Care Attendant Services

R.C.      *5111.88, 5111.881, 5111.882, 5111.883,  
5111.884, 5111.885, 5111.886, 5111.887,  
5111.888, 5111.889, 5111.8810, 5111.8811*

Permits the Director of Job and Family Services to seek federal approval to have the Ohio Home Care Medicaid waiver program and the Ohio Transitions II Aging Carve-Out Medicaid waiver program cover home care attendant services. Establishes requirements an individual must meet to be able to provide home care attendant services under either of the Medicaid waiver programs.

Places limits on a health care attendant's authority to assist a consumer with nursing tasks and self-administration of medication.

**Fiscal effect: This provision may result in savings to the Medicaid Program if the services that are to be provided by health care attendants are less expensive than those currently provided.**

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467      JFS - 22      ICF/MR Franchise Permit Fee

R.C.      *5112.30, 5112.31, 5112.37, 5112.371,  
5112.372*

Subjects ICFs/MR that ODMR/DD operates (i.e., developmental centers) to the ICF/MR franchise permit fee.

Increases the franchise permit fee on ICF/MR beds to \$14.25 per day from \$11.98.

Provides for the money raised by the ICF/MR franchise permit fee to be deposited as follows: (1) 74.89% in FY 2010 and 70.67% in FY 2011 and thereafter into the Mentally Retarded and Developmentally Disabled Fund; (2) 3.78% in FY 2010 and 3.57% in FY 2011 and thereafter into SSR Fund 5CT0, Children With Intensive Behavioral Needs Programs; and (3) 21.33% in FY 2010 and 25.76% in FY 2011 and thereafter into a new fund created in the state treasury called the ODMR/DD Operating and Services Fund.

Provides for money in the ODMR/DD Operating and Services Fund to be used for expenses of the programs that ODMR/DD administers and ODMR/DD's administrative expenses.

**Fiscal effect: Increasing the ICF/MR franchise permit fee from \$11.98 to \$14.25 per day per bed as well as subjecting developmental centers to the fee will generate several million dollars in additional revenue for the Medicaid Program each year.**

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## Executive

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**468 JFS - 21 Hospital Assessments**

R.C. *5112.40, 5112.41, 5112.42, 5112.43, 5112.44,  
5112.45, 5112.46, 5112.47, 5112.48*

Imposes an annual assessment on hospitals based on their total facility costs.

Permits ODJFS to audit a hospital to ensure that the hospital properly pays its assessment and requires ODJFS to take action to recover from a hospital any amount the audit reveals that the hospital should have paid but did not.

Creates SSR Fund 5GF0, Hospital Assessment, in the state treasury into which the hospital assessments are to be deposited and requires ODJFS to use the money in the fund to pay costs of the Medicaid Program, including administrative costs.

Requires ODJFS to take all necessary actions to cease implementation of the hospital assessment if the United States Secretary of Health and Human Services determines that the assessment is an impermissible health care-related tax under federal Medicaid law.

Repeals the law governing the hospital assessment effective October 1, 2011.

**Fiscal effect: The executive estimates the assessment will generate \$282.8 million in FY 2010 and \$315.6 million in FY 2010.**

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**469 JFS - 10 FY 2010 Medicaid Reimbursement Rate for Nursing Facilities**

**Section: 309.30.20**

Adjusts the formula used to calculate nursing facilities' Medicaid reimbursement rates for fiscal year 2010 by (1) increasing 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) providing for the mean payment used in the calculation of the quality incentive payment to be \$3.03 per Medicaid day, and (3) reducing, if the federal government requires that the nursing home franchise permit fee be reduced or eliminated, the payments as necessary to reflect the loss of revenue and federal financial participation generated by the fee.

**Fiscal effect: The executive estimates this provision will save the state \$55.9 million in FY 2010.**

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**Executive**

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**470 JFS - 11 FY 2011 Medicaid Reimbursement Rate for Nursing Facilities****Section: 309.30.30**

Adjusts the formula used to calculate nursing facilities' Medicaid reimbursement rates for FY 2011 by (1) increasing 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) providing for the mean payment used in the calculation of the quality incentive payment to be \$3.03 per Medicaid day, and (3) reducing, if the federal government requires that the nursing home franchise permit fee be reduced or eliminated, the payments as necessary to reflect the loss of revenue and federal financial participation generated by the fee.

**Fiscal effect: The executive estimates this provision will save the state \$56.3 million in FY 2011.**

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**471 JFS - 25 FY 2010 Capital Compensation Payments to Nursing Facilities****Sections: 309.30.40, 309.30.50**

Provides for qualifying nursing facilities to receive quarterly capital compensation payments during fiscal year 2010.

Provides that nursing facilities that qualify for the payments are (1) certain nursing facilities that were new as of fiscal year 2006, 2007, or 2008, (2) certain nursing facilities that completed a capital project before December 31, 2008, (3) certain nursing facilities that completed an activity for which a certificate of need is not needed before June 30, 2008, and (4) certain nursing facilities that completed a renovation before December 31, 2008.

Creates formulas to be used to determine the amount of the capital compensation payments.

Terminates all nursing facilities' eligibility for the capital compensation payments at the earlier of July 1, 2010, or the date the total amount of the payments equals \$40 million.

Requires that payments made to qualifying nursing facilities for capital compensation be made from GRF appropriation item 600529, Capital Compensation Program.

**Fiscal effect: This provision increases state Medicaid costs by \$40 million in FY 2010.**

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## Executive

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472      JFS - 23      FY 2010 Medicaid Reimbursement Rate for ICFs/MR

**Section: 309.30.60**

Adjusts the formula used to calculate ICFs/MR's Medicaid reimbursement rates for fiscal year 2010 by (1) limiting an ICF/MR's rate to not more than 108% of its fiscal year 2009 rate, (2) requiring ODJFS to reduce the fiscal year 2010 Medicaid rates for ICFs/MR if the mean total per diem rate for all ICFs/MR, weighted by May 2009 Medicaid days and calculated as of July 1, 2009, after application of the 108% limit, exceeds \$277.25, (3) prohibiting, for the remainder of fiscal year 2010, further adjustments otherwise authorized by law governing Medicaid payments to ICFs/MR, and (4) if the federal government requires that the franchise permit fee for ICFs/MR be reduced or eliminated, reducing the payments to ICFs/MR as necessary to reflect the loss of revenue and federal financial participation generated by the fee.

**Fiscal effect: By imposing a limit on the ICF/MR reimbursement rate, the state may realize cost savings in the Medicaid Program.**

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473      JFS - 24      FY 2011 Medicaid Reimbursement Rate for ICFs/MR

**Section: 309.30.70**

Adjusts the formula used to calculate ICFs/MR's Medicaid reimbursement rates for FY 2011 by (1) limiting an ICF/MR's rate to not more than 107% of its FY 2010 rate, (2) requiring ODJFS to reduce the fiscal year 2011 Medicaid rates for ICFs/MR if the mean total per diem rate for all ICFs/MR, weighted by May 2010 Medicaid days and calculated as of July 1, 2010, after application of the 107% limit, exceeds \$277.25, (3) prohibiting, for the remainder of FY 2011, further adjustments otherwise authorized by law governing Medicaid payments to ICFs/MR, and (4) if the federal government requires that the franchise permit fee for ICFs/MR be reduced or eliminated, reducing the payments to ICFs/MR as necessary to reflect the loss of revenue and federal financial participation generated by the fee.

**Fiscal effect: By imposing a limit on the ICF/MR reimbursement rate, the state may realize cost savings in the Medicaid Program.**

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## Executive

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**474      JFS - 35      Residential State Supplement Transfer****Section: 309.30.80**

Authorizes the Department of Aging to transfer cash, by intrastate transfer voucher, from GRF appropriation item 490412, Residential State Supplement, and SSR Fund 4J40, PASSPORT/Residential State Supplement, to SSR Fund 4J50, Home and Community-Based Services for the Aged, used by ODJFS. The funds transferred are to be used to make benefit payments to RSS recipients.

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**475      JFS - 27      Fiscal Activities Related to Medicaid Waiver Programs****Section: 309.30.90**

Permits the Director of Budget and Management to seek Controlling Board approval to do the following activities in support of any home and community-based services Medicaid waiver program: (1) create new funds and appropriation items associated with a unified long-term care budget; (2) transfer cash between funds used by affected agencies; and (3) transfer appropriation between appropriation items within a fund and used by the same state agency. Appropriates any transfers of cash approved by the Controlling Board under this section.

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**476      JFS - 28      Money Follows the Person Enhanced Reimbursement Fund****Section: 309.31.10**

Creates SSR Fund 5AJ0, Money Follows the Person Enhanced Reimbursement, into which the federal grant the state receives under the Money Follows the Person Demonstration Program is to be deposited.

**Fiscal effect: The executive estimates that the enhanced portion of the federal reimbursement will be about \$6.2 million in each fiscal year.**

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**477      JFS - 36      Medicare Part D****Section: 309.31.20**

Allows ODJFS to use GRF appropriation item 600526, Medicare Part D, for the implementation and operation of the Medicare Part D requirements. Allows the Director of Budget and Management to increase the state share of appropriations in either GRF appropriation item 600525, Health Care/Medicaid, or GRF appropriation item 600526, with a corresponding decrease in the state share of the other appropriation item.

## Executive

**Fiscal effect: Allows the Director of Budget and Management to make transfers between the GRF appropriation items used to fund the Medicaid Program and the state's "clawback" payment to the federal government for Medicare Part D.**

478 JFS - 37 Ohio Access Success Project and Identification of Overpayments

**Section: 309.31.30**

Allows ODJFS to use (1) up to \$3.0 million in each fiscal year for FY 2010 and FY 2011 to fund the state share of audits or limited reviews of Medicaid providers; (2) up to \$450,000 in each fiscal year for FY 2010 and FY 2011 to provide one-time transitional benefits under the Ohio Access Success Project, from SSR Fund 4J50, Home and Community-Based Services for the Aged, used by ODJFS, if the cash in the fund is in excess of the amounts needed for the required transfers to SSR Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging.

479 JFS - 38 Transfer of Funds to the Department of Aging

**Section: 309.31.40**

Requires ODJFS to transfer, by intrastate transfer voucher, cash from SSR Fund 4J50, Home and Community-Based Services for the Aged, used by ODJFS, to Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging. Limits the sum of the transfers to \$33,263,984 in each fiscal year. Specifies that the transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

480 JFS - 39 Provider Franchise Fee Offsets

**Section: 309.31.50**

Requires, at least quarterly, the Director of Job and Family Services to certify to the Director of Budget and Management both of the following: (1) The amount of NF franchise permit fee offsets withheld from payments made from GRF; (2) The amount of ICF/MR franchise permit fee offsets withheld from payments made from GRF. Allows the Director of Budget and Management to transfer cash from the GRF to all of the following:  
 (1) SSR Fund 4J50, Home and Community Based Services/Aged, or SSR Fund 5R20, Nursing Facility Stabilization, in accordance with sections 3721.56 and 3721.561 of the Revised Code; (2) SSR Fund 4K10, ICF/MR Bed Assessments. Appropriates the amounts transferred.

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**Executive**

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**481      JFS - 40      Transfer of Funds to the Department of Mental Retardation and Developmental Disabilities****Section: 309.31.60**

Requires ODJFS to transfer, by intrastate transfer voucher, cash from SSR Fund 4K10, ICF/MR Bed Assessments, to SSR Fund 4K80, Home and Community-Based Services, used by the Department of Mental Retardation and Developmental Disabilities. Requires the total amount transferred to equal \$12,000,000 in each fiscal year. Specifies that the transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

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**482      JFS - 41      Funding For Transition Waiver Services****Section: 309.31.70**

Allows ODJFS, in each fiscal year, to use cash from SSR Fund 4K10, ICF/MR Bed Assessments Fund, in excess of the amounts needed for transfers to SSR Fund 4K80, Home and Community-Based Services Fund, which is used by the Department of Mental Retardation and Developmental, to cover costs of care provided to participants in a waiver with an ICF/MR level of care requirement administered by ODJFS.

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**483      JFS - 43      Health Care Services Administration Fund****Section: 309.31.90**

Requires that, of the amount received by ODJFS during FY 2010 and FY 2011 from the first installment of assessments paid under section 5112.06 of the Revised Code and intergovernmental transfers made under section 5112.07 of the Revised Code, the Director of Job and Family Services deposit \$350,000 in each fiscal year into the state treasury to the credit of SSR Fund 5U30, Health Care Services Administration, which is used by ODJFS.

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**484      JFS - 44      Medicaid Program Support Fund - State****Section: 309.32.10**

Specifies that GSF Fund 5C90 appropriation item 600671, Medicaid Program Support, be used by ODJFS to pay for Medicaid services and contracts. Specifies that ODJFS may also deposit to GSF Fund 5C90, Medicaid Program Support, revenues received from other state agencies for Medicaid services under the terms of interagency agreements between ODJFS and the other state agencies, and all funds ODJFS recovers because the benefits a person received under the disability medical assistance program were determined to be covered by the Medicaid Program.

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**Executive**

485      JFS - 45      Transfers of IMD/DSH Cash to the Department of Mental Health

**Section: 309.32.20**

Requires ODJFS to transfer, by intrastate transfer voucher, cash from GSF Fund 5C90, Medicaid Program Support, to SSR Fund 4X50, Behavioral Health Medicaid Services, used by the Department of Mental Health in accordance with an interagency agreement that delegates authority from ODJFS to the Department of Mental Health to administer specified Medicaid services.

486      JFS - 46      Prescription Drug Rebate Fund

**Section: 309.32.30**

Specifies that GSF Fund 5P50 appropriation item 600692, Health Care Services, be used by ODJFS to pay for Medicaid services and contracts.

**Hospital Care Assurance Program**

487      JFS - 42      Hospital Care Assurance Match

**Section: 309.31.80**

Specifies that FED Fund 3F00 appropriation item 600650, Hospital Care Assurance Match, only be used for distributing funds to hospitals under the Hospital Care Assurance Program.

488      JFS - 29      Delay of Termination of Hospital Care Assurance Program

**Sections: 640.10, 640.11**

Delays the termination of the Hospital Care Assurance Program to October 16, 2011.

**Fiscal effect: Total appropriations for the Hospital Care Assurance Program are \$582.7 million in FY 2010 and \$586.0 million in FY 2011. The program is funded using appropriation items 600649, Hospital Care Assurance Fund, and 600650, Hospital Care Assurance Match, in ODJFS.**

## Executive

Food Stamp Program

489            JFS - 6            Supplemental Nutrition Assistance Program

R.C.            *5101.54, 176.05, 329.042, 329.06, 955.201,  
2913.46, 3119.01, 3121.898, 3123.952,  
3770.05, 4141.162, 5101.11, 5101.16,  
5101.162, 5101.33, 5101.47, 5101.54,  
5101.541, 5101.542, 5101.544, 5101.84,  
5502.01, 5502.14, 5502.15, 5739.02, Section  
309.40.20*

Renames the Food Stamp Program the Supplemental Nutrition Assistance Program (SNAP) to provide for state law to be consistent with a change made to federal law but permits the ODJFS Director to refer to the program as the Food Stamp Program or the Food Assistance Program in rules and documents.

Requires ODJFS, immediately following a county department of job and family services' certification that a household in immediate need of nutrition assistance is eligible for SNAP, to provide for the household to be sent by regular United States mail an electronic benefit transfer card containing the amount of benefits the household is eligible to receive under the program, rather than requiring a county department staff member to personally hand an authorization-to-participate card to such a household.

Eliminates law that provides that food stamps and any document necessary to obtain food stamps are, except while in the custody of the United States Postal Service, the property of ODJFS from the time ODJFS receives the food stamps from the federal agency responsible for their delivery until they are received by the household entitled to receive them or by that household's authorized representative.

**Fiscal effect: Potential minimal decrease in administrative costs due to reducing administrative procedures in delivering electronic benefit transfer cards to participants.**

490            JFS - 32            Food Assistance Transfer

**Section: 309.40.10**

Permits the Director of Budget and Management, on July 1, 2009, or as soon as possible thereafter, to transfer up to \$1 million in cash from the Food Stamps Program Fund (Fund 3840) to the Food Assistance Fund (Fund 5ES0).

**Executive**

**Fiscal effect: Cash from this transfer is used to support SSR Fund 5ES0 appropriation item 600630, Food Assistance, which totals \$500,000 in each fiscal year. These funds are used to provide assistance to the Ohio Association of Second Harvest Food Banks.**

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491      JFS - 33      Ohio Association of Second Harvest Food Banks

**Section: 309.40.30**

Requires the Director of Job and Family Services in FY 2010 and FY 2011 to provide assistance to the Ohio Association of Second Harvest Food Banks in an amount equal to the assistance provided in FY 2009.

**Fiscal effect: The Ohio Association of Second Harvest Food Banks will receive \$8.5 million in FY 2010 and FY 2011, as this is the amount that the Association is expected to receive in FY 2009.**

**Appropriation Language**


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492      JFS - 57      Agency Fund Group

**Section: 309.20.10**

Specifies that the Agency Fund Group (AGY) and the Holding Account Redistribution Fund Group (7090) are to be used to hold revenues until the appropriate fund is determined or until the revenues are directed to another governmental agency other than ODJFS. Permits the Director of Job and Family Services to request the Director of Budget and Management to authorize expenditures from AGY Fund 1920, Support Intercept-Federal, AGY Fund 5830, Support Intercept-State, AGY Fund 5B60, Food Stamp Offset, and 7090 Fund R012, Refunds and Audit Settlements, and 7090 Fund R013, Forgery Collections, if receipts credited to these funds exceed appropriations. Appropriates the additional amounts upon approval of the Director of Budget and Management.

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## Executive

Unemployment Compensation

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493          JFS - 54          Removal of Unemployment Compensation Advisory Council Members from PERS

R.C.          *4141.08, 145.012*

Removes current and future Unemployment Compensation Advisory Council members from the Public Employees Retirement System (PERS) on and after the effective date of the bill. Specifies that the General Assembly does not intend this removal to prohibit the use of such service for calculation of benefits under the PERS Law for service prior to the provision's effective date. Specifies that the \$50 per day each Council member currently receives is to be considered a "meeting stipend."

**Fiscal effect: Reduces ODJFS' employer contribution to PERS for council members who are no longer defined as state employees under PERS law.**

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494          JFS - 56          Payments from the Unemployment Compensation Special Administrative Fund

R.C.          *4141.11*

Removes the requirement that the Director of Job and Family Services receive approval from the Unemployment Compensation Advisory Council in order to use the Unemployment Compensation Special Administrative Fund (UCSAF) for any of the following reasons: (1) The proper administration of the Unemployment Compensation Law (UCL) and either (a) no federal funds are available for the specific purpose for which the expenditure is to be made, under specified conditions; or (b) for which purpose appropriations from federal funds have been requested and approved but not received, provided the fund would be reimbursed upon receipt of the federal appropriation; (2) To the extent possible, the repayment to the Unemployment Compensation Administration Fund of moneys found by the proper U.S. agency to have been lost or expended for purposes other than, or an amount in excess of, those found necessary by the agency for UCL administration.

Allows the Director, rather than the Council under current law, to determine whether amounts in the UCSAF are considered to be excessive in order to have the excessive amounts transferred into the Unemployment Compensation Fund. Removes the requirement that UCSAF funds be continuously available to the Council for expenditures consistent with the UCL, but retains the requirement that those funds be continuously available to the Director.

**Fiscal effect: Since the provision removes the requirement of Council-approval, the Council may meet less often resulting in a decrease in council-related costs for ODJFS.**

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## Executive

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**495      JFS - 51      Employer Surcharge****Sections: 309.50, 309.50.10**

Reinstates ODJFS's ability to collect an employer surcharge and any associated fines assessed between calendar years 1988 and 1990. (Prior law required contributing employers to pay a surcharge in order to generate revenues to meet the costs of automating the Bureau.) Directs collected revenues to be deposited into SSR Fund 4A90, Unemployment Compensation Administrative.

**Fiscal effect: Potential increase in revenue deposited into Fund 4A90 as ODJFS collects any outstanding fees from delinquent employers. This provision generates a few thousand dollars in revenue each year.**

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**496      JFS - 52      Federal Unemployment Programs****Section: 309.50.20**

Appropriates any unspent funds from FY 2009 in FED Fund 3V40 appropriation item 600678, Federal Unemployment Programs, to ODJFS. At the request of the Director of Job and Family Services, authorizes the Director of Budget and Management to increase appropriations for FY 2010 by the amount remaining unspent from the FY 2009 appropriation and increase appropriations for FY 2011 by the amount remaining unspent from the FY 2010 appropriation. Specifies that the appropriation be used for administrative activities for the UC program, employment services, or any other allowable expenditures under section 903(d) of the Social Security Act. Limits the appropriation increase to the balance of federal funds remaining after benefits are paid and obligated administrative expenditures are taken into account.

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**Executive**

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497            JCR - 1            Operating

**Section: 297.10**

Requires the Chief Administrative Officer of the House of Representatives and the Clerk of the Senate to determine, by mutual agreement, which of them will act as fiscal agent for JCARR. Requires that JCARR members be paid \$150 per day, plus necessary travel expenses, for days the member is engaged in committee duties and there is not a voting session in the member's house of the General Assembly.

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498            JCR - 2            Operating Expenses

**Section: 297.10**

Permits the Director of the Joint Committee on Agency Rule Review to certify to the Director of Budget and Management, the unexpended, unencumbered balance in GRF appropriation item 029321, Operating Expenses, at the end of one fiscal year to be reappropriated in the next fiscal year. Reappropriates the amounts certified to the same appropriation item.

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**Executive**

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499            JCO - 1            State Council of Uniform State Laws

**Section: 311.10**

Earmarks up to \$97,000 in FY 2010 and up to \$101,000 in FY 2011 of the amounts appropriated to GRF appropriation item 018321, Operating Expenses, to pay the expenses of the State Council of Uniform State Laws, including membership dues to the National Conference of Commissioners on Uniform State Laws, and other expenses authorized by sections 105.25 and 105.26 of the Revised Code.

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500            JCO - 2            Ohio Jury Instructions Fund

**Section: 311.10**

Specifies that (1) the moneys deposited to the credit of the Ohio Jury Instructions Fund (GSF Fund 4030) consist of grants, royalties, dues, conference fees, bequests, devices, and other gifts received for the purpose of supporting costs incurred by the Conference in dispensing education and informational data to the state's judicial system, (2) those moneys be used by the Conference to pay expenses incurred in dispensing educational and informational data to the state's judicial system, (3) if the moneys accruing to the fund in either of FYs 2010 or 2011 exceed the fund's appropriation authority in either of those fiscal years, \$350,000 in each of FYs 2010 and 201, the fund's appropriation automatically increases to reflect that additional revenue, and (4) the Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from GSF Fund 4030 to any other fund.

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## Executive

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**501            JSC - 2            Annual Compensation of Judges****R.C.            141.04**

Specifies that the annual salary increases of the Supreme Court Chief Justice, Supreme Court justices, appeals court judges, common pleas court judges, full- and part-time municipal court judges, and county judges be paid with reference to a year, not with reference to a calendar year. (A "calendar year" is the period January through December. A "year," by contrast, is any 12-month period.)

**Fiscal effect: Potential savings effect, as it appears to make it easier for staff to process the payment of judicial salaries.**

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**502            JSC - 9            Attorney Services****R.C.            313.10**

Requires that the Attorney Services Fund (SSR Fund 4C80), formerly known as the Attorney Registration Fund, consist of moneys received by the Supreme Court pursuant to the Rules for the Government of the Bar of Ohio; requires related SSR appropriation item 005605, Attorney Services, be used to compensate employees and to fund appropriate activities of the following offices of the Supreme Court: the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division, as well as other activities considered appropriate by the Supreme Court. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from SSR Fund 4C80 to any other fund, and requires any interest earned on the fund's moneys are credited to the fund.

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**503            JSC - 11            Supreme Court Admissions****R.C.            313.10**

Requires the moneys appropriated to SSR appropriation item 005606, Supreme Court Admissions, be used to compensate Court employees who are primarily responsible for administering the Attorney Admissions Program, and to fund any other activities considered appropriate by the Court. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from SSR Fund 6A80 to any other fund, and requires any interest earned on the fund's moneys be credited to the fund.

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## Executive

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**504 JSC - 1 Supreme Court Filing Fee****R.C. 2503.17, and Section 313.20**

Increases from \$40 to \$100 the filing fee charged by the clerk of the Supreme Court for each case entered upon its docket, provides that the filing fees so charged and collected are in full for each case filed in the Supreme Court under its Rules of Practice, precludes charging a filing fee or security deposit to an indigent party upon the Supreme Court's determination of indigency pursuant to its Rules of Practice; repeals current provisions specifically exempting a prosecutor from being charged the filing fee under specified circumstances; and requests the Supreme Court to modify its rule regarding filing fees and security deposits to be consistent with the previously described provisions.

**Fiscal effect: The filing fee increase is estimated to generate an additional \$84,000 to be deposited in the state treasury to the credit of the GRF. The repeal of the filing fee exemption for prosecutors is not expected to have any fiscal effect, as the Court intends to continue the current practice of not charging a prosecutor a filing fee.**

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**505 JSC - 4 Law-Related Education****Section: 313.10**

Specifies that GRF appropriation item 005406, Law-Related Education, be used for distribution to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs.

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**506 JSC - 5 Ohio Courts Technology Initiative****Section: 313.10**

Specifies that GRF appropriation item 005409, Ohio Courts Technology Initiative, be used to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.

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**Executive**

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**507      JSC - 6      Legal Education Opportunity****Section: 313.10**

Requires GRF appropriation item 005502, Commission for Legal Education Opportunity, be used to fund activities undertaken at the direction of the Chief Justice of the Supreme Court for purposes of introducing minority, low-income, and educationally disadvantaged Ohio students to the legal system and providing educational opportunities to those same students who are preparing for college and interested in the pursuit of a legal career.

Permits GRF appropriation item 005502 to be used by the Supreme Court, in cooperation with other entities, to establish and provide programs, courses, and activities consistent with the above purposes and to pay associated administrative costs.

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**508      JSC - 7      Continuing Judicial Education****Section: 313.10**

Requires that the Continuing Judicial Education Fund (GSF Fund 6720) consist of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education; requires related GSF appropriation item 005601, Continuing Judicial Education, be used to pay expenses for continuing education courses for judges and court personnel. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from GSF Fund 6720 to any other fund, and requires any interest earned on the fund's moneys are credited to the fund.

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**Executive**

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**509          JSC - 8          Federal Grants****Section: 313.10**

Requires that the Federal Grants Fund (FED Fund 3J00) consist of grants and other moneys awarded to the Court by the federal government or other entities that receive moneys directly from the federal government; requires any moneys appropriated to its related FED appropriation item 005603, Federal Grants, be used in a manner consistent with the purpose of the grant or award. Appropriates additional amount deemed as necessary by the Administrative Director of the Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from FED Fund 3J00 to any other fund, and requires any interest earned on the fund's moneys be transferred or credited to the state's GRF.

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**510          JSC - 10          Grants and Awards****Section: 313.10**

Requires that the Grants and Awards Fund (SSR Fund 5T80) consist of grants and other moneys awarded to the Court by the State Justice Institute, the Division of Criminal Justice Services, or other entities; requires any moneys appropriated to its related SSR appropriation item 005609, Grants and Awards, be used in a manner consistent with the purpose of the grant or award. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from SSR Fund 5T80 to any other fund, and requires any interest earned on the fund's moneys be credited to the state's GRF.

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**Executive**

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511      LRS - 4      Legal Rights Service Transition Study

**Section:**    *Section 317.20*

Requires the Legal Rights Service Commission (LRS) to study the potential transition of the Legal Rights Service from a public entity to a nonprofit organization.

**Fiscal effect: LRS will experience an increase in costs associated with (1) conducting the study and producing a written report of the results, and (2) developing a process plan by which a transition to a nonprofit organization could be implemented not later than July 1, 2011.**

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## Executive

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**512 LIB - 1 Bill and Melinda Gates Foundation Grant Fund****R.C. 3375.79**

Creates in the state treasury the Bill and Melinda Gates Foundation Grant Fund consisting of Bill and Melinda Gates Foundation Grants awarded to the State Library of Ohio for the improvement of public library services, interlibrary cooperation, or other library purposes.

**Fiscal effect: Allows for grant revenue into and expenditures from GSF Fund 5GG0 appropriation item 350606, Gates Foundation Grants, which receives appropriations of \$500,000 in FY 2010.**

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**513 LIB - 2 Ohioana Library Support****Section: 323.10**

Requires GRF appropriation item 350401, Ohioana Library Support, to be used to provide support for rental expenses and operations of the Martha Kinney Cooper Ohioana Library Association under section 3375.61 of the Revised Code.

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**514 LIB - 3 Regional Library Systems****Section: 323.10**

Requires GRF appropriation item 350502, Regional Library Systems, to be used to support regional library systems eligible for funding under sections 3375.83 and 3375.90 of the Revised Code.

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**515 LIB - 4 Ohio Public Library Information Network****Section: 323.10**

Requires GSF Fund 4S40 appropriation item 350604, Ohio Public Library Information Network, to be used for an information telecommunications network linking public libraries participating in the Ohio Public Library Information Network (OPLIN), and permits the OPLIN Board of Trustees to make decisions regarding the use of the appropriation item.

Earmarks up to \$81,000 in each fiscal year from appropriation item 350604, Ohio Public Library Information Network, to help local libraries filter obscene and illegal Internet materials, and requires the OPLIN board to advise local libraries on emerging technologies and methods to control access to obscene and illegal materials. Requires the OPLIN Executive Director to provide biannual reports to the Governor, the Speaker and Minority Leader of the House of Representatives,

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**Executive**

and the President and Minority Leader of the Senate on any steps being taken by OPLIN and public libraries in the state to limit and control such improper usage as well as information on national and international trends in this area.

Requires OPLIN, INFOhio, and OhioLINK to coordinate and cooperate in their purchase or other acquisition of the use of electronic databases for their respective users and to contribute funds in an equitable manner for this purpose.

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516 LIB - 5 Library for the Blind

**Section: 323.10**

Requires GSF Fund 5GB0 appropriation item 350605, Library for the Blind, to be used for the statewide Talking Book Program to assist the blind and disabled.

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517 LIB - 6 Transfer to OPLIN Technology Fund

**Section: 323.10**

Requires the Director of Budget and Management to transfer \$3,702,150 cash in each fiscal year from the Public Library Fund (Fund 7065) to GSF Fund 4S40, the OPLIN Technology Fund.

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518 LIB - 7 Transfer to Library for the Blind Fund

**Section: 323.10**

Requires the Director of Budget and Management to transfer \$1,274,194 cash in each fiscal year from the Public Library Fund (Fund 7065) to GSF Fund 5GB0, the Library for the Blind Fund.

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**Executive**

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**519        LOT - 1        Lottery Transfers to the Lottery Profits Education Fund****Section:    327.10**

Requires the Director of Budget and Management to transfer at least \$705 million in FY 2010 and \$711 million in FY 2011 from the State Lottery Fund to the Lottery Profits Education Fund (Fund 7017). States that such transfers represent the estimated net income from operations of the Commission in FY 2010 and FY 2011.

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**520        LOT - 2        Operating Expenses****Section:    327.10**

Authorizes the Controlling Board, at the request of the State Lottery Commission, to authorize additional appropriations for operating expenses of the State Lottery Commission from the State Lottery Fund up to a maximum of 15 percent of anticipated total revenue from the sale of lottery tickets.

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**521        LOT - 3        Direct Prize Payments****Section:    327.10**

Appropriates any amounts, in addition to the amounts appropriated in appropriation item 950601, Direct Prize Payments, that the Director of the State Lottery Commission determines to be necessary to fund prizes, bonuses, and commissions.

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**522        LOT - 4        Annuity Prizes****Section:    327.10**

Authorizes the State Lottery Commission, with the approval of the Office of Budget and Management, to transfer an amount sufficient to fund deferred prizes from the State Lottery Fund (Fund 7044) to the Deferred Prizes Trust Fund (Fund 8710). Appropriates any amounts, in addition to the amounts appropriated in appropriation item 950602, Annuity Prizes, that the Director of the State Lottery Commission determines to be necessary to fund deferred prizes and interest earnings. Requires the Treasurer of State, from time to time, to credit Fund 8710 the pro rata share of interest earned on invested balances.

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## Executive

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523      MED - 2      License Verification

R.C.      *4731.10*

Requires the State Medical Board to verify licensure in Ohio for persons applying to practice in another state and establishes a \$50 fee for the verification.

Eliminates the Board's duty to certify out-of-state license applications.

**Fiscal effect: Projected annual increase of \$325,000 in state revenue deposited into GSF Fund 5C60, State Medical Board.**

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524      MED - 3      Certificate Duplication

R.C.      *4731.26*

Specifies that the Board's \$35 fee for issuing a duplicate certificate applies not only when issuing a duplicate certificate to practice, but also when issuing a duplicate certificate of registration (a document evidencing biennial renewal).

**Fiscal effect: Projected annual increase of \$21,000 in state revenue deposited into GSF Fund 5C60, State Medical Board.**

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525      MED - 1      Voucher Approval

R.C.      *4731.38*

Permits the Board's vouchers to be approved by any person the Board authorizes, rather than only the Board's president or executive director.

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**Executive**

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526      AMB - 1      Ambulette Licensure

R.C.      *4766.09*

Exempts from the licensure requirements pertaining to ambulette services an entity that is not certified by the Department of Aging but provides ambulette services under a contract or grant agreement governed by the Department.

**Fiscal effect: No direct fiscal effect on the Board's revenue and expenditure activity.**

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## Executive

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**527 DMH - 3 ODMH Purchasing Program****R.C. 5119.16, 5120.09**

Permits, rather than requires, ODMH to provide goods and services, including medical supplies, drugs, food, and related procurement, storage, and distribution services, to the following: (1) the Department of Rehabilitation and Correction and other specified state departments, (2) other state, county, and municipal agencies, and (3) ODMH institutions and state-operated community-based mental health services.

Eliminates the specific process to be used by recipients of ODMH services in attempting to resolve issues of unsatisfactory service from ODMH.

**Fiscal effect: Potential loss of revenue to ODMH if entities that currently purchase goods and services from ODMH purchase such goods and services from other vendors. May also reduce administrative costs for ODMH and other entities that have disputes with ODMH for unsatisfactory services.**

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**528 DMH - 2 Information Systems Maintained by ODMH****R.C. 5119.61**

Expressly authorizes ODMH to develop and operate more than one community mental health information system.

Modifies the existing prohibition on the collection of identifying information by ODMH from ADAMHS boards by specifying (1) that the prohibition applies to the collection of information that is personal, (2) that the prohibition does not apply when state or federal law allows the collection (rather than only when the law requires the collection) and (3) that the collection must be for purposes related to payment, health care operations, program and service evaluation, reporting activities, research, system administration, and oversight.

**Fiscal effect: Potential increase in costs for ODMH to develop and implement additional information systems.**

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**529 DMH - 1 Allocation of Funds for Local Management of Mental Health Services****R.C. 5119.622, 5119.621**

Permits ODMH to distribute funds for the local management of mental health services to groups of boards of alcohol, drug addiction, and mental health services (ADAMHS boards) on a regional or statewide basis.

Requires ODMH, when allocating the funds, to specify (1) the maximum portion of the funds that an ADAMHS board or group of boards may use for administrative purposes and (2) the permissible uses of the funds for administrative purposes.

**Executive**

Permits an ADAMHS board or group of boards to request a variance or waiver from the ODMH's determination of the maximum portion of the funds that may be used for administrative purposes, and specifies that the Director of Mental Health has sole discretion to approve or deny the request.

Requires an ADAMHS board or group of boards to account for its use of funds for administrative purposes by submitting an annual report to ODMH.

**Fiscal effect: To the extent that a board currently spends more than the limit ODMH sets, a board may have to decrease administrative expenditures and the difference would be used for community services.**

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530          DMH - 6          Forensic Services

**Section: 335.10.10**

Restricts how funds in GRF appropriation item 322401, Forensic Services, are to be used as follows: (1) to provide psychiatric services to courts of common pleas; (2) funds must be allocated through community mental health boards to certified community agencies in accordance with administrative rule and may also be used for forensic training to community mental health boards and to forensic psychiatric residency programs in state psychiatric hospitals and to provide psychiatric evaluations of patients of forensic status in ODMH facilities prior to conditional release to the community; (3) may be used to support projects involving mental health or substance abuse and to assist courts and law enforcement to identify and develop appropriate alternative services to incarceration for non-violent mentally ill offenders, and to provide specialized re-entry services to offenders leaving prisons and jails; and (4) may also be used to provide forensic monitoring and tracking in addition to community programs serving persons of forensic status on conditional release or probation.

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531          DMH - 7          Residency Traineeship Programs

**Section: 335.20.10**

Requires that GRF appropriation item 333402, Resident Trainees, be used to fund training agreements entered into by ODMH for the development of curricula and the provision of training programs to support public mental health services.

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## Executive

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**532 DMH - 8 Pre-Admission Screening Expenses****Section: 335.20.20**

Requires that GRF appropriation item 333403, Pre-Admission Screening Expenses, be used to ensure that uniform statewide methods for pre-admission screening are in place for persons who have severe mental illness and are referred for long-term Medicaid-certified nursing facility placement. Specifies that pre-admission screening includes pre-admission assessment, consideration of continued stay requests, discharge planning and referral, and adjudication of appeals and grievance procedures.

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**533 DMH - 9 Lease-Rental Payments****Section: 335.20.30**

Specifies that ODMH must pay to the Ohio Public Facilities Commission from GRF appropriation item 333415, Lease-Rental Payments, pursuant to leases and agreements made under state law regarding capital facilities for mental hygiene and retardation. Specifies that the appropriations in that appropriation item are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.

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**534 DMH - 10 Behavioral Health Medicaid Services****Section: 335.20.40**

Requires ODMH to administer specified Medicaid services as delegated by ODJFS in an interagency agreement and permits the use of SSR Fund 4X50 appropriation item 333607, Behavioral Health Medicaid Services, to make payments for free-standing psychiatric hospital inpatient services as defined in an interagency agreement with ODJFS.

**Fiscal effect: May result in increased administrative costs to administer Medicaid services delegated by ODJFS.**

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**535 DMH - 11 Community Mental Health Board Risk Fund****Section: 335.30.10**

Requires that SSR Fund 6920 appropriation item 334636, Community Mental Health Board Risk Fund, be used to assist local boards that elect to participate in the fund and that serve areas in which the costs of utilizing state hospitals by residents in a fiscal year exceeds the amount allocated to the local board by ODMH.

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## Executive

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**536 DMH - 12 Behavioral Health Services - Children****Section: 335.40.10**

Requires the following regarding GRF appropriation item 335404, Behavioral Health Services-Children: (1) That the funds 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; (2) That ODMH distributes funds to local boards based on a distribution formula approved by the Director of Mental Health; (3) That the funds be used in accordance with a local board's community mental health plan and in conjunction with the local Family and Children First Council. Requires the Ohio Family and Children First Cabinet Council to define a System of Care guidance process to guide the collaborative services provided by the local board and the local Family and Children First Council.

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**537 DMH - 13 Community Medication Subsidy****Section: 335.40.20**

Requires that GRF appropriation item 335419, Community Medication Subsidy, be used to provide subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization because of lack of medication and subsidized support for methadone costs.

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**538 DMH - 14 Local Mental Health Systems of Care****Section: 335.40.30**

Requires that GRF appropriation item 335505, Local Mental Health Systems of Care, be used for mental health services provided by community mental health boards in accordance with an ODMH-approved community mental health plan.

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**539 DMH - 4 Medicaid Elevation Advisory Group****Section: 729.10**

Creates the Medicaid Elevation Advisory Group and requires the Group to study the issue of transferring the responsibility for paying providers of Medicaid-covered community behavioral health services and related management responsibilities to ODMH and ODADAS from ADAMHS boards.

Requires the Medicaid Elevation Advisory Group to issue a report regarding its study not later than June 30, 2010.

**Executive**

Requires ODMH and ODADAS to assume responsibility for paying providers of Medicaid-covered community behavioral health services and related management responsibilities not later than July 1, 2011, but provides that the Departments' assumption of the payment and related management responsibilities is subject to changes in state law that otherwise would conflict with the Departments' assuming the responsibilities, including changes related to funding.

**Fiscal effect: Minimal increase in ODMH's and ODADAS' costs to reimburse members for reasonable travel expenses and to produce the required report.**

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## Executive

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540            DMR - 3            ODMR/DD and ODJFS Administration and Oversight Funds

R.C.            *5123.0412*

Permits ODMR/DD and the Department of Job and Family Services to use money in their respective administration and oversight funds for Medicaid administrative costs in general rather than just the administrative and oversight costs of Medicaid case management services and ODMR/DD-administered home and community-based Medicaid waiver services.

**Fiscal effect: Broadens the use of the dollars in the funds.**

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541            DMR - 2            MR/DD Personnel Providing Specified Health Care Services

R.C.            *5123.42*

Provides that in a community living arrangement certified MR/DD personnel who are not health professionals may be authorized to provide certain health-care services to not more than five, rather than four, individuals with mental retardation or a developmental disability.

**Fiscal effect: Potential savings to ODMR/DD.**

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542            DMR - 1            Number of Persons Living Together in Supported Living

R.C.            *5126.01*

Provides that under the Supported Living program an individual with mental retardation or a developmental disability may reside in a residence of the individual's choice with up to four, rather than up to three, other individuals with mental retardation or a developmental disability who are not the individual's relatives.

**Fiscal effect: Potential savings to ODMR/DD.**

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543            DMR - 4            Identity Disclosure -- County MR/DD Programs

R.C.            *5126.044*

Specifies that the prohibition against disclosing the identity of a person who is eligible for or requests programs or services from a county board of mental retardation and developmental disabilities (county MR/DD board), or an entity under contract with the board, does not apply if the disclosure is needed for the person's treatment or the payment of services.

**Executive**

Eliminates provisions under which a county MR/DD board or contracting entity is required to maintain a record or report of when and to whom each currently permitted disclosure or release of a person's identity is made by the board or contracting entity.

**Fiscal effect: Potential minimal savings to county MR/DD boards.**

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**544      DMR - 11      Lease-Rental Payments****Section: 337.20.10**

Specifies that ODMR/DD must pay to the Ohio Public Facilities Commission from GRF appropriation item 320415, Lease-Rental Payments, pursuant to leases and agreements made under state law regarding capital facilities for mental hygiene and retardation. Specifies that the appropriations in that appropriation item are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.

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**545      DMR - 12      Residential and Support Services****Section: 337.30.10**

Specifies that ODMR/DD may designate a portion of GRF appropriation item 322413, Residential and Support Services, for Sermak Class Services used to implement the requirements of the agreement settling the consent decree in Sermak v. Manuel.

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**546      DMR - 13      Other Residential and Support Service Programs****Section: 337.30.20**

Permits the use of GRF appropriation item 322413, Residential Support Services, for residential and support service programs that enable individuals with mental retardation and developmental disabilities to live in the community.

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**Executive**

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**547          DMR - 14          Medicaid Waiver - State Match (GRF)****Section: 337.30.30**

Specifies that GRF appropriation item 322416, Medicaid Waiver - State Match, is to be used for home and community-based waiver services under Title XX of the Social Security Act and to pay the nonfederal share of the cost of one or more new intermediate care facilities for the mentally retarded certified beds if the Director of MR/DD is required by the bill to transfer to the Director of Job and Family Services funds to pay such nonfederal share.

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**548          DMR - 8          Fiscal Plan for Home and Community-Based Services****Section: 337.30.40**

Requires the Director of MR/DD to submit a plan to the Director of Job and Family Services not later than December 31, 2009, with recommendations for actions to be taken addressing the fiscal sustainability of home and community-based services provided under Medicaid waiver programs ODMR/DD administers.

**Fiscal effect: Minimal.**

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**549          DMR - 22          State Subsidy to County MR/DD Boards****Section: 337.30.50**

Except as otherwise provided in the section of the bill titled "Nonfederal Share of ICF/MR Beds," requires the Director of MR/DD, in consultation with the county MR/DD boards, to develop a formula for allocating GRF appropriation item 322501, County Boards Subsidies, to each county board. Requires ODMR/DD to distribute the subsidy to county boards in quarterly installments. Except for the portion of those dollars used to pay the nonfederal share of Medicaid expenditures, requires county boards to use the subsidy for early childhood and adult services, service and support administration, and supported living.

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## Executive

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**550          DMR - 9          County Share of Medicaid Home and Community-Based Services****Section: 337.30.60**

Requires the Director of MR/DD to establish a methodology to be used in FY 2010 and FY 2011 to estimate the quarterly amount each county MR/DD board is to pay of the nonfederal share of home and community-based services for which the county board is responsible. Requires the Director of MR/DD to provide written notice of the amount owed by each county board for each quarter.

Authorizes the Director of MR/DD to withhold from a county MR/DD board, that fails to make the full payment by the time it is due, the amount the county board fails to pay from one or more state subsidies that ODMR/DD would otherwise provide to the county board.

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**551          DMR - 15          Tax Equity****Section: 337.30.70**

Specifies that GRF appropriation item 322503, Tax Equity, is to be used pay each county MR/DD board an amount equal to what was received in FY 2009 if the Director of MR/DD determines that sufficient appropriation is available, or an amount that is proportionate to what was received in FY 2009 if the appropriation is insufficient.

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**552          DMR - 16          Medicaid Waiver - State Match (Fund 4K80)****Section: 337.30.80**

Requires that SSR Fund 4K80 appropriation item 322604, Medicaid Waiver - State Match, be used as matching funds for home and community-based waivers.

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**553          DMR - 17          Targeted Case Management Services****Section: 337.30.90**

Specifies that county MR/DD boards are to pay the nonfederal portion of targeted case management services to ODMR/DD and requires the Director of MR/DD to withhold any amount owed from subsequent payments from any appropriation item or money otherwise due to a nonpaying county.

**Executive**

Permits the Director of MR/DD and the Director of Job and Family Services to enter into an interagency agreement requiring ODMR/DD to pay the Department of Job and Family Services (ODJFS) the nonfederal portion of the cost of targeted case management services paid by county MR/DD boards and ODJFS to pay the total cost of targeted case management claims.

**554      DMR - 18      Transfer to Program Fee Fund**

**Section:    337.31.10**

Requires the Director of MR/DD to request the Director of Budget and Management to transfer the cash balance in GSF Fund 4B50, Conference/Training Fund, to SSR Fund 5EV0, Program Fee Fund, on July 1, 2009 or as soon as possible thereafter and abolishes Fund 4B50 upon completion of the transfer.

**555      DMR - 10      Developmental Center Billing for Services**

**Section:    337.31.20**

Permits a developmental center to provide services to persons with mental retardation or other developmental disability who live in the community or to providers of services to such persons and authorizes ODMR/DD to develop a methodology for recovering all costs associated with provision of these services.

**556      DMR - 19      Transfer of Funds for Developmental Center Pharmacy Programs**

**Section:    337.40.10**

Requires the Director of MR/DD to transfer to the Department of Job and Family Services, by intrastate transfer voucher, cash in an amount equal to the nonfederal share of Medicaid prescription drug claim costs paid for all developmental centers. Specifies that transfers are to occur quarterly.

**557      DMR - 20      Nonfederal Match for Active Treatment Services**

**Section:    337.40.20**

Requires that any county funds received by ODMR/DD from county MR/DD boards for active treatment be deposited into SSR Fund 4890, Mental Retardation Operating Fund.

## Executive

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558      DMR - 21      Nonfederal Share of New ICF/MR Beds

**Section: 337.40.30**

Requires ODMR/DD to transfer funds, by intrastate transfer voucher, to ODJFS 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, 2009.

Requires the Director of MR/DD to use only funds appropriated to ODMR/DD in GRF appropriation item 322416, Medicaid Waiver - State Match, and in GRF appropriation item 322501, County Boards Subsidies, for the transfer.

Stipulates that funds the Director of MR/DD transfers in the case of beds located in a county served by a county MR/DD board that initiates or supports the beds' certification be funds that the Director of MR/DD has allocated to that county MR/DD 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 of MR/DD is to use as much of such funds allocated to other counties as needed to make up the difference.

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## Executive

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**559            DNR - 8            Energy Resource Extraction Fee****R.C.            1509.021, 1513.021**

Establishes energy resource extraction fees of:

- (1) \$0.08 per ton of coal to be paid by the operator of a coal mining operation;
- (2) \$0.20 per barrel of crude oil sold or 0.56% of the total purchase price of the crude oil after the severance tax has been subtracted (whichever is greater), to be paid by the first purchaser of crude oil; and
- (3) \$0.05 per 1000 cubic feet of natural gas or 2.25% of the total purchase price of the natural gas after the severance tax has been subtracted, whichever is greater, to be paid by the first purchaser of natural gas.

Sets out requirements for the use of revenue generated by each fee; requires the fee on coal to be credited to SSR Fund 5260, the Coal Mining Administration and Reclamation Reserve Fund; requires the fees on oil and natural gas to be credited to SSR Fund 5180, the Oil and Gas Well Fund; and allows the Director of Natural Resources to reduce the fees and to transfer a portion of their proceeds to SSR Fund 5110, the Geological Mapping Fund, under certain circumstances.

**Fiscal effect: Increases revenue to the Department of Natural Resources Division of Mineral Resources Management through SSR Fund 5260, the Coal Mining Administration and Reclamation Reserve Fund, for coal mining regulatory operations and SSR Fund 5180, the Oil and Gas Well Fund, for oil and gas well regulatory operations, and potentially increases revenue to the Division of Geological Survey through SSR Fund 5110, the Geological Mapping Fund. These fees would offset a total of approximately \$7,092,000 in funding formerly supported by the GRF.**

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**560            DNR - 3            Well Log Filing Fee****R.C.            1521.05, 3701.344, 6109.21, Section  
343.20.20**

Requires a person constructing a potable water well for use in a private or public water system to pay a well log filing fee of \$20 or an amount established in rules, whichever is applicable; requires the Chief of the Division of Water in the Department of Natural Resources to adopt rules governing the payment and collection of the fee; and requires boards of health and the Environmental Protection Agency to collect the fee on behalf of the Division and submit the proceeds of the fee to the Division quarterly for deposit into GSF Fund 1550, the Departmental Services - Intrastate Fund.

**Fiscal effect: Increases revenue to the Departmental Services - Intrastate Fund (Fund 1550) in the Department of Natural Resources from a new well log filing fee that would offset an estimated \$198,000 in funding formerly provided by the GRF.**

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## Executive

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**561**      **DNR - 4**      **Dam or Levee Construction Permit Filing Fee****R.C.      1521.06**

Increases the minimum amount of the fee for a dam or levee construction permit from \$1,000 to \$1,500, increases the maximum amount of the fee from \$100,000 to \$500,000, and allows the Chief of the Division of Water to establish alternative minimum and maximum amounts by rule.

**Fiscal effect: Increases revenue to SSR Fund 6150, the Dam Safety Fund, in the Department of Natural Resources as a result of an increase in the filing fee for dam and levee construction permits. This would offset approximately \$40,000 in funding formerly provided by the GRF.**

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**562**      **DNR - 9**      **Dam Fees and Discounts****R.C.      1521.063**

Requires that annual dam fees be based not only on the height of a class I, class II, or class III dam, but also on the linear foot length of the dam and the per-acre foot of the volume of water impounded by the dam and establishes the following fee schedule:

- (1) \$30 base fee (unchanged) plus \$10 per foot of height (unchanged) and new fees of \$0.05 per foot of length and \$0.05 per acre-foot of water impounded by a class I dam;
- (2) \$30 base fee (unchanged) plus new fees of \$6 per foot of height, \$0.05 per foot of length, and \$0.05 per acre-foot of water impounded by a class II dam; and
- (3) \$30 base fee (unchanged) plus new fees of \$4 per foot of height, \$0.05 per foot of length, and \$0.05 per acre-foot of water impounded by a class III dam.

Requires rules adopted by the Chief of the Division of Water regarding dam fees to be subject to the prior approval of the Director of Natural Resources; and establishes a compliant dam discount program that allows for certain discounts of the annual fee if the owner of a dam is in compliance with specified provisions of law and has developed an emergency action plan.

**Fiscal effect: Increases revenue to SSR Fund 6150, the Dam Safety Fund, from new fees imposed on the height and length of certain dams and the area of water impounded by them, and potentially imposes new administrative costs from GRF line item 733321, Division of Water, for costs incurred in implementing a new Compliant Dam Discount Program. These fees would offset approximately \$1,200,000 in funding formerly provided by the GRF.**

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## Executive

## 563 DNR - 2 Hunting Licenses and Annual Deer and Wild Turkey Permits

R.C. 1533.10, 1533.11, 1531.01

(1) Removes the exemption in current law that allows a nonresident owner of land in Ohio and the owner's children and grandchildren under 18 years of age to hunt on the land without a hunting license, thus requiring such a nonresident owner to purchase a nonresident hunting license. (Continues to allow a resident owner and the owner's children and grandchildren under 18 years of age to hunt on the land without a hunting license.)

(2) Removes the exemption in current law that allows an owner of land in Ohio and the owner's children, and a tenant of land in Ohio and the tenant's children, to hunt deer or wild turkey on the lands where they reside without a deer or wild turkey permit, thus requiring all persons to obtain an annual deer or wild turkey permit. Specifies that the permit is free of charge to a resident owner and the owner's children and grandchildren and to a tenant and children of the tenant and that all other individuals must purchase a deer or wild turkey permit in order to hunt deer or wild turkey. Defines "children" and "grandchildren" for purposes of the Division of Wildlife Law and the Hunting and Fishing Law.

**Fiscal effect: Increases revenue to the Wildlife Fund (Fund 7015) by approximately \$330,000 from additional hunting license fees and deer and wild turkey permit fees for nonresident landowners, their children, their tenants, and their tenants' children. Increases in expenses for the Division of Wildlife in the Department of Natural Resources to process licenses and permits.**

## 564 DNR - 6 Wild, Scenic, and Recreational River Areas

R.C. 1547.85, 1517.02, 1517.10, 1517.11, 1517.14,  
1517.16, 1517.17, 1517.18, 1547.01, 1547.02,  
1547.51, 1547.52, 1547.531, 1547.54,  
1547.542, 1547.73, 1547.86, 1547.87,  
1547.99, 4501.24, Section 815.10, Repealed:  
R.C. 1517.15

Transfers the administration of the state programs for wild, scenic, and recreational river areas from the Division of Natural Areas and Preserves to the Division of Watercraft, generally retains the statutory requirements and procedures governing the programs, adds other provisions for the program's administration, and expands the authority of the Waterways Safety Council.

Creates a waterways conservation assessment fee and authorizes the Chief of the Division of Watercraft to adopt rules establishing fees to support stream impact reviews for the above programs.

## Executive

**Fiscal effect: Increases revenue to the Waterways Safety Fund (Fund 7086) by approximately \$162,000 as a result of waterways conservation assessments levied in the amount of \$5 per triennial non-motorized watercraft registration and \$1.50 per annual non-motorized watercraft registration; potentially increases revenue to Fund 7086 by allowing for the charging of fees for stream impact reviews.**

565      DNR - 24      Construction and Demolition Debris and Municipal Solid Waste Fees

R.C.      *3714.073, 3734.57, 3745.015, 1515.14*

Increases the construction and demolition debris disposal fee that is deposited into SSR Fund 5BV0, the Soil and Water Conservation District Assistance Fund, which is used by the Department of Natural Resources, from \$0.125 per cubic yard and \$0.25 per ton to \$1.25 per cubic yard or \$2.50 per ton, as applicable. Establishes a new construction and demolition debris disposal fee of \$0.225 per cubic yard or \$0.45 per ton, as applicable, to be credited to SSR Fund 5BC0, the Environmental Protection Fund, which is used by the Environmental Protection Agency. Requires that these fees take effect on July 1, 2009.

Increases the solid waste disposal fee that is deposited into Fund 5BC0, the Environmental Protection Fund, which is used by the Environmental Protection Agency, from \$1.50 per ton to \$2.50 per ton and establishes a new solid waste disposal fee of \$0.25 per ton to be deposited into Fund 5BV0, the Soil and Water Conservation District Assistance Fund. Requires that the increased fee and the new fee be levied from July 1, 2009, through June 30, 2012, and extends all of the existing state solid waste disposal fees through June 30, 2012.

**Fiscal effect: Increases revenue to the Department of Natural Resources Division of Soil and Water through new and increased fees to SSR Fund 5BV0, the Soil and Water Conservation Fund, and increases revenue to the Environmental Protection Agency through new and increased fees to SSR Fund 5BC0, the Environmental Protection Fund. Offsets an estimated \$11,930,000 in Department of Natural Resources GRF funding for Soil and Water Conservation Districts.**

566      DNR - 7      Snowmobile, Off-Highway Motorcycle, and All-Purpose Vehicle Fees

R.C.      *4519.04, 4519.09*

Increases the three-year registration fee for snowmobiles, off-highway motorcycles, and all-purpose vehicles from \$5 to \$31.25, increases the length of time a nonresident temporary operating permit for these vehicles is valid from 15 days to one year, and increases the cost of a temporary operating permit from \$5 to \$11.25.

**Fiscal effect: Increases revenue to SSR Fund 5210, the State Recreational Vehicle Fund, by approximately \$676,820 from snowmobile, off-highway motorcycle, and all-purpose vehicle registration fees and nonresident temporary operating fees.**

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**Executive**

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**567      DNR - 14      Natural Resources General Obligation Debt Service****Section: 343.10**

Requires GRF appropriation item 725903, Natural Resources General Obligation Debt Service, to be used for all debt service and financing costs between July 1, 2009 and June 30, 2011 for obligations issued by the Ohio Public Facilities Commission.

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**568      DNR - 11      Central Support Indirect****Section: 343.20**

Requires the Department of Natural Resources, with the approval of the Director of Budget and Management, to determine the payments of each division, except the Division of Wildlife, to be made into GSF Fund 1570, the Central Support Indirect Fund, using a methodology that contains the characteristics of administrative ease and uniform application in compliance with federal grant requirements.

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**569      DNR - 10      Federal Economic Stimulus/Recovery Funds****Section: 343.20.10**

Requires GRF appropriation item 725652, Natural Resources Operations, to be used for the operations of the Department of Natural Resources in a manner consistent with federal funds received for economic stabilization and recovery purposes.

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**570      DNR - 13      Canal Lands****Section: 343.30**

Requires GRF line item 725456, Canal Lands, to be used to transfer cash to GSF Fund 4300, the Canal Lands Fund, for operating expenses of the State Canal Lands Program.

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**Executive**

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**571        DNR - 12        Lease Rental Payments****Section: 343.30**

Requires GRF appropriation item 725413, Lease Rental Payments, to be used for bond service payments related to the construction of various parks and recreation facilities at the times they are required to be made between July 1, 2009 and June 30, 2011.

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**572        DNR - 15        Fountain Square****Section: 343.30.10**

Requires GSF Fund 6350 appropriation item 725664, Fountain Square Facilities Management, to be used for the costs of repairs, renovation, utilities, property management, and building maintenance expenses for the Fountain Square complex. Specifies that Fund 6350 receive cash transfers from various department funds and rental income received by the Department of Natural Resources.

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**573        DNR - 16        Soil and Water Districts****Section: 343.40**

Authorizes the Department of Natural Resources to use GRF appropriation item 725502, Soil and Water Districts, to pay any soil and water conservation district an annual amount not to exceed \$30,000, upon receipt of a request and justification from the district and approval by the Ohio Soil and Water Conservation Commission. Requires county auditors to credit the payments to local soil and water conservation district funds established under section 1515.10 of the Revised Code and requires moneys received by each district to be spent for the purposes of the district.

Requires SSR Fund 5BV0 appropriation item 725683, Soil and Water Districts, to be used for the same purposes, and requires the line item to be funded by fees on construction and demolition debris and municipal solid waste under section 1515.14 of the Revised Code.

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**Executive**

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**574      DNR - 17      Oil and Gas Well Plugging****Section: 343.40**

Requires SSR Fund 5180 appropriation item 725677, Oil and Gas Well Plugging, to be used exclusively for the purposes of plugging wells and restoring the land surface of idle and orphan oil and gas wells under section 1509.071 of the Revised Code. Prohibits these funds from being used for salaries, maintenance, equipment, or other administrative purposes, except for those costs directly attributed to the plugging of an idle or orphan well, and prohibits this appropriation item from being used to transfer cash to any other fund or appropriation item.

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**575      DNR - 18      Litter Control and Recycling****Section: 343.40**

Earmarks up to \$1,500,000 in each fiscal year from SSR Fund 5320 appropriation item 725644, Litter Control and Recycling, for the administration of the Recycling and Litter Prevention Program.

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**576      DNR - 19      Clean Ohio Operating Expenses****Section: 343.40.10**

Requires Clean Ohio Conservation Fund line item 725405, Clean Ohio Operating, to be used by the Department of Natural Resources in administering grants for recreational trails under section 1519.05 of the Revised Code.

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**577      DNR - 20      Watercraft Marine Patrol****Section: 343.50**

Earmarks up to \$200,000 in each fiscal year from Waterways Safety Fund appropriation item 739401, Division of Watercraft, to be used for the purchase of equipment for marine patrols qualifying for funding from the Department of Natural Resources pursuant to section 1547.67 of the Revised Code. Requires documentation for receipt of a marine patrol subsidy to include proposals for equipment and requires equipment to be loaned to eligible marine patrols pursuant to a cooperative agreement between the Department and the eligible marine patrol.

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**Executive**

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**578      DNR - 21      Parks Capital Expenses Fund****Section: 343.60**

Requires the Director of Natural Resources to submit the estimated design, engineering, and planning costs of parks project capital work under the Parks and Recreation Improvement Fund (Fund 7035) to the Director of Budget and Management, and permits the Director of Budget and Management to release appropriations from Fund 7035 appropriation item C725E6, Project Planning, for those purposes. Requires the Department of Natural Resources to reimburse Fund 7035 for these expenses from GSF Fund 2270, the Parks Capital Expenses Fund.

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**579      DNR - 22      Natureworks Capital Expenses Fund****Section: 343.60**

Requires the Director of Natural Resources to submit the estimated design, engineering, and planning costs of capital work under the Ohio Parks and Natural Resources Fund (Fund 7031) to the Director of Budget and Management, and permits the Director of Budget and Management to release appropriations from Fund 7031 appropriation item C725E5, Project Planning, for those purposes. Requires the Department of Natural Resources to reimburse Fund 7031 for these expenses from GSF Fund 2270, the Parks Capital Expenses Fund.

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**580      DNR - 23      Public Access Roads for State Facilities****Section: 343.60.10**

Permits the Director of Natural Resources to submit a request to the Director of Transportation to enter into an interagency agreement for the use of up to \$5,000,000 in each fiscal year from Department of Transportation appropriation item 772421, Highway Construction – State. Requires the Director of Transportation to use the amount requested for the construction, reconstruction, or maintenance of public access roads, including support features, to and within state facilities owned or operated by the Department of Natural Resources.

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**Executive**

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**581          NUR - 1          Nursing Special Issues****Section:    *345.10***

Requires GSF Fund 5P80 appropriation item 884601, Nursing Special Issues, be used to pay the Board of Nursing's costs to implement programs addressing patient safety and health care issues related to the supply of and demand for nurses and other health care workers.

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## Executive

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582      PYT - 1      Occupational Therapist Fees

R.C.      4755.12, 4755.06

Requires the Occupational Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board to charge fees for the following: (1) initial license applications, (2) license verifications, (3) late license renewal, (4) reviewing continuing education activities, and (5) any other purpose the Section considers appropriate.

Requires that the Section's fee amounts be established in rules adopted by the Section.

**Fiscal effect: Potential increase in revenue as a result of required fees for late license renewal and reviewing continuing education activities. The Board currently charges for initial license applications and license verifications.**

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## Executive

583            PUB - 1            Indigent Defense Support Fund

R.C.            *120.08, 2937.22, 2949.091, 2949.111,  
4507.45, 4509.101, and 4510.22*

(1) Requires the State Public Defender Office to disburse at least 90% of the money in the Indigent Defense Support Fund not less than once per year to reimburse counties for the costs of public defender systems and authorizes the Office to use up to 10% of the money in the fund to support the operations of the Office.

(2) Establishes a surcharge of \$25 to be paid when a person posts bail and, if the person is convicted, pleads guilty, or forfeits bail.

(3) Increases, to \$30 for a felony offense and \$20 for a misdemeanor offense other than a traffic offense that is not a moving violation.

(4) Imposes a \$10 additional court cost for a traffic offense that is neither a moving violation nor a parking violation.

(5) Increases the general driver's license reinstatement fee (from \$30 to \$40), the reinstatement fee for a financial responsibility violation (from \$75 to \$100 for a first violation, from \$250 to \$300 for a second violation, and from \$500 to \$600 for a third violation), and the reinstatement fee for a person who commits a specified traffic offense, motor vehicle equipment offense, or motor vehicle crime that is a misdemeanor other than a minor misdemeanor and whose license is forfeited for failing to appear in court to answer the charge or pay the fine (from \$15 to \$25).

(6) Directs the amounts noted in dot points (2), (3), (4), and (5) above be deposited in the state treasury to the credit of the Indigent Defense Support Fund (Fund 5DY0).

**Fiscal effect: These additional non-GRF funding mechanisms are expected to generate approximately \$25.6 million in FY 2010, and \$34.2 million in FY 2011, all of which is credited to the Indigent Defense Support Fund (Fund 5DY0).**

## Executive

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584 PUB - 2 IOTA and IOLTA Regulations

R.C. 120.52, 174.02, 3953.23, 3953.231, 4705.09,  
and 4705.10

- (1) Gives the Ohio Legal Assistance Foundation (OLAF) authority over the administration of two interest bearing accounts (interest generated on trust accounts established and maintained by attorneys, law firms, or legal professional associations (IOLTAs) and interest generated on trust accounts established and maintained by title insurance agents or title insurance companies (IOTAs)).
- (2) Eliminates the deduction of service charges from IOTA and IOLTA interest income.
- (3) Amends the IOTA and IOLTA statutory rate provisions to conform with the rules of the Ohio Legal Assistance Foundation.
- (4) Removes the statutory restriction on funding legal services from the Housing Trust Fund.

**Fiscal effect: The fiscal effect of these provisions, if any, is uncertain.**

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585 PUB - 3 Unpaid Moneys in Class Actions - Legal Aid Fund

R.C. 120.52, 120.53, and 2315.50

- (1) Provides that it is the policy of Ohio, insofar as it is not inconsistent with federal law, that all unpaid moneys remaining after the distribution to the members of the class of monetary awards in class actions must be used for the charitable public purpose of providing financial assistance to legal aid societies that operate in Ohio.
- (2) Requires each defendant from whom unpaid moneys are due after distribution of the monetary award to remit the unpaid moneys to the State Treasurer for deposit in the Legal Aid Fund and to notify the Ohio Legal Assistance Foundation (OLAF) of the amount so remitted, the case name and number of the class action, and the court that approved the settlement agreement or rendered the judgment in the class action.
- (3) Makes a corrective change in the provision regarding rules established by OLAF in administering the Fund.

**Fiscal effect: The revenue potential of these provisions will vary from year to year depending factors such as the number and size of class action monetary awards.**

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**Executive**

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**586      PUB - 4      Multi-County Office****Section: 361.10**

Requires moneys appropriated to GRF appropriation item 019403, Multi-County - State Share, and SSR appropriation item 019601, Multi-County - County Share, be used to support the Commission's Multi-County Branch Office Program.

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**587      PUB - 5      Indigent Defense Office****Section: 361.10**

Requires moneys appropriated to GRF appropriation item 019404, Trumbull County - State Share, and SSR appropriation item 019610, Trumbull County - County Share, be used to support an indigent defense office in Trumbull County.

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**588      PUB - 6      Training Account****Section: 361.10**

Requires moneys appropriated to GRF appropriation item 019405, Training Account, be used to provide legal training programs at no cost for private appointed counsel who represent at least one indigent person at no cost (pro bono), and for state and county public defenders and attorneys who contract with the Ohio Public Defender to provide indigent defense services.

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**589      PUB - 7      Federal Representation****Section: 361.10**

Requires federal appropriation item 019608, Federal Representation, serve as the depository for reimbursement payments received by the Ohio Public Defender from the federal courts for providing legal representation on federal court cases at the request of the federal courts.

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**Executive**

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590      DPS - 17      Cash Transfers from Reparatons Fund to Disaster Preparedness Fund

**Section: 512.20**

Transfers \$350,000 in cash in each of FYs 2010 and 2011 from the Reparatons Fund (SSR Fund 4020), which is used by the Attorney General, to the Disaster Preparedness Fund (SSR Fund 5EX0), which is used by the Department of Public Safety.

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**Executive****591          PUC - 1          Utility Radiological Safety Board Assessments****Section:    506.10**

Specifies the maximum amounts that may be assessed against nuclear electric utilities under R.C.4937.05 on behalf of four state agencies and that may be deposited into the specified funds as follows:

- (1) \$134,631 in each fiscal year to the Utility Radiological Safety Fund (fund 4E40), which is used by the Department of Agriculture;
  - (2) \$887,445 in FY 2010 and \$920,372 in FY 2011 to the Radiation Emergency Response Fund (Fund 6100), which is used by the Department of Health;
  - (3) \$286,114 in each fiscal year to the ER Radiological Safety Fund (Fund 6440), which is used by the Environmental Protection Agency; and
  - (4) \$1,413,889 in FY 2010 and \$1,415,945 FY 2011 to the Emergency Response Plan Fund (Fund 6570), which is used by the Department of Public Safety.
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## Executive

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**592 PWC - 5 Conservation General Obligation Debt Service****Section: 365.10**

Requires that GRF appropriation item 150904, Conservation General Obligation Debt Service, be used to pay all debt service and related financing costs of the Clean Ohio Conservation Program over the biennium.

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**593 PWC - 6 State Capital Improvements General Obligation Debt Service****Section: 365.10**

Requires that GRF appropriation 150907, State Capital Improvements General Obligation Debt Service, be used to pay all debt service and related financing costs of the State Capital Improvements Program over the biennium.

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**594 PWC - 7 Clean Ohio Operating Expenses****Section: 365.10**

Requires Clean Ohio Conservation Fund appropriation item 150403, Clean Ohio Operating Expenses, to be used by the Ohio Public Works Commission in administering sections 164.20 to 164.27 of the Revised Code, dealing with the review and approval of project applications, natural resource assistance councils, policies for open space acquisition, and so forth.

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**595 PWC - 8 Reimbursement to the General Revenue Fund****Section: 365.10**

On or before July 15, 2011, requires the Director of PWC to certify to the Director of Budget and Management (1) the total amount disbursed by the Department of Agriculture from GRF appropriation item 700409, Farmland Preservation, during the FY 2010-FY 2011 biennium; and (2) any excess investment earnings credited to the Clean Ohio Conservation Fund (Fund 7056). Requires the Director of OBM to transfer excess interest earnings from Fund 7056 to the GRF in an amount equal to that disbursed under GRF appropriation 700409, Farmland Preservation.

**Fiscal effect: This provision offsets GRF disbursements by the Department of Agriculture for the operating expenses of the Office of Farmland Preservation. PWC estimates the transfer for the FY 2008-FY 2009 biennium totals about \$490,000.**

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## Executive

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**596          BOR - 4          Ohio College Opportunity Grant Changes****R.C.          3333.122, Section 371.50.50**

- (1) Eliminates the eligibility requirements and grant amounts for the Ohio College Opportunity Grant Program (OCOG) and, instead requires the Chancellor to adopt rules to carry out the OCOG program. Limits eligibility for OCOG grants to students with an expected family contribution of \$2,190 or less attending a state-assisted institution of higher education.
- (2) Requires the Chancellor to submit OCOG funding formulas and allocations for the 2009-2010 academic year to the Controlling Board on or before August 31, 2009. Specifies that OCOG awards must equal an eligible student's remaining state cost of attendance after the student's Pell grant and expected family contribution are applied.
- (3) Permits the Chancellor to proportionally reduce the amount of each OCOG grant or use an alternative formula if amounts available for the support of the OCOG programs are insufficient in addition to the option under current law of lowering the income eligibility threshold.

**Fiscal effect: The bill appropriates \$120.0 million in FY 2010 and \$135.0 million in FY 2011 for OCOG.**

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**597          BOR - 60          Nonpublic Need-Based Aid Grants****R.C.          3333.122, 5107.58, Repealed: R.C. 3333.27;  
Section 371.50.80**

- (1) Requires the Chancellor to establish and administer the Private Higher Education Need-based Financial Aid Block Grant Program for students of nonprofit private institutions of higher education and the Career College Need-based Financial Aid Block Grant Program for students of career colleges to provide need-based financial aid grants to Ohio resident nursing or undergraduate students attending these institutions.
- (2) Requires the Chancellor to establish rules for the eligibility of nonprofit private institutions and career colleges to receive grant awards and the terms and conditions for grant distribution.
- (3) Requires the Chancellor to submit block grant allocation formulas for the 2009-2010 academic year to the Controlling Board on or before August 31, 2009.
- (4) Requires nonprofit private institutions and career colleges that receive block grants to report all recipients to the Chancellor. Specifies that any amount of a block grant that is not distributed be deducted from the next block grant received by the institution or college.
- (5) Eliminates the Student Choice Grant Program.

## Executive

**Fiscal effect: The bill earmarks \$40.0 million in each fiscal year for the Private Higher Education Need-based Financial Aid Block Grant Program and \$30.0 million in each fiscal year for the Career College Need-based Financial Aid Block Grant Program.**

598      BOR - 61      Community and Technical College Bond Intercept Program

R.C.      *3333.90, 152.09, 152.10, 152.12, 152.15,  
3345.12*

Permits the board of trustees of any community or technical college to request the Chancellor to enter into an intercept agreement. Specifies that under an intercept agreement, if debt service payments on a college's bond obligations are not made in full and on time, the Chancellor withhold the college's state share of instruction (SSI) allocation of funds and use those funds to make the debt service payments. Requires the Chancellor to approve intercept bond requests. Permits the Chancellor to adopt rules for the implementation of the intercept program.

Permits the Ohio Building Authority to issue revenue obligations on behalf of a community or technical college district if the board of trustees of that district has entered into an intercept agreement with the Chancellor. Specifies that intercept agreements and withholding and payment of debts using SSI funds does not constitute an assumption of debt by the state.

**Fiscal effect: With SSI funds as collateral for bond debt, community and technical colleges' bond issuances will potentially benefit from lower interest rates and increased sales. This could decrease debt payment expenses for participating colleges.**

599      BOR - 1      University System of Ohio

R.C.      *3345.011*

Defines the "University System of Ohio" as the collective group of state institutions of higher education. Defines "member of the University System of Ohio" as any individual state institution of higher education.

**Fiscal effect: None.**

600      BOR - 2      Eastern Gateway Community College

R.C.      *3354.24*

Replaces the Jefferson Community College District with the Eastern Gateway Community College District by adding the territories of Columbiana, Mahoning, and Trumbull counties. Establishes an 11-member board of trustees, including three chosen from residents of Jefferson County and eight chosen from residents of Columbiana, Mahoning, and Trumbull counties.

**Executive**

Divides the Eastern Gateway Community College District into two taxing subdistricts: one including Jefferson county, and the other including Columbiana, Mahoning, and Trumbull counties. Authorizes the electors of each subdistrict to approve property tax or bond issuance, or both, solely for the benefit of the residents of those subdistrict counties who attend Eastern Gateway Community College.

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**601      BOR - 5      Lease Rental Payments****Section: 371.10.10**

Specifies that GRF appropriation item 235401, Lease Rental Payments, be used to meet all payments at the times they are required to be made during FY 2010 and FY 2011. Specifies that the appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 154. of the Revised Code.

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**602      BOR - 6      Articulation and Transfer****Section: 371.10.20**

Specifies that GRF appropriation item 235406, Articulation and Transfer, be used to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies.

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**603      BOR - 7      Midwest Higher Education Compact****Section: 371.10.30**

Requires that GRF appropriation item 235408, Midwest Higher Education Compact, be used for paying membership fees for the Midwest Higher Education Compact.

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**604      BOR - 8      Information System****Section: 371.10.40**

Requires that GRF appropriation item 235409, Information System, be used for the development and implementation of information technology solutions.

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**Executive**

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**605      BOR - 9      State Grants and Scholarship Administration****Section:    371.10.50**

Requires that GRF appropriation item 235414, State Grants and Scholarship Administration, be used for the administration of various state and federal student financial aid and scholarship programs and for fiscal services for the Ohio National Guard Scholarship Program.

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**606      BOR - 10      Jobs Challenge****Section:    371.10.60**

Requires that, except for the funds that are to be allocated under sections titled "Statewide Workforce Development Initiatives" (see BOR-18) and "Fiscal Year 2011 Plan for Adult Workforce Training Programs" (see BOR-19), GRF appropriation item 235415, Jobs Challenge, be used to support state-assisted community and technical colleges, university regional campuses of state-assisted universities, and certain other member campuses of the workforce training network to support noncredit job training.

Specifies that support may include delivering coordinated assessment and comprehensive training to local employers. Requires the Chancellor to develop a formula for the distribution of funds.

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**607      BOR - 11      Ohio Learning Network****Section:    371.10.70**

Requires that GRF appropriation item 235417, Ohio Learning Network, be used to support the continued implementation of the Ohio Learning Network. Requires the Ohio Learning Network to use these funds to develop and promote learning and assessment through the use of technology, provide advice on emerging learning-directed technologies, and facilitate cost-effectiveness through shared investments in educational technology.

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**608      BOR - 12      Appalachian New Economy Partnership****Section:    371.10.80**

Requires that GRF appropriation item 235428, Appalachian New Economy Partnership, be distributed to Ohio University to continue to lead a multi-campus and multi-agency coordinated effort to link Appalachia to the new economy through entrepreneurship, management, education, and technology.

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**Executive**

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**609      BOR - 13      Economic Growth Challenge****Section:    371.10.90**

Requires that GRF appropriation item 235433, Economic Growth Challenge, be used for the administrative expenses of the Research Incentive Program and other economic advancement initiatives.

Requires that any transfer to GRF appropriation item 235433, Economic Growth Challenge, be used to enhance basic research capabilities of Ohio institutions of higher education and that priority consideration be given to those projects that are eligible for federal stimulus funds.

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**610      BOR - 14      Choose Ohio First Scholarship****Section:    371.20.10**

Earmarks up to \$3,000,000 in each fiscal year of GRF appropriation item 235438, Choose Ohio First Scholarship, for the Woodrow Wilson STEM Teaching Fellows Program that is designed to attract certain students to graduate programs specifically designed for teacher preparation in science, technology, engineering, mathematics, and medicine. Requires the Chancellor to establish a competitive process to distribute grant awards. Specifies that institutions be chosen based on leadership, commitment, and capacity to meet criteria set forth in the request for proposals, which, among other things, includes criteria developed by the Woodrow Wilson Foundation and a panel of experts. Specifies that these grant awards are not subject to R.C. 3333.60 to 3333.70, which governs the Choose Ohio First Scholarship Program.

Specifies that the remainder of GRF appropriation item 235438, Choose Ohio First Scholarship be used to operate the Choose Ohio First Scholarship program. Specifies that amounts dispersed to institutions be paid on a reimbursement basis.

Reappropriates the unexpended, unencumbered portion of GRF appropriation item 235438, Choose Ohio First Scholarship, at the end of FY 2010 for the same purpose for FY 2011.

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**Executive**

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**611      BOR - 15      Co-op/Internship Program****Section: 371.20.20**

Specifies that GRF appropriation item 235441, Co-op/Internship Program, be used to operate the Co-op/Internship Program in accordance with R.C. 3333.71 to 3333.80. Specifies that the Director of Budget and Management may transfer any balance at the end of FY 2010 and FY 2011 and any appropriation repaid by institutions participating in the Program to GRF appropriation item 235433, Economic Growth Challenge. Specifies that transferred appropriations be used to strengthen academic research and pursue Ohio's economic development goals.

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**612      BOR - 16      Adult Basic and Literacy Education****Section: 371.20.30**

Specifies that, except for the funds that are to be allocated under sections titled "Statewide Workforce Development Initiatives" (see BOR-18) and "Fiscal Year 2011 Plan for Adult Workforce Training Programs" (see BOR-19), GRF appropriation item 235443, Adult Basic and Literacy Education – State, be used for adult basic and literacy education (ABLE) programs and the ABLE instructional grant program. Requires that supported programs satisfy the state match requirements for the grant program.

Earmarks up to \$507,558 in FY 2010 for the support and operation of the State Library Resource Center Program.

Requires the Chancellor, on or before August 31, 2009, to submit to the Controlling Board a funding formula for the FY 2010 allocation of funds.

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**613      BOR - 17      Post-Secondary Adult Career-Technical Education****Section: 371.20.40**

Specifies that, except for the funds that are to be allocated under sections titled "Statewide Workforce Development Initiatives" (see BOR-18) and "Fiscal Year 2011 Plan for Adult Workforce Training Programs" (see BOR-19), GRF appropriation item 235444, Post-Secondary Adult Career-Technical Education, be used to provide post-secondary adult career education. Requires the Chancellor, on or before August 31, 2009, to submit to the Controlling Board a funding formula for the FY 2010 allocation of funds.

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**Executive**

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**614 BOR - 18 Statewide Workforce Development Initiatives****Section: 371.20.50**

Authorizes the Chancellor to identify portions of GRF appropriation items 235415, Jobs Challenge, 235443, Adult Basic and Literacy Education – State, and 235444, Post-Secondary Adult Career-Technical Education, to be used for the Ohio Skills Bank Program and the Stackable Certificates Program.

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**615 BOR - 19 Fiscal Year 2011 Plan for Adult Workforce Training Programs****Section: 371.20.60**

Requires the Chancellor to submit to the Controlling Board, by June 1, 2010, a plan for the integration of funding support for adult workforce training and development programs, beginning in FY 2011. Specifies that funding support include GRF appropriation items 235415, Jobs Challenge, 235443, Adult Basic and Literacy Education – State, and 235444, Post-Secondary Adult Career-Technical Education. Requires that the plan clearly define the formulas or competitive process to be used for funding the activities of various program providers.

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**616 BOR - 20 Area Health Education Center****Section: 371.20.70**

Requires that GRF appropriation item 235474, Area Health Education Centers Program Support, be used to support medical school regional area health education centers' educational programs.

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**617 BOR - 21 State Share of Instruction Formulas****Section: 371.20.80**

(1) Requires the Chancellor to submit funding formulas for the FY 2010 and FY 2011 allocation of GRF appropriation item 235501, State Share of Instruction, to the Controlling Board on or before August 31, 2009. Specifies that separate formulas be recommended for state-assisted university main campuses, university regional campuses, and community and technical colleges.

(2) Requires that the state share of instruction formula for university main campuses support graduate and medical education, reward course and degree completion, and reward the achievement of mission-specific goals.

**Executive**

- (3) Requires that the state share of instruction formula for regional university campuses reward course completion and the achievement of mission-specific goals.
- (4) Requires that the state share of instruction formula for community and technical colleges be based on enrollments, achievement of mission-specific goals, and measures of student success appropriate to colleges' institutional missions.
- (5) Specifies that student-specific components of the formulas be weighted for at-risk students, as measured by a student's eligibility for state need-based student financial aid programs. Requires that formulas include allocations of Success Challenge, Access Challenge, and other tuition subsidies that were provided in H.B. 119 of the 127th G.A. Requires that the formulas be designed to phase in components over time.

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618      BOR - 22      **State Share of Instruction for Fiscal Years 2010 and 2011**

**Section: 371.20.90**

Prohibits the increase of in-state undergraduate instructional and general fees in FY 2010 at all state-assisted institutions. Prohibits the increase of in-state undergraduate instructional and general fees in FY 2011 at state-assisted community colleges, technical colleges and university regional campuses.

Specifies that the Chancellor may modify the tuition increase limitations for exceptional circumstances with the approval of the Controlling Board. Specifies that the tuition increase limitations do not apply to increases required to comply with institutional covenants or certain legal mandates.

**Fiscal effect: Tuition caps could limit the amounts of tuition revenues for public institutions of higher education.**

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619      BOR - 23      **Higher Education Board of Trustees**

**Section: 371.30.10**

- (1) Authorizes colleges and universities, with the approval of the Chancellor, to use instructional subsidies for off-campus undergraduate and master's degree courses of study.
- (2) Requires the board of trustees at each institution to supplement state subsidies by establishing uniform instructional and general fees to be charged to all students for universal services. Allows each board to establish special purpose fees and service charges for individual or specific categories of students; these special purpose fees and service charges are not to be applied uniformly. Requires each board to establish a tuition surcharge to out-of-state students.
- (3) Prohibits the board of trustees at each institution from authorizing a waiver or nonpayment of instructional or general fees that is not authorized by law or approved by the Chancellor.

**Executive**

- (4) Requires each institution of higher education, in its statement of charges, to separately identify the instructional fee, general fee, tuition charge, and tuition surcharge.
- (5) Specifies that the Chancellor, in consultation with state-assisted institutions of higher education and with the approval of the Controlling Board, may adjust instructional and general fee amounts for associate degree programs at state-assisted institutions for academic years 2009-2010 and 2010-2011.
- (6) Requires that boards of trustees ensure that faculty members devote a proper and judicious part of their work week to actual instruction of students.
- (7) Requires the boards of trustees of state-assisted institutions of higher education to exercise the authority of the government vested by law in them. States that administrative decisions are the exclusive prerogative of the boards and that any delegation of authority by the boards must be accompanied by appropriate standards of guidance and periodic review of the exercise of the delegated authority.

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620      BOR - 24      Student Support Services

**Section: 371.30.20**

Requires that GRF appropriation item 235502, Student Support Services, be distributed to state-assisted colleges and universities that incur disproportionate support services costs for disabled students.

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621      BOR - 25      War Orphans Scholarships

**Section: 371.30.30**

Requires that GRF appropriation item 235504, War Orphan Scholarships, be used to reimburse public institutions for waivers of instructional fees and general fees provided to war orphans, provide grants to war orphans attending eligible private institutions of higher education, and fund additional scholarships for children of persons declared prisoners of war or missing in action.

Reappropriates FY 2010 year-end balance for the same purpose for FY 2011.

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622      BOR - 26      OhioLINK

**Section: 371.30.40**

Requires that GRF appropriation item 235507, OhioLINK, be used to support OhioLINK, the state's electronic library information and retrieval system.

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**Executive**

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**623      BOR - 27      Air Force Institute of Technology****Section: 371.30.50**

Specifies that GRF appropriation item 235508, 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.

Requires that the Institute provide annual reports to the Third Frontier Commission that discuss collaborations related to technology, research development, commercialization, and support for economic development.

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**624      BOR - 28      Ohio Supercomputer Center****Section: 371.30.60**

Requires that GRF appropriation item 235510, Ohio Supercomputer Center, be used to support the operation of the Ohio Supercomputer Center located at the Ohio State University.

Specifies that part of the funds be used to support the Ohio Supercomputer Center's Computational Science Initiative that includes the industrial outreach programs, Blue Collar computing, and the School of Computational Science.

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**625      BOR - 29      Cooperative Extension Service****Section: 371.30.70**

Requires that GRF appropriation item 235511, Cooperative Extension Service, be disbursed to The Ohio State University in monthly payments unless otherwise determined by the Director of Budget and Management.

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**626      BOR - 30      Ohio University Voinovich Center****Section: 371.30.80**

Requires that GRF appropriation item, 235513, Ohio University Voinovich Center, be used to support the operations of the Center.

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**Executive**

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**627      BOR - 31      Central State Supplement****Section: 371.30.90**

Requires that GRF appropriation item 235514, Central State Supplement, be used by Central State University to keep undergraduate fees below the state average.

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**628      BOR - 32      Case Western Reserve University School of Medicine****Section: 371.40.10**

Requires that GRF appropriation item 235515, Case Western Reserve University School of Medicine, be disbursed to Case Western Reserve University in accordance with agreements entered under R.C.3333.10 to aid non-profit medical, osteopathic, and dental schools. Specifies that the state support per full-time medical student is not to exceed that provided to full-time medical students at state-assisted universities.

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**629      BOR - 33      Family Practice****Section: 371.40.20**

Requires the Chancellor to develop plans for the distribution of GRF appropriation item 235519, Family Practice.

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**630      BOR - 34      Shawnee State Supplement****Section: 371.40.30**

Requires that GRF appropriation item 235520, 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.

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**631      BOR - 35      OSU John Glenn School of Public Affairs****Section: 371.40.40**

Requires that GRF appropriation item 235-521, The Ohio State University John Glenn School of Public Affairs, be used to support the operations of the School.

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**Executive**

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**632      BOR - 36      Police and Fire Protection****Section: 371.40.50**

Requires that GRF appropriation item 235524, Police and Fire Protection, be used to support police and fire services in the nine rural municipalities and townships where state-affiliated campuses are located.

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**633      BOR - 37      Geriatric Medicine****Section: 371.40.60**

Requires the Chancellor to develop plans for the distribution of the funds under GRF appropriation item 235525, Geriatric Medicine.

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**634      BOR - 38      Primary Care Residencies****Section: 371.40.70**

Requires the Chancellor to develop plans for the distribution of GRF appropriation item 235526, Primary Care Residencies. Specifies that distribution of the appropriation be based on whether an institution has gained approval of a plan to implement the Primary Care Residencies guidelines. Specifies that an institution receive 5% less funding per student from its annual allocation if the institution does not have an approved plan and that the remaining funding be distributed to institutions that meet or exceed their targets.

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**635      BOR - 39      Ohio Agricultural Research and Development Center (OARDC)****Section: 371.40.80**

Requires that GRF appropriation item 235535, Ohio Agricultural Research and Development Center, be disbursed to the Ohio State University in monthly payments unless otherwise determined by the Director of Budget and Management. 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.

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**Executive**

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**636      BOR - 40      State University Clinical Teaching****Section:    371.40.90**

Requires the Chancellor to distribute the following GRF appropriation items: 235536, The Ohio State University Clinical Teaching; 235537, University of Cincinnati Clinical Teaching; 235538, University of Toledo Clinical Teaching; 235539, Wright State University Clinical Teaching; 235540, Ohio University Clinical Teaching; and 235541, Northeastern Ohio Universities College of Medicine Clinical Teaching.

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**637      BOR - 41      Capital Component****Section:    371.50.10**

Requires that GRF appropriation item 235552, Capital Component, be distributed to each campus for which the estimated campus debt service attributable to new qualifying capital projects is less than the campus's formula-determined capital component allocation. Specifies that the amount of each campus's payment be determined by subtracting the former amount from the latter and that the campuses use these payments only for capital projects.

Requires the Chancellor to subtract from each campus's SSI allocation the amount by which the estimated campus debt service attributable to new qualifying capital projects exceeds the campus's formula-determined capital component allocation and transfer these funds to GRF appropriation item 235501, State Share of Instruction. In the case of the Ohio Agricultural Research and Development Center (OARDC), any applicable subtractions and transfers are to be made from GRF appropriation item 235535, Ohio Agricultural Research and Development Center. Requires the transferred funds to be combined with the original appropriation for this item and distributed as described above.

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**638      BOR - 42      Library Depositories****Section:    371.50.20**

Requires that GRF appropriation item 235555, Library Depositories, be used to support the state's five regional depository libraries for the cost-effective storage of and access to lesser-used materials in university library collections.

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**Executive**

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**639      BOR - 43      Ohio Academic Resources Network (OARnet)****Section: 371.50.30**

Specifies that GRF appropriation item 235556, Ohio Academic Resources Network, be used to support the operations of OARnet, including support for Ohio's state-assisted colleges and universities in maintaining and enhancing network connections, and using network technologies to improve programs.

Requires OARnet to give priority to supporting the Third Frontier Network and allocating bandwidth to programs directly supporting Ohio's economic development.

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**640      BOR - 44      Long-Term Care Research****Section: 371.50.40**

Requires that GRF appropriation item 235558, Long-term Care Research, be disbursed to Miami University for long-term care research.

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**641      BOR - 63      Ohio College Opportunity Grant****Sections: 371.50.50, 371.60.90**

Reappropriates the appropriation balance at the end of FY 2010 to BOR to be used for the same purpose in FY 2011. Requires the Chancellor to recommend, when necessary, the reallocation of unencumbered and unobligated appropriation balances of GRF appropriation items within the BOR budget to appropriation item 235563, Ohio College Opportunity Grant. Authorizes the Director of Budget and Management to transfer these identified unencumbered and unobligated appropriation balances when necessary and appropriates the transfers.

Authorizes the Director of Budget and Management to allow expenditures in excess of the appropriations for this GRF appropriation item up to a total of \$5.0 million in each fiscal year if the funds identified above are not sufficient to support the distribution of state need-based financial aid.

Requires that GRF appropriation item 235563, Ohio College Opportunity Grant, be used to award need-based aid to students enrolled in eligible public institutions of higher education.

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**Executive**

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**642 BOR - 46 Central State University Speed to Scale****Section: 371.50.60**

Requires that GRF appropriation item 235567, Central State University Speed to Scale, be used to achieve the goals of the Speed to Scale plan, which includes increasing student enrollment, student retention rates, and the proportion of in-state students to 80% of the total students. Requires Central State University to meet annual goals for enrollment and student retention in order to receive funding in FY 2010.

Requires that the Speed to Scale Task Force meet quarterly to discuss the plan's progress. Specifies the members of the Task Force. Requires that Central State University and the Speed to Scale Task Force submit a status report on the Speed to Scale plan's accountability measures each fiscal year.

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**643 BOR - 47 The Ohio State University Clinic Support****Section: 371.50.70**

Requires that GRF appropriation item 235572, The Ohio State University Clinic Support, be used to support the dental and veterinary medicine clinics of the Ohio State University.

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**644 BOR - 64 Nonpublic Need-based Financial Aid****Section: 371.50.80**

Makes the following earmarks of GRF appropriation item 235576, Nonpublic Need-Based Financial Aid:

- (1) \$40.0 million in each fiscal year for the Private Higher Education Needs-based Financial Aid Block Grant Program.
  - (2) \$ 30.0 million in each fiscal year for the Career College Needs-based Financial Aid Block Grant Program.
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**645 BOR - 49 Hazardous Materials Program****Section: 371.50.90**

Requires that GRF appropriation item 235596, Hazardous Materials Program, be used to support and develop of hazardous materials education, studies, or programs at Ohio institutions of higher education.

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**Executive**

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**646      BOR - 50      National Guard Scholarship Program****Section: 371.60.10**

Requires that GRF appropriation item 235599, National Guard Scholarship Program, and Fund 5BM0 appropriation item 235623, National Guard Scholarship Reserve Fund, be disbursed at the direction of the Adjutant General.

Authorizes the unencumbered balance of GRF appropriation item 235599, National Guard Scholarship Programs, to be transferred to the National Guard Scholarship Reserve Fund (Fund 5BM0) for use under appropriation item 235623, National Guard Scholarship Reserve Fund. Requires the Chancellor, upon the request of the Adjutant General, to seek Controlling Board approval to establish appropriations for that item.

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**647      BOR - 51      Pledge of Fees****Section: 371.60.20**

Provides that any new pledge or adjustment of fees made in the biennium to secure bonds or notes on a state-assisted institution of higher education for a project for which bonds or notes were not outstanding on the effective date of this section be effective only after approval by the Chancellor, unless approved in a previous biennium.

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**648      BOR - 52      Higher Education General Obligation Debt Service****Section: 371.60.30**

Requires that GRF appropriation item 235909, Higher Education General Obligation Debt Service, be used to pay all debt service and related financing costs at the required times during the biennium.

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**649      BOR - 53      Sales and Services****Section: 371.60.40**

Authorizes the Chancellor to charge and accept payment for its provision of goods and services. Specifies that all revenues received be deposited into GSF Fund 4560, Sales and Services. Allows the Chancellor to use these funds to pay for the costs of producing goods and services. Specifies that charges be related to the costs of producing goods and services, though no charges are to be levied for goods or services that are produced as part of the routine responsibilities or duties of the Chancellor.

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**Executive**

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**650 BOR - 54 Higher Educational Facility Commission Administration****Section: 371.60.50**

Specifies that SSR Fund 4E80 appropriation item 235602, Higher Educational Facility Commission Administration, be used for operating expenses related to its support of the activities of the Ohio Higher Educational Facility Commission (HEFC).

Authorizes the Director of Budget and Management to transfer up to \$45,000 cash in each fiscal year from Fund 4610, HEFC Operating Expenses Fund, which is used by HEFC to Fund 4E80, HEFC Administration Fund, which is used by BOR.

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**651 BOR - 55 Nursing Loan Program****Section: 371.60.60**

Requires that SSR Fund 6820 appropriation item 235606, Nursing Loan Program, be used to support the administration of the nurse education assistance program.

Earmarks up to \$167,580 in each fiscal year for operating expenses associated with the program. Authorizes the Controlling Board to increase these set-aside amounts.

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**652 BOR - 56 Veterans' Preferences****Section: 371.60.70**

Requires the Chancellor to collaborate with the Department of Veterans' Services to develop veterans' preference guidelines for institutions of higher education.

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**Executive**

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**653      BOR - 65      State Need-Based Financial Aid Reconciliation****Section:    371.60.80**

Requires the Chancellor on August 1 of each fiscal year, or as soon as possible thereafter, to certify the amount necessary to pay any outstanding prior year obligations to institutions of higher education for the state's need-based student financial aid programs. Specifies that the amounts certified be paid from revenues received in the State Need-based Financial Aid Reconciliation Fund (Fund 5Y50), through GSF Fund 5Y50 appropriation item 235618, State Need-based Financial Aid Reconciliation.

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**654      BOR - 59      Efficiency Savings****Section:    371.70.10**

Requires that each state-assisted institution of higher education demonstrate at least 3% savings through external efficiencies in each year and identify the savings to the Chancellor for certification.

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**655      BOR - 62      Columbus State Community College Capital Appropriation****Section:    610.30**

Amends H.B. 562 of the 127th General Assembly to create Higher Education Improvement Fund (Fund 7034) capital appropriation item C38415, Building E, for Columbus State Community College with an appropriation of \$1.2 million for the FY 2009-FY 2010 biennium.

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## Executive

## 656 DRC - 4 Intensive Program Prisons

R.C. 9.06, 5120.032, and 5120.033

Permits, instead of requires, the Department of Rehabilitation and Correction to develop and implement intensive program prisons for male and female prisoners, and, if any such prisons are established, permits, instead of requires, the Department to contract for the private operation and management of the initial intensive program prison for male and female prisoners who are sentenced to a mandatory prison term for a third or fourth degree felony OVI offense.

**Fiscal effect: The fiscal effect of this provision is uncertain.**

## 657 DRC - 5 Penalties for Theft-Related Offenses

R.C. 926.99, 1333.99, 1707.99, 1716.99, 2909.03, 2909.05, 2909.11, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.32, 2913.34, 2913.40, 2913.401, 2913.42, 2913.421, 2913.43, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2913.51, 2913.61, 2915.05, 2917.21, 2917.31, 2917.32, 2921.13, 2921.41, 2923.31, and 2981.07

Increases from \$500 to \$750 the felony threshold amount that is used in determining increased penalties for theft-related offenses and some non-theft related offenses.

**Fiscal effect: The increase in the felony threshold will likely reduce the number of felony theft offenders entering prison. Department of Rehabilitation and Correction staff estimate that the change this provision will open up about 300 beds per year at an annual savings of approximately \$1.3 million. This provision will also have the effect of shifting some felony theft cases from the courts of common pleas to the municipal and county courts that hear misdemeanor cases. As misdemeanor cases are generally less expensive to process, there should be some savings, of uncertain magnitude, at the county level, and, in theory, a corresponding cost increase of processing theft cases at the municipal level. Presumably, counties and municipalities will incur additional costs to sanction these offenders who could no longer be sentenced to a prison term, some of which could be offset by the state community corrections funding distributed by the Department.**

## Executive

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658            DRC - 6            Sentencing for "Nonsupport of Dependents"

R.C.            *2919.21, 2929.17*

Provides that if the offense of "nonsupport of dependents" that is committed by abandoning or failing to provide adequate support to the offender's child under 18 or mentally or physically handicapped child under 21 or to another person whom the offender is legally obligated to support by court order is a fourth or fifth degree felony, the court must sentence the offender to one or more community control sanctions; requires the court to include as a condition of any nonresidential sanction imposed that the offender participate in and complete a community corrections program if available in the county, unless the offender participated in such a program in the past three years.

**Fiscal effect: These provisions will expand current Community Correction Act (CCA) prison diversion non-support sanctioning options and create new sentencing alternatives. An allocation in the proposed budget of \$2 million would create programs to divert around 527 non-support offenders from prison into structured programs. The Department estimates this provision would save around \$2.3 million annually.**

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659            DRC - 7            Changing the Definition of Detention

R.C.            *2921.01*

Removes from the definition of "detention" the supervision by an employee of the Department of Rehabilitation and Correction of a person on any type of release (e.g. parole or post-release control) from a state correctional institution, and makes the felony-level offense of escape inapplicable to a person on any type of release from a state correctional institution who purposely breaks, attempts to break, or fails to return to supervision by an employee of the Department under those circumstances.

**Fiscal effect: This provision would reduce the number of offenders who abscond from supervision upon their release and subsequently face a felony charge of escape. The Adult Parole Authority already have various appropriate sanctions available under section 2967.15 of the Revised Code. By reducing the number of new felony convictions for the offense of escaping, Department of Rehabilitation and Correction staff estimate the provision will open up around 591 beds each year, and produce an annual savings estimated at \$2.5 million.**

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## Executive

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**660**      **DRC - 1**      **Earned Credit Program for State Prisoners****R.C.      2967.193**

Increases the monthly deduction from a state prisoner's term of incarceration from one day to seven days as a result of the prisoner's participation in certain programs; excludes sex offender treatment programs from programs through which a prisoner can earn credit, and prohibits granting of credit to a person serving a term for a sexually oriented offense.

**Fiscal effect: Department of Rehabilitation and Correction staff estimate that, based on an inmate population in excess of 50,000, the provision of these additional days of earned credit will open up around 2,644 additional beds each year, and produce an annual savings of approximately \$11.4 million.**

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**661**      **DRC - 3**      **Collective Bargaining by Community Based Correctional Facility Employees****R.C.      4117.01**

Removes a provision that excludes employees of community-based correctional facilities and district community-based correctional facilities who are not subject to a collective bargaining agreement on June 1, 2005, from the definition of "public employee" under the Public Employees Collective Bargaining Law (PECBL), thus making those employees "public employees" for purposes of collective bargaining.

**Fiscal effect: The fiscal effect of this provision is uncertain.**

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**662**      **DRC - 2**      **Tobacco Use in Correctional Facilities****R.C.      5145.32**

Repeals the current law prohibition against smoking, using, or possessing tobacco in specified correctional institutions and repeals duties of the Department of Rehabilitation and Correction with respect to the prohibition.

**Fiscal effect: This provision will make the law silent on the issue of tobacco in the prison system. According to DRC staff, they will likely continue the ban on tobacco through departmental rules, so in practice no much will change; they do not expect any significant fiscal effect.**

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**Executive**

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**663        DRC - 8        OSU Medical Charges****Section: 375.10**

Requires The Ohio State University Medical Center, at the request of the Department of Rehabilitation and Correction to provide necessary care to persons who are confined in state adult correctional facilities, and the provision of necessary care be billed to the Department at a rate not to exceed the authorized reimbursement rate for the same service established by the Department of Job and Family Services under the Medical Assistance Program.

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**664        DRC - 9        Ohio Building Authority Lease Payments****Section: 375.10**

Requires moneys appropriated to GRF appropriation item 501406, Lease Rental Payments, be used for payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance capital projects through the state's Adult Correctional Building Fund (Fund 027).

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**665        DRC - 10        Prisoner Compensation****Section: 375.10**

Requires moneys appropriated to the GRF appropriation item 501-403, Prisoner Compensation, be transferred on a quarterly basis by intrastate transfer voucher (ISTV) to Fund 148 (GSF appropriation item 501-602, Services and Agricultural) for the purpose of paying prisoner compensation.

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**Executive**

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**666**      **RSC - 1**      **Independent Living Council**

**Section: 377.10**

Requires that GRF appropriation item 415402, Independent Living Council, be used to fund the operations of the State Independent Living Council and to support state independent living centers and independent living services pursuant to Title VII of the federal Rehabilitation Act Amendments of 1992.

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**667**      **RSC - 2**      **Assistive Technology**

**Section: 377.10**

Requires that GRF appropriation item 415406, Assistive Technology, be provided to Assistive Technology of Ohio and used to provide grants and assistive technology services under the program for people with disabilities in Ohio.

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**668**      **RSC - 3**      **Office for People with Brain Injury**

**Section: 377.10**

Requires that GRF appropriation line item 415431, Office for People with Brain Injury, be used to plan and coordinate head injury-related services provided by state agencies and other government or private entities, to assess the needs and set priorities for such services.

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**669**      **RSC - 4**      **Vocational Rehabilitation Services**

**Section: 377.10**

Requires that GRF appropriation item 415506, Service for People with Disabilities, be used as state matching funds to provide vocational rehabilitation services to eligible consumers.

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**670**      **RSC - 5**      **Services for the Deaf**

**Section: 377.10**

Requires that GRF appropriation item 415508, Services for the Deaf, be used to provide grants to Community Centers for the Deaf. Specifies that funds are not to be provided in lieu of Social Security reimbursement funds.

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**Executive**

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**671**      **RSC - 6**      **Independent Living/Vocational Rehabilitation Programs**

**Section: 377.10**

Requires that FED Fund 3L40 appropriation item 415617, Independent Living/Vocational Rehabilitation Programs, be used to support vocational rehabilitation programs.

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**672**      **RSC - 7**      **Social Security Reimbursement Funds**

**Section: 377.10**

Requires that FED Fund 3L10 appropriation item 415601, Social Security Personal Care Assistance, be used to provide personal care services that enable eligible severely physically disabled persons to live independently or work. Requires that FED Fund 3L10 appropriation item 415605, Social Security Community Centers for the Deaf, be used to provide grants to Community Centers for the Deaf in Ohio for services to individuals with hearing impairments. Requires that FED Fund 3L10 appropriation item 415608, Social Security Special Programs/Assistance, be used to provide vocational rehabilitation services to individuals with severe disabilities, who are Social Security beneficiaries, so they can achieve competitive employment. Specifies that this appropriation item also be used to pay a portion of the indirect costs of the Personal Care Assistance Program as federally mandated.

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**673**      **RSC - 8**      **Program Management Expenses**

**Section: 377.10**

Requires that SSR Fund 4W50 appropriation item 415606, Program Management Expenses, be used to support the administrative functions of the Commission related to the provision of vocational rehabilitation, disability determination services, and ancillary programs.

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**Executive**

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**674          RDF - 1          Additional Appropriations****Section:    381.10**

Specifies that appropriation items from the Revenue Distribution Fund Group (RDF) are to be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated.

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**675          RDF - 2          General Revenue Fund Transfers to Local Government Tangible Property Tax Replacement Fund****Section:    381.10**

Permits the Director of Budget and Management to transfer necessary amounts in FY 2010 and FY 2011 from the GRF to the Local Government Tangible Property Tax Replacement Fund (Fund 7081) in the Revenue Distribution Fund Group to reimburse local taxing units for revenue loss from the phase out of the tangible personal property tax. Authorizes, in fiscal year 2010 and fiscal year 2011, the Director of Budget and Management to make temporary transfers from the GRF to ensure sufficient balances in Fund 7081 and from Fund 7081 to reimburse the GRF for such transfers.

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**Executive**

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676      OSB - 1      Capital Reappropriations

**Section: 610.10**

Increases the reappropriation amount for the FY 2009 - FY 2010 biennium in appropriation item C22612, Residential Renovations, by \$34,606.

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**Executive**

677      OSD - 1      Capital Reappropriations

**Section: 610.10**

Increases the reappropriation amount for the FY 2009-FY 2010 biennium in capital appropriation item C22106, Storage Barn, by \$53,429.

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## Executive

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**678            SFC - 3            Changes to Maintenance Levy Requirement for Accelerated Urban Districts****R.C.            3318.061, 3318.38, Section 385.30**

Eliminates the requirement, for the six districts participating in the Accelerated Urban Initiative (AUI), that the district's one-half-mill maintenance levy extend for 23 years after the district's last segment is undertaken if the project is divided into segments. Instead, requires the maintenance levy to run for 23 years from the date the initial segment is undertaken, as required for all other districts undertaking projects under the Classroom Facilities Assistance Program.

Requires SFC to amend project agreements with the six AUI districts, if necessary, to comply with these changes.

**Fiscal effect: The changes would reduce the number of years for which the six AUI districts (Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo) would have to levy the required 1/2 mill property tax for maintenance because all of these districts have divided their projects into segments. Presumably, the AUI districts would use other funds to meet their building maintenance needs.**

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**679            SFC - 8            Common Schools General Obligation Debt Service****Section:    385.20**

Specifies that GRF appropriation item 230908, Common Schools General Obligation Debt Service, be used to pay all required debt service and related financing costs for obligations issued between July 1, 2009 and June 30, 2011 pursuant to R.C. 151.01 and 153.03.

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**680            SFC - 7            Operating Expenses****Section:    385.20**

Specifies that SSR Fund 5E30 appropriation item 230644, Operating Expenses, be used by SFC to carry out its duties. Requires the Executive Director of the SFC to certify, on a quarterly basis in each fiscal year, to the Director of Budget and Management the amount of cash to be transferred from the School Buildings Assistance Fund (Fund 7032), the Public School Building Fund (Fund 7021), and the Educational Facilities Trust Fund (Fund N087) to the Ohio School Facilities Commission Fund (Fund 5E30). Specifies that the amount transferred from Fund 7032 may not exceed investment earnings credited to the fund, less any amount required to be paid for federal arbitrage rebate purposes.

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## Executive

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**681            SFC - 6            School Facilities Encumbrances and Reappropriation****Section: 385.20**

Authorizes the Director of Budget and Management, at the request of SFC's Executive Director, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within one year of Controlling Board approval. Requires the Executive Director to certify the amounts of the canceled encumbrances on a quarterly basis. Appropriates the amounts of the canceled encumbrances to the Classroom Facilities Assistance Program.

**Fiscal effect: The canceled encumbrances would be made available to serve other school districts.**

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**682            SFC - 2            Study of Community Space****Section: 385.40**

Requires the Executive Director of SFC to conduct a study of spaces included in state-assisted classroom facilities projects that are used for activities, services, and programs shared between schools and other public and private entities in their communities and recommend best practices for increasing shared community spaces in future projects. The study is to be submitted to the Commission by December 31, 2009.

**Fiscal effect: Minimal. Conducting the study may result in a minimal increase in administrative costs for SFC.**

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**683            SFC - 5            Extreme Environmental Contamination of School Facilities****Section: 385.50**

Authorizes SFC to provide assistance under the Exceptional Needs School Facilities Program to any school district, regardless of wealth, for the purpose of the relocation or replacement of school facilities required as a result of extreme environmental contamination.

**Fiscal effect: Allows a school district experiencing extreme environmental contamination to receive state assistance under the Exceptional Needs program. This provision authorizes the continuation of the current program.**

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**Executive**

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**684            SFC - 4            Canton City School District Project****Section:    385.60**

Authorizes SFC to commit up to \$35,000,000 to the Canton City School District for construction of a combined secondary and post-secondary facility in lieu of a high school that would otherwise be authorized under Chapter 3318. of the Revised Code.

**Fiscal effect: None. It authorizes the continuation of the current program and does not change the state share of the school facilities project in the Canton City School District.**

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**685            SFC - 1            Transfer from Education Facilities Trust Fund to GRF****Section:    512.50**

Requires the Director of Budget and Management to transfer \$200,000,000 cash from the Education Facilities Trust Fund (Fund N087) to the General Revenue Fund in either FY 2010 or FY 2011.

Requires that \$200,000,000 cash be deposited into Fund N087, or another fund used by the SFC, by June 30, 2013, for construction and renovation of school facilities.

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**Executive**

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**686        SOS - 1        Acquisition of Voting Machines****R.C.        111.26, 152.33**

Designates marking devices and automatic tabulating equipment as state capital facilities for which the Ohio Building Authority is authorized to issue revenue obligations, and specifies that county boards of elections are state agencies having jurisdiction over those capital facilities.

Specifies that marking devices and automatic tabulating equipment will be leased by participating counties until all lease payments have been made, at which time ownership will transfer to the county.

Creates the County Voting Machine Revolving Lease/Loan Fund (Fund 5FJ0) and requires the Secretary of State to administer the fund, adopt rules for the lease program's implementation, and approve purchases of marking devices and automatic tabulating equipment using money from the fund. Specifies that county participation in the fund is voluntary, and limits the amount that a participating county may use from the fund to 50% of the total cost and not more than \$5 million.

**Fiscal effect: Provides a new funding source through which counties may acquire specified voting equipment.**

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**687        SOS - 2        Board of Voting Machine Examiners****Section:    387.10**

Requires appropriation item 050610, Board of Voting Machine Examiners, to be used to pay for the services and expenses of the members of the Board of Voting Machine Examiners, and states that moneys not used shall be returned to the person or entity submitting equipment for examination.

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**688        SOS - 3        Business Services Fund Transfer****Section:    387.10**

Requires the Director of Budget and Management to transfer \$500,000 in cash in each fiscal year, from the Business Services Fund (Fund 5990) to the County Voting Machine Revolving Lease/Loan Fund (Fund 5FJ0).

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Executive

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692        SEN - 1        Operating Expenses

**Section: 389.10**

Authorizes the Clerk of the Senate to certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of GRF appropriation item 020321, Operating Expenses, at the end of one fiscal year to be reappropriated for the next fiscal year, and reappropriates the certified amount.

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**Executive**

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**693            CSF - 1            Debt Service Costs****Section:    391.10**

Specifies that appropriation items of the Commissioners of the Sinking Fund be used for the purpose of paying debt service and financing costs on state bonds or notes issued pursuant to the Ohio Constitution and acts of the General Assembly. Appropriates additional amounts, if necessary, to fully fund debt service and financing costs.

**Fiscal effect: None.**

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**694            CSF - 2            General Obligation Debt Service Payments****Section:    518.10**

States that certain appropriation items of H.B. 1 are used for the purpose of paying debt service and financing costs on state bonds or notes issued pursuant to the Ohio Constitution and acts of the General Assembly. Appropriates additional amounts, if necessary, to fully fund debt service and financing costs.

**Fiscal effect: None.**

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**695            CSF - 3            Lease Payments to OPFC, OBA, and Treasurer of State****Section:    518.20**

States that certain appropriation items of H.B. 1 are used for the purpose of making lease rental payments pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State, or previously, by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the General Assembly. Appropriates additional amounts, if necessary, to fully fund debt service and financing costs.

**Fiscal effect: None.**

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## Executive

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696            BTA - 1            Mailing of Board of Tax Appeals Decisions

R.C.            *5705.341, 5705.37, 5715.251, 5717.03,  
5717.04*

Eliminates the current requirement that all Board of Tax Appeals decisions be sent by certified mail and instead permits the Board to send its decisions by regular mail.

**Fiscal effect: The Board issued 2,155 decisions in FY 2008, and averaged more than 2,000 decisions each year during the past 5 years. The Post Office's website indicates that certified mail service costs \$2.70. The Board estimates that eliminating the requirement that decisions be sent by certified mail could save \$12,000 each year in postage and supplies.**

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## Executive

Commercial Activity Tax

697      TAX - 14      Changes to the Job Creation Tax Credit

R.C.      122.17

Authorizes job creation tax credits based on annual aggregate payroll withholdings (which include both full-time and part-time employees) and payroll growth. (Current law bases the job creation credit on new full-time employment positions only). Requires the taxpayer to maintain operations at a project site for the greater of seven years or the term of credit plus three years (instead of twice the term of the credit as in current law). Authorizes the Tax Credit Authority to request a complete or partial refund of claimed credits if a taxpayer does not fulfill certain conditions of the tax credit.

Relaxes the intrastate job relocation prohibition by permitting a business to relocate Ohio jobs to a project from another Ohio facility if the business notifies the local jurisdiction from which the positions will be removed.

**Fiscal effect: This provision may reduce tax revenues (primarily from the commercial activity tax and the insurance taxes) due to less stringent criteria for obtaining the credits compared to current law. However, both the amount and the timing of the potential revenue loss are indeterminate, as they depend on the total amounts of credits authorized by the Ohio Tax Authority and credit claims by taxpayers.**

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698      TAX - 15      Changes to the Job Retention Tax Credit

R.C.      122.171, 5725.98, 5729.98

Authorizes job retention tax credits based on annual aggregate payroll income tax withholdings (which include both full-time and part-time employees). (Current law bases the job retention tax credit on tax withholding from full-time employees only). Expands the tax credits to domestic and foreign insurance companies, and eliminates the additional credit available to call centers.

Reduces the minimum qualifying employment to at least 500 full-time employees (down from 1,000) and investment thresholds to \$50 million for manufacturing activity, and \$20 million for corporate administrative activity over three years (down from \$200 million).

Limits the total credit that may be granted annually for projects approved after July 1, 2009 to \$13 million in 2010 and \$26 million in 2011. Increases the annual limit by \$13 million each year through 2024. Increases the annual limit for 2024 and thereafter to \$195 million.

Relaxes the intrastate job relocation prohibition by permitting a business to relocate Ohio jobs to a project from another Ohio facility if the business notifies the local jurisdiction from which the positions will be removed.

## Executive

**Fiscal effect:** These changes potentially reduce tax revenues from the commercial activity tax due to less stringent criteria for obtaining the credits compared to current law. However, both the amount and the timing of the revenue loss are indeterminate, as they depend on the total amounts of credits authorized by the Tax Credit Authority and credit claims by taxpayers.

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699      TAX - 16      Various Changes to the Commercial Activity Tax Law

R.C.      *5751.01, 5751.11, 5751.03, 5751.04, 5751.05,  
5751.051, 5751.06, 5751.08, 5751.09,  
Section 399.20*

Makes various substantive and nonsubstantive changes to the CAT law.

Postpones the annual return from February 9 to May 10; changes the quarterly return filing due date from the fortieth day after the end of a quarter to the tenth day of the second month after the end of a quarter.

Requires new companies to register and pay a fee no later than 30 days after they first have more than \$150,000 in taxable gross receipts. (Under current law, new companies were exempt from paying the fee if they first began business operations after November 30 or generated less than \$150,000 as of December 1 of a calendar year).

Specifies that the \$150,000 exemption applies to members of an affiliated group that do not elect to be treated as a consolidated group; permits affiliated companies that have elected to be treated as a consolidated group to change the ownership test on which the initial election was made.

Excludes from the tax base proceeds from insurance policies, unless they are for reimbursements of business losses; adds a new exclusion for payroll deduction by an employer to reimburse the employer for advances made on an employee's behalf to a third party; narrows the exclusion for membership dues to trade, professional, homeowners' or condominium association dues only.

Permits companies that registered or paid the CAT in 2005 or 2006 in error to have their registration cancelled and their tax payment refunded.

**Fiscal effect:** The provisions will decrease revenues from the CAT. However, the amount of revenue loss is indeterminate.

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700      TAX - 7      Tax Reform System Implementation Fund

R.C.      *5751.20*

Creates the Tax Reform Implementation System Fund to which will be credited 0.85% of commercial activity tax receipts for purposes of administering the tax.

**Executive**

Permits newly authorized "substitute" school levies to be treated as a continuation of emergency levies for purposes of continuing reimbursement for business personal property tax losses. (A substitute emergency levy, much like every other emergency levy, yields a fixed sum of revenue or a specified dollar amount. Fixed sum levies are not subject to the H.B. 920 tax rate reduction factors. However, a substitute levy differs from other emergency levies in that the fixed sum will grow as opposed to being a static amount).

**Fiscal effect: Based on current forecasts, up to \$14 million in CAT receipts may be credited to the Tax Reform System Implementation Fund (GSF Fund 2280), each year of the biennium. Current law allows all emergency levies approved by voters prior to September 1, 2005 to qualify for TPP reimbursement if they are renewed by voters. Also, current law authorizes a substitute emergency levy to be equivalent to a renewal levy (H.B. 562 of the 127th General Assembly). The executive proposal harmonizes section 5751.20 of the Revised Code with existing law enacted in H.B. 562. Thus, the treatment of substitute school levies as a continuation of emergency levies for purposes of property tax loss reimbursements appears to have no fiscal effect.**

**Corporation Franchise Tax**

701            TAX - 9            New Markets Tax Credits

R.C.            *5733.01, 5733.58, 5733.98, 5725.33, 5725.98,  
5729.16, 5729.98*

Authorizes up to \$10 million of tax credits annually for insurance companies and financial institutions for purchasing and holding securities issued by low-income community organizations, in accordance with the federal New Markets Tax Credit law.

**Fiscal effect: Decreases revenues from the corporate franchise tax and insurance taxes. The revenue impact would potentially start in FY 2012.**

**Personal Income Tax**

702            TAX - 6            Increase to the Technology Investment Tax Credit Limit

R.C.            *122.151*

Increases from \$30 million to \$45 million the total amount of technology investment tax credits that may be issued to businesses engaged in research and development or technology development.

**Fiscal effect: Decreases revenues from the personal income tax, the public utility tax, or the dealers in intangibles tax.**

## Executive

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**703      TAX - 20      Motion Picture Production Tax Credit****R.C.      122.85, 5733.58, 5733.98, 5747.66, 5747.98**

Authorizes a refundable, nontransferable credit against the corporation franchise tax or the income tax for motion pictures produced at least partly in Ohio. Specifies that the credit equals 25% of production expenditures in Ohio. Requires Ohio production expenditures to exceed \$1.2 million before a credit is authorized. Limits the amount of credits that may be allowed to \$20 million per fiscal biennium and \$5 million per production.

Specifies that, to be eligible for the credit, a production must be certified by the Director of Development. Permits the Director to charge a fee to accompany applications for the credit. Establishes the Motion Picture Tax Credit Program Operating Fund to which fee revenues are deposited. Requires moneys in the fund to be used for Ohio Film Office expenses and to pay the costs of administering the tax credit.

**Fiscal effect: Revenue loss to the GRF, the Local Government Fund, and the Public Library Fund. Loss amounts are likely to vary significantly from year to year, but will not exceed \$20 million over a fiscal biennium. The GRF would bear 94.1% of any such loss, or up to \$18.8 million per biennium, with the remainder borne by the local government funds.**

**May increase costs to the Department of Development to certify productions and administer the tax credit. The cost may be defrayed by revenue from the fee charged upon application for a credit. The amount of revenue raised by the fee will depend on the amount of the fee as determined by the Director, and the number of applications for tax credits received.**

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**704      TAX - 5      Payment of Assessment When Filing a Petition for Reassessment****R.C.      5747.13**

Eliminates the requirement that a taxpayer must pay some or all of a personal income tax assessment when the taxpayer files a petition for reassessment. Requires payment only if the petition is not based upon numerical computations or an assertion of a lack of nexus with the state.

**Fiscal effect: May reduce Department of Taxation receipts, however, the amount of any such reduction appears indeterminate.**

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## Executive

Property Taxes and Transfer Fees

705 TAX - 1 Manufactured and Mobile Home Tax Reduction Reimbursements

R.C. 321.24, 319.302, 323.156, 4503.068

Consolidates into one annual payment the semiannual state reimbursement of local governments for the 10% and 2.5% property tax reductions for manufactured and mobile homes. Specifies that certification to the Tax Commissioner of the amount of these tax reductions is to be made by each county treasurer on or before the second Monday in September, and the annual reimbursement is to be made within 90 days thereafter. (Current law provides for certification on or before April 15 and September 15 of any adjustments to amounts certified previously, with half to be reimbursed upon receipt of each certification).

**Fiscal effect: Delays but does not change the amounts reimbursed to local governments. In calendar year 2007, the amount of the 10% reduction for manufactured and mobile homes was \$2.6 million and the amount of the 2.5% reduction was \$0.4 million. This delay will reduce state payments by an estimated \$1.5 million in FY 2010 only.**

706 TAX - 19 School District Conversion Levy for 20-mill Growth

R.C. 5705.219, 5705.214, 5705.2110, 5705.29,  
5751.20, 5751.21, Section 265.30.80

Authorizes school districts levying current expense taxes with an aggregate effective tax rate exceeding 20 mills on residential/agricultural real property to convert that excess millage, with voter approval, to a single levy for a specified amount of money and for a term of up to 10 years or continuously. (The levy conversion would have the effect of suspending future application of the "H.B. 920" tax reduction on the remaining 20 mills for so long as the district does not impose additional current expense millage for other than a fixed amount of money -- i.e., new millage other than an "emergency" levy or a renewal of the conversion levy.)

Requires the state to reimburse a school district levying a conversion tax for the amount of tax revenue lost from nonresidential/agricultural real property and public utility personal property due to the conversion. Phases out the reimbursement over 13 years in increments equal to 50% of the annual inflationary revenue growth from residential/agricultural property resulting from the suspension of the H.B. 920 reduction.

Specifies that reimbursement ends when the computation results in a reimbursement of zero or after 2026, whichever occurs first; for purposes of tangible personal property tax reimbursement, specifies that the converted millage be reimbursed until it expires (instead of reimbursement being phased out by 2018) and that reimbursement be paid from GRF appropriation item 200901, Property Tax Allocation - Education.

## Executive

**Fiscal effect: Reimbursement cost for converted millage cannot be determined because it is subject to voter behavior.**

Sales and Use Taxes

707      TAX - 23      Sales Taxation of Medicaid-Provided Health Care Services

R.C.      *5739.01, 5739.03, 5739.033, 5739.051*

Subjects to sales and use tax health care services provided or arranged by a Medicaid health insuring corporation for Medicaid enrollees residing in Ohio. Eliminates the tax on those services if federal authorities determine that subjecting those services to taxation constitutes an impermissible "health-care related tax," the imposition of which results in a reduction in federal financial assistance for Medicaid services.

**Fiscal effect: The executive proposal estimates that this provision will increase revenue to the GRF by \$138.0 million in FY 2010 and by \$214.0 million in FY 2011; under the current distribution of the share of sales and use tax revenues to local government funds, the Local Government Fund and the Public Library Fund would gain \$8.6 million in FY 2010 and \$13.4 million in FY 2011. Revenues to local governments under permissive local and transit authorities sales taxes may be up to \$31.5 million in FY 2010 and \$48.9 million in FY 2011.**

708      TAX - 18      Vendor Discount

R.C.      *5739.12, 1548.06, 4505.06, 4519.55*

Increases the sales tax prompt-pay vendor discount from 0.75% to 1.0% of the amount of tax remitted, but caps it at \$100 per month, beginning August 1, 2009. Permits dealers of titled vehicles to claim the discount on reports covering the time period when a sale is made, instead of when the dealer remits sales tax collections to the clerk of courts.

**Fiscal effect: Increases GRF sales and use tax revenues by about \$26.1 million in FY 2010 and \$28.8 million in FY 2011. Gain to the Local Government Fund and the Public Library Fund would be \$1.6 million in FY 2010 and \$1.8 million in FY 2011.**

## Executive

Cigarette Taxes

709 TAX - 11 Tobacco License Fee Changes

R.C. 5743.15, 5743.61

Increases the licensing fees for the sale of tobacco products to the following levels: (1) \$1,000 (up from \$200) for the annual fee for the wholesale of cigarettes; (2) \$125 (up from \$30) for the annual fee for retail sales of cigarettes; (3) \$1,000 (up from \$100) for the annual fee for the sale of tobacco products other than cigarettes.

Authorizes cigarette retail licenses to be used at an unlimited number of places of business, instead of on a per-place basis, but prohibits a wholesale or retail licensee to assign the license to another person.

Increases amounts collected from wholesale cigarette licenses paid into the Cigarette Tax Enforcement Fund to 100% (up from 47.5%) of total license collections; eliminates distributions of wholesale cigarette license fee revenues paid to municipal corporations or townships where the business is located (currently 37.5%) and to the county general fund (currently 15%).

Redistributes amounts collected from retail cigarette licenses as follows: 60% paid into the Cigarette Tax Enforcement Fund (up from 15%); 30% to the municipal corporation or township where the business is located (decreased from 62.5%); 10% to the county general fund (decreased from 22.5%).

**Fiscal effect: These changes increase revenue from license fees from wholesalers and retailers. The provision also increases revenues to the Cigarette Tax Enforcement Fund (Fund 6390) by up to \$1.8 million per year, and appears to decrease distributions to municipal corporations, townships, and the county general fund by about the same amount.**

Other Taxation Provisions

710 TAX - 3 Timing of County Auditor Reimbursement for Expense of Expanded Homestead Exemption

R.C. 319.54

Requires the compensation to county auditors for additional expenses associated with expansion of homestead exemption eligibility in H.B. 119 of the 127th General Assembly be paid semi-annually instead of annually.

**Fiscal effect: Does not alter the total amount of compensation but shifts the timing, with approximately half to be paid by March 16 or 17 and the rest by September 9, instead of all on August 1. For the manufactured home tax, approximately half is to be paid by May 15 and the rest by October 15.**

## Executive

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711      TAX - 17      Municipal Income Taxation of Justices and Certain Judges

R.C.      *718.04*

Authorizes only the City of Columbus and the municipal corporation of residence to levy an income tax on the income of the justices of the Ohio Supreme Court; authorizes only the municipal corporation of residence to levy a tax on the income of a judge sitting in assignment of the Chief Justice, or a judge of a district court of appeals sitting in multiple locations within the district, received as a result of services rendered as a justice or a judge.

**Fiscal effect: None on the state. However, the provision potentially increases municipal income tax revenue to Columbus and certain other municipalities.**

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712      TAX - 28      Use of Department of Taxation Enforcement Fund

R.C.      *2981.13*

Includes the Department of Taxation as an entity authorized to determine how money in the Department of Taxation Enforcement Fund (GSF 2250, appropriation item 110626) is to be utilized for law enforcement purposes.

**Fiscal effect: None**

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713      TAX - 8      Ohio Grape Industries Fund

R.C.      *4301.43*

Extends through June 30, 2011, the extra 2 cents earmark of wine tax revenue credited to the Ohio Grape Industries Fund.

**Fiscal effect: Maintains current revenues to the Ohio Grape Industries Fund (Fund 4960).**

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714      TAX - 24      Employee Classification

R.C.      *5703.05*

Eliminates the requirement that employees of the Research and Statistics Division of the Department of Taxation be in the unclassified civil service.

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## Executive

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**715 TAX - 2 Department of Taxation Notice Requirements**

R.C. *5703.37, 4303.331, 5728.12, 5739.131, 5747.16, 5749.12, and 5751.09*

Revises procedural requirements governing how the Department of Taxation is to send notices to taxpayers, including procedures for when mail is returned undeliverable, and creates a presumption of constructive service.

**Fiscal effect: By setting clear and uniform procedures, the provision may facilitate increased efficiency in Department of Taxation operations.**

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**716 TAX - 4 Increases in Credits to the Property Tax Administration Fund**

R.C. *5703.80*

Increases the percentage of taxes used to fund the state's administration of property taxes: (1) From 0.35% of the state's reimbursement for the 10% real property tax rollback to 0.42% for FY 2010 and 0.48% thereafter; and (2) From 0.725% of the taxes charged against public utility personal property and business personal property of multi-county taxpayers to 0.8% for FY 2010 and 0.951% thereafter.

**Fiscal effect: These provisions will increase funding to GSF Fund 5V80 appropriation item 110623, Property Tax Administration Fund, by about \$1.2 million in FY 2010 and \$2.6 million in FY 2011. Since the tax on personal property of general business has been phased out, the provision for credits to the Property Tax Administration Fund based on the amount of this tax will not result in any funding. The tax does remain on personal property of telephone and inter-exchange telecommunications companies, but under current law that is being phased out during the upcoming biennium, which will reduce the amount of funding.**

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**717 TAX - 22 Domestic and Foreign Insurance Taxes - Medicaid Managed Care**

R.C. *5725.18, 5725.25, 5729.03*

Includes Medicaid premiums received by insurance companies within the tax bases of these taxes. If the insurance company is a domestic insurance company, i.e., if it is headquartered in Ohio, includes the premiums in the domestic insurance tax base. If the company is headquartered in another state, includes the premiums in the foreign insurance tax base.

**Fiscal effect: The executive proposal estimates this provision will increase revenue to the GRF by \$25.1 million in FY 2010 and by \$39.1 million in FY 2011.**

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## Executive

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718 TAX - 27 Technical Corrections - Personal Property Tax, and Corporate Franchise Tax

R.C. 5733.04, 5711.33

Corrects a cross-reference error in a personal property tax administration statute and the definition of "qualified holding company" in corporate franchise tax statutes.

**Fiscal effect: None.**

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719 TAX - 36 Motor Fuel Tax Discount

R.C. 5735.06, 5735.142

Authorizes a motor fuel tax discount for taxpayers who timely pay the tax or who timely file the return. Changes current law that allows a discount if both the payment and the report are timely. Makes some other nonsubstantive changes to the motor fuel tax statute entitling transit authorities to refunds.

**Fiscal effect: Potential revenue loss, but the amount is indeterminate.**

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720 TAX - 21 School District Income Tax

R.C. 5748.02, 3317.021, 3317.0216, 3317.08,  
5748.03

Specifically excludes, from the determination of a school district's tuition rate or whether the district has met its obligation to levy at least the equivalent of 20 mills for operation of the district, income tax revenues allocated for the project cost, debt service, or maintenance set-aside associated with a state-assisted school facilities project.

Authorizes a school district to combine two or more simultaneously expiring income tax levies into a single renewal levy.

**Fiscal effect: Minimal.**

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721 TAX - 12 Salt Severance Tax Revenue Use

R.C. 5749.02(B)

Requires 85% of severance tax revenue from salt extraction to be used for Lake Erie water and shore erosion protection and recreation facilities. (Currently, this share of revenue is credited to the Unreclaimed Lands Fund (Fund 5290) used by the Department of Natural Resources.)

## Executive

**Fiscal effect: Increases revenue to the Permit and Lease Fund (Fund 5140), used by the Department of Natural Resources, from the severance tax on salt extraction. Corresponding decrease in revenue to the Unreclaimed Lands Fund (Fund 5290).**

Appropriation Language

722      TAX - 29      Homestead Exemption, Property Tax Rollback, and Tangible Tax Exemption

**Section: 399.10**

Requires GRF appropriation item 110901, Property Tax Allocation - Taxation to be used to pay the state's cost, except to school districts, incurred due to the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. Requires these funds are to be distributed by the Tax Commissioner directly to local taxing districts. Appropriates additional amount if necessary.

723      TAX - 30      Municipal Income Tax

**Section: 399.10**

Specifies that appropriation item 110995, Municipal Income Tax, in the Agency Fund Group, be used for payments to municipal corporations under section 5745.05 of the Revised Code. Appropriates additional amount if necessary.

724      TAX - 31      Tax Refunds

**Section: 399.10**

Specifies that appropriation item 110635, Tax Refunds, in the Agency Fund Group, be used for to pay tax refunds under section 5703.052 of the Revised Code. Appropriates additional amount if necessary.

725      TAX - 32      International Registration Plan Audit

**Section: 399.10**

Specifies that SSR Fund 4C60 appropriation item 110616, International Registration Plan, be used under section 5703.12 of the Revised Code for audits of persons with vehicles registered under the International Registration Plan.

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**Executive**

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726      TAX - 33      Travel Expenses for the Streamlined Sales Tax Project

**Section: 399.10**

Allows the Tax Commissioner to use funds from SSR Fund 4350 appropriation item 110607, Local Tax Administration, to pay for travel costs to Streamlined Sales Tax Project meetings.

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727      TAX - 34      Centralized Tax Filing and Payment Fund

**Section: 399.10**

Requires the Director of Budget and Management to transfer up to \$400,000 in the biennium from the GRF to the Centralized Tax Filing and Payment Fund (Fund 5W40), which is used by the Department of Taxation.

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728      TAX - 35      Tobacco Settlement Enforcement

**Section: 399.10**

Specifies that GRF appropriation item 110404, Tobacco Settlement Enforcement, be used by the Tax Commissioner to pay costs incurred in the enforcement of divisions (F) and (G) of section 5743.03 in the Revised Code.

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729      TAX - 25      Income Tax Distribution to Counties

**Section: 503.70**

Appropriates GRF funds to make any payment required by the Ohio Constitution's provision that not less than 50% of income, estate, and inheritance taxes collected by the state in a county, school district, city, village, or township be returned to that jurisdiction.

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## Executive

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**730      TOS - 1      Office of the Sinking Fund****Section: 403.20**

Specifies that GRF appropriation item 090401, Office of the Sinking Fund, must be used for costs incurred by or on behalf of the Commissioners of the Sinking Fund and the Ohio Public Facilities Commission with respect to State of Ohio general obligation bonds or notes, and the Treasurer of State with respect to State of Ohio general obligation and special obligation bonds or notes. Specifies that the GRF be reimbursed for costs relating to the issuance and administration of Highway Capital Improvement bonds or notes authorized under Ohio Constitution, Article VIII, Section 2m and Chapter 151. of the Revised Code from appropriation item 155902, Highway Capital Improvement Bond Retirement Fund, by intrastate transfer voucher pursuant to a certification by the Office of the Sinking Fund of the actual amounts used. Specifies that the amounts necessary to make such a reimbursement are appropriated from the Highway Capital Improvement Bond Retirement Fund.

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**731      TOS - 2      Police and Fire Death Benefit Fund****Section: 403.20**

Specifies that GRF appropriation item 090575, Police and Fire Death Benefits, is to be disbursed quarterly by the Treasurer of State at the beginning of each quarter of each fiscal year to the Board of Trustees of the Ohio Police and Fire Pension Fund, and requires the quarterly payment to be certified quarterly to the Director of Budget and Management. Requires the Board of Trustees of the Ohio Police and Fire Pension Fund, by June 20th of each fiscal year, to certify to the Treasurer of State the amount disbursed in that fiscal year to make the payments required by section 742.63 of the Revised Code and return to the Treasurer of State moneys received from this appropriation item but not disbursed.

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**732      TOS - 3      Tax Refunds****Section: 403.20**

Specifies appropriation item 090635, Tax Refunds, Fund 4250 in the Agency Fund Group, is to be used to pay specified tax refunds. Appropriates additional amount if necessary.

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## Executive

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733      TOS - 4      Action to Establish Funds in State Treasury

**Section: 512.70**

Permits the Director of Budget and Management, in collaboration with the Treasurer of State, to take any necessary action to establish certain funds in the state treasury that were previously held in the custody of the Treasurer of State; specifies that the funds are those for purposes of sections 109.93, 111.18, and 173.85 of the Revised Code. Appropriates funds to support outstanding obligations. Allows these agencies to request additional appropriation authority from the Controlling Board as necessary.

**Fiscal effect: None. This provision is identical to Section 512.41 of Am.Sub. H.B. 119 of the 127th General Assembly. Current law states that the funds in question, the Attorney General Education Fund, the Secretary of State Alternative Payment Program Fund, and the Ohio's Best Rx Program Fund, are in the state treasury.**

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## Executive

## 734 TTA - 1 Transfer of Ohio Tuition Trust Authority Powers and Duties

R.C. 3334.03, 3334.031, 3334.032, 3334.07,  
3334.08, 3334.11, 5111.015, 5115.03; Section  
371.70.20

(1) Transfers the powers, duties, and possessions of the Ohio Tuition Trust Authority to the Chancellor of the Board of Regents.

(2) Makes the Ohio Tuition Trust Authority an advisory board to the Chancellor and renames the Authority the Ohio Tuition Trust Advisory Board. Adds to the Advisory Board one additional gubernatorial-appointed member that has experience in the field of banking, investment banking, insurance, or law. Requires the Advisory Board to submit an annual report on the chancellor's management of the college savings programs to the General Assembly.

(3) Specifies that employees of the Ohio Tuition Trust Authority remain subject to appointment by and continue to serve at the pleasure of the Chancellor.

**Fiscal effect: Potential savings from the consolidation of the back office support functions of the Ohio Tuition Trust Authority and Board of Regents.**

## 735 TTA - 2 Abolishment of Index Savings Plan Fund

**Section: 405.10**

Transfers, on July 1, 2009, or as soon as possible thereafter, the balance of SSR Fund 5AM0, Index Savings Plan Fund, to SSR Fund 5P30, Variable Savings Fund. Cancels any existing encumbrances against SSR Fund 5AM0 appropriation item 095603, Index Savings Plan, and reestablishes them against SSR Fund 5P30 appropriation item 095602, Variable Savings Plan.

Abolishes SSR Fund 5AM0, Index Savings Plan Fund.

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**Executive**

736      TTA - 3      Abolishment of Banking Products Fund

**Section: 405.10**

Transfers, on July 1, 2009, or as soon as possible thereafter, the balance of SSR Fund 5DC0, Banking Products Fund, to SSR Fund 5P30, Variable Savings Fund. Cancels any existing encumbrances against SSR Fund 5DC0 appropriation item 095604, Banking Products, and reestablishes them against SSR Fund 5P30 appropriation item 095602, Variable Savings Plan.

Abolishes SSR Fund 5DC0, Banking Products Fund.

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**Executive**

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737          DVS - 1          Purchasing Without Competitive Selection

R.C.          127.16

Removes language permitting reimbursements for pharmaceutical and patient supply purchases that are paid to the United States Department of Veterans Affairs on behalf of the Ohio Veterans' Home Agency to be made without competitive selection.

Permits instead the Department of Veterans Services to purchase goods and services in accordance with contracts entered into by the United States Department of Veterans Affairs without competitive selection.

**Fiscal effect: None. It is assumed that the United States Department of Veterans Affairs is able to get the best and lowest price.**

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## Executive

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738      BWC - 12      BWC Internal Auditor

R.C.      **4121.125**

Removes the requirement that the Bureau of Workers' Compensation (BWC) employ an internal auditor and eliminates the BWC Board's authority to request internal audits conducted by the internal auditor. Requires, instead, the Chief Internal Auditor of the Office of Budget and Management, as applicable, to submit a copy of the preliminary and final report of internal audit findings and recommendations to the BWC Board of Directors and the Board's Audit Committee in addition to the Administrator, as required under continuing law.

**Fiscal effect: H.B. 166 of the 127th G.A. created the Office of Internal Auditing in OBM and transferred the internal auditors of the affected agencies to that office. This provision of the bill reflects that transfer and would have no fiscal effect.**

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**Executive**

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739        DYS - 4        County Juvenile Felony Delinquent Care and Custody Fund

**R.C.        5139.43**

Decreases the amount of money the Department of Youth Services withholds from payments to a county's Felony Delinquent Care and Custody Fund when the Fund's balance exceeds total allocations made to it during the preceding fiscal year by requiring DYS to withhold, not 100%, but rather only 50% of that excess in FY 2010, and 25% of that excess in subsequent fiscal years.

**Fiscal effect: Presumably, as a result of this provision, certain counties may receive RECLAIM program moneys to which they are entitled more promptly than might otherwise have been the case under current law.**

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740        DYS - 1        Ohio Building Lease Authority Payments

**Section:    413.10**

Requires GRF appropriation item 470412, Lease Rental Payments, be used to meet all payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance the state's juvenile correctional building program.

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741        DYS - 2        Education Reimbursement

**Section:    413.10**

Requires moneys appropriated to appropriation item 470613, Education Reimbursement, be used to fund the operating expenses of providing educational services to youth supervised by the Department, including, but not limited to, teachers' salaries, maintenance costs, and educational equipment, and permits use of those appropriated moneys for capital expenses related to the education program.

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**Executive**

742        DYS - 3        Employee Food Service and Equipment

**Section: 413.10**

Permits, notwithstanding section 125.14 of the Revised Code, which allocates the proceeds from the transfer, sale, or lease of excess and surplus supplies, moneys collected in the form of reimbursements for state surplus property, deposited to the credit of Fund 4790, and appropriated to appropriation item 470609, Employee Food Service, to be used for the purpose of purchasing food operational items.

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# Index

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>ADJ</b>	Community Match Armories Fund	1		Agency Audit Expenses	8
	Camp Perry/Buckeye Inn Operations Fund	1		MARCS Administration Fund	8
	Ohio National Guard Facility and Maintenance Expenses	1		Firefighter Collective Bargaining	8
	National Guard Service Medal Fund	2		Corrective Cash Transfer	8
	Payment of Adjutant General's Workers' Compensation Costs	2		STARS Lease Rental Payments	9
	Ohio National Guard Facility Maintenance Fund	2		Oaks Rental Payments	9
	National Guard Benefits	3		STARS System	9
	State Active Duty Costs	3		Building Rent Payments	9
	Fund Abolition	3		Central Service Agency Fund	10
<b>DAS</b>	State Equal Employment Opportunity Program	4		DAS - Building Operating Payments	10
	Space to be Leased	4		Central Service Consolidation Initiative	11
	Personnel Services Contracts	4		General Service Charges	11
	County Job Classification Plan Reimbursements	5		NextGen Broadband Network	11
	Layoff Notice Statement of Rationale	5		Collective Bargaining Arbitration Expenses	11
	Civil Service Examinations	5		Merchandise Resale Fund	12
	Dependent Care Spending Account Fund	6		Leveraged Enterprise Purchase Program	12
	Layoff Retention Points and Displacement Rights	6		Information Technology Assessment	12
	State Employee Educational Development Fund	6		Administrative Hearings	13
	Health Care Spending Account Fund	6		Investment Recovery Fund	13
	OAKS Support Organization Fund	7		DAS Information Services	13
	Central Service Agency Consolidation Initiative	7		Transfer to OAKS Support Organization Fund	14
				OAKS Support Organization	14

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>DAS</b>	Employee Educational Development	15		Transfer of Residential State Supplement Appropriations	23
	Major IT Purchase	15		Alzheimer's Respite - Federal Stimulus	23
	Centralized Gateway Enhancement Fund	15		Education and Training	23
	Professional Development Fund	15		Regional Long-Term Care Ombudsman Program	23
	MARCS Debt Service Payments	16		Alzheimer's Respite	23
	Cash Transfers From the Major IT Purchase Fund	16		Unified Long-Term Care Budget	24
	Lease Payments to OPFC, OBA, and Treasurer of State	17		Transfer of Resident Protection Funds	24
	Accountability and Results	17		Transfer of Appropriations - Federal Independence Services and Federal Aging Grants	24
	Declaration of Public Exigency	17		PASSPORT/Residential State Supplement	24
<b>AGE</b>	Civil Penalties Against Long-Term Care Providers	18		Long-Term Care Ombudsman	25
	Ohio Community Service Council	18		Ohio's Best Rx Program	25
	Community-Based Long-Term Care Services	19	<b>AGR</b>	Increase in Fees in Nursery Stock and Plant Pests Law	26
	Long-Term Care Consultations	19		Sustainable Agriculture Program Fund	26
	Home First Process for PACE	20		Central Support Indirect Costs Fund	27
	Brain Injury Advisory Committee	20		License Fees for Poultry and Meat Establishments	27
	Long-Term Care	20		Livestock Dealers' Fees	27
	Home First Program	21		Weights and Measures and Motor Fuel Testing	28
	Allocation of PACE Slots	21		Elimination of GRF for Amusement Ride Inspections	28
	Senior Community Services	22		Commercial Feed and Seed Fund Transfer	29
	Residential State Supplement Program Income and Payment Standards	22		Pesticide, Fertilizer, and Lime Inspection Fund Transfer	29
	Residential State Supplement Workgroup	22		County Agricultural Societies	29
	Ohio Community Service Council	22			

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>AGR</b>	Federal Stimulus	29		Fund Abolishments	39
	Clean Ohio Agricultural Easement	29		Consumer Frauds	39
<b>AIR</b>	Coal Development Office	31		Organized Crime Commission Account	39
	Energy Strategy Development	31	<b>AUD</b>	Fiscal Watch/Emergency Technical Assistance	41
	Coal Research and Development General Obligation Debt Service	32		Public Audit Expense Transfer	41
	Reimbursement to Air Quality Development Authority Trust Account	32	<b>OBM</b>	Pay Reduction Strategies	42
	Advanced Energy Research and Development	32		Financial Planning and Supervision Commissions	42
<b>ADA</b>	ODADAS Representation on Commissions	33		Exempt Employees of the Shared Services Center	43
	Information Systems Maintained by ODADAS	33		PERS Retirement Incentive Plans	43
	Anabolic Steroid Warning Sign	33		Audit Costs	44
	Administrative Funds Provided to ADAMHS Boards	34		Shared Services Center	44
	Local Indigent Drivers Alcohol Treatment Funds	34		Internal Control and Audit Oversight	45
<b>ART</b>	Program Subsidies	35		Forgery Recovery	45
<b>ATH</b>	Promoter's License Information	36		OAKS Support	45
	Promoter's License Requirements	36		Re-issuance of Voided Warrants	46
<b>AGO</b>	County Sheriffs' Pay Supplement	37		Capital Project Settlements	46
	County Prosecutors' Pay Supplement	37		Personal Service Expenses	46
	Domestic Violence Shelters Fund	37		Satisfaction of Judgments and Settlements Against the State	46
	Attorney General Pass-Through Funds	38		Reappropriation of Unexpended Encumbered Balances of Operating Appropriations	47
	General Holding Account	38		Appropriations Related to Cash Transfers and Re-Establishment of Encumbrances	47
	Corrupt Activity Investigation and Prosecution	38		Transfers to the General Revenue Fund of Interest Earned	47
	Workers' Compensation Section	38			
	Antitrust Settlements	39			

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>OBM</b>	GRF Transfer to the OAKS Project Implementation Fund	47		Elevator Inspection Fees	56
	Transfers from the Budget Stabilization Fund	48		Boiler Inspection and Related Occupational License Fees	56
	Cash Transfers to the General Revenue Fund from Non-GRF Funds	48		Changes to the Real Estate Brokers Law	57
	State Agency Administrative Cost Savings and Efficiency	49		Real Estate Appraiser Licensing Law Changes	58
	Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments	49		Merger of Division of Labor and Worker Safety with Division of Industrial Compliance	59
	Authorization for Ohio Building Authority and OBM to Effectuate Certain Lease Rental Payments	49		Small Government Fire Departments	60
	GRF Transfers on Behalf of the Statewide Indirect Cost Allocation Plan	50		Unclaimed Funds Payments	60
	State and Local Rebate Authorization	50		Unclaimed Funds Transfers	60
	Statewide Indirect Cost Recovery	50		Fire Department Grants	60
	Fiscal Year 2009 General Revenue Fund Ending Balance	51		Administrative Assessments	61
	Federal Cash Management Improvement Act	51		Increased Appropriation - Merchandising	61
	Fiscal Stabilization and Recovery	51		Revitalization Debt Service	61
	Federal Government Interest Requirements	51		Development Assistance Debt Service	61
<b>CSR</b>	Warehouse Payments	52	<b>CEB</b>	Federal Shares	62
<b>CIV</b>	Fair Housing Law Changes	53		Disaster Assistance	62
<b>COM</b>	Mortgage Broker and Loan Officer License Fees	54		Disaster Services	62
	Video Service Authorization Program Funding	54		Disaster Services Fund Transfers to the Emergency Purposes/Contingency Appropriation Line Item	62
	State Fire Marshal's Fund Transfers	55		Southern Ohio Correctional Facility Cost	63
	Securities Dealer or Investment Advisor License Transfer Fees	55		Mandate Assistance	63
	Securities License and Filing Fees	55		Ballot Advertising Costs	64
			<b>COS</b>	Cosmetology License Restoration	65
				Maximum Fines	65

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>CSW</b>	Fees and Fines	66		Supportive Services	73
<b>AFC</b>	Operating Expenses	67		Third Frontier Research & Development Debt Service	73
	Capital Donations Fund Certifications and Appropriations	67		Economic Development Contingency	73
	Lease Rental Payments	67		Direct Cost Recovery Expenditures	74
<b>BDP</b>	Board of Deposit Expense Fund	68		HEAP Weatherization	74
<b>DEV</b>	Export Promotion Assistance and Foreign Investment	69		State Special Projects	74
	Development Financing Advisory Council	69		Tax Incentive Programs Operating	74
	Appalachian Region Expansion	69		Advanced Energy Fund	75
	Thomas Edison Program	70		Minority Business Enterprise Loan	75
	Small Business Development	70		Minority Business Bonding Fund	75
	Capital Access Loans for Minority Business Enterprises	70		Alternative Fuel Transportation	75
	Ohio Housing Trust Fund	70		Innovation Ohio Loan Fund	76
	Rapid Outreach Grants	71		Research and Development	76
	Strategic Business Investment Division and Regional Offices	71		Volume Cap Administration	76
	Governor's Office of Appalachia	71		Global Analyst Settlement Agreements Payments	76
	Technology Action	71		Logistics and Distribution Infrastructure	76
	Clean Ohio Implementation	71		Facilities Establishment Fund	77
	Global Markets	72		Alternative Fuel Transportation Grant Fund	77
	Ohio Workforce Guarantee Program	72		Rural Development Initiative Fund	77
	Ohio Film Office	72		Capital Access Loan Program	78
	Discover Ohio!	72		Clean Ohio Operating Expenses	78
	Job Ready Site Development Debt Service	73		Third Frontier Research and Development and Taxable Bond Projects	78

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<i>DEV</i>	Third Frontier Biomedical Research and Commercialization Program	79		Funding for Joint Vocational School Districts	90
	Transfers of Third Frontier Appropriations	79		Community School Funding	91
	Authorization to Issue and Sell Original Obligations	79		STEM School Funding	92
	Job Ready Site Operating	79		Transitional Aid and Growth Cap	92
	Unclaimed Funds Transfer	80		Ohio Research-Based Funding Model Advisory Council	93
	Workforce Development	80		School Spending Accountability	93
	Jobs Fund Bioproducts and Biomedical	80		ODJFS Reports to ODE	95
	Jobs Fund Cash Transfer	80		Formula Amount	95
	Science and Technology Collaboration	81		Post-Secondary Enrollment Options Alternative Funding	96
<i>EDU</i>	Formula Average Daily Membership (ADM)	82		All-Day Kindergarten	96
	School Funding Formula	82		Cleveland Municipal School District Early Adopter Project	96
	Adequacy Amount	83		State School for the Blind and School for the Deaf	97
	Organizational Units	83		Foundation and Transitional Aid Funding Reimbursement	98
	Instructional Services Support	84		Funding and Expenditure Accountability Reports	98
	Additional Services Support	85		Sale of School District Property	98
	Administrative Services Support	86		Community School Report Cards	99
	Gifted Education and Enrichment Support	87		Community School Sponsor Oversight	99
	Technology Resources Support	87		Community School Operators	99
	Operations and Maintenance Support	87		Community School Accountability	100
	Special Education Weights	88		New Start-Up Community Schools	100
	Transportation Funding	88		Appeal of Termination or Nonrenewal of Operator Contract	100
	Local Share of Adequacy Amount	89			
	Educational Service Centers Funding	90			

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<i>EDU</i>	Community School On-Site Evaluations	101		School Operating Standards	112
	Community School Teachers	101		Academic Standards	113
	Unauditable Community Schools	101		School Financial Reporting	113
	Community School SBH Subsidy	102		Student Assessments	114
	Community School Operation from Residential Facilities	102		Office of School Resource Management	115
	Early College Start Up Community School	102		Center for Creativity and Innovation	116
	Teacher Tenure	103		On-Site Visits to Schools	116
	Educator Preparation Programs	103		Office of Urban and Rural Student Success	116
	School District Reductions in Force	104		Value-Added Data	117
	Termination of Teacher Employment Contracts	104		Report Card Performance Indicators	117
	Educator Licensure	105		Minimum School Year	118
	Ohio Teacher Residency Program	106		Educational Choice Scholarships	118
	Educator Standards Board	107		Life and Career Ready Skills in Curriculum	119
	Teach Ohio Program	108		Eighth Grade American History	119
	Ohio Teaching Fellows Program	108		School Emergency Procedures	119
	Lead Teachers	108		Community Service Education	120
	Task Force on Teacher Compensation and Performance	109		High School Graduation Requirements	120
	Early Childhood Advisory Council and Early Childhood Financing Workgroup	109		School Fees for Low-Income Students	120
	Early Childhood Education	110		Administration of Prescription Drugs to Students	121
	Early Learning Initiative	111		School Business Advisory Councils	121
	Center for Early Childhood Development	111		Student Health Screenings	121
	Assessments at Nonpublic Schools with Scholarship Students	112		Termination of School District Transportation Staff	122
				School Safety and Violence In-Service Training	122
				Family and Community Engagement Teams	122

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<i>EDU</i>	Licensure of School Nurses	123		Child Care Licensing	131
	Corporal Punishment	123		GED Testing	132
	Special Education Procedure	124		Community Schools	132
	Waiver of Required Pupil Teacher Ratio	124		Educator Preparation	132
	School Health Services Advisory Council	124		STEM Initiatives	132
	National Assessment of Education Progress	125		Public School Employees Health Care Board	133
	Use of Volunteers	125		School Lunch Match	133
	Private Treatment Facility Project	125		Bus Purchase Allowance	133
	State School for the Blind and School for the Deaf	126		Pupil Transportation	133
	School Employees Health Care Board	126		Career-Technical Education Enhancements	134
	Personal Services	126		Special Education Enhancements	134
	Alternative Education Programs	127		Nonpublic Administrative Cost Reimbursement	134
	Early Childhood Education	127		Auxiliary Services	134
	Career-Technical Education Match	127		Foundation Funding	135
	Computer/Application/Network Development	127		Property Tax Allocation - Education	136
	Policy Analysis	128		Teach Ohio	136
	School Management Assistance	128		Violence Prevention and School Safety	136
	Tech Prep Consortia Support	129		School District Solvency Assistance	137
	Ohio Educational Computer Network	129		Teacher Certification and Licensure	137
	Academic Standards	129		Schools Medicaid Administrative Claims	137
	School Improvement Initiatives	129		Half-Mill Maintenance Equalization	138
	Student Assessments	130		Reading First	138
	Accountability/Report Cards	130		Start-Up Funds	138
	Education Management Information System	131		Lottery Profits Education Reserve Fund	139

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>EDU</b>	School District Property Tax Replacement - Business	139		Synthetic Minor Facility Emission Fees, Water Pollution Control Fees, and Safe Drinking Water Fees	147
	Auxiliary Services Reimbursement	139		Auto Emission Testing Program Transfer	147
	Lottery Profits Education Fund	139		State Solid Waste Disposal Fees	147
	School District Property Tax Replacement - Utility	140		Corrective Cash Transfer for the Copperweld Settlement	148
	Earmark Accountability	140		Areawide Planning Agencies	148
	Distribution Formulas	140	<b>ETC</b>	Statehouse News Bureau	149
<b>PAY</b>	Dependent Care Spending Fund	141		Ohio Government Telecommunications Services	149
	State Employee Disability Fund	141		Technology Operations	149
	State Employee Health Benefit Fund	141		Content Development, Acquisition, and Distribution	149
	Accrued Leave Liability Fund	141		Telecommunity	150
	Payroll Withholding Fund	142		Technology Integration and Professional Development	150
	Parental Leave Benefit Fund	142		Distance Learning	151
	Health Care Spending Account Fund	142		Gates Foundation Grants	151
	Life Insurance Investment Fund	142	<b>EXP</b>	State Fair Reserve	152
<b>ERB</b>	SERB/PBR Merger	143	<b>GOV</b>	Service Coordination Workgroup	153
	Collective Bargaining Elections	143		Federal Relations	153
<b>ENG</b>	Professional Engineer or Surveyor Registration Verification	144		Funds for Governor's Residence	153
<b>EPA</b>	Scrap Tire Fund Transfer	145	<b>DOH</b>	Asbestos Hazard Abatement	154
	E-Check Extension; Fee on Tire Sales for Auto Emissions Testing	145		Child Fatality Review Board Reports	154
	Electronic Payment of Construction and Demolition Debris Fees	146		Program for Medically Handicapped Children Diagnostic Services	155
	Electronic Payment of Fees for Solid Waste	146		Certificate of Need Program	156
	Natural Resource Damages Fund	146			

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>DOH</b>	Governor's Advisory Council on Physical Fitness, Wellness, and Sports	156		Cash Transfer from the Sewage Innovation Fund to Fee Supported Programs Fund	166
	Dentist Loan Repayment Program	157		Nursing Facility Technical Assistance Program	166
	Vital Statistics Fees	157		Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund	166
	Fees for Hospice Care Programs	158	<b>OHS</b>	Subsidy Appropriation	167
	Fees for Board of Health Services	158		State Archives	167
	Nurse Aide Registry	159		Hayes Presidential Center	167
	Adult Care Facilities	159	<b>REP</b>	Operating Expenses	168
	Nursing Home and Residential Care Facility Licensing Fees	159	<b>INS</b>	Health Insuring Corporation Provider Networks	169
	Community Alternative Homes	161		Open Enrollment Health Insurance Program, Conversion of Group Health Insurance Policies to Individual Policies, and Ohio Health Care Plans	170
	Minimum Standards for Hospitals	161		Continuation of Health Insurance Coverage after Termination of Employment	171
	Hospital Accreditation	161		External Review of Health Care Denials by Insurance Companies	171
	Radiation Fees	162		Prompt Payment Fines	172
	Agricultural Labor Camp Fees	162		Health Insurance Premium Rate Filing	172
	Infectious Disease Prevention	163		Administrative Expenses Incurred by Sickness and Accident Insurers	173
	Child Passenger Safety Seat Fines	163		Health Insurance Coverage of Dependent Children	173
	HIV/AIDS Prevention and Treatment	163		The Ohio Fair Plan Underwriting Association	174
	Help Me Grow	164		Health Care Coverage and Quality Council	174
	Health - Federal Stimulus	164		Examinations of Domestic Fraternal Benefit Societies	175
	Targeted Health Care Services Over 21	165		Employer-sponsored Health Insurance Coverage	175
	Medically Handicapped Children Audit	165			
	Genetics Services	165			
	Medically Handicapped Children - County Assessments	166			

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<i>INS</i>	Transfer from Fund 5540 to General Revenue Fund	176		Administrative Actions Relative to Medicaid Provider Agreements	183
	Market Conduct Examination	176		Medicaid E-Prescribing System	183
<i>JFS</i>	Collaboration on Welfare Reform Training	177		Medicaid Health Insuring Corporation Franchise Permit Fee	184
	ODJFS General Services Administration and Operating Fund	177		Deadline for Nursing Facility to Submit Corrections	184
	Expenditure of Federal Grant Funds	177		Nursing Facility and ICF/MR Inflation Measuring Systems and Factors	184
	Help Me Grow Advisory Council	178		Limits on Costs of Outside ICF/MR Resident Meals	185
	Early Learning Initiative	178		Home First Rules for Home and Community-Based Services	185
	Office of Child Support Requests for Medical Insurance Information	178		Exiting Operator Fund	185
	Child Support Collections/TANF MOE	179		ICF/MR Franchise Permit Fee	186
	Mandatory Electronic Remittance of Child Support by Certain Payors	179		Home Care Attendant Services	186
	Waiver and Compromise of Assigned Child Support Arrearages	179		Hospital Assessments	187
	Fraudulent Assistance	180		FY 2010 Medicaid Reimbursement Rate for Nursing Facilities	187
	Alternative Response	180		FY 2010 Capital Compensation Payments to Nursing Facilities	188
	Felony Drug Conviction Not a Bar to TANF Program	181		FY 2011 Medicaid Reimbursement Rate for Nursing Facilities	188
	Ohio Works First Sanctions	181		FY 2011 Medicaid Reimbursement Rate for ICFs/MR	189
	Third Party Liability	182		FY 2010 Medicaid Reimbursement Rate for ICFs/MR	189
	Nursing Home Franchise Permit Fee	182		Money Follows the Person Enhanced Reimbursement Fund	190
	Disqualifying Offenses -- Medicaid Providers and Home and Community Waiver Services Providers	182		Fiscal Activities Related to Medicaid Waiver Programs	190
	Medicaid Managed Care Reimbursement Rate for Noncontracting Hospitals	183		Medicare Part D	190

<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>JFS</b>	Residential State Supplement Transfer	190
	Transfer of Funds to the Department of Aging	191
	Ohio Access Success Project and Identification of Overpayments	191
	Provider Franchise Fee Offsets	191
	Medicaid Program Support Fund - State	192
	Transfer of Funds to the Department of Mental Retardation and Developmental Disabilities	192
	Funding For Transition Waiver Services	192
	Health Care Services Administration Fund	192
	Hospital Care Assurance Match	193
	Delay of Termination of Hospital Care Assurance Program	193
	Prescription Drug Rebate Fund	193
	Transfers of IMD/DSH Cash to the Department of Mental Health	193
	Supplemental Nutrition Assistance Program	194
	Food Assistance Transfer	194
	Agency Fund Group	195
	Ohio Association of Second Harvest Food Banks	195
	Payments from the Unemployment Compensation Special Administrative Fund	196
	Removal of Unemployment Compensation Advisory Council Members from PERS	196
	Employer Surcharge	197
	Federal Unemployment Programs	197
<b>JCR</b>	Operating	198

<b>CAS</b>	<b>Subject</b>	<b>Page</b>
	Operating Expenses	198
<b>JCO</b>	State Council of Uniform State Laws	199
	Ohio Jury Instructions Fund	199
<b>JSC</b>	Attorney Services	200
	Supreme Court Admissions	200
	Annual Compensation of Judges	200
	Supreme Court Filing Fee	201
	Ohio Courts Technology Initiative	201
	Law-Related Education	201
	Legal Education Opportunity	202
	Continuing Judicial Education	202
	Federal Grants	203
	Grants and Awards	203
<b>LRS</b>	Legal Rights Service Transition Study	204
<b>LIB</b>	Regional Library Systems	205
	Ohio Public Library Information Network	205
	Bill and Melinda Gates Foundation Grant Fund	205
	Ohioana Library Support	205
	Transfer to OPLIN Technology Fund	206
	Library for the Blind	206
	Transfer to Library for the Blind Fund	206
<b>LOT</b>	Lottery Transfers to the Lottery Profits Education Fund	207
	Direct Prize Payments	207

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<i>LOT</i>	Annuity Prizes	207		Identity Disclosure -- County MR/DD Programs	215
	Operating Expenses	207		Residential and Support Services	216
<i>MED</i>	Voucher Approval	208		Other Residential and Support Service Programs	216
	License Verification	208		Lease-Rental Payments	216
	Certificate Duplication	208		State Subsidy to County MR/DD Boards	217
<i>AMB</i>	Ambulette Licensure	209		Fiscal Plan for Home and Community-Based Services	217
<i>DMH</i>	ODMH Purchasing Program	210		Medicaid Waiver - State Match (GRF)	217
	Information Systems Maintained by ODMH	210		County Share of Medicaid Home and Community-Based Services	218
	Allocation of Funds for Local Management of Mental Health Services	210		Targeted Case Management Services	218
	Residency Traineeship Programs	211		Tax Equity	218
	Forensic Services	211		Medicaid Waiver - State Match (Fund 4K80)	218
	Behavioral Health Medicaid Services	212		Developmental Center Billing for Services	219
	Lease-Rental Payments	212		Transfer to Program Fee Fund	219
	Community Mental Health Board Risk Fund	212		Transfer of Funds for Developmental Center Pharmacy Programs	219
	Pre-Admission Screening Expenses	212		Nonfederal Match for Active Treatment Services	219
	Medicaid Elevation Advisory Group	213		Nonfederal Share of New ICF/MR Beds	220
	Behavioral Health Services - Children	213		<i>DNR</i> Well Log Filing Fee	221
	Local Mental Health Systems of Care	213		Energy Resource Extraction Fee	221
	Community Medication Subsidy	213		Dam Fees and Discounts	222
<i>DMR</i>	Number of Persons Living Together in Supported Living	215		Dam or Levee Construction Permit Filing Fee	222
	ODMR/DD and ODJFS Administration and Oversight Funds	215		Wild, Scenic, and Recreational River Areas	223
	MR/DD Personnel Providing Specified Health Care Services	215		Hunting Licenses and Annual Deer and Wild Turkey Permits	223

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>DNR</b>	Construction and Demolition Debris and Municipal Solid Waste Fees	224		Training Account	233
	Snowmobile, Off-Highway Motorcycle, and All-Purpose Vehicle Fees	224		Indigent Defense Office	233
	Natural Resources General Obligation Debt Service	225	<b>DPS</b>	Cash Transfers from Reparatons Fund to Disaster Preparedness Fund	234
	Central Support Indirect	225	<b>PUC</b>	Utility Radiological Safety Board Assessments	235
	Canal Lands	225	<b>PWC</b>	Reimbursement to the General Revenue Fund	236
	Federal Economic Stimulus/Recovery Funds	225		Clean Ohio Operating Expenses	236
	Lease Rental Payments	226		State Capital Improvements General Obligation Debt Service	236
	Soil and Water Districts	226		Conservation General Obligation Debt Service	236
	Fountain Square	226	<b>BOR</b>	Nonpublic Need-Based Aid Grants	237
	Oil and Gas Well Plugging	227		Ohio College Opportunity Grant Changes	237
	Litter Control and Recycling	227		University System of Ohio	238
	Clean Ohio Operating Expenses	227		Community and Technical College Bond Intercept Program	238
	Watercraft Marine Patrol	227		Eastern Gateway Community College	238
	Parks Capital Expenses Fund	228		Lease Rental Payments	239
	Natureworks Capital Expenses Fund	228		Articulation and Transfer	239
	Public Access Roads for State Facilities	228		Information System	239
<b>NUR</b>	Nursing Special Issues	229		Midwest Higher Education Compact	239
<b>PYT</b>	Occupational Therapist Fees	230		Jobs Challenge	240
<b>PUB</b>	Indigent Defense Support Fund	231		Appalachian New Economy Partnership	240
	IOTA and IOLTA Regulations	232		State Grants and Scholarship Administration	240
	Unpaid Moneys in Class Actions - Legal Aid Fund	232		Ohio Learning Network	240
	Multi-County Office	233			

<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>BOR</b>	Economic Growth Challenge	241
	Choose Ohio First Scholarship	241
	Adult Basic and Literacy Education	242
	Co-op/Internship Program	242
	Post-Secondary Adult Career-Technical Education	242
	Fiscal Year 2011 Plan for Adult Workforce Training Programs	243
	Area Health Education Center	243
	State Share of Instruction Formulas	243
	Statewide Workforce Development Initiatives	243
	State Share of Instruction for Fiscal Years 2010 and 2011	244
	Higher Education Board of Trustees	244
	Student Support Services	245
	War Orphans Scholarships	245
	OhioLINK	245
	Air Force Institute of Technology	246
	Ohio University Voinovich Center	246
	Cooperative Extension Service	246
	Ohio Supercomputer Center	246
	Central State Supplement	247
	Family Practice	247
	OSU John Glenn School of Public Affairs	247
	Shawnee State Supplement	247

<b>CAS</b>	<b>Subject</b>	<b>Page</b>
	Case Western Reserve University School of Medicine	247
	Geriatric Medicine	248
	Primary Care Residencies	248
	Ohio Agricultural Research and Development Center (OARDC)	248
	Police and Fire Protection	248
	State University Clinical Teaching	249
	Capital Component	249
	Library Depositories	249
	Ohio Academic Resources Network (OARnet)	250
	Ohio College Opportunity Grant	250
	Long-Term Care Research	250
	The Ohio State University Clinic Support	251
	Hazardous Materials Program	251
	Central State University Speed to Scale	251
	Nonpublic Need-based Financial Aid	251
	National Guard Scholarship Program	252
	Sales and Services	252
	Higher Education General Obligation Debt Service	252
	Pledge of Fees	252
	Higher Educational Facility Commission Administration	253
	Nursing Loan Program	253
	Veterans' Preferences	253

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>BOR</b>	State Need-Based Financial Aid Reconciliation	254	<b>RDF</b>	General Revenue Fund Transfers to Local Government Tangible Property Tax Replacement Fund	261
	Columbus State Community College Capital Appropriation	254		Additional Appropriations	261
	Efficiency Savings	254	<b>OSB</b>	Capital Reappropriations	262
<b>DRC</b>	Penalties for Theft-Related Offenses	255	<b>OSD</b>	Capital Reappropriations	263
	Intensive Program Prisons	255	<b>SFC</b>	Common Schools General Obligation Debt Service	264
	Sentencing for "Nonsupport of Dependents"	256		Changes to Maintenance Levy Requirement for Accelerated Urban Districts	264
	Changing the Definition of Detention	256		Operating Expenses	264
	Tobacco Use in Correctional Facilities	257		Extreme Environmental Contamination of School Facilities	265
	Collective Bargaining by Community Based Correctional Facility Employees	257		Study of Community Space	265
	Earned Credit Program for State Prisoners	257		School Facilities Encumbrances and Reappropriation	265
	OSU Medical Charges	258		Canton City School District Project	266
	Prisoner Compensation	258		Transfer from Education Facilities Trust Fund to GRF	266
	Ohio Building Authority Lease Payments	258	<b>SOS</b>	Business Services Fund Transfer	267
<b>RSC</b>	Services for the Deaf	259		Board of Voting Machine Examiners	267
	Independent Living Council	259		Acquisition of Voting Machines	267
	Vocational Rehabilitation Services	259		HAVA Funds	268
	Office for People with Brain Injury	259		Cash Transfer to the Corporate and Uniform Commercial Code Filing Fund	268
	Assistive Technology	259		Holding Account Redistribution List	268
	Program Management Expenses	260	<b>SEN</b>	Operating Expenses	269
	Social Security Reimbursement Funds	260	<b>CSF</b>	General Obligation Debt Service Payments	270
	Independent Living/Vocational Rehabilitation Programs	260			

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<b>CSF</b>	Lease Payments to OPFC, OBA, and Treasurer of State	270		Ohio Grape Industries Fund	279
	Debt Service Costs	270		Increases in Credits to the Property Tax Administration Fund	280
<b>BTA</b>	Mailing of Board of Tax Appeals Decisions	271		Domestic and Foreign Insurance Taxes - Medicaid Managed Care	280
<b>TAX</b>	Changes to the Job Retention Tax Credit	272		Department of Taxation Notice Requirements	280
	Changes to the Job Creation Tax Credit	272		Salt Severance Tax Revenue Use	281
	Tax Reform System Implementation Fund	273		School District Income Tax	281
	Various Changes to the Commercial Activity Tax Law	273		Technical Corrections - Personal Property Tax, and Corporate Franchise Tax	281
	Increase to the Technology Investment Tax Credit Limit	274		Motor Fuel Tax Discount	281
	New Markets Tax Credits	274		International Registration Plan Audit	282
	Payment of Assessment When Filing a Petition for Reassessment	275		Tax Refunds	282
	Motion Picture Production Tax Credit	275		Homestead Exemption, Property Tax Rollback, and Tangible Tax Exemption	282
	Manufactured and Mobile Home Tax Reduction Reimbursements	276		Municipal Income Tax	282
	School District Conversion Levy for 20-mill Growth	276		Tobacco Settlement Enforcement	283
	Sales Taxation of Medicaid-Provided Health Care Services	277		Centralized Tax Filing and Payment Fund	283
	Vendor Discount	277		Travel Expenses for the Streamlined Sales Tax Project	283
	Timing of County Auditor Reimbursement for Expense of Expanded Homestead Exemption	278		Income Tax Distribution to Counties	283
	Tobacco License Fee Changes	278	<b>TOS</b>	Office of the Sinking Fund	284
	Employee Classification	279		Tax Refunds	284
	Use of Department of Taxation Enforcement Fund	279		Police and Fire Death Benefit Fund	284
	Municipal Income Taxation of Justices and Certain Judges	279		Action to Establish Funds in State Treasury	285
			<b>TTA</b>	Abolishment of Index Savings Plan Fund	286

<b>CAS</b>	<b>Subject</b>	<b>Page</b>	<b>CAS</b>	<b>Subject</b>	<b>Page</b>
<i><b>TTA</b></i>	Transfer of Ohio Tuition Trust Authority Powers and Duties	286			
	Abolishment of Banking Products Fund	287			
<i><b>DVS</b></i>	Purchasing Without Competitive Selection	288			
<i><b>BWC</b></i>	BWC Internal Auditor	289			
<i><b>DYS</b></i>	County Juvenile Felony Delinquent Care and Custody Fund	290			
	Ohio Building Lease Authority Payments	290			
	Education Reimbursement	290			
	Employee Food Service and Equipment	291			

# Index of Cross References

CD Item	Subject	Page
<b>(ACC) Accountancy Board of Ohio</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b>(DAS) Department of Administrative Services</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 6</b>	NextGen Broadband Network	11
<b>EDU- 95</b>	School Employees Health Care Board	126
<b>OBM- 17</b>	OAKS Support	45
<b>(AGE) Department of Aging</b>		
<i>Also affected by the following item(s):</i>		
<b>JFS- 9</b>	Nursing Home Franchise Permit Fee	182
<b>(AGR) Department of Agriculture</b>		
<i>Also affected by the following item(s):</i>		
<b>DEV- 7</b>	Science and Technology Collaboration	81
<b>PUC- 1</b>	Utility Radiological Safety Board Assessments	235
<b>PWC- 8</b>	Reimbursement to the General Revenue Fund	236
<b>TAX- 8</b>	Ohio Grape Industries Fund	279

CD Item	Subject	Page
<b>(AIR) Air Quality Development Authority</b>		
<i>Also affected by the following item(s):</i>		
<b>DEV- 7</b>	Science and Technology Collaboration	81
<b>(ADA) Department of Alcohol and Drug Addiction Services</b>		
<i>Also affected by the following item(s):</i>		
<b>DMH- 4</b>	Medicaid Elevation Advisory Group	213
<b>GOV- 1</b>	Service Coordination Workgroup	153
<b>(ARC) Architects Board</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b>(ATH) Ohio Athletic Commission</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7

CD Item	Subject	Page
<b>(AGO) Attorney General</b>		
<i>Also affected by the following item(s):</i>		
<b>AGE- 2</b>	Civil Penalties Against Long-Term Care Providers	18
<b>DOH- 30</b>	Asbestos Hazard Abatement	154
<b>DPS- 17</b>	Cash Transfers from Reparations Fund to Disaster Preparedness Fund	234

**(AUD) Auditor of State**

<i>Also affected by the following item(s):</i>		
<b>EDU- 6</b>	Unauditable Community Schools	101
<b>EDU- 8</b>	Office of School Resource Management	115
<b>EDU- 23</b>	School Spending Accountability	93
<b>EDU- 34</b>	Ohio Teaching Fellows Program	108
<b>EDU- 112</b>	Educational Service Centers Funding	90

**(BRB) Board of Barber Examiners**

<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7

CD Item	Subject	Page
<b>(OBM) Office of Budget and Management</b>		
<i>Also affected by the following item(s):</i>		
<b>AGE- 13</b>	Unified Long-Term Care Budget	24
<b>DAS- 33</b>	OAKS Support Organization	14
<b>GOV- 1</b>	Service Coordination Workgroup	153

**(SCR) State Board of Career Colleges and Schools**

<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7

**(CDP) Chemical Dependency Professionals Board**

<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7

**(CHR) State Chiropractic Board**

<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7

**(COM) Department of Commerce**

<i>Also affected by the following item(s):</i>		
<b>DOH- 23</b>	Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund	166

CD Item	Subject	Page
<b>(COS) State Board of Cosmetology</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b>(CSW) Counselor, Social Worker, and Marriage and Family Therapist Board</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b>(DEN) Ohio State Dental Board</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b>(DEV) Department of Development</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 6</b>	NextGen Broadband Network	11
<b>TAX- 6</b>	Increase to the Technology Investment Tax Credit Limit	274
<b>TAX- 14</b>	Changes to the Job Creation Tax Credit	272
<b>TAX- 15</b>	Changes to the Job Retention Tax Credit	272
<b>TAX- 20</b>	Motion Picture Production Tax Credit	275

CD Item	Subject	Page
<b>(OBD) Board of Dietetics</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b>(EDU) Department of Education</b>		
<i>Also affected by the following item(s):</i>		
<b>GOV- 1</b>	Service Coordination Workgroup	153
<b>JFS- 47</b>	Help Me Grow Advisory Council	178
<b>TAX- 19</b>	School District Conversion Levy for 20-mill Growth	276
<b>TAX- 21</b>	School District Income Tax	281
<b>(FUN) State Board of Embalmers and Funeral Directors</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b>(ENG) State Board of Engineers and Surveyors</b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7

CD Item	Subject	Page
<b>(EPA) Environmental Protection Agency</b>		
<i>Also affected by the following item(s):</i>		
<b>DNR- 24</b>	Construction and Demolition Debris and Municipal Solid Waste Fees	224
<b>PUC- 1</b>	Utility Radiological Safety Board Assessments	235

**(DOH) Department of Health**

<i>Also affected by the following item(s):</i>		
<b>EDU- 57</b>	Center for Early Childhood Development	111
<b>EDU- 116</b>	Early Childhood Advisory Council and Early Childhood Financing Workgroup	109
<b>GOV- 1</b>	Service Coordination Workgroup	153
<b>INS- 11</b>	Health Insuring Corporation Provider Networks	169
<b>INS- 16</b>	Health Care Coverage and Quality Council	174
<b>JFS- 47</b>	Help Me Grow Advisory Council	178
<b>PUC- 1</b>	Utility Radiological Safety Board Assessments	235

CD Item	Subject	Page
<b>(INS) Department of Insurance</b>		
<i>Also affected by the following item(s):</i>		
<b>JFS- 15</b>	Medicaid Health Insuring Corporation Franchise Permit Fee	184
<b>TAX- 22</b>	Domestic and Foreign Insurance Taxes - Medicaid Managed Care	280
<b>TAX- 23</b>	Sales Taxation of Medicaid-Provided Health Care Services	277

CD Item	Subject	Page
<b><i>(JFS) Department of Job and Family Services</i></b>		
<i>Also affected by the following item(s):</i>		
<b>AGE- 13</b>	Unified Long-Term Care Budget	24
<b>AGE- 20</b>	Transfer of Residential State Supplement Appropriations	23
<b>AGE- 27</b>	Transfer of Resident Protection Funds	24
<b>AGE- 28</b>	Home First Program	21
<b>DEV- 49</b>	Workforce Development	80
<b>DMR- 3</b>	ODMR/DD and ODJFS Administration and Oversight Funds	215
<b>DOH- 27</b>	Nursing Facility Technical Assistance Program	166
<b>EDU- 57</b>	Center for Early Childhood Development	111
<b>EDU- 116</b>	Early Childhood Advisory Council and Early Childhood Financing Workgroup	109
<b>EDU- 144</b>	Early Learning Initiative	111
<b>GOV- 1</b>	Service Coordination Workgroup	153
<b>INS- 16</b>	Health Care Coverage and Quality Council	174
<b>TAX- 22</b>	Domestic and Foreign Insurance Taxes - Medicaid Managed Care	280
<b>TAX- 23</b>	Sales Taxation of Medicaid-Provided Health Care Services	277

CD Item	Subject	Page
<b><i>(JSC) Judiciary / Supreme Court</i></b>		
<i>Also affected by the following item(s):</i>		
<b>TAX- 17</b>	Municipal Income Taxation of Justices and Certain Judges	279
<b><i>(MHC) Manufactured Homes Commission</i></b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b><i>(MED) State Medical Board</i></b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b><i>(AMB) Ohio Medical Transportation Board</i></b>		
<i>Also affected by the following item(s):</i>		
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7
<b><i>(DMH) Department of Mental Health</i></b>		
<i>Also affected by the following item(s):</i>		
<b>GOV- 1</b>	Service Coordination Workgroup	153
<b><i>(DMR) Department of Mental Retardation and Developmental Disabilities</i></b>		
<i>Also affected by the following item(s):</i>		
<b>GOV- 1</b>	Service Coordination Workgroup	153

CD Item	Subject	Page
<b>(CRB) Board of Motor Vehicle Collision Repair Registration</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(DNR) Department of Natural Resources</b>		
<i>Also affected by the following item(s):</i>		
EPA- 6	Scrap Tire Fund Transfer	145
TAX- 12	Salt Severance Tax Revenue Use	281
<b>(PYT) Occupational Therapy, Physical Therapy, and Athletic Trainers Board</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(ODB) Ohio Optical Dispensers Board</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(OPT) State Board of Optometry</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7

CD Item	Subject	Page
<b>(OPP) Prosthetics and Pedorthics Orthotics</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(PRX) State Board of Pharmacy</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(PSY) State Board of Psychology</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(DPS) Department of Public Safety</b>		
<i>Also affected by the following item(s):</i>		
PUC- 1	Utility Radiological Safety Board Assessments	235

CD Item	Subject	Page
<b>(BOR) Ohio Board of Regents</b>		
<i>Also affected by the following item(s):</i>		
DAS- 6	NextGen Broadband Network	11
DEV- 7	Science and Technology Collaboration	81
EDU- 17	Value-Added Data	117
EDU- 27	Educator Preparation Programs	103
EDU- 33	Teach Ohio Program	108
EDU- 34	Ohio Teaching Fellows Program	108
EDU- 51	Post-Secondary Enrollment Options Alternative Funding	96
EDU- 66	School Business Advisory Councils	121
EDU- 68	On-Site Visits to Schools	116
TTA- 1	Transfer of Ohio Tuition Trust Authority Powers and Duties	286
<b>(RCB) Respiratory Care Board</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(SAN) State Board of Sanitarian Registration</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7

CD Item	Subject	Page
<b>(OSB) Ohio State School for the Blind</b>		
<i>Also affected by the following item(s):</i>		
EDU- 55	State School for the Blind and School for the Deaf	97
EDU- 75	State School for the Blind and School for the Deaf	126
<b>(OSD) Ohio School for the Deaf</b>		
<i>Also affected by the following item(s):</i>		
EDU- 55	State School for the Blind and School for the Deaf	97
EDU- 75	State School for the Blind and School for the Deaf	126
<b>(SPE) Speech-Language Pathology and Audiology</b>		
<i>Also affected by the following item(s):</i>		
DAS- 14	Central Service Agency Consolidation Initiative	7
<b>(TAX) Department of Taxation</b>		
<i>Also affected by the following item(s):</i>		
DAS- 18	STARS System	9
INS- 18	Health Insurance Coverage of Dependent Children	173

CD Item	Subject	Page	CD Item	Subject	Page
<b><i>(DOT) Department of Transportation</i></b>					
<i>Also affected by the following item(s):</i>					
<b>DNR- 23</b>	Public Access Roads for State Facilities	228			
<b><i>(DVM) Veterinary Medical Licensing Board</i></b>					
<i>Also affected by the following item(s):</i>					
<b>DAS- 14</b>	Central Service Agency Consolidation Initiative	7			
<b><i>(DYS) Department of Youth Services</i></b>					
<i>Also affected by the following item(s):</i>					
<b>GOV- 1</b>	Service Coordination Workgroup	153			