

## Executive

## As Passed by the House

## 1      AGO - 16      Minimum Basic Training Requirements for Peace Officers and Eligibility for Appointment

R.C.      *109.73, 109.742, 109.744, 109.751, 109.761, 109.77*

(1) No provision.

(1) Removes the current requirement that the Ohio Peace Officer Training Commission recommend, that the Attorney General adopt rules requiring, and that peace officer basic training programs include a specific number of training hours for topics related to domestic violence and protection orders (15), crisis intervention (6), and missing children and child abuse and neglect cases, and replaces it with a requirement that there be training on those subjects.

(2) No provision.

(2) Requires each agency or entity that appoints or employs peace officers to report to the Ohio Peace Officer Training Commission the guilty plea to a felony or a specified misdemeanor of any person who is serving the agency or entity in a peace officer capacity.

(3) No provision.

(3) Requires certain peace officers who terminate employment and are subsequently hired as peace officers to complete an unspecified amount of training in crisis intervention instead of six hours of such training.

(4) No provision.

(4) Expands to include "equivalent service as determined by the Executive Director of the Ohio Peace Officer Training Commission" the criteria under which a person who was employed as a county, township, or municipal peace officer on January 1, 1966 may receive an original appointment on a permanent basis as a peace or law enforcement officer without complying with certain training requirements.

Executive

As Passed by the House

**Fiscal effect: It is possible that, as a result of eliminating the minimum number of hours of training related to the various topic areas listed above, that the Peace Officer Training Academy Fund (Fund 4210) may experience a loss in revenue. However, it is unclear whether the Ohio Peace Office Training Commission would reduce the overall total of hours required for basic training or what type of courses could be used to supplant those that may be lost or their associated costs. It is also unclear whether the Commission would adjust its tuition fees accordingly. The potential fiscal effect on local law enforcement agencies is uncertain and would be dependent upon decisions subsequently made by the Commission concerning future course selection, curriculum design, and tuition charges.**

2      AGO - 15      Law Enforcement Continuing Professional Training Reimbursements

No provision.

R.C.      *109.802, 109.803*

Specifies that a public appointing authority that complies with certain reporting requirements may be reimbursed the costs from the Law Enforcement Assistance Fund for each peace officer or trooper who timely complies with the continuing professional training requirements, whether or not other peace officers or troopers have timely complied. Eliminates the prohibition on the carrying of a firearm or carrying out duties by a peace officer or trooper who has failed to complete required continuing professional training.

Executive

As Passed by the House

**Fiscal effect: This provision could increase training reimbursement expenditures made from the Law Enforcement Assistance Fund (Fund 5L50). However, it seems likely that any resulting expenditure increase would be minimal at most annually. Additionally, state and local law enforcement agencies could also experience a commensurate gain in revenues in the form of training reimbursements for which they might not otherwise have been eligible.**

3      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.**

No provision.

4      AGO - 14      Law-Related Education

No provision.

**Section: 223.10**

Specifies that GRF appropriation item 055405, Law-Related Education, be distributed 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.

## Executive

## As Passed by the House

---

**5**      **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.

**Section: 223.10**

Same as the Executive.

---

**6**      **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.

**Section: 223.10**

Same as the Executive.

---

## Executive

## As Passed by the House

## 7      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.

**Section: 223.10**

Same as the Executive.

## 8      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).

**Section: 223.10**

Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.

## Executive

## As Passed by the House

## 9      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.

**Section: 223.10**

Same as the Executive.

## 10      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.

**Section: 223.10**

Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.

## 11      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.

**Section: 223.10**

Same as the Executive, except (1) clarifies the source appropriation item's revenues, and (2) authorizes automatic appropriation increases if additional amounts are necessary for this purpose.

## Executive

## As Passed by the House

---

**12      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.

**Section: 223.10**

Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.

---

**13      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.

**Section: 223.10**

Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.

---

## Executive

## As Passed by the House

14      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.

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

## Section: 223.10

(1) No provision.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed by the House

15 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.**

R.C. 173.28

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

16      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*

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.

Same as the Executive

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.

Same as the Executive.

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.

Same as the Executive, but adds clarifying/technical language to the section that specifies that the Department may deny, suspend, or revoke a license or certificate if the holder violates any of the specified provisions.

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.

Same as the Executive.

| Executive   | As Passed by the House |
|---|------------------------|
| 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.   | Same as the 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.                  | Same as the Executive. |
| 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."  | Same as the Executive. |
| 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. | Same as the Executive. |
| Includes inspectors as persons who are considered "asbestos hazard evaluation specialists" and expands the description of specialists' duties to apply to suspect materials.  | Same as the Executive. |
| Expands the possible duties of an "asbestos hazard abatement project designer" to include the oversight of an asbestos hazard abatement activity.   | Same as the Executive. |
| Removes from the definition of "asbestos hazard abatement air-monitoring technician" the exception relating to a certified industrial hygienist in training.  | Same as the Executive. |
| Expressly limits only to asbestos hazard abatement contractors an existing prohibition against persons contracting to perform any aspect of an asbestos hazard  | Same as the Executive. |

## Executive

abatement project without a written contract containing specified provisions.

No provision.

**Fiscal effect:** It is possible that ODH could experience an increase in costs related to this provision. However, ODH could realize a gain in fee revenue to offset this. 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.

## As Passed by the House

Requires that an asbestos hazard abatement contractor notifies the Department at least 10 business days before beginning an asbestos hazard abatement project (currently it is 10 days).

**Fiscal effect:** Same as the Executive.

Executive

As Passed by the House

---

17      DPS - 17      Cash Transfers from Repairs Fund to Disaster Preparedness Fund

**Section: 512.20**

Transfers \$350,000 in cash in each of FYs 2010 and 2011 from the Repairs 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.

No provision.

---