COMPARISON DOCUMENT

Amended Substitute House Bill 1
128th General Assembly

Main Operating Appropriations Bill

(FY 2010-FY 2011)

As Introduced
As Passed by the House

Legislative Service Commission

April 30, 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. The document is arranged in alphabetical order by state agency. It also includes two nonagency items for which appropriations are made, Employee Benefits Fund (PAY) and Revenue Distribution Funds (RDF), as well as a Miscellaneous (MIS) section, under which Local Government provisions can be found. 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.

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1 ADJ - 1 Ohio National Guard Facility and Maintenance Expenses	
R.C. ***5911.10***	**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.	Same as the Executive.
Fiscal effect: As this provision codifies current practice, it has no fiscal effect.	**Fiscal effect: Same as the Executive.**
2 ADJ - 6 Community Match Armories Fund	
R.C. ***5911.11***	**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 requires investment earnings of the fund to be credited to the fund.	Same as the Executive.
Fiscal effect: The investment earnings of this fund will now be credited to the fund itself and not the GRF.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
3	**ADJ - 10** **Assistant Adjutant General - Army and Air Force**	
	No provision.	**R.C.** ***5913.051*** Permits the Adjutant General to appoint assistant Adjutant Generals for Army and Air Force. **Fiscal effect: This provision brings the Adjutant General's Department into compliance with federal requirements and by doing so ensures that an existing federally funded general officer slot in the National Guard is retained.**
4	**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 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.**	**R.C.** ***5913.09*** Same as the Executive. **Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
5	**ADJ - 7 National Guard Service Medal Fund**	
	R.C. ***5919.20***	**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.	Same as the Executive.
	Fiscal effect: The investment earnings of this fund will now be credited to the fund itself and not the GRF.	**Fiscal effect: Same as the Executive.**
6	**ADJ - 3 Ohio National Guard Facility Maintenance Fund**	
	R.C. ***5919.36***	**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.	Same as the Executive.
	Fiscal effect: As this provision codifies current practice, it has no fiscal effect.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
7 ADJ - 5 Payment of Adjutant General's Workers' Compensation Costs	
R.C. ***5923.141, (Repealed)***	**R.C.** ***5923.141, (Repealed)***
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
8 ADJ - 8 National Guard Benefits	
Section: ***205.10***	**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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.

	Executive	As Passed by the House
9	**ADJ - 9 State Active Duty Costs**	
	Section: ***205.10***	**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.	Same as the Executive.
10	**ADJ - 4 Fund Abolition**	
	Section: ***205.20***	**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.	Same as the Executive.

Executive	As Passed by the House
11 DAS - 68 Executives Loaned to State Departments	
	R.C. *121.13*
(1) No provision.	(1) Authorizes the director of a cabinet department to recruit a loaned executive who is an employee of a public entity or an employee of a private profit-making or nonprofit-making entity to assist the department in its work.
(2) No provision.	(2) Deems that a loaned executive is regarded as a public official or employee under Chapter 102. of the Revised Code(the Ethics Law).
(3) No provision.	(3) Specifies that a loaned executive is not entitled to state compensation, but may receive compensation and actual and necessary expenses from the loaned executive's employer.
12 DAS - 67 State Nonprofit Corporations	
	R.C. *121.16*
(1) No provision.	(1) Allows the director of each state department to form, with the Governor's approval and utilizing department resources, one or more nonprofit corporations to solicit financial contributions or in-kind contributions of goods to support the fulfillment of the duties and responsibilities of the department.
(2) No provision.	(2) Specifies that the articles of incorporation or bylaws must: (a) state the corporation's sole purpose is to act in the interest of the department; (b) include guidelines for the public disclosure of the employees, vendors, and contracts and for the reporting and disclosure of donors and donation amounts; (c) include requirements for regular financial statements from the corporation to the department's director; (d) include a regular schedule of audits; and (e) state any other conditions or protections to

Executive	As Passed by the House
	the public deemed necessary by the Ohio Ethics Commission.
(3) No provision.	(3) Requires the Department of Administrative Services to develop model articles of incorporation.
(4) No provision.	(4) Outlines policies and procedures for state agencies, department directors, and agency employees to follow with regard to contributions, disclosures, and expenditures.
(5) No provision.	(5) Permits the Director of Budget and Management to establish any accounts and take any other steps necessary for a department to receive contributions from the corporation.
(6) No provision.	(6) Specifies that all nonprofit corporation activity is subject to the public meetings law, the public records law, and subject to audit.
	Fiscal effect: Possible increase in revenue attributable to donations made to nonprofit organizations formed by state agencies; potential increase in administrative costs to form and administer nonprofit organizations.

13 DAS - 11 Space to be Leased

R.C. ***123.01***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
14 DAS - 69 MBE/EDGE Compliance	
	R.C. ***123.152, 123.154, 125.081***
No provision.	Requires that state agencies, as well as state universities, the Ohio Housing Finance Agency, the Third Frontier Commission, the Clean Ohio Council, and the Ohio School Facilities Commission comply with Minority Business Enterprise (MBE) and Encouraging Diversity, Growth, and Equity (EDGE) specifications as follows:
(1) No provision.	(1) Requires that each state agency appoint an equal employment opportunity officer to be responsible for monitoring the agency's compliance with the state's equal opportunity laws and policies;
(2) No provision.	(2) Requires each agency to ensure that all contracts for goods and services contain provisions that require contractors to follow all federal and state laws that govern fair labor and employment practices;
(3) No provision.	(3) Prohibits state agencies from issuing an EDGE business waiver unless all related review and reporting procedures are followed;
(4) No provision.	(4) Requires the Deputy Director of the Equal Opportunity Division to review each agency's quarterly report of EDGE business waivers and conduct periodic audits of each agency's administration of the waiver process;
(5) No provision.	(5) Requires that if a state agency has not followed the proper waiver procedure, the agency will not be able to issue subsequent waivers without the approval of the Deputy Director of the Equal Opportunity Division;
(6) No provision.	(6) Requires the Deputy Director of the Equal Opportunity Division to produce a report each year that describes the progress of state agencies in advancing the minority business enterprise and EDGE business enterprise programs, as well as any initiatives that have been

Executive	As Passed by the House
	implemented to increase the number of MBE and EDGE businesses in Ohio. **Fiscal effect: No new fiscal effect for state agencies overall, as the provision codifies Executive Order 2008-13s, outlining requirements for the MBE and EDGE programs. However, universities, the Ohio Housing Finance Agency, the Third Frontier Commission, the Clean Ohio Council, and the Ohio School Facilities Commission might incur some small increase in administrative costs to comply with the additional equal opportunity requirements.**

15 DAS - 13 State Equal Employment Opportunity Program

R.C. ***124.04, Section 207.20.40***	**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.	Same as the Executive.
Fiscal effect: DAS already administers a state equal employment opportunity program. This provision codifies existing practice and would therefore have no fiscal effect.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
16 DAS - 2 Personnel Services Contracts	
R.C. ***124.07***	**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.	Same as the Executive.
Requires that amounts DAS receives for providing these services be paid into GSF Fund 1250, Human Resources Services.	Same as the Executive.
17 DAS - 12 County Job Classification Plan Reimbursements	
R.C. ***124.14***	**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.	Same as the Executive.
Fiscal effect: Potential gain in revenue to Fund 1250.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
18	**DAS - 4 Civil Service Examinations**	
	R.C. ***124.23***	**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.	Same as the Executive.
	Fiscal effect: Potential savings since DAS would no longer administer civil service examinations on behalf of non-state agencies.	**Fiscal effect: Same as the Executive.**
19	**DAS - 3 Layoff Notice Statement of Rationale**	
	R.C. ***124.321***	**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.	Same as the Executive.
	Fiscal effect: Potential minimal administrative cost savings to state agencies in eliminating this filing requirement.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
20 DAS - 5 Layoff Retention Points and Displacement Rights	
R.C. ***124.324, 124.325***	**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.	Same as the Executive.
No provision.	Provides that a laid-off employee has the right to displace employees with fewer retention points within the classification, or classification series, and appointment type, rather than just within the classification or classification series as provided under current law.
Fiscal effect: Potential decrease in DAS's adminstrative costs.	**Fiscal effect: Same as the Executive.**
21 DAS - 56 Civil Service Changes	
	R.C. ***124.34, Section 803.30***
(1) No provision.	(1) Requires that an applicant for a civil service examination be a United States citizen or have a valid permanent resident card, rather than be a United States citizen or have legally declared the intention of becoming a United States citizen as required under current law.
(2) No provision.	(2) Requires that certain disciplinary actions--which under current law are tied to 40 or more, or 24 or more hours of work or pay--be instead tied to more than 40, or more than 24, hours of work or pay.

Executive	As Passed by the House
(3) No provision.	(3) Specifies that a person who holds a permanent position, rather than a certified position as provided under current law, in the classified service may be appointed to an unclassified position and retain the right to return to the classified position. **Fiscal effect: None.**
22 DAS - 55 Service-Connected Injury Leave	
	R.C. ***124.381***
No provision.	Provides to the following employees, including those ineligible for occupational injury leave provided under current law, salary continuation not to exceed 480 hours at their total rate of pay for injuries incurred during the performance of, and arising out of, state employment after an implementation date established in rules adopted by the Director of Administrative Services: (1) exempt employees, (2) legislative employees, (3) Supreme Court employees, (4) certain employees in the office of the Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, and (5) employees in any position for which authority to determine compensation is given by law to another individual or entity. **Fiscal effect: Increased cost to provide additional injury leave to specified employees.**

	Executive	As Passed by the House
23	**DAS - 9 Health Care Spending Account Fund**	
	R.C. ***124.821***	**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.	Same as the Executive.
	Fiscal effect: None. This provision codifies an existing fund and program administered by DAS.	**Fiscal effect: Same as the Executive.**
24	**DAS - 7 Dependent Care Spending Account Fund**	
	R.C. ***124.882***	**R.C.** ***124.822***
	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.	Same as the Executive.
	Fiscal effect: None, as the fund and the program it supports already exist.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
25	**DAS - 10 State Employee Educational Development Fund**	
	R.C. ***124.86***	**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.	Same as the Executive.
	Fiscal effect: None, as GSF Fund 5V60 and the programs it supports already exist.	**Fiscal effect: Same as the Executive.**
26	**DAS - 52 State Payroll, Expenditure, and Tax Credit Website**	
		R.C. ***125.20, Sections 207.10, 207.10.45***
	(1) No provision.	(1) Requires the Director of Administrative Services, within 180 days after the effective date of this provision, to establish a single internet web site through which the following can be accessed: a database containing each state employee's year-to-date gross pay and pay from the most recent pay period, a database containing agency expenditures for goods and services, and a database containing tax credits granted to business entities by the Department of Development. Requires each database to contain searchable fields through which details about the subject of the database can be accessed.
	(2) No provision.	(2) Requires that $900,000 in FY2010 and $200,000 in FY2011 of GRF appropriation item 100418, Websites and Business Gateway, be used to develop and maintain the web site required under section 125.20 of the Revised Code.

Executive	As Passed by the House
27 DAS - 14 Central Service Agency Consolidation Initiative	
R.C. ***125.22, 207.10.90***	**R.C.** ***125.22, Section 207.10.90***
(1) No provision.	(1) Requires, on or before June 30, 2010, CSA, in conjunction with the individual boards and commissions for which CSA provides support, to develop and implement specific service level agreements to provide that support.
(2) 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.	(2) Same as the executive with regard to CSA reviewing the support services it performs for specified agencies (see below) and the fiscal conditions of those agencies; but requires CSA, in conjunction with the boards and commissions, to develop and implement agency-specific service-level agreements according to which it performs and provides routine support services for the boards and commissions.
(3) Adds the following boards and commissions to the list of entities for which CSA is authorized to perform support services: State Medical Board, State Nursing 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.	(3) Same as the Executive.
(4) 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.	(4) Replaces the Executive provision with a provision that authorizes CSA to initiate or deny services to a board or commission only if those services are addressed in the board or commission's service agreement, subject to the terms and conditions of the agreement; allows CSA in writing to deny personnel or fiscal actions that are contrary to Ohio law or policy and requires such law or policy to be stated in the denial.
(5) Authorizes CSA to require specified state agencies to enter into agreements to share office equipment, space, or	(5) Same as the Executive, but subjects this authority to the service level agreements and replaces rental, lease,

Executive	As Passed by the House
other assets to the extent that such agreements would create efficiencies or savings.	and contractual expenses with human resources, fiscal, or information technology expenses.
(6) 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.	(6) Same as the Executive, but removes the reference to "appoint, remove, or demote the executive directors of the boards or commissions" and also specifies that the bill is to be interpreted as focusing on functions that are not evident to the licensees, registrants, or customers of the boards and commissions, so as to not interfere with the protection of the public.
(7) Authorizes OBM to take actions made necessary by administrative reorganization for the purpose of cost savings and efficiencies.	(7) Requires OBM to take budget actions that are necessary to implement the agency specific service level agreements.
(8) No provision.	(8) Requires CSA to document all services in the service level agreements signed by CSA and the boards and commissions, and to develop a resolution process for settling any disagreements.
(9) No provision.	(9) Allows a service level agreement to require the transfer of the board's or commission's employees and assets and to share office equipment, space, or other assets if such an agreement would create efficiencies or savings in human resources, fiscal, or information technology expenses.
(10) No provision.	(10) Requires the Department of Administrative Services to ensure the service level agreements are properly implemented.
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.)	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
28	**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. **Fiscal effect: None.**	No provision.
29	**DAS - 39 Corrective Cash Transfer**	
	R.C. ***207.30.90***	**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.	Same as the Executive.
30	**DAS - 58 Collective Bargaining for Care Providers**	
		R.C. ***4113.81, 4113.82 - 4113.86***
	(1) No provision.	(1) Allows independent home care providers and independent child care providers to form and be represented by a representative organization for the purposes of collective bargaining and the reconciliation of grievances.
	(2) No provision.	(2) Defines "independent home care provider" as any person who either provides home services under a Medicaid waiver component or through a state Medicaid plan amendment, with certain exclusions; defines "independent child care provider" as a child care provider categorized under the child care law.

Executive	As Passed by the House
(3) No provision.	(3) Specifies that a representative organization may become the exclusive representative of all of the providers in an appropriate bargaining unit via either an impartial election or by filing a request with the State Employment Relations Board (SERB); outlines procedures for both methods.
(4) No provision.	(4) Requires that, with regard to care providers, all matters pertaining to conditions of employment that are within the control of the state, as well as any modification to an existing collective bargaining agreement, be subject to collective bargaining.
(5) No provision.	(5) Prohibits the collective bargaining rights provided in this provision from altering the unique relations between providers and recipients of care, particularly in the ability of a recipient of care to choose their provider and the ability of the state to take appropriate disciplinary action under state or federal law.
(6) No provision.	(6) Grants SERB the authority to investigate, hold hearings, make determinations, and issue complaints regarding unfair labor practices with regard to care providers. **Fiscal effect: None, as the bill codifies existing practice as required in Executive Orders 2007 - 23s and 2008 - 02s.**

31 DAS - 45 Firefighter Collective Bargaining

R.C. ***4117.01***	**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.**	Same as the Executive.

	Executive	As Passed by the House
32	**DAS - 44 MARCS Administration Fund**	
	R.C. ***4501.29***	**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.	Same as the Executive.
	Fiscal effect: None, as the fund and the program which it supports already exist.	**Fiscal effect: Same as the Executive.**
33	**DAS - 51 School Employees Health Care Board**	
		Sections: ***207.10.05, 207.10***
	No provision.	Requires that GRF appropriation item 100403, School Employees Health Care Board, be used to provide administrative support to the School Employees Health Care Board as it carries out its duties under section 9.901 of the Revised Code.
		Fiscal effect: None, as the bill maintains the current status of the SEHCB, rather than transferring it to the Department of Education as proposed by the Executive.
34	**DAS - 16 Agency Audit Expenses**	
	Section: ***207.10.10***	**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.	Same as the Executive.

Executive	As Passed by the House
35 DAS - 17 Oaks Rental Payments	
Section: ***207.10.20***	**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.	Same as the Executive.
36 DAS - 18 STARS System	
Section: ***207.10.30***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
37 DAS - 19 STARS Lease Rental Payments	
Section: ***207.10.40***	**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.	Same as the Executive.

Executive	As Passed by the House
38 DAS - 20 Building Rent Payments	
Section: ***207.10.50***	**Section:** ***207.10.50***
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.
(3) 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.	(3) Same as the Executive.

Executive	As Passed by the House
39 DAS - 21 DAS - Building Operating Payments	
Section: ***207.10.60***	**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.	Same as the Executive.
40 DAS - 22 Central Service Agency Fund	
Section: ***207.10.70***	**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.	Same as the Executive.

Executive	As Passed by the House
41 DAS - 23 Central Service Consolidation Initiative	
Section: ***207.10.80***	**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.)	Same as the Executive.
42 DAS - 24 General Service Charges	
Section: ***207.20.10***	**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.	Same as the Executive.
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.	
43 DAS - 25 Collective Bargaining Arbitration Expenses	
Section: ***207.20.20***	**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.	Same as the Executive.

Executive	As Passed by the House
Fiscal effect: Increased revenue to the Collective Bargaining Fund (Fund 1280); increased costs to those state agencies that use collective bargainitn arbitration services.	**Fiscal effect: Same as the Executive.**

44 DAS - 6 NextGen Broadband Network

Sections: ***207.20.30, 259.30.80,610.10, 610.11***	**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.	(1) Same as the 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.	(2) Same as the Executive.
(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.	(3) Same as the Executive.

45 DAS - 27 Merchandise Resale Fund

Section: ***207.20.50***	**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.	Same as the Executive.

Executive	As Passed by the House
46 DAS - 28 Leveraged Enterprise Purchase Program	
Section: ***207.20.60***	**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.	Same as the Executive.
Fiscal effect: Potential savings to state agencies that make technology purchases through DAS procurement contrants.	**Fiscal effect: Same as the Executive.**
47 DAS - 29 Information Technology Assessment	
Section: ***207.20.70***	**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.	Same as the Executive.
48 DAS - 30 Investment Recovery Fund	
Section: ***207.20.80***	**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.	(1) Same as the Executive.
(2) Authorizes DAS to use cash balances in Fund 4270 to support the operating expenses of the Asset Management Services Program.	(2) Same as the Executive.

Executive	As Passed by the House
(3) Earmarks up to $2,093,564 in FY 2010 and up to $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.	(3) Same as the Executive.
(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.	(4) Same as the Executive.

49 DAS - 31 DAS Information Services

Section: ***207.20.90***	**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.	Same as the Executive.

50 DAS - 32 Administrative Hearings

Section: ***207.30.10***	**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.	(1) Same as the Executive.

Executive	As Passed by the House
(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.	(2) Same as the 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.	(3) Same as the Executive.
(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.	(4) Same as the Executive.

51 DAS - 33 OAKS Support Organization

Section: ***207.30.20***

(1) 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.	(1) No provision.
(2) Requires DAS to develop a cost allocation plan including: (a) up to $9,610,874 in FY 2010 and $9,733,416 in FY 2011 from OBM via ISTV, and (b) amounts from DAS's Human Resources Division via ISTV, and (c) other DAS Services Funds via ISTV.	(2) No provision.
(3) 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.	(3) No provision.

Executive	As Passed by the House
(4) 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.	(4) No provision.

52 DAS - 34 Transfer to OAKS Support Organization Fund

Section: ***207.30.30***	**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.	Same as the Executive.

53 DAS - 35 Professional Development Fund

Section: ***207.30.40***	**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.	Same as the Executive.

Executive	As Passed by the House
54 DAS - 36 Employee Educational Development	
Section: ***207.30.50***	**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.	Same as the Executive.
55 DAS - 37 Centralized Gateway Enhancement Fund	
Section: ***207.30.60***	**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.	Same as the Executive.

Executive	As Passed by the House
56 DAS - 38 Major IT Purchases	
Section: ***207.30.70***	**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.	Same as the 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.	**Fiscal effect: Same as the Executive.**
57 DAS - 15 Cash Transfers From the Major IT Purchase Fund	
Section: ***207.30.80***	**Section:** ***207.30.80***
Allows for the following transfers from GSF Fund 4N60, IT Purchases, upon the approval of the Director of OBM:	Same as the Executive, but makes the following adjustment and addition:
(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.	(1) Same as the Executive.
(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.	(2) Decreases the amount that can be transferred to $457,467 in FY2010 and $471,630 in FY2011.

Executive	As Passed by the House
(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.	(3) Same as the Executive.
(5) Appropriates the transfer amounts specified in (1) - (3) 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.	(5) Same as the Executive.
(4) No provision.	(4) Authorizes OBM to transfer $639,945 in each fiscal year from the Major IT Purchases Fund (Fund 4N60) to the GRF.

58 DAS - 40 MARCS Debt Service Payments

Section: *207.40.10*	Section: *207.40.10*
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.

	Executive	As Passed by the House
	(3) 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.	(3) Same as the Executive.
59	**DAS - 8 Accountability and Results**	
	Section: ***207.40.20***	**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.	Same as the Executive.
60	**DAS - 41 Declaration of Public Exigency**	
	Section: ***207.40.30***	**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.	Same as the Executive.
61	**DAS - 66 Equal Employment Opportunity Transfer**	
		Section: ***207.40.40***
	No provision.	Requires the Director of the Office of Budget and Management, in each fiscal year, to transfer $500,000 in cash from the GRF to the State Equal Employment Opportunity Fund (Fund 1880).

	Executive	As Passed by the House
62	**DAS - 42 Lease Payments to OPFC, OBA, and Treasurer of State**	
	Section: ***518.20***	**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.	Same as the Executive.
63	**DAS - 50 Fiscal Stabilization Funds and Buy Ohio**	
		Section: ***701.40***
	No provision.	States the General Assembly's intent that all funds appropriated or otherwise made available by the state for fiscal stabilization or recovery purposes or by the American Recovery and Reinvestment Act of 2009 be used, to the extent possible, in accordance with the preferences established in the state's Buy Ohio Law.
	No provision.	Requires the Director of Administrative Services to publish on the internet information identifying a person who requests or obtains a waiver of the Buy Ohio preferences and the product or service with regard to which the waiver was requested or obtained. **Fiscal effect: Potential increased cost to DAS for developing and maintaining website that publishes Buy Ohio waiver information.**

Executive	As Passed by the House
64 AGE - 15 Ohio Community Service Council	
R.C. ***121.40, 121.401 and 121.402***	**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.	Same as the Executive.
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.	Same as the Executive.
Adds the Director of the Governor's Office of Faith-based and Community Initiatives to the Ohio Community Service Council as a nonvoting member.	Same as the Executive.
Fiscal effect: The Department may realize a minimal decrease in administrative costs.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
65 AGE - 2 Civil Penalties Against Long-Term Care Providers	
R.C. ***173.28***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
66 AGE - 1 Community-Based Long-Term Care Services	
R.C. ***173.392***	**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.	Same as the Executive.

Executive	As Passed by the House
Expressly requires the Director of Aging to adopt rules governing grant agreements regarding the services.	Same as the Executive.
Extends the Director's rulemaking authority regarding contracts and grant agreements by including those that are entered into by the Department's designee.	Same as the Executive.
Fiscal effect: There could be a minimal increase in costs associated with rulemaking.	**Fiscal effect: Same as the Executive.**

67 AGE - 34 PASSPORT Home First Report

	R.C. ***173.401***
No provision.	Eliminates a requirement that the ODJFS Director report annually on the number of individuals enrolled in PASSPORT, which the Department of Aging administers, pursuant to the home first process and the costs incurred and savings achieved as a result of the enrollments. **Fiscal effect: The Departments may realize a minimal decrease in administrative costs.**

68 AGE - 33 Statewide Expansion of Choices Program

	R.C. ***173.402***
No provision.	Requires that the Choices Program be available statewide, subject to federal approval. **Fiscal effect: The Choices Program is funded with moneys appropriated to PASSPORT and the program is only open to individuals currently on PASSPORT. Choices consumers typically have higher average per member per month costs than PASSPORT consumers. Thus, there could be an increase in expenditures for those consumers who decide to enroll in Choices.**

	Executive	As Passed by the House
69	**AGE - 32 Restriction on Certain State Plan Services**	
		R.C. ***173.403***
	No provision.	Provides that an individual enrolled in a Medicaid waiver program the Department of Aging administers may not receive home health services, private duty nursing services, durable medical equipment, services of a clinical nurse specialist, or services of a certified nurse practitioner unless those Medicaid state plan services are provided in conjunction with Medicaid case management services. **Fiscal effect: If this is not currently done, it is possible that there could be a reduction in expenses in any Medicaid waiver program administered by the Department of Aging since Medicaid case management may decrease duplicative or unnecessary service allotments.**
70	**AGE - 7 Long-Term Care Consultations**	
	R.C. ***173.42***	**R.C.** ***173.42, 173.421 - 173.425***
	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 health and long-term care services and supports, including the quality and cultural competence of the services and supports, and (6) priorities for using resources efficiently and effectively.	Same as the Executive, but requires the program to be administered in a manner that includes procedures for monitoring the quality of long-term care services and supports and the health and welfare of individuals receiving the services and supports (rather than procedures for monitoring the provision of health and long-term care services and supports). Requires that the procedures include procedures for assessing the extent to which long-term care services and supports are provided in a culturally competent manner (rather than procedures for monitoring the quality and cultural competence of the services and supports).
	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	Same as the Executive, but permits rather than requires that a consultation be provided to each nursing facility resident.

Executive	As Passed by the House
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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
No provision.	Requires the Department or entity administering the program, as part of the program, to assist an individual or individual's representative in accessing all sources of care and services that are appropriate and for which the individual is eligible.
No provision.	Permits the Department to establish, as part of the program, procedures for periodic or follow-up consultations for nursing facility residents.
No provision.	Requires the Department or entity administering the program to monitor individuals who are the subject of a consultation and elect to receive certain Medicaid-covered home and community-based services.
No provision.	Requires the Department to develop and implement procedures necessary to comply with federal law if, under federal law, an individual's eligibility for certain Medicaid-covered home and community-based services is

Executive	As Passed by the House
	dependent on an evaluation of the individual's needs and capabilities and an individualized plan of care or services.
No provision.	Requires the Department to prepare an annual report regarding individuals who are the subjects of consultations and elect to receive certain Medicaid-covered home and community-based services.
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.	**Fiscal effect: Same as the Executive, but since the consultations for nursing facilities are permissive, the Department will perform them as appropriations allow. Costs could increase for provisions requiring the Department to assist individuals in accessing all appropriate sources of care and services and monitoring individuals who have received a consultation and received certain Medicaid services. Minimal increases in administrative costs could occur as a result of the provision requiring the Department to prepare an annual report regarding individuals who are subjects of consultations and elect to receive certain Medicaid services.**

71 AGE - 3 Home First Process for PACE

R.C. ***173.501, 173.50***	**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.	Same as the Executive.
Requires the Director of Aging to report annually on the number of individuals enrolled in PACE pursuant to the home first process and the costs incurred and savings achieved as a result of the enrollments.	No provision.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive, but there could be minimal savings as a result of the elimination of the report requirement.**

72 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***	**R.C.** ***209.50, R.C. 127.16, 173.70, 173.99, 2921.13, Repealed: R.C. 173.71 - 173.91***
Discontinues the 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.	Same as the Executive, but repeals statutes governing the Best Rx Program on July 1, 2009, rather than January 1, 2010, and requires the Director of Aging to conclude the Program's operation within a month of the repeal date, while allowing accounts with drug manufacturers and pharmacies to be settled until October 1, 2009.
No provision.	Permits the Director of Aging to contract with any person for the operation of a drug discount program similar to the Best Rx Program and allows the Director to provide the person with information that identifies individuals who participated in the Best Rx Program.
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.	Same as the Executive, but changes the abolishment of Fund 5AA0 to October 1, 2009 and transfers cash from Fund 5AA0 to the GRF on August 1, 2009, with a subsequent and final transfer occurring on October 1, 2009. Specifies that Fund 5AA0 will remain open after August 1, 2009, to allow for accounts to be settled with drug manufacturers and pharmacies.

Executive	As Passed by the House
73 AGE - 8 Brain Injury Advisory Committee	
R.C. ***3304.231***	**R.C.** ***3304.231***
Adds the Director of Aging to the Brain Injury Advisory Committee.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**
74 AGE - 36 Consolidated Federal Medicaid Waiver	
	R.C. ***5111.861, 173.40, 173.401, 173.402, 173.403, 5111.89, 5111.891, 5111.894, 5111.971***
No provision.	Requires the ODJFS Director to seek federal approval to consolidate the Assisted Living Program, Choices Program, and PASSPORT Program into one Medicaid waiver.
No provision.	Requires those programs to be operated as separate Medicaid waivers until the state receives federal approval for the consolidated Medicaid waiver.
	Fiscal effect: May increase or decrease Medicaid waiver program costs. May allow for more efficient allocation of resources.
75 AGE - 14 Long-Term Care	
Section: ***209.20***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the 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.	Same as the Executive.
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.	Same as the Executive.
No provision.	Earmarks $200,000 in GRF appropriation item 490423, Long Term Care State Budget - State, in each fiscal year for the Visiting Nurse Association Health Care Partners of Ohio for the Chronic Disease Management Home Health Aide Workforce Training Program.

Executive	As Passed by the House
76 AGE - 16 Allocation of PACE Slots	
Section: ***209.20***	**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.	Replaces the Executive provision with a provision that specifies that the Director of Aging may expand PACE to regions of Ohio beyond those currently served by the two PACE sites in Cleveland and Cincinnati, but prohibits the Director, when expanding PACE, from reducing the number of PACE slots below 880 for the counties and parts of counties currently participating in PACE.
Fiscal effect: None, the provision only allows for funds to be allocated between the two sites.	**Fiscal effect: The expansion of PACE sites will be dependent upon available funds and perhaps federal approval.**
77 AGE - 28 Home First Program	
Section: ***209.20***	**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:	Same as the Executive.
(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;	Same as the Executive.
(2) Authorize additional expenditures from FED Fund 3C40, PASSPORT, when receipts credited exceed appropriated amounts;	Same as the Executive.
(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.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.

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

Section: *209.30*	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.	Same as the Executive.

79 AGE - 12 Residential State Supplement Workgroup

Section: *209.30*	
Creates the Residential State Supplement Workgroup and requires the Workgroup to examine the sole 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.**	No provision.

80 AGE - 17 Ohio Community Service Council

Section: *209.30*	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.	Same as the Executive.

Executive	As Passed by the House
81 AGE - 19 Senior Community Services	
Section: ***209.30***	**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.	Same as the Executive.
82 AGE - 20 Transfer of Residential State Supplement Appropriations	
Section: ***209.30***	**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.	Same as the Executive, but allows the Department of Aging to also transfer cash for the Residential State Supplement (RSS) Program to the Department of Mental Health through an intrastate transfer voucher for RSS benefit payments.
83 AGE - 21 Alzheimer's Respite	
Section: ***209.30***	**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.	Same as the Executive.

	Executive	As Passed by the House
84	**AGE - 22 Alzheimer's Respite - Federal Stimulus**	
	Section: ***209.30***	**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.	Same as the Executive.
85	**AGE - 23 Education and Training**	
	Section: ***209.30***	**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.	Same as the Executive.
86	**AGE - 24 Regional Long-Term Care Ombudsman Program**	
	Section: ***209.30***	**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.	Same as the Executive.
87	**AGE - 25 PASSPORT/Residential State Supplement**	
	Section: ***209.30***	**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 PASSPORT.	Same as the Executive.

	Executive	As Passed by the House
88	**AGE - 26 Transfer of Appropriations - Federal Independence Services and Federal Aging Grants**	
	Section: ***209.30***	**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.	Same as the Executive.
89	**AGE - 27 Transfer of Resident Protection Funds**	
	Section: ***209.30***	**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.	Same as the Executive.
90	**AGE - 35 JCFS Community Options**	
		Section: ***209.30***
	No provision.	Makes the following earmarks in GRF appropriation item 490416, JCFS Community Options:
	No provision.	(1) $80,000 to the Cleveland Jewish Community Center;
	No provision.	(2) $70,000 to the Cincinnati Jewish Vocational Services;

Executive	As Passed by the House
No provision.	(3) $70,000 to the Wexner Heritage Village; and
No provision.	(4) $20,000 to the Columbus Jewish Community Center.

91 AGE - 13 Unified Long-Term Care Budget

Section: ***209.40***	**Sections:** ***209.40, 173.43, 173.431 - 173.434***
Creates the Unified Long-Term Care Budget Workgroup and requires the Workgroup to develop a unified long-term care budget.	Same as the Executive.
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.	Same as the Executive, but requires the ODJFS Director to work with the Directors of Aging and Budget and Management on the annual report.
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.	Same as the Executive.
No provision.	Provides, subject to federal approval, that (1) the Department of Aging must enter into an interagency agreement with ODJFS under which the Department is to establish for each biennium a unified long-term care budget for home and community-based services covered by Medicaid waiver programs the Department administers, (2) the Department must ensure that the budget covers and expands access to the home and community-based services, and (3) the Department or its designee must provide care management and authorization services with

Executive	As Passed by the House
	regard to state plan services the budget covers that are provided to participants of a Medicaid waiver the Department administers.
Fiscal effect: The Department could experience a minimal increase in administrative expenses.	**Fiscal effect: Same as the Executive.**

92 AGE - 18 Long-Term Care Ombudsman

Section: ***290.30***	**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.	Same as the Executive.

Executive	As Passed by the House
93 AGR - 5 Sustainable Agriculture Program Fund	
R.C. ***901.041***	**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.	Same as the Executive.
94 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***	**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).	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.**	Same as the Executive. **Fiscal effect: Same as the Executive.**

95 AGR - 18 Ohio Farm Loan Fund

	R.C. ***901.32***
No provision.	Authorizes money in the Ohio Farm Loan Fund (Fund 3360) to be used by the Director of Agriculture for rural rehabilitation purposes benefitting the state rather than for rural rehabilitation purposes under the charter of the former Ohio Rural Rehabilitation Corporation as agreed upon by the Director and the United States Secretary of Agriculture or for use by the Secretary in accordance with rural rehabilitation agreements with the Director as provided in current law. **Fiscal effect: Potentially expands the possible uses for Fund 3360 moneys. The related appropriation for this purpose is also increased from $44,679 in each fiscal year to $1,000,000 in each fiscal year.**

96 AGR - 3 Central Support Indirect Costs Fund

R.C. ***901.91***	**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.	Same as the Executive.

Executive	As Passed by the House
97 AGR - 17 Food Processing Establishment Registration	
	R.C. ***915.24, 3715.041***
No provision.	Requires food processing establishments to register annually with the Director of Agriculture and pay a registration fee determined by the Director of Agriculture.
No provision.	Requires the Director to inspect an establishment prior to issuing an initial certificate of registration to ensure that the establishment is in compliance with certain provisions of the Food and Drug Law, or the Bakeries, Canneries and Soft Drink Bottling, Cold Storage and Individual Locker, or Marketing Laws, as applicable.
No provision.	Prohibits a new food processing establishment from being operated in a home.
No provision.	Authorizes the Director or the Director's designee to take certain enforcement actions for violations and adopt rules that are necessary to administer the food processing establishment registration provisions.
No provision.	Exempts the following entities from paying the registration fee established in the provision: (1) Home bakeries registered under section 911.02 of the Revised Code (2) Canneries licensed under section 913.02 of the Revised Code (3) Soft drink plants licensed under section 913.23 of the Revised Code (4) Cold-storage warehouses licensed under section 915.02 of the Revised Code

Executive	As Passed by the House
	(5) Persons licensed under section 915.15 of the Revised Code (6) Persons engaged in egg production who maintain 500 or fewer laying hens
No provision.	Requires all money collected under the bill's food processing establishment registration provisions to be credited to the existing Food Safety Fund (Fund 4P70). **Fiscal effect: All registration fees collected are deposited into the Food Safety Fund (Fund 4P70). Presumably the Director of Agriculture would assess a fee necessary to at least offset whatever costs are attributable to registering food processing establishments and ensuring compliance with necessary laws.**

98 AGR - 4 License Fees for Poultry and Meat Establishments

R.C. ***918.08, 918.28***	**R.C.** ***918.08, 918.28***
Increases the fee to operate a meat or poultry processing establishment from $50 to $100.	Same as the Executive.
Fiscal effect: The executive estimates that this fee increase would result in an additional $27,000 revenue in each fiscal year.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
99 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***	**R.C.** ***942.02, 942.01, 942.06, 942.13, 943.01-943.07, 943.13, 943.14, 943.16, 953.21-23, 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	Same as the Executive.
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	Same as the Executive.
No provision.	Specifies that conveyances must be cleaned and disinfected before they can be used in the feeding of swine and exempts rendered products from the Garbage Fed Swine and Poultry Law.
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	Same as the Executive, but also subjects operations on premises licensed under the Meat and Poultry Inspection Law or subject to federal meat inspection that render only raw rendering material that is produced on the premises under the Rendering Plants Law to the fees listed in (6). Excludes holders of nuisance wild animal permits issued by the Division of Wildlife in the Department of Natural Resources and county dog wardens or animal control

Executive	As Passed by the House
brokers of livestock (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	officers from those licensure requirements and applies the per vehicle fee instead to each conveyance.
No provision.	Clarifies that dealers of livestock are not required to maintain financial responsibility or furnish proof of financial responsibility, but does require these records to be maintained by small dealers of livestock and brokers for 60 months rather than 24 months as in current law, and requires all fines imposed and collected under the Livestock Dealers Law to be deposited into the Animal and Consumer Analytical Laboratory Fund (Fund 6520) instead of the GRF.
Renames the Animal Health and Food Safety Fund the Animal and Consumer Analytical Laboratory Fund.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive, with a possible increase in fine revenues from records retention requirements.**

Executive	As Passed by the House
100 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***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
101 AGR - 2 Elimination of GRF for Amusement Ride Inspections	
R.C. ***1711.58***	**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).	Same as the Executive.
Fiscal effect: No direct fiscal effect. The fund has not been supplemented by the GRF since FY 2005.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
102	**AGR - 9 Federal Stimulus**	
	Section: ***211.20***	**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.	Same as the Executive.
103	**AGR - 10 County Agricultural Societies**	
	Section: ***211.20***	**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.	Same as the Executive.
104	**AGR - 15 Toledo Grows**	
		Section: ***211.20***
	No provision.	Earmarks $50,000 in each fiscal year to fund the "Toledo Grows" urban agriculture initiative in GRF appropriation item 700404, Ohio Proud.
105	**AGR - 16 Ohio-Israel Agriculture Initiative**	
		Section: ***211.20***
	No provision.	Earmarks $100,000 in each fiscal year to fund the Ohio-Israel Agriculture Initiative from GRF appropriation item 700411, International Trade and Market Development.

Executive	As Passed by the House
106 AGR - 11 Commercial Feed and Seed Fund Transfer	
Section: ***211.30***	**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.	Same as the Executive.
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).	Same as the Executive.
107 AGR - 12 Pesticide, Fertilizer, and Lime Inspection Fund Transfer	
Section: ***211.30***	**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).	Same as the Executive.
108 AGR - 13 Clean Ohio Agricultural Easement	
Section: ***211.30***	**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.	Same as the Executive.

	Executive		As Passed by the House
109	**AGR - 19**	**Beekeepers Task Force**	
			Section: ***709.10***
	No provision.		(1) Creates the Ohio Beekeepers Task Force consisting of 15 members including legislators, state officials, and various local, university, and trade association representatives, to study and report on the declining population of the honeybee in Ohio and other related issues.
	No provision.		(2) Requires the Task Force, not more than ten months after the effective date of the bill, to submit a report of its findings to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Ohio State Beekeepers Association.
			Fiscal effect: Minimal increase for the Department of Agriculture's Division of Plant Industry to provide administrative support to the Task Force.

Executive	As Passed by the House
110 AIR - 1 Energy Strategy Development	
R.C. ***3706.04, 3706.35, Section 213.20***	**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.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
Fiscal effect: Potential revenue increase of $225,000 in each fiscal year to GSF Fund 5EG0.	**Fiscal effect: Same as the Executive.**

111 AIR - 2 Coal Development Office

Section: ***213.10***	**Section:** ***213.10***
Specifies that GRF appropriation item 898402, Coal Development Office, is for the administrative costs of the Coal Development Office.	Same as the Executive.

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

Section: ***213.10***	**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.	Same as the Executive.

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

Section: ***213.30***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
114 AIR - 5 Advanced Energy Research and Development	
Section: ***523.10***	**Sections:** ***523.10, 610.20***
(1) Provides capital appropriations of $18 million and $38 million to appropriation items C89800, Advanced Energy Research and Development Taxable (Fund 7004), and C89801, Advanced Energy Research and Development (Fund 7005), respectively, for fiscal years 2011-2012. Specifies that these two items 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.	(1) Same as the Executive, but decreases appropriation items C89800, Advanced Energy Research and Development Taxable (Fund 7004) and C89801, Advanced Energy Research and Development (Fund 7005) by $9 million and $19 million, respectively.
(2) No provision.	(2) Amends Am. Sub. H.B. 554 of the 127th General Assembly to increase appropriation items C89800, Advanced Energy Research and Development Taxable (Fund 7004) and C89801, Advanced Energy Research and Development (Fund 7005) by $9 million and $19 million, respectively, for fiscal years 2009-2010.

Executive	As Passed by the House
115 ADA - 2 ODADAS Representation on Commissions	
R.C. ***3701.78, 5101.34***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
116 ADA - 1 Anabolic Steroid Warning Sign	
R.C. ***3793.02***	**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.	Same as the Executive.
Fiscal effect: Decrease in costs associated with printing and distributing the sign.	**Fiscal effect: Same as the Executive.**
117 ADA - 5 Information Systems Maintained by ODADAS	
R.C. ***3793.04, 340.033***	**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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

118 ADA - 3 Administrative Funds Provided to ADAMHS Boards

R.C. ***3793.21***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

119 ADA - 4 Local Indigent Drivers Alcohol Treatment Funds

R.C. ***4511.191, 2949.094, 4503.235, 4510.14, 4510.45, 4511.19, 4511.193***	**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.	No provision.

Executive	As Passed by the House
Requires each alcohol and drug addiction services (ADAS) board and alcohol, drug addiction, and mental health services (ADAMHS) board to submit an annual report for its local indigent drivers alcohol treatment fund to ODADAS and each court that utilized that board's local indigent drivers alcohol treatment fund during the prior fiscal year that includes itemized payments from the fund and itemized payments made from the fund's surplus moneys.	Same as the Executive, but adds to the reporting requirements for each ADAS and ADAMHS board report to include the number of indigent drivers that received treatment services, the number of indigent consumers that received an alcohol monitoring device, and all the payments for treatment programs and expenditures for alcohol monitoring devices, as well as the fiscal year balance of each indigent drivers alcohol treatment fund in the board's area. Removes the requirement that the report be submitted to each court as under current law.
No provision.	Requires that the $50 immobilization waiver fee that county or municipal courts must impose in certain cases involving a motor vehicle that is subject to immobilization be deposited into the court's indigent drivers alcohol treatment fund instead of the state indigent drivers alcohol treatment fund.
Fiscal effect: Potential minimal increase in administrative costs for local alcohol and drug addiction and mental health services boards to prepare the required report.	**Fiscal effect: Same as the Executive, plus a potential revenue gain to the court's fund and a loss of revenue to the state fund.**

120 ADA - 6 Medicaid Rates for Community Behavioral Health Services

	Sections: ***215.10, 215.20***
No provision.	Requires that $115,919 in FY 2010 and $230,464 in FY 2011 of GRF appropriation item 038401, Treatment Services, be provided to local boards to pay the nonfederal share of the 1/2% increase in the Medicaid reimbursement rate ceilings for Medicaid-covered community behavioral health services. (The provision that increases the provider rate is in the Department of Job and Family Services in Section 309.30.75 of the bill.)

Executive	As Passed by the House
121 ART - 1 Program Subsidies	
Section: ***219.10***	**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.	Same as the Executive.

Executive	As Passed by the House
122 ATH - 2 Promoter's License Requirements	
R.C. ***3773.35, 3773.43***	**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.	Same as the Executive.
Eliminates surety bonding for wrestling promoters.	Same as the Executive.
Eliminates the option to provide a cash bond, certified check, or a bank draft instead of a surety bond for a promoter's license.	Same as the Executive.
Eliminates the requirement that an applicant for a promoter's license verify the application under oath.	Same as the Executive.
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).	**Fiscal effect: Same as the Executive.**
123 ATH - 1 Promoter's License Information	
R.C. ***3773.36, 3773.43***	**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.	Same as the Executive.

Executive	As Passed by the House
Conforms the relevant statutes to other changes in the Athletic Commission regulatory law.	Same as the Executive.

124 ATH - 3 Medical Examination Standards

	R.C. *3773.45*
No provision.	Requires the Ohio Athletic Commission to adopt rules that require examinations of contestants before and after competitions by appropriate medical personnel, in place of statutory standards required by current law.

125 ATH - 4 Disciplinary Procedures

	R.C. *3773.53*
No provision.	Authorizes the Ohio Athletic Commission to revoke, suspend, or refuse to renew a license for the violation of associating or consorting with any person who has been convicted of a crime that involves a sport the Commission regulates, rather than any crime, as under current law.
No provision.	Authorizes the Commission to impose fines, with the amount to be determined by Commission rule, against licensees for violations, rather than a maximum of $100, as under current law. **Fiscal effect: Potential increase in fine revenue to the GRF if the rules adopted by the Commission authorize higher fine amounts. In addition, there may be fewer licenses revoked, suspended, or not renewed by the Commission given the narrower scope of individuals to which such disciplinary measures would apply.**

Executive	As Passed by the House

126 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.

127 AGO - 15 Law Enforcement Continuing Professional Training Reimbursements

	R.C. ***109.802, 109.803***
No provision.	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.

128 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.

129 AGO - 14 Law-Related Education

	Section: ***223.10***
No provision.	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
130 AGO - 1 County Sheriffs' Pay Supplement	
Section: ***223.10***	**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.	Same as the Executive.
131 AGO - 2 County Prosecutors' Pay Supplement	
Section: ***223.10***	**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.	Same as the Executive.

Executive	As Passed by the House
132 AGO - 3 Workers' Compensation Section	
Section: ***223.10***	**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.	Same as the Executive.
133 AGO - 4 Corrupt Activity Investigation and Prosecution	
Section: ***223.10***	**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).	Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.

Executive	As Passed by the House
134 AGO - 6 Attorney General Pass-Through Funds	
Section: ***223.10***	**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.	Same as the Executive.
135 AGO - 5 General Holding Account	
Section: ***223.10***	**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.	Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.
136 AGO - 7 Antitrust Settlements	
Section: ***223.10***	**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.	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
137 AGO - 8 Consumer Frauds	
Section: ***223.10***	**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.	Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.
138 AGO - 9 Organized Crime Commission Account	
Section: ***223.10***	**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.	Same as the Executive, but also authorizes automatic appropriation increases if additional amounts are necessary for this purpose.
139 AGO - 10 Fund Abolishments	
Section: ***223.10***	**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.	(1) No provision.

Executive	As Passed by the House
(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.	(2) Same as the Executive.
(3) Abolishes the Bingo License Refunds Fund (Fund R003).	(3) Same as the Executive.

Executive	As Passed by the House
140 AUD - 1 Fiscal Watch/Emergency Technical Assistance	
Section: ***225.10***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
141 AUD - 2 Public Audit Expense Transfer	
Section: ***512.80***	**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.	Same as the Executive.

Executive	As Passed by the House
142 BRB - 1 Ed Jeffers Barber Museum Contributions	
	R.C. ***4709.12, Section 227.10***
(1) No provision.	(1) Requires the Barber Board to ask each person renewing a license to practice as a barber whether the person wishes to make a two-dollar voluntary contribution to the Ed Jeffers Barber Museum.
(2) No provision.	(2) Requires the Board to transmit any contributions to the Treasurer of State for deposit into the Occupational Licensing and Regulatory Fund.
(3) No provision.	(3) Requires the Director of Budget and Management and the Executive Director of the Barber Board, beginning October 1, 2009, or as soon as possible thereafter, to develop a plan to distribute the amounts collected to the Ed Jeffers Barber Museum.

Executive	As Passed by the House
143 OBM - 2 Financial Planning and Supervision Commissions	
R.C. ***118.05, Section 701.20***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
144 OBM - 12 Pay Reduction Strategies	
R.C. ***124.152, 124.18, 124.19, 124.34, 124.392, 126.05, Section 741.10***	**R.C.** ***124.15, 124.152, 124.18, 124.181, 124.183, 124.27, 124.34, 124.382, 124.385, 124.386, 124.392, 126.05, Section 741.10***
(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.	(1) No provision.
(2) Authorizes the Governor to declare a fiscal emergency if the Governor ascertains that the available revenue and balances for any fund or across any funds will in all probability be less than appropriations for the year, and to issue such orders as are necessary to the Director of OBM to reduce expenditures, or to the Director of DAS to implement various personnel actions, including but not limited to furloughs.	(2) Same as the Executive, but changes the furloughs programs referenced in the executive budget to mandatory cost savings days.

Executive	As Passed by the House
(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.	(3) Replaces the executive provisions with provisions that (a) require, during each fiscal year of the biennium, that all full-time exempt employees participate in a total of 80 hours of mandatory cost savings through a loss of pay or holiday pay and that all part-time employees not receive holiday pay, (b) require participation in the cost savings program for all employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless those officials choose to exempt the office's employees and notifies the Director of DAS in writing on or before July 1, 2009, and (c) authorize the Director of DAS, after June 30, 2011, to implement mandatory cost savings days for exempt employees if the Governor declares a fiscal emergency.
(4) Authorizes the Governor, during the FY 2010-FY 2011 biennium, to impose a moratorium on the receipt of holiday pay on any holiday by employees paid by warrant of the Director of OBM, if the Governor declares a fiscal emergency. Provides that employees required to work on a holiday by their appointing authority be paid at their regular rate of pay. Exempts employees of the judicial and legislative branches and the Secretary of State, Auditor of State, Treasurer of State, and Attorney General from the moratorium on the receipt of holiday pay.	(4) Replaces the executive provisions with provisions that (a) require that part-time employees receive four hours of holiday pay, rather than on a pro-rated basis as required by current law (excepting FY2010 and FY2011, as provided under section 124.392), and (b) change certain conditions governing the payment of holiday pay for state employees that relate to whether the employee worked the day immediately before or after the holiday.
(5) Directs the Office of Collective Bargaining within DAS to negotiate with the respective state collective bargaining units various payroll reduction strategies through the collective bargaining process prior to July 1, 2009, including, but not limited to, reductions in pay for FY 2010 and FY 2011 and an increase in a state employee's share of dental, vision, and life insurance benefits during those fiscal years, to achieve savings of between $170 million and $200 million for each fiscal year. Authorizes the Director of OBM to transfer cash from non-GRF funds to the GRF to carry out the provisions above.	(5) Same as the Executive.

Executive	As Passed by the House
(6) No provision.	(6) Imposes moratoria, from December 2009 through December 2011, on the accrual of personal leave by employees paid by warrant of the Director of OBM and on the annual conversion of accrued but unused personal leave. Provides that the moratoria apply to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless those officials decide to exempt the office's employees and so notifies the Director of DAS in writing on or before July 1, 2009.
(7) No provision.	(7) Places a general moratorium on annual step advancements for state employees from June 21, 2009, through June 20, 2011, and provides that intermittent employees are not eligible for step advancements.
(8) No provision.	(8) Eliminates pay supplements and probationary periods for intermittent employees.
(9) No provision.	(9) Requires that state employees be paid at the employee's regular rate of pay for any hours of compensatory time in excess of maximum amounts specified in existing law if the employee has not used the compensatory time within 365 days after it is granted, rather than within 180 days as provided by current law.
(10) No provision.	(10) Allows an employee paid by warrant of the Director of Budget and Management to use the employee's available compensatory leave balance to supplement disability leave payments.
(11) No provision.	(11) Grants in August 2011 to a state employee paid by warrant of the Director of Budget and Management a one-time pay supplement equivalent to 16 hours if the employee is a part-time employee, or equivalent to 32 hours or half the hours of personal leave hours the employee lost as a result of the moratoria on the annual credit and payment of personal leave in effect from December 2009 until December 2011, whichever is less, if the employee is a full-time employee; does not grant the

Executive	As Passed by the House
	pay supplement described above to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless these employees were subject to these moratoria and the elected officials noted above decide to participate in the pay supplement.
(12) No provision.	(12) Grants in July 2011 to a state employee paid by warrant of the Director of Budget and Management a one-time credit of sick leave equal to 16 hours if the employee is a part-time employee, or 32 hours or one-half of the personal leave hours the employee lost as a result of the moratoria on the crediting and annual payment of personal leave in effect from December 2009 until December 2011, whichever is less, if the employee is a full-time employee; does not grant the sick leave credit described above to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless these employees were subject to the moratoria on the accrual and annual payment of personal leave in effect from December 2009 until December 2011 and the Secretary of State, Auditor of State, Treasurer of State, or Attorney General decides to participate in the credit.

Executive	As Passed by the House
Fiscal effect: Decrease in payroll expenditures. In order to achieve the savings described above, the executive budget proposes to reduce exempt employee compensation by up to 5% based on a graduated scale, and by comparable amounts or concessions from employees subject to collective bargaining agreements. According to OBM, employees earning $125,000 or more would be subject to a 6% reduction. Additionally, the executive proposes to lower the amount of the dental, vision, and life insurance premiums paid by the state from 100% to 90%, to use furloughs when appropriate, and to increase the mandatory early retirement incentive trigger. All of these options may be used in varying degrees.	**Fiscal effect: Same as the Executive, but, according to DAS estimates, provides savings to the state during the FY 2010-FY 2011 biennium of approximately $143.7 million from the cost savings days, approximately $30 million per year from the freeze on step movement, and approximately $18.1 million per year from the moratoria on personal leave accrual and conversion, for a total of approximately $191.8 million in annual savings. In addition, there would be additional savings due to the elimination of pay supplements for intermittent employees. Increasing the period after which employees must be paid for unused compensatory time will likely reduce payments for state agencies for unused compensatory time, as employees will have a greater period of time in which to use compensatory time.** **Substantial one-time increase in FY 2012 to provide pay supplements to part-time and full-time employees. As of March 2009, there were 55,950 full-time and 1,640 part-time employees working for executive branch agencies, and 2,628 full-time and 120 part-time employees working for the Attorney General, Treasurer, Secretary of State, or Auditor of State. Likely increase in costs during FY 2012 to provide sick leave credit to the specified part-time and full-time employees.**

145 OBM - 4 Exempt Employees of the Shared Services Center

R.C. *126.21*	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.	Same as the Executive, but requires the Director of OBM to consult with the Director of DAS in appointing and fixing the compensation of such employees.
Authorizes the Director of OBM to enter into contracts relating to consolidation of these statewide functions and processes.	No provision.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

146 OBM - 13 Audit Costs

Section: ***229.10***	**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.	Same as the Executive.

147 OBM - 14 Shared Services Center

Section: ***229.10***	**Section:** ***229.10***
(1) 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.	(1) Same as the Executive.
(2) Requires the Director of OBM to transfer the unobligated cash balance remaining in Fund 5N40 to the GRF before the end of FY 2011.	(2) Same as the Executive.
(3) 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	(3) Same as the Executive.

Executive	As Passed by the House
recovery revenues to be deposited into Fund 1050.	
(4) Allows the Director of OBM to enter into contracts or agreements necessary to carry out the Director's duties in regard to the Shared Services Center.	(4) No provision.
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.	**Fiscal effect: Same as the Executive.**

148 OBM - 16 Internal Control and Audit Oversight

Section: ***229.10***	**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).	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

149 OBM - 15 Forgery Recovery

Section: *229.10*	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.	Same as the Executive.

Executive	As Passed by the House
150 OBM - 17 OAKS Support	
Section: ***229.10***	
(1) 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.	(1) No provision.
(2) 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.	(2) No provision.
(3) 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.	(3) No provision.
151 OBM - 18 Personal Service Expenses	
Section: ***503.10***	**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.	Same as the Executive.

Executive	As Passed by the House
152 OBM - 38 Satisfaction of Judgments and Settlements Against the State	
Section: ***503.20***	**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.	Same as the Executive.
153 OBM - 19 Capital Project Settlements	
Section: ***503.30***	**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.	Same as the Executive.
154 OBM - 20 Re-issuance of Voided Warrants	
Section: ***503.40***	**Section:** ***503.40***
Provides funds for the reissuance of voided warrants under section R.C. 117.47, when approved by OBM.	Same as the Executive.

Executive	As Passed by the House
155 OBM - 21 Reappropriation of Unexpended Encumbered Balances of Operating Appropriations	
Section: ***503.50***	**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.	Same as the Executive.
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.	Same as the Executive.
156 OBM - 22 Appropriations Related to Cash Transfers and Re-Establishment of Encumbrances	
Section: ***503.60***	**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.	Same as the Executive.
157 OBM - 23 Transfers to the General Revenue Fund of Interest Earned	
Section: ***512.10***	**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.	Same as the Executive.

Executive	As Passed by the House
158 OBM - 24 GRF Transfer to the OAKS Project Implementation Fund	
Section: ***512.30***	**Section:** ***512.30***
Requires the Director of OBM to transfer up to $2.1 million each fiscal year from the GRF to the OAKS Project Implementation Fund (Fund 5N40).	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
159 OBM - 5 Transfers from the Budget Stabilization Fund	
Section: ***512.40***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive, but the BSF may be accessed in both FY 2010 and FY 2011.**

160 OBM - 8 Cash Transfers to the General Revenue Fund from Non-GRF Funds

Section: ***512.60***	**Section:** ***512.60***
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.
(3) 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.	(3) Same as the Executive.
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.	**Fiscal effect: Same as the Executive, but assumes an additional $30 million over the biennium in such transfers.**

Executive	As Passed by the House
161 OBM - 3 State Agency Administrative Cost Savings and Efficiency	
Section: ***512.90***	**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.	Same as the Executive.
Fiscal effect: Potential decrease in administrative expenses for the agencies that enter into such agreements.	**Fiscal effect: Same as the Executive.**
162 OBM - 25 Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments	
Section: ***518.30***	**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.	Same as the Executive.

Executive	As Passed by the House
163 OBM - 9 Authorization for Ohio Building Authority and OBM to Effectuate Certain Lease Rental Payments	
Section: ***518.40***	**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.	Same as the Executive.
164 OBM - 27 State and Local Rebate Authorization	
Section: ***521.10***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
165 OBM - 28 Statewide Indirect Cost Recovery	
Section: ***521.20***	**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.	Same as the Executive.
166 OBM - 29 GRF Transfers on Behalf of the Statewide Indirect Cost Allocation Plan	
Section: ***521.30***	**Section:** ***521.30***
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.
(3) 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.	(3) Same as the Executive.

Executive	As Passed by the House
167 OBM - 33 Fiscal Year 2009 General Revenue Fund Ending Balance	
Section: ***521.40***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
168 OBM - 31 Federal Government Interest Requirements	
Section: ***521.50***	**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.	Same as the Executive.
169 OBM - 32 Federal Cash Management Improvement Act	
Section: ***521.60***	**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.	Same as the Executive.

	Executive	As Passed by the House
170	**OBM - 11 Fiscal Stabilization and Recovery**	
	Section: ***521.70***	**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.	Same as the Executive.
	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 appropriates such authorized additional GRF expenditures.	Same as the Executive.
171	**OBM - 39 Study of Economic Viability of Horse Racing Tracks**	
		Section: ***737.10***
	No provision.	Requires the Director of OBM to study the economic viability of tracks where permit holders conduct live horse racing and make recommendations regarding ways to ensure their viability to the Governor, Speaker of the House, and President of the Senate no later than 30 days after the bill's effective date. **Fiscal effect: Increase in expenses of an uncertain amount to conduct the study.**

Executive	As Passed by the House
172 CSR - 1 Warehouse Payments	
Section: ***231.10***	**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.	Same as the Executive.

Executive	As Passed by the House
173 CHR - 1 Renewal of Chiropractic License	
	R.C. ***4734.25***
No provision.	Requires a license to practice chiropractic to be renewed biennially, in place of the current annual renewal system.
No provision.	Requires the State Chiropractic Board to adopt rules establishing the amount of the rewewal fee and the penalty for failure to renew, in place of the current statutory fee of $250 and penalty of $150. **Fiscal effect: Changes the timing of the receipt of revenue and may increase or decrease revenue depending on the fees adopted by the Board in rules.**

Executive	As Passed by the House
174 CIV - 3 Fair Housing And Other Civil Rights Law	
R.C. ***4112.01, 4112.04, 4112.051***	**R.C.** ***4112.01, 4112.04, 4112.05, 4112.051, 4112.052***
(1) Expands the category of persons who may request that the Civil Rights Commission issue subpoenas from only the respondents to any party to the administrative proceeding (thereby authorizing complainants and aggrieved persons who have become parties to request issuance of subpoenas).	(1) Same as the Executive.
(2) Delays the point in time at which the respondents (expanded to all parties under the bill) may request the Commission to issue a subpoena to after the person becomes a party to an administrative hearing.	(2) Same as the Executive.
(3) Authorizes the complainant and any aggrieved person to intervene as a matter of right in the civil action, if the complainant or respondent, or any aggrieved person, involved in an administrative proceeding to enforce certain fair housing provisions in the Civil Rights Law elects to have the alleged unlawful discriminatory practices addressed in a civil action instead of the pending administrative proceeding, with respect to the issues to be determined in the civil action.	(3) Same as the Executive.
(4) Defines "aggrieved person" for the purposes of who may participate in certain fair housing civil rights proceedings to include persons who have been or may be injured by the discrimination and certain other individuals and organizations who investigate and enforce Fair Housing Law.	(4) Same as the Executive.
(5) No provision.	(5) Authorizes additional remedies a court may award in a civil action the Attorney General brings to enforce the Ohio Fair Housing Law, including actual and punitive damages, preventative relief, other relief the court considers

Executive	As Passed by the House
	appropriate, and penalties in an amount not exceeding $50,000 for a first violation and $100,000 for subsequent violations.
(6) No provision.	(6) Authorizes the Attorney General to commence a civil action when the Civil Rights Commission refers a breach of a conciliation agreement.
(7) No provision.	(7) Permits any person to intervene in a civil action the Attorney General brings if the person is an aggrieved person relating to a Fair Housing Law violation or a party to a breached conciliation agreement and establishes relief a court may grant.
(8) No provision.	(8) Authorizes any "aggrieved person" to be a party to an administrative hearing held in relation to a violation of the Fair Housing Law and permits the complainant and aggrieved persons to appear at the hearing in person, by attorney, or otherwise to examine and cross-examine witnesses and to present evidence.
(9) No provision.	(9) Authorizes respondents in administrative hearings before the Civil Rights Commission to present evidence.
Fiscal effect: These provisions are generally intended to bring Ohio's Fair Housing Law into compliance with federal law, 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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House

175 COM - 27 Federal "Secure and Fair Enforcement for Mortgage Licensing Act of 2008" (S.A.F.E. Act) Implementation

R.C. ***109.572, 1321.51, 1321.52, 1321.521, 1321.531, 1321.532, 1321.533, 1321.534, 1321.535, 1321.536, 1321.54, 1321.55, 1321.551, 1321.552, 1321.59, 1321.591, 1321.592, 1321.593, 1321.594, 1321.595, 1321.60, 1321.99, 1322.01, 1322.02, 1322.023, 1322.024, 1322.031, 1322.041, 1322.05, 1322.051, 1322.052, 1322.06, 1322.061, 1322.064, 1322.07, 1322.071, 1322.072, 1322.075, 1322.081, 1322.09, et al, Section 701.70***

No provision.	In order to comply with the federal SAFE Act, the bill does all of the following:
(1) No provision.	(1) Requires the licensure of loan originators who are employed by or associated with registered mortgage lenders under the Mortgage Loan Law (R.C. 1321.51 to 1321.60) or registered mortgage brokers under the Mortgage Brokers Law (R.C. 1322.01 to 1322.12). Specifes an application fee and annual renewal fee of $150 and any other fee required by the Nationwide Mortgage Licensing System and Registry (NMLS&R).
(2) No provision.	(2) Specifies that loan originators are individuals who for compensation or gain, or in anticipation of compensation or gain, do any of the following: (a) take or offer to take a residential mortgage loan application; (b) assist or offer to assist a buyer in obtaining or applying to obtain a residential mortgage loan by, among other things, advising on loan terms, including rates, fees, and other costs; (c) offer or negotiate terms of a residential mortgage loan; (d) issue or offer to issue a commitment for a residential mortgage loan to a buyer. Exempts clerical or purely administrative staff, real estate brokers, persons acting

Executive	As Passed by the House
	solely as loan processors or underwriters, certain licensed attorneys, and others from licensure.
(3) No provision.	(3) Requires loan originators to furnish certain information to the NMLS&R, including fingerprints for a criminal background check and their personal history and experience, and to obtain a unique identifier from the NMLS&R.
(4) No provision.	(4) Establishes standards for license issuance, including: (a) completing at least 20 hours of pre-licensing instruction reviewed and approved by the NMLS&R, (b) obtaining a specified score on a written test developed by the NMLS&R and administered by a NMLS&R-approved test provider, (c) obtaining and maintaining a surety bond in an amount that reflects the dollar amount of loans originated by the loan originator, (d) completing continuing education in a course or program of study reviewed and approved by the NMLS&R, and (e) submitting Mortgage Call Reports of condition to the NMLS&R.
(4) No provision.	(5) Specifies that all privilege and confidentiality protections under state or fedreal law continue to apply to information after it has been provided to the NMLS&R or shared with other state and federal regulatory officials with mortgage industry oversight authority.
(5) No provision.	(6) Permits the Superintendent of Financial Institutions to establish relationships or enter into contracts with the NMLS&R to collect and maintain records and process transaction fees related to loan originator licenses. **Fiscal effect: Potential gain in revenue to the Consumer Finance Fund (Fund 5530), dependent on the number of applicants and licensees. Potential increase in administrative costs to conform to the changes made by the bill.**

Executive	As Passed by the House
176 COM - 28 Registrants under the Mortgage Loan Law	
	R.C. ***109.572, 1321, 20, 1321.51, 1321.52, 1321.53, 1321.533, 1321.535, 1321.536, 1321.54, 1321.55, 1321.551, 1321.57, 1321.59, 1321.591, 1321.592, 1321.593, 1321.594, 1321.595, 1321.60, 1321.99, Section 701.70***
No provision.	Makes numerous revisions to the laws governing registered mortgage lenders, including with respect to the following:
(1) No provision.	(1) Expands the activities requiring registration.
(2) No provision.	(2) Requires a civil and criminal records check of each applicant for a certificate of registration or of those persons who have the authority to control the operations of the applicant.
(3) No provision.	(3) Requires that the designated operations manager of a registrant be a licensed loan originator.
(4) No provision.	(4) Permits registrants to be bonded rather than maintain a specified net worth.
(5) No provision.	(5) Specifies additional grounds for suspension or revocation of certificates of registration, and additional fines for violations.
(6) No provision.	(6) Provides additional disclosure and other requirements and creates new prohibitions, including the use of unfair, deceptive, or unconscionable means to collect any claim.
(7) No provision.	(7) Permits borrowers injured by a violation of or failure to comply with certain provisions of the law to bring an action for the recovery of damages.

	Executive	As Passed by the House
		Fiscal effect: Potential gain in revenue to the Consumer Finance Fund (Fund 5530) if additional entities would be required to register as mortgage lenders. Potential increase in administrative costs to conform to the changes made by the bill. Potential increase in civil court caseloads if new cases arise from the additional disclosures, requirements, and prohibitions.
177	**COM - 29** **Independence of the Superintendent and Division of Financial Institutions**	
		R.C. ***121.07***
	No provision.	Eliminates the provision of current law stating that the Superintendent of Financial Institutions and the Division of Financial Institutions are independent of and not subject to the control of the Department or the Director of Commerce when performing any of the examination or regulatory powers vested by Title XI, Chapters 1733. and 1761., and sections 1315.01 to 1315.18 of the Revised Code. **Fiscal effect: None.**
178	**COM - 22** **Fee for Administering Unclaimed Funds**	
		R.C. ***169.08***
	No provision.	Eliminates the requirement that the Director of Commerce retain in the Unclaimed Funds Trust Fund (Fund 5043) 5% of the total amount of unclaimed funds payable to a claimant as a fee for administering the funds. **Fiscal effect: Loss of several million dollars per year in revenue, depending on claims paid. Based on FY 2008 claims paid of $57.8 million, the 5% administrative fee generated approximately $3.0 million.**

	Executive	As Passed by the House
179	**COM - 30** **Mortgage Brokers/Loan Officers Law Changes**	
		R.C. ***1322.01, 1322.02, 1322.022, 1322.023, 1322.03, 1322.031, 1322.04, 1322.041, 1322.05, 1322.051, 1322.052, 1322.06, 1322.061, 1322.062, 1322.063, 1322.064, 1322.065, 1322.07, 1322.071, 1322.072, 1322.074, 1322.075, 1322.08, 1322.081, 1322.09, 1322.10, 1322.11, 1343.011, 1345.01, 1345.05, 1345.09, 1349.31, 1349.43, Section 701.70***
	(1) No provision.	(1) Eliminates the licensing of loan officers and makes conforming changes relative to the elimination of the loan officer license and the creation of the loan originator license.
	(2) No provision.	(2) Makes numerous revisions relative to the registration of mortgage brokers, including with respect to the following: (a) exemption of mortgage bankers from the law, application for which carries an annual fee of $350, (b) the penal sum of the required surety bond, (c) continuing education required of a registrant's operations manager, (d) disclosure requirements, and (e) prohibitions.
	(3) No provision.	(3) Prohibits an individual from acting as a loan originator (who must be employed by or associated with a mortgage broker) without first having obtained a license from the superintendent, the fee for which is $150 annually.
		Fiscal effect: Potential gain in fee revenue to the Consumer Finance Fund (Fund 5530) dependent on the number of applicants and licensees. Potential increase in administrative costs to conform to the changes made by the bill.

Executive	As Passed by the House
180 COM - 4 Mortgage Broker and Loan Officer License Fees	
R.C. ***1322.03, 1322.031, 1322.04, 1322.041***	**R.C.** ***1322.03, 1322.031, 1322.04, 1322.041***
(1) Increases the application and renewal fees for a mortgage broker certificate of registration from $350 to $500.	(1) Same as the Executive, but also requires the application and renewal fees to include any additional fee required by the Nationwide Mortgage Licensing System and Registry (NMLS&R).
(2) Increases the application and renewal fees for a loan officer license from $100 to $150.	(2) Same as the Executive, but changes the reference from a loan officer to a loan originator and also requires the application and renewal fees to include any additional fee required by the NMLS&R.
(3) Increases the threshold at which an applicant must pay for the Superintendent's excess costs of investigation outside Ohio from $350 to $500 for a mortgage broker's certificate and from $100 to $150 for a loan officer license.	(3) Same as the Executive, but changes the reference from loan officer to loan originator.
(4) 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.	(4) Same as the Executive.
Fiscal effect: Gain in revenue of approximately $488,000 per year to the Consumer Finance Fund (Fund 5530).	**Fiscal effect: Same as the Executive, though the amount of revenue may vary due to the variations in scope between the current loan officer license and the proposed loan originator license.**
181 COM - 8 Video Service Authorization Program Funding	
R.C. ***1332.24, 1332.25***	**R.C.** ***1332.24, 1332.25, Section 713.10***
(1) 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 the scope of the subscriber base or the purpose of the video service.	(1) Same as the Executive, but removes the discretion of the Director of Commerce to exclude video service providers from the assessment.

Executive	As Passed by the House
(2) Directs the assessment revenue to the Video Service Authorization Fund (Fund 5X60). Requires the assessment to (a) be based on actual administrative costs in overseeing the video service authorization program and (b) allocated proportionately among the video service providers using a competitively neutral formula established by rule.	(2) Replaces the Executive provision with provisions that (a) direct assessment revenue to the Division of Administration Fund (Fund 1630), (b) limit the total amount assessed to the lesser of $450,000 per fiscal year or the actual, current fiscal year administrative costs to carry out the video service authorization program, (c) require the assessment to be based on subscriber counts as of December 31st of the preceding calendar year and submitted by January 31st, and (d) specify that subscriber count information submitted by a video service provider is trade secret information that cannot be disclosed except by court order and is not a public record under the Public Record Law.
(3) No provision.	(3) Adds to the Director of Commerce's enforcement authority by permitting the Director to enforce payment of the new video service assessment.
(4) Grants rulemaking authority to the Director of Commerce to carry out the duties under the Video Service Authorization Law.	(4) No provision.
(5) Requires the Director of Commerce to send to each video service provider written notice of its proportional amount of the total assessment by July 1 of each year and requires providers to pay that amount within 14 days after the notice is sent.	(5) Same as the Executive, but requires the notice to be sent by June 1 and allows providers 30 days after the notice is sent to pay the assessment.
(6) Requires the Director of Commerce, on an annual basis, to reconcile the amount collected with the actual fiscal year administrative costs and either charge each assessed provider its respective proportion of any insufficiency or propertionately credit the provider's next assessment for any excess collected.	(6) Same as the Executive, but requires the Director to reconcile the amount collected with the total, current amout assessed.
(7) No provision.	(7) For FY 2010, requires video service providers to submit subscriber counts for the preceding calendar year by October 9, 2009, and requires the Director of Commerce to send each provider written notice of its assessment by

Executive	As Passed by the House
	October 16, 2009. Requires providers to pay the assessment by October 30, 2009.
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.	**Fiscal effect: Same as the Executive, but a gain in revenue to the Division of Administration Fund (Fund 1630) of up to $450,000 per year.**

182 COM - 2 Securities License and Filing Fees

R.C. ***1707.17***	**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.	Same as the Executive.
Fiscal effect: Gain in revenue of about $4.7 million per year to the Division of Securities Fund (Fund 5500), including the securities dealer or investment advisor transfer fees specified below.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
183 COM - 3 Securities Dealer or Investment Adviser License Transfer Fees	
R.C. ***1707.18***	**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.	Same as the Executive.
Increases the fee for every investment adviser representative's license that is transferred from $10 to $15, in the case of a transfer of an investment adviser's license and the licenses of its investment adviser representatives to a successor entity.	Same as the Executive.
Fiscal effect: Potential gain in revenue to the Division of Securities Fund (Fund 5500).	**Fiscal effect: Same as the Executive.**
184 COM - 21 Securities Investor Education and Enforcement	
	R.C. ***1707.37, Section 241.10***
(1) No provision.	(1) Creates the Division of Securities Investor Education and Enforcement Expense Fund (Fund 5GK0) to pay the expenses of the Division relating to education or enforcement for the protection of securities investors and the public.
(2) No provision.	(2) Specifies that the fund is to consist of all money received in settlement of violations of the Securities Law (Chapter 1707. of the Revised Code) and any cash transfers.
(3) No provision.	(3) Provides that if the Director of OBM and the Director of Commerce determine that money in Fund 5GK0 is in excess of $1 million at the end of a fiscal year and that any amount of that excess is not needed to defray the qualifying expenses of the Division of Securities, the Director of OBM may transfer that amount to the GRF.

Executive	As Passed by the House
(4) No provision.	(4) Requires the Director of OBM, upon the request of the Director of Commerce, to transfer up to $485,000 in cash in each fiscal year from the Division of Securities Fund (Fund 5500) to Fund 5GK0. **Fiscal effect: Supports the new program with an appropriation of $485,000 each fiscal year.**

185 COM - 1 State Fire Marshal's Fund Transfers

R.C. ***3737.71***	**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.**	Same as the Executive. **Fiscal effect: Same as the Executive.**

186 COM - 26 Residential Construction Advisory Committee

	R.C. ***3781.10, 3781.12, 3781.19, 4740.14***
(1) No provision.	(1) Requires the Residential Construction Advisory Committee (RCAC) to provide the Board of Building Standards (BBS) with any rule RCAC recommends to update or amend the state residential building code or to update or amend rules that BBS adopts that relate to the certification of entities that enforce the state residential building code.
(2) No provision.	(2) Permits any person to petition RCAC to recommend a rule to BBS regarding the state residential building code or relating to the certification of entities that enforce the state residential building code. After receiving such a petition, requires RCAC to provide BBS with any rule it recommends regarding the state residential building code

Executive	As Passed by the House
	or relating to the certification of entities that enforce the state residential building code.
No provision.	Requires RCAC to provide BBS with a written report of its findings for each consideration RCAC makes in regards to its recommendations relating to the residential building code, certification of building officials who enforce the state residential building code, and the interpretation of the residential building code.

187 COM - 5 Boiler Inspection and Related Occupational License Fees

R.C. ***4104.07, 4104.101,4104.18***	**R.C.** ***4104.07, 4104.101,4104.18***
(1) 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.	(1) Same as the Executive.
(2) Increases the following inspection fees for boilers: (a) Annual inspection fee from $45 to $50; (b) Biennial inspection fee from $90 to $100; (c) Triennial inspection fee from $135 to $150; and (d) Quinquennial inspection fee from $225 to $250.	(2) Same as the Executive.
(3) Increases the examination application fee for a boiler and pressure vessel inspector from $50 to $150.	(3) Same as the Executive.
(4) Increases the application permit fee for making any installation or major repair or modification of a boiler from $50 to $100.	(4) Same as the Executive.
(5) Increases the application fee for applicants for steam engineer, high pressure boiler operator, or low pressure boiler operator licenses from $50 to $75	(5) Same as the Executive.
(6) Increases the fee for each original or renewal steam engineer, high pressure boiler operator, or low pressure boiler operator license from $35 to $50.	(6) Same as the Executive.

Executive	As Passed by the House
Fiscal effect: Gain in revenue of approximately $645,000 per year to the Industrial Compliance Operating Fund (Fund 5560), proposed to be renamed the Labor Operating Fund in other provisions in the bill.	**Fiscal effect: Same as the Executive.**

188 COM - 6 Elevator Inspection Fees

R.C. ***4105.17***	**R.C.** ***4105.17***
(1) 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.	(1) Same as the Executive.
(2) Increases the fee for inspections or attempted inspections of elevators by a general inspector from $20 to $120.	(2) Same as the Executive.
(3) 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.	(3) Same as the Executive.
(4) 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.	(4) Same as the Executive.
Fiscal effect: Gain in revenue of about $729,000 per year to the Industrial Compliance Operating Fund (Fund 5560), proposed to be renamed to the Labor Operating Fund in other provisions of the bill.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
189 COM - 25 Sunday Liquor Sales	
	R.C. ***4301.333, 4301.334, 4301.351, 4301.354, 4301.355, 4301.356, 4301.361, 4301.364, 4301.365, 4301.366, 4303.182, Section 743.10, Section 743.11***
(1) No provision.	(1) Changes local option elections on Sunday sales of intoxicating liquor allowing sales between 1 p.m. and midnight to instead allow sales between 11 a.m. and midnight.
(2) No provision.	(2) Authorizes certain Sunday liquor sales to begin at 11 a.m. even if the sales were previously approved by the voters to commence at 1 p.m., but allows voters to hold an election to revert the time of commencement to 1 p.m. under certain conditions.
(3) No provision.	(3) Requires the Superintendent of Liquor Control to publish notice in a newspaper of general circulation in each county to inform the electors that they may petition to hold an election to revert the first hour of sales back to 1 p.m.
	Fiscal effect: Potential gain in revenue to the Liquor Control Fund (Fund 7043) if expanded Sunday hours leads to greater sales. One-time increase, potentially in the hundreds of thousands of dollars, from Fund 7043 for required newpaper advertising. Potential costs for municipalities and townships to hold special elections. Minimal increase for counties to provide petitioners with voter or street lists, notify affected permit holders by certified mail, and hear protests filed against a local option election. Potential overall decrease in the number of local option questions on ballots since persons with a license that allows for 1 p.m. Sunday liquor sales may be content to sell at 11 a.m., opting not to file petitions to sell beer or intoxicating liquor at 10 a.m, as may be done under current law.

Executive	As Passed by the House
190 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, 4767.05, 4767.07, 4767.08, Section 815.10***	**R.C.** ***4735.06, 4735.09, 4735.12, 4735.13, 4735.15, 4735.22 (repealed), 4735.23 (repealed), 4767.05, 4767.07, 4767.08, Section 815.10***
(1) Increases the application fee for a real estate broker's license from $69 to $100 and the renewal fee from $49 to $75.	(1) Same as the Executive, but reduces the increase in the renewal fee to $60.
(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.	(2) Same as the Executive, but reduces the increase in the application fee to $60 and reduces the increase in the renewal fee to $45.
(3) Increases the additional renewal fee for brokers that have between 11 and 20 salespersons from $64 to $75 and increases the additional renewal fee for brokers for every ten real estate salespersons or fraction of that number above 20 from $37 to $40.	(3) No provision.
(4) Increases the fee for reactivation or transfer of a license by a real estate salesperson from $20 to $25.	(4) Same as the Executive.
(5) Increases the fee for a branch office license from $8 to $15.	(5) Same as the Executive.
(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.	(6) Same as the Executive.
(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.	(7) No provision.

Executive	As Passed by the House
(8) Increases the maximum fine for a violation committed by a licensed real estate broker or salesperson from $2,500 to $5,000.	(8) No provision.
(9) No provision.	(9) Reduces from $1 million to $500,000 the Real Estate Recovery Fund cash balance threshold at which real estate brokers and salespersons must pay a special assessment of a maximum of $10 per license year for renewal.
(10) 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).	(10) No provision.
(11) Makes various changes to the complaint process regarding licensed real estate brokers and salespersons and unlicensed persons.	(11) No provision.
(12) 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 the Superintendent.	(12) No provision.
(13) 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.	(13) No provision.
(14) 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.	(14) Same as the Executive.

Executive	As Passed by the House
(15) 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.	(15) No provision.
(16) Repeals current law that (a) prohibits the sale of cemetery lots or cemetery interment rights without a written agreement identifying the lot or location, (b) prohibits persons who sell cemetery lots from promising or guaranteeing (or authorizing or permitting any person to promise or guarantee) future profits from the resale or repurchase of the real estate, and (c) and permitting commissions on the sale of cemetery lots in such reasonable amounts as may be fixed by the board of trustees of the cemetery company or association.	(16) Same as the Executive.
Fiscal effect: (a) Gain in revenue of approximately $563,000 per year to the Real Estate Operating Fund (Fund 5490) from license fee increases; (b) Gain in revenue of approximately $200,000 to $300,000 per year to Fund 5490 and corresponding loss to the Real Estate Education and Research Fund (Fund 5470) from the redirection of fees, based on revenue to Fund 5470 in recent years; (c) 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; (d) 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; (e) 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.	**Fiscal effect: Same as the Executive, but reduces the revenue gain to Fund 5490 in (a) by approximately $344,000 per year because of the lowered or eliminated fee increases, eliminates the fiscal effects noted in (c) and (e); potential gain in revenue to the Real Estate Recovery Fund (Fund 5480) if that fund's cash balance is below the lowered assessment threshold on July 1 of each year .**

Executive	As Passed by the House
191 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***	**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***
(1) Expands the definition of "appraisal report" to include appraisal review and appraisal consulting service and defines those terms.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.
(3) 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.	(3) Same as the Executive.
(4) 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.	(4) Same as the Executive.
(5) Changes the time periods for the Division of Real Estate and Professional Licensing to act on a complaint.	(5) Same as the Executive.
(6) 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.	(6) Same as the Executive.

Executive	As Passed by the House
Fiscal effect: No difference in the total fee amounts paid by an applicant, as the portion paid that is deposited into the Real Estate Appraiser Recovery Fund (Fund 4B20) will be decreased accordingly for each fee using authority granted in rule. Therefore, there would be a gain in revenue to the Real Estate Appraiser Operating Fund (Fund 6A40) due to the increased portion of an applicant's fee being deposited there and a corresponding decrease in revenue to Fund 4B20. Potential decrease in administrative costs.	**Fiscal effect: Same as the Executive.**

192 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***	**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***
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.
(3) Renames the Industrial Compliance Operating Fund the Labor Operating Fund.	(3) Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

193 COM - 9 Small Government Fire Departments

Section: ***241.10***	**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.	Same as the Executive.

194 COM - 10 Unclaimed Funds Payments

Section: ***241.10***	**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.	Same as the Executive.

195 COM - 11 Unclaimed Funds Transfers

Section: ***241.10***	**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.	Same as the Executive, but increases the amount of unclaimed funds that may be transferred to $250 million in FY 2010 and to $135 million in FY 2011.

Executive **As Passed by the House**

196 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.

Section: ***241.10***

Replaces the executive provisions with provisions that (a) earmark up to $1,647,140 for grants to volunteer fire departments, fire departments that serve one or more small municapilities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships; (b) require the grants to be used to purchase firefighting or rescue equipment or gear or similar items, to provide full or partial reimbursement for the documented costs of firefighter training, or, at the discretion of the State Fire Marshal, to cover fire department costs for providing fire protection services in the grant recipient's jurisdiction; (c) limit grant awards for firefighting or rescue equipment or gear or fire department costs of providing fire protection services to $15,000 per fiscal year, or up to $25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded, and to $15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training, which could be in addition to any grant funds awarded for equipment or fire protection services, (d) require the State Fire Marshal to determine the total amounts to be allocated for each eligible purpose, (e) require the State Fire Marshal to administer the grant program in accordance with rules adopted as part of the state fire code, which may further define eligible entities and establish criteria for the awarding and expenditure of

Executive	As Passed by the House
	grant funds, and (f) permit any such appropriations in excess of the amount allocated for the grants to be used to administer the grant program.
197 COM - 24 Cash Transfers to the Real Estate Operating Fund	
	Section: ***241.10***
No provision.	Requires the Director of OBM, upon the request of the Director of Commerce, to transfer to the Real Estate Operating Fund (Fund 5490), (a) $1.3 million over the FY 2010-FY 2011 biennium from the Real Estate Education and Research Fund (Fund 5470) and (b) $600,000 over the FY 2010-FY 2011 biennium from the Real Estate Recovery Fund (Fund 5480).
198 COM - 23 Division of Securities Technology Upgrades	
	Section: ***241.10***
(1) No provision.	(1) Permits such sums as are necessary over the biennium to be spent from SSR Fund 5500 appropriation item 800617, Securities, to support the development and implementation of information technology solutions designed to better protect the interests of investors, the public, and the securities industry.
(2) No provision.	(2) Requires that these improvements enhance the ability to monitor complaints and actions against persons under Chapter 1707. of the Revised Code or defined as fraudulent in that chapter or any other deceptive scheme or practice in connection with the sale of securities.
(3) No provision.	(3) Permits the Director of Commerce to seek assistance from DAS in developing and implementing these information technology improvements.

	Executive	As Passed by the House
199	**COM - 13 Increased Appropriation - Merchandising**	
	Section: ***241.10***	**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.	Same as the Executive.
200	**COM - 14 Development Assistance Debt Service**	
	Section: ***241.10***	**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.	Same as the Executive.
201	**COM - 15 Revitalization Debt Service**	
	Section: ***241.10***	**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.	Same the Executive.

Executive	As Passed by the House
202 COM - 16 Administrative Assessments	
Section: ***241.10***	**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.	Same as the Executive.

Executive	As Passed by the House

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

Section: *245.10*	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.	Same as the Executive.

204 CEB - 4 Federal Shares

Section: *245.10*	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.	Same as the Executive.

Executive	As Passed by the House
205 CEB - 5 Disaster Assistance	
Section: ***245.10***	**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.	Same as the Executive.
206 CEB - 6 Disaster Services	
Section: ***245.10***	**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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.
(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	(3) Same as the Executive.

Executive	As Passed by the House
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.	(4) Same as the Executive.

207 CEB - 7 Southern Ohio Correctional Facility Cost

Section: ***245.10***	**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.	Same as the Executive.

208 CEB - 2 Mandate Assistance

Section: ***245.10***	**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.	(1) Same as the Executive.

Executive	As Passed by the House
(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 tem 911404 for the two aforementioned purposes.	(2) Same as the Executive.
(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.	(3) Same as the 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.	(4) Same as the Executive.
(5) Prescribes how each of these programs of state financial assistance are to be carried out.	(5) Same as the Executive.
(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.	(6) Same as the Executive.

209 CEB - 3 Ballot Advertising Costs

Section: *245.10*	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.	Same as the Executive, but modifies provision to reflect existing permanent law that has already transferred responsibility for the costs of advertising statewide ballot initiatives from county boards of elections to the Secretary of State.

Executive	As Passed by the House
210 COS - 5 Cosmetologist License Education Requirements	
	R.C. *4713.28*
No provision.	Changes the education requirement for a cosmetology license from a public school 10th grade education level or equivalent to an Ohio high school diploma, certificate of completion, or a general equivalency diploma, but deems the education requirement to be satisfied if the individual has met all career technical requirements established by the Ohio Department of Education.
211 COS - 4 Cosmetologist Classroom Instruction	
	R.C. *4713.32*
No provision.	Raises the number of daily hours of instruction the State Board of Cosmetology may consider in determining an applicant's total hours of instruction for licensing purposes from eight to ten.
212 COS - 1 Cosmetology License Restoration	
R.C. *4713.63*	**R.C. *4713.63***
(1) 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.	(1) Same as the Executive.
(2) 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	(2) Same as the Executive.

Executive	As Passed by the House
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.	
(3) 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.	(3) Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

213 COS - 2 Maximum Fines

R.C. ***4713.64***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
214 CSW - 1 Fees and Fines	
R.C. ***4757.10, 4757.31, 4757.36***	**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.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: Projected annual increase of $167,000 in revenue deposited into the Occupational Licensing Regulatory Fund (Fund 4K90).	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
215 AFC - 2 Operating Expenses	
Section: ***253.10***	**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.	Same as the Executive.
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.	Same as the Executive.
216 AFC - 3 Capital Donations Fund Certifications and Appropriations	
Section: ***253.10***	**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.	Same as the Executive.

Executive	As Passed by the House
217 AFC - 1 Lease Rental Payments	
Section: ***253.10***	**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.	Same as the Executive.

Executive	As Passed by the House
218 BDP - 2 Savings Associations and Savings Banks of Other States Eligible for Public Deposits	
	R.C. ***135.03, 135.06, 135.08, and 135.32***
No provision.	Specifies that any savings association or savings bank located in Ohio, which is doing business under the authority of another state, is eligible to become a public depository. **Fiscal effect: None.**
219 BDP - 1 Board of Deposit Expense Fund	
Section: ***257.10***	**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.	Same as the Executive.

Executive	As Passed by the House
220 DEV - 6 Appalachian Region Expansion	
R.C. ***107.21***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
221 DEV - 59 Funding for Administrative Costs for Appalachian Local Development Districts	
	R.C. ***107.21***
No provision.	Requires that the amount of money from appropriated state funds allocated each year to pay administrative costs of local development districts existing on the section's effective date cannot be decreased due to the creation and funding of additional local development districts and requires that the amount of such funds is to be increased in each year in which there is a reported increase in the federal Consumer Price Index.
	Fiscal effect: Effectively limits administrative support for Appalachian local development districts to the three districts in existence at the time of the bill's enactment.

Executive	As Passed by the House
222 DEV - 61 Program for Hiring Significantly Disadvantaged Workers	
	R.C. ***122.042***
(1) No provision.	(1) Authorizes the Department of Development to develop a program to encourage employers to hire individuals from significantly disadvantaged groups.
(2) No provision.	(2) Specifies that eligible employees may include, but are not limited to, persons who have not graduated from high school, have been convicted of a crime, are disabled, or are chronically unemployed.
(3) No provision.	(3) Requires the Department to adopt rules that construct procedures and describe evidence used to identify significantly disadvantaged groups and eligible employers, specify methods for connecting workers with employers, define the financial incentives to be used, prescribe terms and conditions for receiving such incentives, and any other rules necessary for the operation of the program.
(4) No provision.	(4) Prohibits the Director of Development from providing an incentive in the form of a tax benefit without consulting and receiving the approval of the Tax Commissioner.
(5) No provision.	(5) Authorizes the Director of Development to recover misused incentive awards.
	Fiscal effect: Potentially increases expenditures from unspecified funds in the Department of Development.
223 DEV - 4 Export Promotion Assistance and Foreign Investment	
R.C. ***122.05, 122.051***	**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.	(1) Same as the Executive.

Executive	As Passed by the House
(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.	(2) Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

224 DEV - 57 Alternative fuel definitions

	R.C. ***122.075, 125.831***
No provision.	Adds compressed air to the definition of "alternative fuel" for the purposes of the Department of Development's Alternative Fuel Transportation Grant Program and for vehicles purchased by the state for use by state agencies.

225 DEV - 56 Incentives for Sporting Events

	R.C. ***122.12, 122.121, Section 812.10***
(1) No provision.	(1) Creates a financial incentive for municipal corporations or counties to enter into joinder agreements with sporting event site selection organizations to attract sporting events to Ohio, including NCAA Bowl Championship Series and Final Four games, the Olympics, and all-star major-league basketball, baseball, and hockey games, and World Cup Soccer games.
(2) No provision.	(2) Requires that the funds be disbursed from the General Revenue Fund by the Director of Budget and Management, upon certification by the Director of Development, in an

Executive	As Passed by the House
	amount equal to the estimated incremental increase in state sales tax collections from holding the event in Ohio if the estimated increase is at least $250,000.
(3) No provision.	(3) Caps the amount that may be received by a single eligible entity at $500,000, and caps the total annual amount that may be awarded at $1,000,000. **Fiscal effect: Potentially increases GRF expenditures in FY 2011 and thereafter to provide incentives of up to $1,000,000 per year (up to $500,000 per eligible entity) to attract certain sporting events to Ohio.**

226 DEV - 2 Development Financing Advisory Council

R.C. ***122.40***	**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.	Same as the Executive.

227 DEV - 3 Capital Access Loans for Minority Business Enterprises

R.C. ***122.603***	**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.	Same as the Executive.
Fiscal effect: Potentially increases expenditures for loans to minority business enterprises from Fund 5S90 line item 195628, Capital Access Loan Program.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
228	**DEV - 64** **Minority Business Enterprise Loans for Community Development Corporations**	
		R.C. ***122.76, 122.71, 122.751***
	No provision.	Specifies that a community development corporation that predominantly benefits minority business enterprises or is located in a census tract with at least 60% minority population is eligible for loans under the Minority Business Enterprise Loan Program.
229	**DEV - 72** **Minority Business Bonding Rules**	
		R.C. ***122.89***
	No provision.	Removes the provision of current law that requires the rules adopted for the Minority Business Bonding Program to require minority businesses applying for the program to submit documentation that the business has applied for and been denied or has not received bonds from two surety companies.
230	**DEV - 70** **Ohio Venture Capital Authority Changes**	
		R.C. ***150.02***
	(1) No provision.	(1) Changes the membership of the Ohio Venture Capital Authority from nine members to three voting members to include the Director of Development or the Director's designee and two members appointed by the Governor.
	(2) No provision.	(2) Removes the provisions in current law requiring that appointments to the Authority be made with the advice and consent of the Senate and requiring the appointed members to have experience in banking, commercial law, or industry relevant to the Ohio Venture Capital Program.
	(3) No provision.	(3) Removes the provisions in current law relating to the terms of Authority membership and provisions for a

Executive	As Passed by the House
	member's removal.
(4) No provision.	(4) Removes the provision in current law that requires members of the Authority to serve without compensation and be reimbursed for reasonable and necessary expenses.
(5) No provision.	(5) Removes the provision in current law that states that a vacancy in the Authority's voting membership does not impair the right of a quorum to exercise all rights and perform all duties of the authority **Fiscal effect: May increase expenses from unspecified funds in the Department of Development to pay the two appointed members as a result of the removal of the prohibition on member compensation.**

231 DEV - 71 Ohio Venture Capital Advisory Board

	R.C. ***150.021***
(1) No provision.	(1) Creates the Ohio Venture Capital Advisory Board to provide general advice on the Ohio Ventural Capital Program to the Ohio Venture Capital Authority. Requires such advice to include the issues of (A) strategic planning, investment policy, and investment prohibitions; (B) budget and investment targets, investment processes, and other professional management and administration issues; (C) metrics and methods of measuring program progress and impact; and (D) qualifications and standards for evaluating the performance of the program administrator and other professionals and advisors providing services in connection with the Authority's programs.
(2) No provision.	(2) Prohibits the Ohio Venture Capital Authority from requesting, and prohibits the Advisory Board from offering, advice about selecting or retaining any service provider, contractor, or other agent retained by the Authority, or about any specific investment considered or made by the

Executive	As Passed by the House
	program administrator.
(3) No provision.	(3) Requires the Advisory Board to consist of seven members appointed by the Governor from among the general public, with the advice and consent of the Senate. Requires the members to have experience with the seed or early stage development of businesses or investments in such businesses. Requires at least three of the members to have experience investing or managing investments in businesses in the seed or early stages of development. Requires at least two members to have experience providing professional services to individuals or funds investing in or managing investment in businesses in the seed or early stages of development. Permits the other members of the Board to have experience in investing or managing investments in businesses or providing professional services to entities that invest in or manage investments for businesses or assist businesses in obtaining government financing.
(4) No provision.	(4) Requires initial appointees to the Board to serve staggered terms with two terms expiring January 31, 2010, two terms expiring January 31, 2011, and three terms expiring January 31, 2012. Requires all terms of office thereafter to be for three years. Specifies that all members serve at the pleasure of the Governor and specifies the requirements for filling vacancies on the Board. Specifies that any member is eligible for reappointment.
(5) No provision.	(5) Requires the Governor to designate one member of the Board as chairperson; specifies that a majority of all Board members constitutes a quorum; and requires an affirmative vote of a majority of all members for any recommendation or advice by the Board.
(6) No provision.	(6) Requires members of the Board to serve without compensation, but requires reimbursement for reasonable and necessary expenses incurred in the conduct of Board

Executive	As Passed by the House
	business. Requires the Department of Development to provide office space and facilities for the Board. **Fiscal effect: Potentially increases expenses from unspecified funds in the Department of Development to house and provide reimbursement for the Ohio Venture Capital Advisory Board.**
232 DEV - 73 Minority and Women-Owned Investment Managers and Agents	
	R.C. ***150.05, 150.051, 3334.11, 3334.111, 4123.442, and 4123.446***
No provision.	Permits the Chancellor of the Board of Regents and the Workers' Compensation Investment Committee to set aside 15% of contracts with agent and investment managers for administration of funds for minority owned and controlled firms, firms owned and controlled by women, and ventures involving such firms that otherwise meet the established policies and criteria.
No provision.	Requires the Ohio Venture Capital Authority to give equal consideration, in selecting program administrators, to minority owned and controlled firms, firms owned and controlled by women, and ventures involving such firms that otherwise meet the established policies and criteria.
No provision.	Requires the Ohio Venture Capital Authority, the Chancellor of the Board of Regents, and the Administrator of Workers' Compensation to submit an annual report containing information regarding the minority or women-owned businesses with which it contracts, the amount of assets managed by minority or women-owned businesses, and efforts it has made to increase utilizations of minority or women-owned businesses.

Executive	As Passed by the House
	Fiscal effect: May increase the Ohio Venture Capital Authority's, the Chancellor of the Board of Regents', and the Administrator of Workers' Compensation's administrative costs associated with the annual reporting requirement. If there is such an increase, it would likely be minimal. The provision has no direct fiscal effect on local governments.
233 DEV - 63 Facilities Establishment Fund Micro-Lending Program	
	R.C. ***166.07, Section 259.20.90***
(1) No provision.	(1) Creates a micro-lending program within the Department of Development's direct loan programs specifically for small business enterprises; authorizes the Department to establish eligibility criteria and loan terms; specifies that the purposes for which loans may be used are the same as those under the existing direct loan programs (i.e., original financing of facilities or machinery and equipment); and authorizes the Director of Development to enter into agreements with for-profit and non-profit organizations to originate and administer the loans.
(2) No provision.	(2) Earmarks $1,000,000 in each fiscal year from Fund 7037 appropriation item 195615, Facilities Establishment, for the micro-lending program.

	Executive	As Passed by the House
234	**DEV - 5 Ohio Housing Trust Fund**	
	R.C. ***174.02, 174.03, 174.06, 173.08***	**R.C.** ***174.02, 174.03, 174.06, 173.08, Section 259.20.80***
	(1) 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.	(1) Same as the Executive.
	(2) No provision.	(2) Allows moneys in the fund to support tenant rights and responsibilities education, conflict resolution and mediation activities, the development of tenant councils and organizations, and the promotion of capacity building initiatives for county trust funds.
	(3) No provision.	(3) Earmarks at least $500,000 in each fiscal year from Fund 6460 appropriation item 195638, Low and Moderate Income Housing Trust Fund, for outreach, organizational assistance, and information to tenants and residents of manufactured homes.
	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.	**Fiscal effect: Same as the Executive, but further expands the authority for expenditures from the fund to the purposes described above.**
235	**DEV - 69 Enterprise Zones**	
		R.C. ***5709.62, 5709.63, 5709.632***
	No provision.	Extends the time during which local governments may enter enterprise zone agreements from October 15, 2009, to October 15, 2010.

Executive	As Passed by the House
236 DEV - 9 Thomas Edison Program	
Section: ***259.10.10***	**Section:** ***259.10.10***
(1) 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.	(1) Same as the Executive.
(2) No provision.	(2) Earmarks $75,000 in each fiscal year from that appropriation item for the City of Cleveland and $75,000 in each fiscal year for the City of Toledo for the Toledo-Cleveland Energy Corridor, and requires local matching funds to be secured from each grantee for the distribution of the earmarks.
(3) No provision.	(3) Earmarks $160,000 in FY 2010 from appropriation item 195401, Thomas Edison Program, for a workforce needs assessment for the advanced and renewable energy industry and affiliated suppliers in Northwest Ohio; requires the assessment to identify the skill sets necessary for workers in the industry; and requires any unexpended portion of the earmark to be spent for the same purpose in FY 2011.
237 DEV - 10 Small Business Development	
Section: ***259.10.20***	**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.	Same as the Executive.

	Executive	As Passed by the House
238	**DEV - 66 Defense Conversion Assistance**	
		Section: ***259.10.25***
	No provision.	Specifies that GRF appropriation item 195410, Defense Conversion Assistance, is to be used by Development Projects, Inc., for job creation in support of mission gains in defense intelligence, aerospace research, and related areas from successful base realignment and closure efforts. Requires the Director of Development to approve the disbursement of moneys for this purpose.
239	**DEV - 11 Rapid Outreach Grants**	
	Section: ***259.10.30***	**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.	Same as the Executive.
240	**DEV - 12 Strategic Business Investment Division and Regional Offices**	
	Section: ***259.10.40***	**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.	Same as the Executive.

Executive	As Passed by the House
241 DEV - 13 Governor's Office of Appalachia	
Section: ***259.10.50***	**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.	Same as the Executive.
242 DEV - 14 Technology Action	
Section: ***259.10.60***	**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.	Same as the Executive.
243 DEV - 15 Clean Ohio Implementation	
Section: ***259.10.70***	**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.	Same as the Executive.

Executive	As Passed by the House
244 DEV - 16 Global Markets	
Section: ***259.10.80***	**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.	Same as the Executive.
245 DEV - 17 Ohio Workforce Guarantee Program	
Section: ***259.10.90***	**Section:** ***259.10.90***
(1) Permits GRF appropriation item 195434, Industrial Training Grants, to be used for the Ohio Workforce Guarantee Program and specifies eligible activities under the program.	(1) Same as the Executive.
(2) Requires Federal Special Revenue Fund 3AE0 appropriation item 195643, Workforce Development Initiatives, to be used for the Ohio Workforce Guarantee Grant Program.	(2) Same as the Executive, but earmarks $5,400,000 in each fiscal year, rather than the entire amount of the appropriation item, for Ohio Workforce Guarantee grants.
(3) No provision.	(3) Earmarks $50,000 in each fiscal year from appropriation item 195643, Workforce Development Initiatives, for the NewLife Technical Institute in support of the Bridges from Poverty to IT Jobs pilot program.
Fiscal effect: Designates all Workforce Investment Act funds passed to the Department of Development through the Department of Job and Family Services for grants under the Ohio Workforce Guarantee Program.	**Fiscal effect: Requires $5,400,000 of the WIA funds received from ODJFS, rather than the entire line item, to be used for Ohio Workforce Guarantee grants, earmarks an additional $50,000, and leaves the remainder of line item 195643 for other purposes under the Workforce Investment Act.**

	Executive	As Passed by the House
246	**DEV - 67 State Match Energy**	
		Section: ***259.15.10***
	No provision.	Earmarks $150,000 in each fiscal year in GRF appropriation item 195498, State Match Energy, for the Ross County Auditor to conduct a feasibility study of implementing bio-fuel energy sources for school heating systems.
247	**DEV - 18 Ohio Film Office**	
	Section: ***259.20.10***	**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.	Same as the Executive.
248	**DEV - 55 Travel and Tourism Grants**	
		Section: ***259.20.15***
		Makes the following earmarks from GRF appropriation item 195507, Travel and Tourism Grants:
	(1) No provision.	(1) $500,000 in each fiscal year for the International Center for the Preservation of Wild Animals.
	(2) No provision.	(2) $50,000 in each fiscal year for the Montgomery County Youth Sports Initiative to attract Amateur Athletic Union

Executive	As Passed by the House
	tournaments.
(3) No provision.	(3) $50,000 in each fiscal year for the Greater Cleveland Sports Commission.
(4) No provision.	(4) $50,000 in each fiscal year for the Greater Columbus Sports Commission.
(5) No provision.	(5) $80,000 in each fiscal year for the outdoor dramas "Tecumseh!" and "Trumpet in the Land."
(6) No provision.	(6) $550,000 in each fiscal year to support the operating expenses of the National Underground Railroad Freedom Center.
(7) No provision.	(7) $400,000 in each fiscal year for the Great Lakes Science Center.
(8) No provision.	(8) $250,000 in each fiscal year for the Cleveland Zoo.
(9) No provision.	(9) $25,000 in each fiscal year for Ohio's Appalachian Country to support tourism activities in Appalachian counties.
(10) No provision.	(10) $50,000 in each fiscal year for the Columbus Film Commission.

249 DEV - 19 Discover Ohio!

Section: ***259.20.20***	**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.	Same as the Executive.

Executive	As Passed by the House
250 DEV - 62 EfficientGovNow Match	
	Section: ***259.20.25***
No provision.	Earmarks up to $150,000 from GRF appropriation item 195524, EfficientGovNow Match, in fiscal year 2010 for state matches for EfficientGovNow grants in Northeast Ohio; earmarks up to $850,000 in fiscal year 2010 for state matches for EfficientGovNow grants statewide if EfficientGovNow expands; and specifies that any unexpended and unencumbered portion of the appropriation item at the end of FY 2010 is reappropriated for the same purpose in FY 2011.
251 DEV - 20 Third Frontier Research & Development Debt Service	
Section: ***259.20.30***	**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.	Same as the Executive.
252 DEV - 21 Job Ready Site Development Debt Service	
Section: ***259.20.30***	**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.	Same as the Executive.

Executive	As Passed by the House
253 DEV - 22 Supportive Services	
Section: ***259.20.40***	**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.	Same as the Executive.
254 DEV - 23 Economic Development Contingency	
Section: ***259.20.40***	**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.	Same as the Executive.
255 DEV - 24 Direct Cost Recovery Expenditures	
Section: ***259.20.40***	**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.	Same as the Executive.

Executive	As Passed by the House
256 DEV - 25 HEAP Weatherization	
Section: ***259.20.50***	**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.	Same as the Executive, but allows up to 15% of federal block grant funds be deposited in Fund 3K90 rather than exactly 15%, requires home weatherization services to be subject to determination by the Director of Development, and requires any transfers or appropriation increases in appropriation items 195614, HEAP Weatherization, or 195611, Home Energy Assistance Block Grant, to be subject to Controlling Board approval.
257 DEV - 26 State Special Projects	
Section: ***259.20.50***	**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.	Same as the Executive.
258 DEV - 27 Tax Incentive Programs Operating	
Section: ***259.20.60***	**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.	Same as the Executive.

Executive	As Passed by the House
259 DEV - 28 Minority Business Enterprise Loan	
Section: ***259.20.70***	**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.	Same as the Executive.
260 DEV - 29 Minority Business Bonding Fund	
Section: ***259.20.70***	**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.	Same as the Executive.
261 DEV - 30 Alternative Fuel Transportation	
Section: ***259.20.80***	**Section:** ***259.20.80***
Prohibits more than 10% of SSR Fund 5CG0 appropriation item 195679, Alternative Fuel Transportation, from being used for administrative costs.	Same as the Executive.

Executive	As Passed by the House
262 DEV - 31 Advanced Energy Fund	
Section: ***259.20.80***	**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.	Same as the Executive.
263 DEV - 32 Global Analyst Settlement Agreements Payments	
Section: ***259.20.80***	**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.	Same as the Executive.
264 DEV - 33 Volume Cap Administration	
Section: ***259.20.80***	**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.	Same as the Executive.

Executive	As Passed by the House
265 DEV - 34 Innovation Ohio Loan Fund	
Section: ***259.20.80***	**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.	Same as the Executive.
266 DEV - 35 Research and Development	
Section: ***259.20.80***	**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.	Same as the Executive.
267 DEV - 68 Ohio Energy Resource Center	
	Section: ***259.20.80***
(1) No provision.	(1) Creates the Ohio Energy Resource Center at the Voinovich School of Public Affairs at Ohio University.
(2) No provision.	(2) Requires the Center to act as a statewide knowledge hub for clean energy, advanced energy, and energy efficiency projects.
(3) No provision.	(3) Requires the Center to maintain a database of research and development projects undertaken by higher education institutions in the areas of clean energy, advanced energy, and energy efficiency.
(4) No provision.	(4) Requires the Center to act as a clearinghouse for information and promote collaboration among public and private entities on federal, state, and private sources of financial and technical assistance for clean energy, advanced energy, and energy efficiency projects, including,

Executive	As Passed by the House
	but not limited to, Edison Technology Centers, Edison Incubators, and Third Frontier programs
(5) No provision.	(5) Requires the Center to provide technical assistance to state and local governments and other political subdivisions, mercantile customers, and businesses located in the Appalachian region on clean energy, advanced energy, and energy efficiency projects
(6) No provision.	(6) Earmarks up to $75,000 in each fiscal year from Fund 5M50 appropriation item 195660, Advanced Energy Programs, for the Center.

268 DEV - 36 Logistics and Distribution Infrastructure

Section: *259.20.90*	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.	Same as the Executive, but additionally requires that any unexpended and unencumbered portion of the appropriation item at the end of fiscal years 2009 and 2010 be reappropriated for the same purpose in the next fiscal year.

269 DEV - 37 Facilities Establishment Fund

Section: *259.20.90*	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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.
(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	(3) Same as the Executive.

Executive	As Passed by the House
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 $3 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.	(4) Same as the Executive.
(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.	(5) Same as the Executive.
(6) Authorizes the transfer of $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.	(6) Same as the Executive.
(7) No provision.	(7) Earmarks $100,000 in each fiscal year from Fund 7037 appropriation item 195615, Facilities Establishment, for the Ohio Means Jobs web site.

270 DEV - 38 Alternative Fuel Transportation Grant Fund

Section: ***259.20.90***	**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.	Same as the Executive.

Executive	As Passed by the House
271 DEV - 39 Rural Development Initiative Fund	
Section: ***259.20.90***	**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.	(1) Same as the 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.	(2) Same as the Executive.
(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.	(3) Same as the Executive.
272 DEV - 40 Capital Access Loan Program	
Section: ***259.20.90***	**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.	Same as the Executive.

Executive	As Passed by the House
273 DEV - 41 Clean Ohio Operating Expenses	
Section: ***259.30.10***	**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.	Same as the Executive.
274 DEV - 42 Third Frontier Research and Development and Taxable Bond Projects	
Section: ***259.30.20***	**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.	Same as the Executive.

Executive	As Passed by the House
275 DEV - 43 Transfers of Third Frontier Appropriations	
Section: ***259.30.20***	**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.	Same as the Executive.
276 DEV - 44 Authorization to Issue and Sell Original Obligations	
Section: ***259.30.20***	**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.	Same as the Executive.

Executive	As Passed by the House
277 DEV - 45 Job Ready Site Operating	
Section: ***259.30.30***	**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.	Same as the Executive.
278 DEV - 46 Third Frontier Biomedical Research and Commercialization Program	
Section: ***259.30.40***	**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.	Same as the Executive.
279 DEV - 47 Jobs Fund Bioproducts and Biomedical	
Section: ***259.30.50***	**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.	Same as the Executive.

Executive	As Passed by the House
280 DEV - 8 Jobs Fund Cash Transfer	
Section: ***259.30.60***	**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.	Same as the Executive.
281 DEV - 48 Unclaimed Funds Transfer	
Section: ***259.30.70***	**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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.
282 DEV - 49 Workforce Development	
Section: ***259.30.90***	**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.	Same as the Executive.

	Executive	As Passed by the House
283	**DEV - 65** **Federal Stimulus Payments for Homelessness Prevention**	
		Section: ***601.10***
	No provision.	Amends Am. Sub. H.B. 2 of the 128th General Assembly to require that federal payments made to the state for the Homelessness Prevention Fund under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 be deposited in the Federal Special Revenue Fund (Fund 3080).
284	**DEV - 7** **Science and Technology Collaboration**	
	Section: ***701.30***	**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.	Same as the Executive.

Executive	As Passed by the House
School Funding	
285 EDU - 125 School Funding Formula	
R.C. ***3306.01, 3306.011***	**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.	Same as the Executive.
Directs ODE to calculate and report separately the amount of funding for each factor of a district's adequacy amount.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive, but the cap is changed to limit growth in state aid for each district to 1.9% in FY 2010 and FY 2011. The bill appropriates $6.75 billion in FY 2010 and $6.77 billion in FY 2011 for formula aid for school districts, community schools, STEM schools, and joint vocational school districts.**
286 EDU - 177 School Funding County Allocations	
	R.C. ***3306.01, 3317.011***
No provision.	Changes the date by which ODE must certify to the Director of Budget and Management, by county, the amount of school district and educational service center (ESC) operating funding to be paid each month to the last day of each month from the third Wednesday of each month.
No provision.	Specifies that for districts located in more than one county funding be allocated based on the ADM reported in October of the prior fiscal year.
	Fiscal effect: None.

Executive	As Passed by the House
287 EDU - 167 PASS Form	
	R.C. ***3306.012***
No provision.	Renames the "SF-3" form developed by ODE to compute each district's foundation funding as the "PASS form" (Pathway to Student Success). **Fiscal effect: None.**
288 EDU - 143 Formula Average Daily Membership (ADM)	
R.C. ***3306.02, 3317.03, 3306.01***	**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.	Same as the Executive.
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.)	Same as the Executive.
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.	Same as the Executive.
Eliminates the requirement for the second ADM report by school districts during the first full week of February.	Same as the Executive.
Removes the requirement that educational service centers (ESCs) report the ADM of the schools under the ESC superintendent's supervision and requires that local school	Same as the executive, but continues to require ESCs to report ADM.

Executive	As Passed by the House
districts report their ADM.	
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.	**Fiscal effect: Same as the Executive.**

289 EDU - 126 Adequacy Amount

R.C. ***3306.03***	**R.C.** ***3306.03***
Defines the adequacy amount of the proposed school funding formula as the sum of the following:	Same as the Executive, but makes the following changes to the components of the adequacy amount:
(1) Instructional services support under R.C. 3306.05;	(1) Same as the Executive.
(2) Additional services support under R.C. 3306.06;	(2) Same as the Executive.
(3) Administrative services support under R.C. 3306.07;	(3) Same as the Executive.
(4) Operations and maintenance support under R.C. 3306.08;	(4) Same as the Executive.
(5) Gifted education and enrichment support under R.C. 3306.09;	(5) Same as the Executive, but prescribes gifted education support in R.C. 3306.09 and enrichment support in R.C. 3306.091.
(6) Technology resources support under R.C. 3306.10;	(6) Same as the Executive.

Executive	As Passed by the House
(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;	(7) Same as the Executive, but limits it to a school district's core teacher, specialist teacher, lead teacher, and special education teacher positions;
(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.**	(8) Same as the Executive, but eliminates the exception for Cleveland Municipal School District, and phases in all districts at 20% for FY 2010, 30% for FY 2011, 40% for FY 2012-2013, 60% for FY 2014-2015, and 80% for FY 2016-2017. **Fiscal effect: The phased in amount for instructional materials is $33 per student for FY 2010 and $49.50 per student for FY 2011.**

290 EDU - 171 Use of Professional Development Funds

	R.C. ***3306.031***
No provision.	Requires, beginning in FY 2012, school districts, community schools, and STEM schools to use funds calculated for the professional development factor of the adequacy amount to provide teachers with professional development that is aligned with the standards developed by the Educator Standards Board and adopted by the State Board.
No provision.	Directs ODE to provide guidance to districts and schools in aligning professional development with the standards. **Fiscal effect: Minimal administrative costs for ODE to provide guidance.**

Executive	As Passed by the House
291 EDU - 127 Organizational Units	
R.C. ***3306.04, 3306.02***	**R.C.** ***3306.04, 3306.02, 3301.16***
Calculates the number of organizational units for all but small school districts, as the sum of the following:	Same as the Executive.
(1) the number of elementary school organizational units, which is calculated by dividing formula ADM for grades K-5 by 418;	(1) Same as the Executive.
(2) the number of middle school organizational units, which is calculated by dividing formula ADM for grades 6-8 by 557;	(2) Same as the Executive.
(3) the number of high school organizational units, which is calculated by dividing formula ADM for grades 9-12 by 733.	(3) Same as the Executive.
Specifies that each small school district, defined as having formula ADM of less than 800 students, constitutes one organizational unit.	Same as the Executive, but defines a small district as having formula ADM of less than 418 students.
No provision.	Specifies that each school district, regardless of its formula ADM must have at least one organizational unit.
No provision.	Clarifies that a high school or an elementary school may consist of less than one or more than one organizational unit for school funding purposes.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
292 EDU - 128 Instructional Services Support/Career-Technical Education	
R.C. ***3306.05, 3306.051, 3306.11***	**R.C.** ***3306.05, 3306.051, 3306.052, 3306.11, 3306.02, 3306.03***
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.	Same as the Executive, but eliminates career-technical education teachers from the instructional services support component.
Defines a specialist teacher as one who provides instruction in music, art, or physical education.	Same as the Executive, but includes dance, drama and theater, and visual arts teachers in the definition of a specialist teacher.
Specifies the number of teacher positions funded as:	Same as the Executive, but makes the following changes in the number of teacher positions funded as follows:
(1) Core teachers - 1:25 teacher to student ratio for grades 4-12, 1:15 ratio for grades K-3;	(1) Same as the Executive, but changes the teacher to student ratio for grades K-3 to 1:19 for FY 2010-FY 2011, 1:17 for FY 2012-FY 2013, and 1:15 for FY 2014 and thereafter.
(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;	(2) Same as the Executive.
(3) Career-technical education teachers - 10% of the number of core teachers determined for grades 9-12;	(3) No provision.
(4) Lead teachers – one per organizational unit;	(4) Same as the Executive.
(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;	(5) Same as the Executive.

Executive	As Passed by the House
(6) Special education teacher's aides – one for every two special education teachers;	(6) Same as the Executive, but phases-in funding for special education teacher's aides at 50% for FY 2010 and FY 2011.
(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;	(7) Same as the Executive.
(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.	(8) Same as the 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.	Same as the Executive, but replaces the IQ Index with the Educational Challenge Factor (ECF) and changes the statewide base teacher salary to $56,902 in FY 2010 and $57,812 in FY 2011.
Directs each school district to account for expenditures of the amount received for instructional services support and report it to ODE.	Same as the Executive, but also specifies that funds received to support children with disabilities may be used to pay for providers of related services for those children.
No provision.	Calculates career-technical education funding for school districts in FY 2010 as 101.9% of the aggregate amount of vocational education weighted funding received in FY 2009, and in FY 2011 as 101.9% of the amount paid in FY 2010. Specifies that this funding be provided in addition to the state share of the adequacy amount.
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.	**Fiscal effect: Funding per teacher ranges from $43,442 to $93,784 in FY 2010 and from $44,136 to $95,284 in FY 2011, depending on the district's ECF. By removing funding for career-technical education outside of the adequacy amount, the state pays the entire calculated amount (there is no local share).**

Executive	As Passed by the House
293 EDU - 168 Instructional Quality Index / Educational Challenge Factor	
R.C. ***3306.051, 3306.02***	**R.C.** ***3306.051, 3306.02***
Defines the Ohio Instructional Quality Index (IQ Index) as an index applied to the statewide base teacher salary to adjust funding amounts to account for student and community socioeconomic factors.	Same as the Executive, but renames it as the Ohio Educational Challenge Factor (ECF) and eliminates statewide base teacher salary from the definition.
Lists the IQ Index for each district and specifies that it 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:	Same as the Executive, but replaces the IQ index values with the ECF values and does not specify a minimum and maximum.
(1) the college attainment rate of the district's population;	(1) Same as the Executive.
(2) the district's wealth per pupil, based on property valuation and federal adjusted gross income;	(2) Same as the Executive.
(3) the district's concentration of poverty.	(3) Same as the Executive.
Fiscal effect: The IQ index increases the teacher compensation for most districts above the base teacher salary, for some with indices below 1.0, teacher compensation is decreased.	**Fiscal effect: Same as the Executive, but the index values for districts are different and as the ECF is applied to more than teacher salary, it increases or decreases other components of the adequacy amount.**
294 EDU - 129 Additional Services Support	
R.C. ***3306.06, 3306.02***	**R.C.** ***3306.06, 3306.02***
Defines the additional services support component as consisting of funding for student support staff, counselors, summer remediation, school nurses, and registered nurses.	Same as the Executive, but renames student support staff as family and community liaisons, school nurses as school nurse wellness coordinators, and registered nurses as district health professionals.
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	Same as the Executive, but renames student support staff as family and community liaisons and multiplies the salary by the district's ECF.

Executive	As Passed by the House
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.	Same as the Executive, but eliminates funding for counselors in FY 2010 and 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.	Same as the Executive, but multiplies the $3,000 stipend by the ECF.
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.	Same as the Executive, but reclassifies school nurses as school wellness coordinators, eliminates funding for school wellness coordinators in FY 2010 and FY 2011, and stipulates that the funding amount for future biennia will be set by law.
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.	Same as the Executive, but reclassifies registered nurses as district health professionals, eliminates funding for district health professionals in FY 2010 and FY 2011, and stipulates that the funding amount for future biennia will be set by law.
Directs each school district to account for expenditures of the amount received for additional services support and report it to ODE.	Same as the Executive.
No provision.	Requires that the Superintendent of Public Instruction's expenditure and reporting standards encourage school districts to give preference to employing or obtaining the services of licensed school nurses with funds received for the school nurse wellness coordinator factor and the district health professional factor.

Executive	As Passed by the House
295 EDU - 130 Administrative Services Support	
R.C. ***3306.07***	**R.C.** ***3306.07, 3306.02***
Defines the administrative services support component as consisting of funding for superintendents, treasurers, principals, and administrative support personnel.	Same as the Executive, but combines funding for superintendents and treasurers and renames it district administration.
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.	Same as the Executive, but combines funding for superintendents and treasurers under district administration and provides funding per district of $187,176 for FY 2010 and $190,801 for FY 2011 with no phase-in percentage applied.
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.	See above.
Specifies principals be funded as one per organizational unit, using a salary of $89,563 in FY 2010 and $91,297 in FY 2011.	Same as the Executive, but guarantees each "type 1" district (rural/agricultural, high poverty, low median income), and "type 2" district (rural/agricultural, small student population, low poverty, low to moderate median income), as specified in typology published by ODE in June 2007, funding for at least one principal at each of its buildings.
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:	Same as the Executive, but adds the specification that all school districts must receive funding for at least one building manager, one secretary, and (except in FY 2010 and FY 2011) one noninstructional aide.
(1) 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.	(1) Same as the Executive, but eliminates funding for noninstructional aides in FY 2010 and FY 2011.

Executive	As Passed by the House
(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;	(2) Same as the Executive.
(3) One building manager per organizational unit, using a salary of $33,624 in FY 2010 and $34,275 in FY 2011;	(3) Same as the Executive.
No provision.	Defines a building manager as a person who supervises the noncurricular, noninstructional administrative functions of school operations. Specifies that a building manager may be, but is not required to be, a licensed educator.
Directs each school district to account for expenditures of the amount received for administrative services support and report it to ODE.	Same as the Executive.
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.	**Fiscal effect: Funding for superintendents and treasurers is combined and funded at 100% of $187,176 in FY 2010 and $190,801 in FY 2011.**

296 EDU - 131 Operations and Maintenance Support

R.C. *3306.08*	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.	Same as the Executive, but decreases funding to $884 per student, and increases the phase-in percentage to 45% in FY 2010-2011 and 75% in FY 2012-2013. Also, eliminates the phase-in exception for Cleveland.
Directs each school district to account for expenditures of the amount received for operations and maintenance support and report it to ODE.	Same as the Executive.
Fiscal effect: The phased-in amount is $226 per student in FY 2010 and FY 2011.	**Fiscal effect: The phased-in amount is $397.80 per student in FY 2010 and FY 2011.**

Executive	As Passed by the House
297 EDU - 132 Gifted Education and Enrichment Support	
R.C. ***3306.09***	**R.C.** ***3306.09, 3306.091***
Calculates funding for gifted education support as $25 per student.	Replaces the Executive calculation of gifted education support as follows:
(1) No provision.	(1) Calculates funding for gifted student identification as $5 per student.
(2) No provision.	(2) Calculates funding for gifted coordinators as one per 2,500 students at $66,375 in FY 2010 and $67,660 in FY 2011.
(3) No provision.	(3) Calculates funding for gifted intervention specialists as one per organizational unit at the statewide base teacher salary adjusted by the ECF and phased in at 20% in FY 2010, 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017.
(4) No provision.	(4) Calculates funding for gifted intervention specialist professional development at $1,833 per organizational unit, phased in at 20% in FY 2010, 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017.
No provision.	Disqualifies a district for gifted education support funding if the district does not submit its annual report specifying the number of students identified as gifted or reports zero students identified as gifted.
No provision.	Allows districts to use up to 15% of the gifted intervention specialist funds attributable to grades 6-12 for services specified in gifted students' written education plans, but not described in the laws governing gifted education, subject to ODE's approval.
Specifies that each school district must use the gifted education amount to provide instruction, activities, materials, and supplies for students identified as gifted.	Replaces the Executive provision with a provision that requires that funds be spent in accordance with rules adopted by the Superintendent of Public Instruction and

Executive	As Passed by the House
	requires that those rules specify the gifted education support component be spent only on staff and services for identified gifted students in accordance with the State Board's operating standards for services to gifted students. Requires the Superintendent's rules take effect July 1, 2011.
No provision.	Requires a district that received gifted unit funding in FY 2009 to spend on services to identified gifted students in subsequent fiscal years not less than the amount of FY 2009 gifted unit funding and disallows such a district from applying for or receiving a waiver of this requirement. Allows any other district to apply for a waiver from spending its gifted education support funding on gifted student services, but limits the duration of such a waiver.
No provision.	Requires each school district that received gifted student services from an educational service center (ESC) in FY 2009 to do one of the following in each subsequent fiscal year if the services from the ESC were financed with state gifted unit funding: (1) obtain gifted student services from an ESC comparable to that provided in FY 2009 by an ESC with unit funding, or (2) spend from the district's own state funding at least as much as it received in gifted student services from an ESC in FY 2009.
No provision.	Requires each ESC that received gifted unit funding for FY 2009 to spend on services to identified gifted students in subsequent fiscal years not less than that amount, and disallows a waiver of this requirement.
Directs each school district to account for expenditures of the amount received for gifted education support and report it to ODE.	Same as the Executive, but requires that districts separately account for each of the four factors of gifted education support.
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	Same as Executive, but decreases the amount to $100 per student, phased in at 20% in FY 2010 and 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017 with no exception for

Executive	As Passed by the House
phase-in.	Cleveland and applies the ECF to the calculation.
Specifies that each school district must use the amount provided for enrichment support 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.	Replaces the Executive provision with a provision that specifies that enrichment activities encourage creative, as well as intellectual pursuits, including fine arts, and requires enrichment support be used for purposes other than gifted education services delivered pursuant to the laws governing services to gifted students.
Directs each school district to account for expenditures of the amount received for enrichment support and report it to ODE.	Same as the Executive.
Fiscal effect: The phased-in amount for student enrichment is $50 per student in FY 2010 and FY 2011.	**Fiscal effect: The phased-in amount for gifted intervention specialists ranges from $8,688 to $18,757 in FY 2010 and from $8,827 to $19,057 in FY 2011 per organizational unit. The phased-in amount for professional development for gifted intervention specialists per organizational unit is $366.60 in FY 2010 and $549.90 in FY 2011. The phased-in amount for student enrichment, prior to the application of the ECF, is $20 per student in FY 2010 and $30 per student FY 2011.**

298 EDU - 133 Technology Resources Support

R.C. *3306.10*	R.C. *3306.10*
Defines the technology resources support component as consisting of funding for media services and technical equipment.	Same as the Executive, but renames the media services factor as the "licensed librarian and media specialist factor."
Calculates media services funding as $60,000 per organizational unit.	Same as the Executive, but renames the media services factor as the "licensed librarian and media specialist factor."
Calculates technical equipment funding as $250 per student.	Same as the Executive.
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	Replaces the Executive phase-in percentages with 20% in FY 2010, 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017 without

Executive	As Passed by the House
Municipal School District is not subject to the phase-in.	an exception for Cleveland.
Directs each school district to account for expenditures of the amount received for technology resources support and report it to ODE.	Same as the Executive.
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.	**Fiscal effect: The phased-in amount for media services is equal to $12,000 per organizational unit in FY 2010 and $18,000 per organizational unit in FY 2011, and for technical equipment is equal to $50 per student in FY 2010 and $75 per student in FY 2011.**

299 EDU - 134 Special Education Weights

R.C. ***3306.11***	**R.C.** ***3306.11, 3306.02***
Updates the weights used to calculate weighted special education ADM as follows (current law weight in parentheses):	Replaces the Executive provision with a provision that changes the weights used to calculate weighted special education ADM as follows:
(1) Category 1 = 0.2906 (0.2892);	(1) Same as the Executive;
(2) Category 2 = 0.3613 (0.3691);	(2) Category 2 = 0.7374;
(3) Category 3 = 1.7809 (1.7695);	(3) Category 3 = 1.7716;
(4) Category 4 = 2.3143 (2.3646);	(4) Category 4 = 2.3643;
(5) Category 5 = 3.5071 (3.1129);	(5) Category 5 = 3.2022;
(6) Category 6 = 5.3543 (4.7342).	(6) Category 6 = 4.7205.
No provision.	Changes the special education categories as follows:

Executive	As Passed by the House
(1) No provision.	(1) Moves "vision impaired" students from category three to category four;
(2) No provision.	(2) Moves "orthopedically disabled" students from category four to category five.

300 EDU - 135 Transportation Funding

R.C. *3306.12, 3306.01*	R.C. *3306.12, 3306.01*
Enacts a new formula for transportation funding for school districts based on recommendations of ODE.	Same as the Executive.
Directs ODE to calculate statewide transportation cost per student as follows:	Same as the Executive.
(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;	(1) Same as the Executive.
(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.	(2) Same as the Executive.
Directs ODE to calculate statewide transportation cost per mile as follows:	Same as the Executive.
(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;	(1) Same as the Executive.
(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.	(2) Same as the Executive.

Executive	As Passed by the House
Directs ODE to calculate each school district's base transportation payment as follows:	Same as the Executive.
(1) Multiply the statewide cost per student by the district's qualifying ridership for the current fiscal year;	(1) Same as the Executive.
(2) Multiply the statewide cost per mile by the district's total number of miles for the current fiscal year;	(2) Same as the Executive.
(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.	(3) Same as the Executive.
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.	Same as the Executive.
Limits the allocation for each district to the district's actual transportation costs.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
No provision.	Phases in at 30% in FY 2010 and 70% in FY 2011 a supplemental transportation payment to school districts with both (1) a parity aid wealth per pupil (factoring property value and income) below the state median and (2) bus ridership density below the state median equaling the difference between the full calculated amount for

Executive	As Passed by the House
	transportation and the prorated payment the district would otherwise receive.
Fiscal effect: The bill appropriates $376.9 million in each fiscal year for these payments.	**Fiscal effect: The bill appropriates $386.7 million in FY 2010 and $401.5 million in FY 2011 for these payments, of which $376.9 million in each fiscal year is reserved for the prorated portion of transportation aid.**

301 EDU - 136 Local Share of Adequacy Amount

R.C. *3306.13*	R.C. *3306.13, 3306.02, 3317.021*
Calculates each district's local share ("charge-off") of the adequacy amount as:	Same as the Executive, but changes the calculation as follows:
(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	(1) Same as the Executive, but increases the millage to 22 mills in FY 2010-FY 2011, 21 mills in FY 2012-FY 2013, and 20 mills in FY 2014 and thereafter and, for districts with more than 25% of potential taxable valuation exempted from taxation, subtracts the difference between the tax exempt value and 25% of potential value from the total taxable valuation prior to calculating the local share;
(2) 20 mills times the district's recognized valuation for districts that levy 20.1 or more effective class-one current expense mills.	(2) Same as the Executive, but increases the millage to 22 mills in FY 2010-FY 2011, 21 mills in FY 2012-FY 2013, and 20 mills in FY 2014 and thereafter and, for districts with more than 25% of potential taxable valuation exempted from taxation, subtracts the difference between the tax exempt value and 25% of potential value from the recognized valuation prior to calculating the local share.
Defines a school district's "class one effective operating tax rate" as the quotient obtained by dividing the district's class one taxes charged and payable for current expenses by the district's class one taxable value.	Same as the Executive, but specifies that the "class one effective operating tax rate" does not include the following fixed sum levies: (1) emergency levies, (2) substitute levies, (3) incremental levies, and (4) conversion levies.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive, but the impact of the lowered charge-off is tempered by phasing it in over five years. Also, the state share will increase and local share decrease for those districts with more than 25% of potential taxable valuation exempted from taxes.**

302 EDU - 110 Funding for Joint Vocational School Districts

R.C. ***3306.14, Section 265.30.50***	**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%.	Same as the Executive.
Requires the Partnership for Continued Learning to establish a JVSD funding committee, whose members shall include members of the Partnership, as well as business leaders and representatives of JVSDs selected by the State Superintendent and the Chancellor of the Board of Regents, to study the extent to which current JVSD programming and funding are responsive to state, regional, and local business and industry needs.	Same as the Executive, but changes the committee to a career-technical education funding committee and specifies that the committee include: (1) one or more representatives of the Partnership selected by the Partnership; (2) one or more business leaders selected by the State Superintendent; (3) three representatives of each of the following, all appointed by the State Superintendent: (a) JVSDs, (b) compact career-technical programs, and (c) comprehensive career-technical programs; and (4) one member of a school district board of education selected by the Governor.
Requires the committee to issue a report by September 1, 2010, containing its recommendations for revisions to JVSD programming and funding.	Same as the Executive, but changes the recommendations to revisions to career-technical education programming and funding, rather than JVSD programming and funding.

Executive	As Passed by the House
Requires that the General Assembly enact laws implementing revisions to JVSD programming and funding by July 1, 2011.	Replaces the Executive provision with a provision that requires the General Assembly to consider the enactment of the committee's recommended revisions to career-technical education funding and programming.
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.	**Fiscal effect: Same as the Executive, but eliminates the specific dollar amount in the earmark for JVSD payments.**

303 EDU - 112 Educational Service Centers Funding

R.C. ***3306.15, Section 265.50.10***	**R.C.** ***3306.15, 3306.21, 3306.32, 3306.321, 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.	Replaces the Executive provision with a provision that requires the per pupil state payments at the full amount first to ESCs for the students from local school districts, then to students from exempted village and city school districts, and then for brick-and-mortar community school students, and finally for STEM school students. Permits an ESC that assumed the contract of a dissolved ESC to provide services to a city or exempted village school district to receive state funds for the students in that district in the same manner as the dissolved ESC would have.
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.	Same as the Executive, but adds a member of a school district board of education, appointed by the Governor, to the Committee.

Executive	As Passed by the House
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.	Replaces the Executive provision with a provision that requires a performance review of each ESC every five years and requires ODE to review the final report of each ESC performance review and, if necessary, to provide technical assistance to the service center.
No provision.	States that the funding provisions of the Evidence Based Model do not affect or limit the authority granted in current law for school districts, community schools, and STEM schools to contract for services with ESCs.
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.	**Fiscal effect: Same as the Executive, but increases the earmark for ESC payments to $47.0 million in each fiscal year and lowers the FY 2010 earmark for performance audits to $5.0 million.**

304 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***	**R.C.** ***3306.16, 3314.03, 3314.075, 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:	Same as the Executive, but makes the following changes:
(1) Specifies that all community schools constitute one organizational unit for funding purposes, regardless of enrollment size;	(1) Replaces the Executive provision with a provision that calculates organizational units at one per 291 students, with a minimum of 0.5 organizational unit for brick and mortar schools and a maximum of one organizational unit for e-schools;

Executive	As Passed by the House
(2) Specifies a base teacher salary of $51,407 for FY 2010 and $52,402 for FY 2011 (same as school districts);	(2) Same as the Executive, but lowers the salary to $52,230 in FY 2011 (neither year is now equal to that used for school districts);
(3) Specifies that the IQ Index is not used in calculating community school payments;	(3) Replaces the Executive provision with a provision that applies the ECF to the same components as for school districts if the community school is either (1) a conversion school that was open for instruction prior to July 1, 2009, or a start-up school that is sponsored by a school district and at least 50% of its ADM from the prior year is from that district, in which case applies the ECF of the sponsor district, or (2) a community school that is rated for the previous school year as continuous improvement or higher, in which case applies the statewide average ECF. Applies the greater of the two if the community school meets both criteria.
(4) No provision.	(4) Caps annual growth in per pupil payments to community schools in each fiscal year at 1.9%;
(5) Adjusts the model for "brick and mortar" community schools as follows:	(5) Same as the Executive, but makes the following changes:
(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;	(a) Same as the Executive, but changes the enrollment threshold to 418, changes "school nurses" to "school nurse wellness coordinators" and "registered nurses" to "district health professionals", and eliminates funding for these two factors as well as counselors during the FY 2010-FY 2011 biennium;
(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.	(b) Same as the Executive, but calculates funding for principals and building managers as one per organizational unit instead of limiting funding to one and guarantees funding for at least one-half of one building manager and one-half of one secretary rather than limiting funding to no more than one building manager and one secretary.

Executive	As Passed by the House
(6) Adjusts the model for Internet- or computer-based community schools ("e-schools") as follows:	(6) Same as the Executive, but makes the following changes:
(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.	(a) Same as the Executive.
(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.	(b) Same as the Executive, but eliminates funding for counselors during the FY 2010-FY 2011 biennium.
(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.	(c) Same as the 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.	(d) Same as the Executive.
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.	Same as the Executive.
No provision.	Prohibits payment to a community school primarily serving dropouts for any time a student spends in non-classroom learning opportunities.
No provision.	Requires ODE to compute the aggregate funding for two or more brick-and-mortar community schools located in the same building as if they were one community school and to pay each of the schools a per pupil amount of the aggregate, if the schools have at least one common

Executive	As Passed by the House
	member on their respective governing authorities and the same chief administrative officer.
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.**	**Fiscal effect: Same as the Executive, but the bill appropriates $470.9 million in FY 2010 and $511.2 million in FY 2011 for formula aid payments to community schools, including e-schools. Also, for schools sharing a building, if one or more of the consolidating schools had an ADM below the minimum threshold of one-half organizational unit (145.5), calculation of portions of the state aid payments based on organizational units may decrease.**

305 EDU - 142 STEM School Funding

R.C. ***3306.17, 3317.03, 3326.31 - 3326.34, 3326.38, 3326.51***	**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:	Same as the Executive.
(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.	(1) Same as the Executive.
(2) Pays other STEM schools state funds directly, calculated using the proposed school funding formula incorporating the adequacy amount, with the following modifications:	(2) Same as the Executive, but makes the following conforming changes.
(a) Does not apply the IQ Index in calculating the school's payments;	(a) Same as the Executive, but does not apply the ECF instead of the IQ index.

Executive	As Passed by the House
(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.	(b) Same as the Executive, but renames "school nurses" as "school nurse wellness coordinators."

306 EDU - 139 Transitional Aid and Growth Cap

R.C. *3306.19*	R.C. *3306.19, 3306.191, 3306.192*
Requires payment of a transitional aid subsidy to school districts to ensure that:	Same as the Executive, but makes the following changes to the transitional aid subsidy:
(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;	(1) Same as the Executive, but also includes the amount calculated for career-technical education in the base for transitional aid and adds the requirement that an amount paid to a district for students enrolled in the district under an open enrollment policy in the prior year but not eligible in the current year due to a change in the district's policy not be included in the district's transitional aid base.
(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.	(2) Same as the Executive, but also includes the amount calculated for career-technical education and any adjustment due to the gain cap in the base for transitional aid, and adds the requirement that an amount paid to a district for students enrolled in the district under an open enrollment policy in the prior year but not eligible in the current year due to a change in the district's policy not be included in the district's transitional aid base.
Limits growth in a district's state share of the adequacy amount plus prorated transportation payment as follows:	Same as the Executive, but changes the growth limit as follows:
(1) In FY 2010, to no more than 115% of its transitional aid base for FY 2009.	(1) In FY 2010, to no more than 101.9% of its transitional aid base for FY 2009.

Executive	As Passed by the House
(2) In FY 2011, to no more than 116% of its FY 2010 amount.	(2) In FY 2011, to no more than 101.9% of its FY 2010 amount.
No provision.	Requires an additional transitional aid payment in FY 2011 to account for the supplemental transportation payment equal to the difference of 98% of a district's FY 2010 total state education aid (including the supplemental transportation payment) and its fiscal year 2011 total state aid.
No provision.	Guarantees each school district at least as much per pupil as the statewide per pupil amount paid for chartered nonpublic schools in auxiliary services funds and administrative cost reimbursement beginning in FY 2012.
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.	**Fiscal effect: Same as the Executive, except that the cap on growth ensures that no district sees growth in state aid greater than 1.9% in FY 2010 and FY 2011.**

307 EDU - 181 Joint and Cooperative Programs

	R.C. ***3306.22***
No provision.	Specifies that the funding provisions surrounding the components of the adequacy amount do not prohibit school districts from using state money to establish and operate joint programs with each other. **Fiscal effect: None.**

Executive	As Passed by the House
308 EDU - 140 Ohio Research-Based Funding Model Advisory Council	
R.C. ***3306.29***	**R.C.** ***3306.29, 3306.291, 3306.292, 3301.82***
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.	Same as the Executive, but renames the Council as the Ohio School Funding Research Advisory Council and changes the date by which it is to submit its recommendations to December of each even-numbered year.
Directs the Office of School Resource Management in ODE to provide staffing assistance to the Council.	Same as the Executive, but also requires ODE's Center for Creativity and Innovation to provide staff assistance to the Council.
Directs that the Council consist of the following members:	Same as the Executive, but makes the following changes to the Council's membership:
(1) the Superintendent of Public Instruction, or the Superintendent's designee;	(1) Same as the Executive.
(2) the Chancellor of the Board of Regents, or the Chancellor's designee;	(2) Same as the Executive.
(3) Two school district teachers, appointed by the Governor;	(3) Same as the Executive.
(4) Two nonteaching, nonadministrative school district employees appointed by the Governor;	(4) Same as the Executive.
(5) One school district principal, appointed by the Governor;	(5) Same as the Executive.
(6) One school district superintendent, appointed by the Governor;	(6) Same as the Executive.
(7) One school district treasurer, appointed by the Governor;	(7) Same as the Executive.

Executive	As Passed by the House
(8) One representative of an institution of higher education, appointed by the Governor;	(8) Same as the Executive, but specifies that the representative be from a college of education within an institution of the University System of Ohio.
(9) One member representing the business community, appointed by the Governor;	(9) Same as the Executive.
(10) One member representing the general public, appointed by the Governor;	(10) Same as the Executive.
(11) One member representing educational service centers (ESCs), appointed by the Governor;	(11) Same as the Executive.
(12) One parent of a student attending a school operated by a school district, appointed by the Governor;	(12) Same as the Executive.
(13) One member representing community schools, appointed by the Governor;	(13) Replaces the Executive provision with a provision that adds to the membership all of the following: (1) one representative of community school sponsors, (2) one representative of nonprofit operators of community schools, (3) one community school fiscal officer, and (4) one parent of a community school student.
(14) One member representing early childhood education providers, appointed by the Governor;	(14) Same as the Executive.
(15) Two members of the House of Representatives appointed by the Speaker, one of whom should be from the minority party, recommended by the Minority Leader;	(15) Same as the Executive.
(16) Two members of the Senate appointed by the Senate President, one of whom should be from the minority party, recommended by the Minority Leader.	(16) Same as the Executive.
(17) No provision.	(17) One member of a school district board of education, appointed by the Governor;
(18) No provision.	(18) One representative of philanthropic organizations, appointed by the Governor;

Executive	As Passed by the House
(19) No provision.	(19) One representative of the Ohio Academy of Science, appointed by the Governor.
No provision.	Requires the Council, when preparing its first report, to analyze the adequacy of the model's financing for (1) gifted education services, (2) career-technical education, (3) arts education, (4) services for limited English proficient students, and (5) early college high schools.
No provision.	Authorizes the Council to address (1) strategies and incentives to promote school cost-saving measures and efficiencies, (2) options for adding learning time to the school year, (3) the adequcy of the model's accounting for and financing of operation costs, and (4) the accuracy of the funding model's component calculations and the model as a whole.
No provision.	Establishes a subcommittee of the Council to make recommendations for fostering collaboration between school districts and community schools, including fiscal incentives for collaboration. Requires the subcommittee to report its findings by September 1, 2010, and periodically thereafter.
No provision.	Permits the Council the establish other subcommittees and to appoint non-Council members to those subcommittees.
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.	**Fiscal effect: Same as the Executive, but also earmarks $700,000 in each fiscal year for the Center for Creativity and Innovation which, among its other duties, is directed to provided staffing assistance to the Council.**

Executive	As Passed by the House
309 EDU - 23 School Spending Accountability	
R.C. ***3306.30, 3306.18, 3306.31-3306.34, 3306.40, 117.54***	**R.C.** ***3306.30, 3306.02, 3306.18, 3306.31-3306.34, 3306.40, 117.54, 3306.25, 3306.35, Section 265.70.80***
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.	Same as the Executive, but instead of the stipulation that schools deploy funds for the purposes designated for each component requires the State Superintendent to adopt rules prescribing spending and reporting requirements for particular components of the adequacy amount, classified into three categories: (1) core academic strategies, (2) academic improvement, and (3) other funded components.
No provision.	Requires that the rules for spending and reporting for core academic strategies apply to all school districts, community schools, and STEM schools; not take effect earlier than July 1, 2010; and provide flexibility for districts and schools rated as effective or excellent.
No provision.	Requires that rules for spending and reporting for academic improvement apply only to school districts, community schools, and STEM schools in academic emergency or academic watch for two or more consecutive years, and not take effect earlier than July 1, 2011.
No provision.	Requires that rules on other components apply to all school districts, community schools, and STEM schools; prescribe only reporting standards and not spending standards; and not take effect earlier than July 1, 2010.
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.	Same as the Executive, but changes qualifying districts to those with a three-year average graduation rate of 80% or less, notwithstands the spending plan requirement for these districts until FY 2011, requires the Governor's Closing the Achievement Gap Initiative to assist these districts in planning for implementation in FY 2011, specifies that only the items in a district's spending plan relating to its closing the achievement gap activities are

Executive	As Passed by the House
	subject to approval by ODE and the Governor's Closing the Achievement Gap Initiative, requires a linkage coordinator in each organizational unit, and requires the linkage coordinator to meet guidelines established by the Governor's Closing the Achievement Gap Initiative. Also, requires a qualifying district to implement actions prescribed by the Initiative in (1) each high school and (2) each elementary and middle school where less than 50% of the students have attained a proficient score on the 4th and 7th grade achievement tests in English language arts and mathematics. Also, requires the Initiative to work with each organizational unit of a qualifying district to assess its progress and assist it in ensuring compliance with the district's annual spending plan.
Requires ODE to annually reconcile each district's, community school's, and STEM school's spending plan with its actual spending.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive, but renames the required performance audits as performance reviews.
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	Same as the Executive, but removes the provision by which ODE must take action when a school district, community school, or STEM school fails to properly

Executive	As Passed by the House
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.	allocate funds for at least five components of the spending plan, and instead adds that ODE must take action upon failure to comply with spending and reporting requirements. Also, specifies that the earliest accountability sanctions can apply is FY 2011.
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.	Same as the Executive.
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.	Same as the Executive, but adds that the Auditor of State must determine whether the submitted spending plan complies with applicable reporting and expenditure standards and renames the performance audits as performance reviews.
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	Same as the Executive.

Executive	As Passed by the House
that the waiver may be in effect for up to five years and may be renewed.	
No provision.	Requires ODE to develop the "Formula Accountability and Transparency" form (FACT form) to provide a public comparison of funded components and actual spending for school districts, community schools, and STEM schools.
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.**	**Fiscal effect: Same as the Executive, but district flexibility may be greater, especially for districts rated as excellent or effective; also, the earmark in FY 2010 is reduced to $5.0 million .**

310 EDU - 154 Harmon Commission, Creative Learning Environments, and Pilot Subsidy

	R.C. ***3306.50, 3306.51-3306.57***
No provision.	Establishes the 21-member Harmon Commission, appointed by legislative leaders and the Governor, to review applications for and designate classrooms operated by school districts and community schools as creative learning environments in accordance with guidelines adopted by the State Board of Education.
No provision.	Requires ODE, through the Center for Creativity and Innovation (established by the bill), to provide staff to assist the Harmon Commission.
No provision.	Authorizes each school district and each community school, if the community school has a memorandum of understanding with one or more school districts that specifies a collaborative agreement, to apply to the

Executive	As Passed by the House
	Harmon Commission for designation of one or more classrooms as creative learning environments.
No provision.	Authorizes any school district in the lowest quintile of income wealth and any community school with a creative learning environment designation in one or more of the district's or community school's classrooms to apply for a pilot subsidy.
No provision.	Establishes the FY 2011 subsidy as $100 times the number of students enrolled in each creative learning environment classroom. Requires that ODE select districts and community schools that apply for the subsidy on a first come, first served basis. **Fiscal effect: The bill earmarks $2.0 million in fiscal year 2011 for the pilot subsidy program.**
311 EDU - 172 Distribution of School District Payments	
	R.C. *3317.01*
No provision.	Specifies that payments under Chapter 3317 of the Revised Code be made "periodically" rather than at least monthly as prescribed under current law. **Fiscal effect: Under the bill, payments to school districts under Chapter 3317 are adjustments and corrections due to special circumstances which may be calculated only a few times per year. Regular state aid payments calculated under Chapter 3306 retain the requirement to be paid at least monthly.**

Executive	As Passed by the House
312 EDU - 123 Formula Amount	
R.C. ***3317.02***	**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.	Same as the Executive.
313 EDU - 173 Uncollectable School District Taxes	
	R.C. ***3317.025***
No provision.	Removes reference to Chapter 3317 of the Revised Code from provisions requiring the recalculation of state aid based on property tax receipts in the case of uncollectable taxes. **Fiscal effect: None - under the bill payments due to a school district based on property tax valuations are made under Chapter 3306 of the Revised Code, not Chapter 3317.**
314 EDU - 124 ODJFS Reports to ODE	
R.C. ***3317.10, (Repealed)***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

315 EDU - 28 All-Day Kindergarten

R.C. ***3321.05, 3321.01, 3317.03***	**R.C.** ***3321.05, 3321.01, 3317.03, 3306.01, Section 265.70.70***
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.	Same as the Executive.
Eliminates the permanent law provision by which districts providing all-day kindergarten may charge tuition or fees.	Same as the Executive, except permits school districts and community schools that, in FY 2009, offered all-day kindergarten and charged tuition for participating students to continue to charge tuition in FY 2010 and FY 2011, at the same per student rate charged in FY 2009. Prohibits districts and community schools from charging tuition for all-day kindergarten after FY 2011.
No provision.	Permits a school district to use space in a child day-care center licensed by the Department of Job and Family Services to provide all-day kindergarten to district students.
No provision.	Permits school districts to use state funds provided under the school funding formula for the modification or purchase of classroom space to provide all-day kindergarten or to

Executive	As Passed by the House
	reduce class sizes in kindergarten through third grade if those funds are not specifically allocated for another purpose and the district certifies its need for additional space to ODE.
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.	**Fiscal effect: Same as the Executive, but offers an option to deal with space concerns that may be less costly than other options. Restores local revenue stream generated by tuition and fees charged for all-day kindergarten.**

316 EDU - 51 Post-Secondary Enrollment Options Alternative Funding

R.C. ***3365.12, 3314.08, 3326.36, 3365.04, 3365.041, 3365.07-3365.10***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

317 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.	No provision.

Executive	As Passed by the House
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.	No provision.
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.	No provision.
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.	No provision.
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.	No provision.
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.	No provision.

Executive	As Passed by the House
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.	No provision.
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.**	No provision.

318 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. **Fiscal effect: Minimal increase in administrative costs for completion of the study.**	No provision.

Executive	As Passed by the House
319 EDU - 20 Foundation and Transitional Aid Funding Reimbursement	
Section: ***265.60.70***	**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.	Same as the Executive, but specifies that the settlement agreement must be executed on or before June 1, 2009.
Community Schools	
320 EDU - 50 Funding and Expenditure Accountability Reports	
R.C. ***3302.031***	**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 and requires that a hard copy of this and other reports be provided to school districts, community schools, and STEM schools.	Same as the Executive, but removes the requirement for the provision of hard copies.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive, except ODE may realize a reduction in printing and distribution costs.**
321 EDU - 91 Sale of School District Property	
R.C. ***3313.41, 3314.051, 3318.08***	**R.C.** ***3313.41, 3314.051, 3318.08***
Repeals the following requirements:	Same as the Executive.
(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;	Same as the Executive.

Executive	As Passed by the House
(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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

322 EDU - 5 Community School Report Cards

R.C. ***3314.012***	**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.	Same as the Executive.
Fiscal effect: Minimal increase in administrative costs for ODE.	**Fiscal effect: Same as the Executive.**

323 EDU - 87 Community School Sponsor Oversight

R.C. ***3314.015, 3314.021, 3314.027, 3314.191***	**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.	Same as the Executive.
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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.	
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.	Same as the Executive.
Requires ODE's annual report on community schools to include the performance of community school sponsors.	Same as the Executive.
Fiscal effect: May increase administrative costs for ODE.	**Fiscal effect: Same as the Executive.**

324 EDU - 160 Community School Sponsors

	R.C. ***3314.015***
No provision.	Prohibits a sponsor from initially entering into a sponsorship contract with a community school if more than 33% of the sponsor's existing schools in Ohio are in academic watch or academic emergency.

325 EDU - 12 New Start-Up Community Schools

R.C. ***3314.016***	**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.	Same as the Executive.
Fiscal effect: May limit a start-up community school's choice of operator.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
326 EDU - 7 Community School Operators	
R.C. ***3314.014, 3314.024, 3314.028***	**R.C.** ***3314.024***
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.	No provision.
Requires that contracts between a community school and an operator be selected through a competitive bidding process established by ODE.	Same as the Executive.
Fiscal effect: Some community schools may need to contract with a different operator after the termination of their current contracts.	**Fiscal effect: May reduce the schools flexibility in choosing an operator.**
327 EDU - 13 Appeal of Termination or Nonrenewal of Operator Contract	
R.C. ***3314.026, Repealed***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
328 EDU - 176 Community School Location	
	R.C. ***3314.028***
No provision.	Permits a community school, beginning in the 2009-2010 school year, to operate from its current facility, rather than relocating to another school district, if the school meets the following criteria:
No provision.	(1) it has been located in its current facility for at least three years,
No provision.	(2) it is sponsored by a school district adjacent to the district in which the school is located,
No provision.	(3) it emphasizes serving gifted students, and
No provision.	(4) it has been rated continuous improvement or higher for the previous three years.
329 EDU - 52 Community School Accountability	
R.C. ***3314.03, 3314.42-3314.44***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive.**
330 EDU - 158 Community School Consolidation	
	R.C. ***3314.075, 3306.16***
No provision.	Permits two or more brick-and-mortar community schools located in the same building that have at least one common member on their respective governing authorities and the same chief administrative officer to consolidate into one community school.
	Fiscal effect: Allows for the consolidation of the assets and liabilities of all of the consolidating schools into the single school.
331 EDU - 4 Community School Teachers	
R.C. ***3314.102, 3314.03, 3314.19, 3314.21***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**
332 EDU - 165 Community Schools - Operator Reporting	
	R.C. ***3314.192***
No provision.	Requires community school sponsors annually to report to ODE information about operators hired by the schools they sponsor.

Executive	As Passed by the House
	Fiscal effect: Minimal.
333 EDU - 162 Closure of Community Schools	
	R.C. *3314.35*
No provision.	Revises the current performance criteria that trigger automatic closure of a community school effective July 1, 2009, as follows:
No provision.	(1) For schools that do not offer a grade higher than 3, requires closure if the school has been in academic emergency for three of the four most recent years, instead of four consecutive years;
No provision.	(2) For schools that offer any of grades 4 to 8 but no grade higher than 9, requires closure if the school has been in academic emergency for two of the three most recent years, instead of three consecutive years, and has shown less than one year of academic growth in reading or math for at least two of the three most recent years;
No provision.	(3) For a school that offers any of grades 10 to 12, requires closure if the school has been in academic emergency for three of the four most recent years, instead of three consecutive years with two years not showing two years of academic growth in reading or math.
No provision.	Exempts from automatic closure community schools in which a majority of the enrolled students are children with disabilities receiving special education and related services.
	Fiscal effect: Certain community schools may be closed.

Executive	As Passed by the House
334 EDU - 83 Community School On-Site Evaluations	
R.C. ***3314.39***	**R.C.** ***3314.39, 265.60.10***
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 with 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.	Same as the Executive, but suspends the requirement to conduct site visits of each community school once every five years and instead includes community schools in the bill's pilot program of school visits along with district-operated schools.
Specifies that each site-visit may include school tours, classroom observations, and interviews with administrators, teachers, or other school staff, parents, community members, or students.	Same as the Executive, but requires, rather than permits, that these activities be included in the site visits.
Requires schools to provide any data, documents, or other materials ODE considers necessary to conduct a thorough on-site visit.	Same as the Executive.
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 report on its website.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive, but there may be savings if visits of fewer community schools are required under the pilot program. Schools may also incur increased administrative costs for conducting the specific activities the bill now requires at each site visit.**

335 EDU - 107 Community School SBH Subsidy

Section: ***265.50.60***	**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.	Same as the Executive.
Fiscal effect: Provides for higher state payments to the affected community school.	**Fiscal effect: Same as the Executive.**

336 EDU - 108 Community School Operation from Residential Facilities

Section: ***265.50.80***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
337 EDU - 109 Early College Start Up Community School	
Section: ***265.50.90***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**
Educator Provisions	
338 EDU - 27 Educator Preparation Programs	
R.C. ***3301.12, 3333.048, 3333.049, Repealed: R.C. 3319.23***	**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.	Same as the Executive, but requires the Chancellor and Superintendent to establish "educator preparation programs" instead of "courses of study."
Requires the Chancellor to issue an annual report on the quality of approved teacher preparation institutions.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
339 EDU - 35 Teacher Tenure	
R.C. ***3319.08***	**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.	Same as the Executive, but reduces the required number of years to five.
Stipulates that these tenure requirements override any conflicting collective bargaining agreement entered into on or after the provision's effective date.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**
340 EDU - 29 Termination of Teacher Employment Contracts	
R.C. ***3319.16***	**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.	Same as the Executive.
Retains "good and just cause" as statutory grounds for termination of a school district teacher employment contract.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: None	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
341 EDU - 18 School District Reductions in Force	
R.C. ***3319.17, 3319.172***	**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.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: May reduce some of the flexibility the districts and ESCs have in reducing staff.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
342 EDU - 26 Educator Licensure	
R.C. ***3319.22, 3319.222, 3319.26, 3319.28,*** ***Repealed: R.C. 3319.222, 3319.302, 3319.304***	**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 from an accredited institution of higher education, 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 from an accredited institution of higher education, 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 from an accredited institution of higher education, previous receipt of a professional or senior professional educator license, meeting the criteria for the	Same as the Executive, but eliminates the requirement that an applicant for a professional, senior, or lead educator license must demonstrate that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent and specifies that the accreditation of the institutions of higher education from which applicants for a professional, senior, or lead educator license have degrees must be from a regional accrediting organization.

Executive	As Passed by the House
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.	Same as the Executive.
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.	Same as the Executive, but eliminates the requirement that an applicant for a principal license must 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.	Same as the Executive.
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.	Same as the 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.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

343 EDU - 25 Ohio Teacher Residency Program

R.C. *3319.223*	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.	Same as the Executive, but eliminates the requirement of the use of measures of student academic gain to evaluate teacher effectiveness.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

344 EDU - 24 Educator Standards Board

R.C. ***3319.60, 3319.61, 3319.611, 3319.612, Section 265.60.60***	**R.C.** ***3319.60, 3319.61, 3319.611, 3319.612, Section 265.60.60***
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.	Same as the Executive, but also adds two additional teachers, one high school teacher and one elementary teacher, to the Board.
Changes the appointing authority of the three members employed by institutions of higher education that offer teacher preparation programs from the State Board of Education to the Chancellor of the Board of Regents.	Same as the Executive, but specifies the institutions offer "educator" preparation programs instead of "teacher" preparation programs.
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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
Repeals the requirement that the Educator Standards Board collaborate with teachers colleges to align their courses with the standards developed by the Board.	Same as the Executive.
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.	Same as the Executive.
Directs the Educator Standards Board to develop model teacher and principal evaluation instruments based on the standards and student performance as determined by value-added data and other demonstrations of students' skills.	Same as the Executive, but eliminates the requirement that the evaluation instruments be based on student performance, as determined by value-added data and other demonstrations of students' skills.
Requires the Educator Standards Board to propose new standards to the State Board of Education by September 1, 2010.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
345 EDU - 16 Lead Teachers	
R.C. ***3319.61, 3301.0714, 3302.03, 3319.56***	**R.C.** ***3319.61, 3301.0714, 3302.03, 3319.56***
Eliminates the requirement that the Educator Standards Board define "master teacher" and replaces the term "master teacher" with "lead teacher."	Same as the Executive, but retains the requirement that the Board define "master 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.	Same as the Executive, except specifies that meeting either the definition of a master teacher or the criteria developed for a lead teacher suffice as qualification for a lead professional educator license.
No provision.	Requires the professional development standards developed by the Educator Standards Board to contain standards for the inclusion of local professional development committees in the planning and design of professional development.
Fiscal effect: None.	**Fiscal effect: None.**
346 EDU - 33 Teach Ohio Program	
R.C. ***3333.39***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

347 EDU - 34 Ohio Teaching Fellows Program

R.C. ***3333.391, 3333.392***	**R.C.** ***3333.391, 3333.392***
Creates the Ohio Teaching Fellows Program to provide undergraduate scholarships for qualified students going into the teaching profession upon graduation from a state institution of higher education 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.	Same as the Executive, but also qualifies for scholarships students going into the teaching profession upon graduation from a private college or university in Ohio.
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.	Same as the Executive.
Fiscal effect: The bill appropriates $2.5 million in FY 2011 for the Ohio Teaching Fellows Program.	**Fiscal effect: Same as the Executive.**

348 EDU - 145 Task Force on Teacher Compensation and Performance

Section: ***265.60.20***	**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.	Same as the Executive.

Executive	As Passed by the House
Early Childhood	
349 EDU - 116 Early Childhood Advisory Council and Early Childhood Financing Workgroup	
R.C. ***3301.90, Section 265.70.20***	**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.	Same as the Executive.
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.	Same as the Executive.
No provision.	Requires the Early Childhood Advisory Council to establish a Family Child Care Licensing Workgroup to develop recommendations that explore the implementation, costs, and timeline necessary for the creation of a statewide licensing system for family child care providers. Requires the Workgroup to submit its recommendations to the Governor and the General Assembly no later than 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.	**Fiscal effect: Same as the Executive, but adds administrative costs associated with the Family Child Care Licensing Workgroup.**

Executive	As Passed by the House
350 EDU - 38 Early Childhood Education	
Section: ***265.10.20***	**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.	Same as the Executive.
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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
Requires ODE to provide an annual report regarding early childhood education programs and the early learning program guidelines.	Same as the Executive.
Fiscal effect: The bill appropriaties $34.8 million in each fiscal year for the program, including an earmark of 2% for ODE's administrative costs.	**Fiscal effect: The bill appropriates $23.3 million in each fiscal year for the program, including an earmark of 2% for ODE's administrative costs.**

351 EDU - 57 Center for Early Childhood Development

Section: *265.70.10*	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.	Same as the Executive.
Directs the Superintendent of Public Instruction to hire a Director for the Center.	Same as the Executive, except requires the Director to report to the Superintendent and to the Governor.
Requires the Director of the Early Childhood Cabinet to submit an implementation plan regarding coordination and implementation of early childhood education plans to the Superintendent and Governor not later than August 31,	Same as the Executive, but requires the Director to consider advice from the Early Childhood Advisory Council when submitting the plan and changes the deadline for submission of the plan to December 31, 2009.

Executive	As Passed by the House
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.	Same as the Executive.
No provision.	Requires the Governor to appoint a representative of local board of health to the Early Childhood Cabinet.
Fiscal effect: Increase in personnel cost for the Director of the Center for Early Childhood Development.	**Fiscal effect: Same as the Executive.**

352 EDU - 144 Early Learning Initiative

Section: ***309.40.60***	**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.	Same as the Executive.
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).	Same as the Executive.
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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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 number.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
Requires ODJFS and ODE to contract for up to 12,000 enrollment slots for eligible children each fiscal year.	Same as the Executive.
No provision.	Requires early learning programs licensed by ODE under the Preschool Law to participate in the quality-rating program established under the Child Care Law.
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.**	**Fiscal effect: Same as the Executive, plus increased cost for ODJFS to include early learning programs in the quality rating program.**

Executive	As Passed by the House

Other Education Provisions

353 EDU - 137 School Operating Standards

R.C. *3301.07*	R.C. *3301.07, 3301.0722, 3301.83, 3302.05, 3302.07, 3306.30, 3306.33, 3306.40, 3319.61*
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. Requires among other things that the standards described in (1) and (4) above include a commitment to peer evaluation.	Same as the Executive, but specifies that these additional standards are "minimal standards"; replaces the standards in (3) with standards that categorize the components of the adequacy amount into "core academic strategy components" and "academic improvement components"; eliminates the requirement for a commitment to peer evaluation; and prescribes a commitment to closing the achievement gap in the standards described in (1) and (4).
Specifies that the standards for organizational units require (1) effective and efficient organization, administration, and supervision of the unit, including joint planning time for teachers and unfettered access to classrooms for administrators; (2) a school organizational unit leadership team; and (3) compliance with standards for expenditures of the amounts received under each component of the school funding formula.	Same as the Executive, but eliminates the requirement to include compliance with standards for expenditures of the amounts received under each component of the school funding formula, eliminates the requirement that the planning time for teachers be "joint", and replaces the requirement for "unfettered" access with a requirement for "reasonable" access.
Specifies that these additional standards prevail over collective bargaining agreements entered into after the provision becomes effective.	Replaces the Executive provision with a provision that redesignates the minimum operating standards as part of the State Board's authority to prescribe minimum standards for schools under R.C. 3301.07 (D), which, under current law, prevail over collective bargaining agreements per R.C. 4117.10 (A).
Permits the Superintendent of Public Instruction to waive these additional standards as they relate to school district schools.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
Fiscal effect: ODE's administrative costs may increase as a result of developing and adopting these additional standards.	**Fiscal effect: Same as the Executive.**

354 EDU - 67 School Financial Reporting

R.C. ***3301.07, 3314.03, 3326.21***	**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.	Same as the Executive, but permits the reporting of either district/ESC level data or building level data, as determined appropriate by ODE.
Fiscal effect: Possible increase in costs for districts, community schools, and STEM schools for increased reporting requirements.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
355 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***	**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.	Same as the Executive, but extends the deadline for adoption of model curricula to March 31, 2011.
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.	Same as the Executive.
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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
Repeals the current law prohibition on adopting or revising health standards and curriculum without approval by concurrent resolution of the General Assembly.	Same as the Executive.
Requires ODE to inform all school districts and community schools of: (1) the content of the new academic standards; (2) the completion of the development of an achievement assessment; (3) the content of the adopted model curricula. Requires ODE to provide technical assistance to school districts and community schools in the implementation of the model curricula or the physical education standards.	Same as the Executive, but adds STEM schools and nonpublic schools that are required to administer state achievement tests to the notification requirement for (1) and (2) and adds STEM schools to the notification requirement for (3) and the technical assistance requirement.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
356 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***	**R.C.** ***3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 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.)	Same as the Executive.
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.	Same as the Executive.
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.	Same as the 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.	Same as the Executive, but emphasizes that the OGT under current law and the new assessment system both continue to apply to chartered nonpublic high schools.

Executive	As Passed by the House
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.	Same as the Executive.
Prohibits the release of the OGT as a public record.	Same as the Executive.
No provision.	Requires the State Board to adopt a diagnostic assessment for each of grades K to 3 in English language arts rather than reading and writing diagnostics for grades K to 2 and a writing diagnostic assessment for grade 3, as in current law.
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 forsees 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.	**Fiscal effect: Same as the Executive, but with additional costs for developing the diagnostic assessments.**

	Executive	As Passed by the House
357	**EDU - 159** **Education Strategic Plan**	
	No provision.	**R.C.** ***3301.122*** Requires the Superintendent of Public Instruction, by December 1, 2009, to develop a ten-year strategic plan. Requires that the plan be developed in consultation with the Chancellor of the Board of Regents and be aligned with the strategic plan already developed by the Chancellor. **Fiscal effect: Minimal.**
358	**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 using data collected from ODE's resource allocation study; (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.**	**R.C.** ***3301.80*** Same as the Executive, but permits the Office to consult with fiscal officers of school districts as well as to use data collected from ODE's resource allocation study in determining the fiscal data to be included on the annual funding and expenditure accountability reports. **Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
359 EDU - 63 Office of Urban and Rural Student Success	
R.C. ***3301.81***	**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.	Same as the Executive.
Fiscal effect: The bill earmarks $200,000 in each fiscal year to support this Office.	**Fiscal effect: Same as the Executive.**
360 EDU - 10 Center for Creativity and Innovation	
R.C. ***3301.82***	**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 for assistance to school districts and JVSDs.	Same as the Executive, but includes practices in arts education and creativity as areas for the Center to research in identifying promising programs and practices and includes ESCs, community schools, and STEM schools in the list of those to be served by the Center.
No provision.	Requires the Center to study best practices and innovative programming developed by community schools and promote collaboration between school districts and community schools.
No provision.	Requires the Center to provide staff assistance to the Ohio School Funding Research Advisory Council.

Executive	As Passed by the House
Fiscal effect: The bill earmarks up to $200,000 in each fiscal year to support the activities of this center.	**Fiscal effect: Increases the earmark to up to $700,000 in each fiscal year to support the activities of this center.**

361 EDU - 68 On-Site Visits to Schools

R.C. ***3301.83, 265.60.10***	**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.	Same as Executive, but removes the requirement that ODE cooperate with one or more institutions of higher education when conducting site visits and includes community schools in the pilot program.
Specifies that each site-visit may include school tours, classroom observations, and interviews with administrators, teachers, or other school staff, parents, community members, or students.	Same as the Executive, but requires, rather than permits, that these activities be included in the site visits.
Requires schools to provide any data, documents, or other materials ODE considers necessary to conduct a thorough on-site visit.	Same as the Executive.
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.	Same as the 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	Same as the Executive, but includes community schools in the report.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

362 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***	**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.	Same as the Executive, but changes the deadline to one year after adoption of rules for implementation of the bill's new assessment system for high school graduation, and at least every six years thereafter.
Eliminates the requirement that there be a minimum of 17 performance indicators.	Same as the Executive.
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.	Same as the Executive.
No provision.	Requires the State Board of Education, by December 31, 2011, and upon recommendation of the Superintendent, to establish a performance indicator that reflects the level of services provided to, and performance of, gifted students.
Fiscal effect: Increased administrative costs for ODE to develop new indicators.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
363 EDU - 17 Value-Added Data	
R.C. ***3302.021***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**
364 EDU - 120 Educational Choice Scholarships	
R.C. ***3310.08, 3310.09, 3310.03***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
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.)	Same as the Executive.
Fiscal effect: Prohibiting eligibility for students who have been enrolled in a nonpublic school may reduce the total number of scholarships awarded.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
365 EDU - 3 Assessments at Nonpublic Schools with Scholarship Students	
R.C. ***3310.14, 3313.976***	**R.C.** ***3310.14, 3310.15, 3313.976, 3313.978***
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.	Replaces the Executive provision with a provision that requires testing of scholarship students enrolled in nonpublic schools under the Cleveland Scholarship Program (testing of scholarship students in the Ed Choice Program is already required under current law).
No provision.	Requires ODE to post disaggregated assessment data for voucher students on its web site and to provide parents of students eligible for vouchers with that information.
No provision.	Requires ODE to provide the parent of each voucher student with information comparing the student's performance on the assessments with the performance of similar students enrolled in the school district building the student would otherwise attend.
Fiscal effect: ODE would bear the cost of furnishing the tests to participating nonpublic schools.	**Fiscal effect: May increase administrative costs for ODE.**

Executive	As Passed by the House
366 EDU - 153 Educational Service Centers	
	R.C. ***3311.0510, 3313.843, Section 265.70.40***
No provision.	Provides that, if all of the "local" school districts that make up the territory of an educational service center (ESC) sever from that ESC and annex to a different ESC, all of the following apply: (1) the ESC governing board is abolished and the service center is dissolved, (2) the Superintendent of Public Instruction must order an equitable distribution of the assets and liabilities of the ESC among the "local" school districts that made up the ESC and appoint a qualified individual to implement the order, (3) the costs incurred by ODE in dissolving the ESC may be charged against the assets of the ESC and any amount of those costs in excess of the ESC's assets may be charged equitably against each of the local school districts that made up the ESC, (4) a final audit of the ESC must be performed, and (5) the public records of the ESC must be transferred to the school districts that received services from the ESC or to the Ohio Historical Society, for those records that do not relate to services to a particular school district.
No provision.	Specifically permits a "city" or "exempted village" school district that entered into an agreement for services from an ESC that is dissolved to enter into a new agreement with another ESC, for which services the new ESC may receive per pupil state funds in the same manner as the former ESC.
No provision.	Places a two-year moratorium on the consideration and effect of resolutions for local school districts to relocate from their current ESCs to adjacent ESCs and voids recently approved, as well as pending, resolutions for such relocations.

Executive	As Passed by the House
	Fiscal effect: May lead to the redistribution of the assets of an ESC to multiple school districts.

367 EDU - 22 Minimum School Year

R.C. ***3313.48, 3313.481, 3313.482, 3313.485, 3313.62, 3314.031, 3306.01, 3317.01***	**R.C.** ***3313.48, 3306.01, 3313.481, 3313.482, 3313.485, 3313.62, 3314.031, 3317.01, Section 265.70.30***
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.	Same as the Executive, but postpones the incremental lengthening of the school year by two years and reduces the total number of added days by four.
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.	Same as the Executive.
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 specified in the new "learning year" provisions.	Same as the Executive.
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	Same as the Executive, but reduces the number of calamity days to three for the 2009-2010 school year and one for the 2010-2011 school year and thereafter.

Executive	As Passed by the House
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.	Same as the Executive.
No provision.	Directs ODE to study the best use of school hours, in consultation with teachers, superintendents, school district boards, and gifted associations. Requires ODE to submit a report of its findings to the General Assembly and the Governor not later than one year from the effective date.
Fiscal effect: Schools will likely see increased costs for school operations as the school year is extended.	**Fiscal effect: Same as the Executive, but the number of additional days is reduced from four to two in FY 2010.**
368 EDU - 174 Solvency Assistance Loan Repayments	
	R.C. ***3313.483, 3316.041, 3316.06, 3316.20***
No provision.	Specifies that a school district's solvency assistance loan repayments be deducted from its aggregate operating payments calculated under Chapter 3306 of the Revised Code only, rather than also from its payments under Chapter 3317 of the Revised Code. **Fiscal effect: None - under current law payments of state formula aid to school districts are made under Chapter 3317 but under the bill only specified adjustments and corrections due to special circumstances will be paid under Chapter 3317 and state formula aid payments will be made under Chapter 3306.**

Executive	As Passed by the House
369 EDU - 73 School Emergency Procedures	
R.C. ***3313.536***	**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.	Same as the Executive.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive.**
370 EDU - 2 Eighth Grade American History	
R.C. ***3313.60***	**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.)	Same as the Executive.
Fiscal effect: Districts may have more flexibility in choosing their course offerings.	**Fiscal effect: Same as the Executive.**
371 EDU - 79 Life and Career Ready Skills in Curriculum	
R.C. ***3313.60, 3313.607, 3314.03, 3326.11***	**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.	Same as the Executive.

Executive	As Passed by the House
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).	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

372 EDU - 49 High School Graduation Requirements

R.C. ***3313.603***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

373 EDU - 9 Community Service Education

R.C. ***3313.605***	**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.	Same as the Executive.
Fiscal effect: School districts, community schools, and STEM schools may incur costs in the development and implementation of a community service plan.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
374	**EDU - 121 School Fees for Low-Income Students**	
	R.C. ***3313.642***	**R.C.** ***3313.642***
	Revises the law prohibiting school districts that receive state poverty-based assistance from charging instructional or materials fees to students whose families participate in Ohio Works First or the Disability Assistance program by applying the prohibition to districts that received the subsidy in FY 2009.	Replaces the Executive provision with a provision prohibiting all school districts from charging instructional or materials fees to students eligible for free lunch.
	Fiscal effect: None.	**Fiscal effect: Minimal - School districts will have to absorb the instructional and materials costs previously covered by fees as this provision broadens the number of students school districts are prohibited from charging such fees.**
375	**EDU - 175 Booster Vaccinations for Students**	
		R.C. ***3313.671***
	No provision.	Beginning with the 2010-2011 school year, requires students entering the seventh grade at a public or nonpublic school to receive a tetanus, diphtheria, and acellular pertussis booster vaccination, with exceptions for reasons of conscience and medical contraindication.
	No provision.	Requires boards of health, legislative authorities of municipal corporations, and boards of township trustees to provide at public expense the booster vaccination to pupils who are not provided the booster by their parents or guardians.
		Fiscal effect: May increase costs for boards of health, legislative authorities of municipal corporations, and boards of township trustees if they have to provide the booster to students.

Executive	As Passed by the House
376 EDU - 60 Student Health Screenings	
R.C. ***3313.673, 3301.0714***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
377 EDU - 80 Administration of Prescription Drugs to Students	
R.C. ***3313.713***	**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.	Same as the Executive, but limits the authority to administer prescription drugs to school district employees holding a school nurse license or school nurse wellness coordinator license, or who have completed a drug administration training program conducted by a registered nurse.
Fiscal effect: Districts may need to hire more nurses.	**Fiscal effect: Same as the Executive, but schools may be able to provide training to other employees instead of hiring nurses.**

Executive	As Passed by the House
378 EDU - 66 School Business Advisory Councils	
R.C. ***3313.82, 3314.03, 3315.17, 3326.11***	**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.)	Same as the Executive, but permits school districts, community schools, and STEM schools to appoint one committee that functions as both a business advisory council and a family and community engagement team.
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.	Same as the Executive.
Requires each school board, governing authority, or governing body to annually report to ODE the names of council members.	Same as the Executive.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive, but costs may be lessened by having only one committee.**
379 EDU - 82 Family and Community Engagement Teams	
R.C. ***3313.821, 3314.03, 3326.11***	**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:	Same as the Executive, but permits school districts, community schools, and STEM schools to appoint one committee that functions as both a business advisory committee and a family and community engagement team.
(1) Work with local county family and children first councils to recommend qualifications and responsibilities for school family and community engagement coordinators.	Same as the Executive.

Executive	As Passed by the House
(2) Develop five-year family and community engagement plans.	Same as the Executive.
(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.	Same as the Executive.
(4) Advise and provide recommendations to the board, governing authority, or governing body on matters specified by those entities.	Same as the Executive.
Fiscal effect: Potential administrative cost for schools.	**Fiscal effect: Same as the Executive, but costs may be lessened by having only one committee.**

380 EDU - 6 Unauditable Community Schools

R.C. ***3314.38, 269.60.60***	**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 unauditable.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

381 EDU - 170 Administrative Cost Reimbursement

	R.C. ***3317.063***
No provision.	Increases from $300 to $325 the maximum amount per pupil for reimbursement of chartered nonpublic school administrative costs.
	Fiscal effect: The bill appropriates $59.8 million in each fiscal year for these reimbursements. Increasing the per pupil amount may allow more of this appropriation to be disbursed.

Executive	As Passed by the House
382 EDU - 19 Termination of School District Transportation Staff	
R.C. ***3319.0810, (Repealed)***	**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.	Same as the Executive.
Fiscal effect: May reduce the flexibility these districts have in terminating transportation staff.	**Fiscal effect: Same as the Executive.**
383 EDU - 30 School Safety and Violence In-Service Training	
R.C. ***3319.073***	**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.	Same as the Executive.
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.	Same as the 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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.**	**Fiscal effect: Same as the Executive.**

384 EDU - 31 Licensure of School Nurses

R.C. ***3319.221***	**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.	Same as the Executive, but eliminates the requirement that the holder of a school nurse wellness coordinator license 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.	Same as the Executive.
Fiscal effect: There are potential administrative costs associated with the creation of the standards for the school nurse and school nurse wellness coordinator licenses.	**Fiscal effect: Same as the Executive.**

385 EDU - 81 Corporal Punishment

R.C. ***3319.41***	**R.C.** ***3319.41, 3301.0714, 3301.0715, 3313.673***
Prohibits corporal punishment in school districts, educational service centers, community schools, STEM schools, and chartered nonpublic schools.	Same as the Executive.
No provision.	Eliminates the requirement that ODE collect data on the percentage of students receiving corporal punishment.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
386 EDU - 32 School Health Services Advisory Council	
R.C. ***3319.70, 3319.71***	**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.	Same as the Executive, but removes the licensed practical nurse employed by a school district or community school from the Council and adds a member of the public to be appointed by the Governor.
Fiscal effect: There are potential administrative costs related to creation and proceedings associated with the School Health Services Advisory Council.	**Fiscal effect: Same as the Executive.**
387 EDU - 148 Student Absences for Extracurricular Activities	
	R.C. ***3321.041, 3314.03, 3326.11***
No provision.	Requires school districts, community schools, and STEM schools to count as excused absences, up to four days per school year, time that a student is absent from school for the sole purpose of traveling out of state to participate in an enrichment activity approved by the district or school governing body or in an extracurricular activity.
No provision.	Requires the student to make up all missed classroom assignments.
No provision.	Specifies that if the student will be out of state for four or more consecutive school days for a school-approved enrichment activity, a classroom teacher employed by the district or school must accompany the student to provide instructional assistance.

Executive	As Passed by the House
	Fiscal effect: Minimal costs to school districts related to teacher travel costs if a district chooses to provide out of state opportunities to its students.

388 EDU - 77 Special Education Procedure

R.C. ***3323.05***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

389 EDU - 104 Waiver of Required Pupil Teacher Ratio

Section: ***265.50.20***	**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.	Same as the Executive.
Fiscal effect: Allows certain districts to continue to receive state funding even if the required pupil to teacher ratio is not met.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
390 EDU - 105 Private Treatment Facility Project	
Section: ***265.50.30***	**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.	Same as the Executive.
Fiscal effect: In addition to the tuition payment, the bill earmarks $1.0 million in each fiscal year for the Private Treatment Facility Project.	**Fiscal effect: Same as the Executive.**
391 EDU - 106 National Assessment of Education Progress	
Section: ***265.50.40***	**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.	Same as the Executive.
Fiscal effect: Small cost for districts chosen to participate. Federal funding is provided for coordination of the state's participation in NAEP.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
392 EDU - 113 Use of Volunteers	
Section: ***265.60.30***	**Section:** ***265.60.30***
Authorizes ODE to use the services of volunteers to accomplish any of the purposes of ODE.	Same as the Executive.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
393 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.	No provision.
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.	No provision.
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.	No provision.

Executive	As Passed by the House
Fiscal effect: All appropriations for the schools are made to ODE.	

394 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.**	No provision.

395 EDU - 166 Peer Assistance and Review Programs

	Section: *265.70.50*
No provision.	Requires ODE, in consultation with the Educator Standards Board and by December 31, 2010, to develop a model peer assistance and review program and to make recommendations to expand the use of peer assistance and review programs in school districts. Specifies that the model program must include the following elements: (1) releasing experienced teachers from instructional duties for up to three years to mentor and evaluate new and underperforming teachers, (2) targeted professional development, and (3) a committee containing representatives of teachers and the employer to review evaluations and make recommendations regarding teachers' continued employment.

Executive	As Passed by the House

Appropriation Language

396 EDU - 36 Personal Services

Section: *265.10.10*	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:	Same as the Executive, but makes the following changes to the earmarks:
(1) Up to $25,000 in each fiscal year for travel expenses for the members of the State Board of Education.	(1) Same as the Executive.
(2) Up to $150,000 in each fiscal year to support Ohio's Partnership for Continued Learning.	(2) Same as the Executive.
(3) Up to $500,000 in each fiscal year for expenses associated with the Governor's Closing the Achievement Gap Initiative.	(3) Increases earmark to up to $950,000 in each fiscal year.
(4) Up to $200,000 in each fiscal year to support ODE's Office of Urban and Rural Student Success.	(4) Same as the Executive.
(5) Up to $200,000 in each fiscal year to support ODE's Center for Creativity and Innovation.	(5) Increases earmark to up to $700,000 in each fiscal year.

397 EDU - 37 Early Childhood Education

Section: *265.10.20*	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.	Same as the Executive.

	Executive	As Passed by the House
398	**EDU - 156 Educator Training**	
		Section: ***265.10.25***
	No provision.	Specifies that GRF appropriation item 200410, Educator Training, be used to pay $2,225 of the application fee for up to 400 public and chartered nonpublic school teachers in each fiscal year applying for certification from the National Board of Professional Teaching Standards and to provide stipends for National Board certified teachers. Provides that up to $300,000 may be used by ODE for administrative costs.
399	**EDU - 39 Career-Technical Education Match**	
	Section: ***265.10.30***	**Section:** ***265.10.30***
	Specifies that GRF appropriation item 200416, Career-Technical Education Match, be used to provide vocational administration matching funds.	Same as the Executive.
400	**EDU - 40 Computer/Application/Network Development**	
	Section: ***265.10.30***	**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.	Same as the Executive.

Executive	As Passed by the House
401 EDU - 41 Alternative Education Programs	
Section: ***265.10.40***	**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.	Same as the Executive.
Permits ODE to waive minimum education standards for the alternative schools funded by the grants.	Same as the Executive.
Specifies that a portion of the appropriation may be used for program administration, monitoring, technical assistance, support, research, and evaluation.	Same as the Executive.
No provision.	Earmarks $1,000,000 in each fiscal year for Big Brothers Big Sisters of Central Ohio.
402 EDU - 42 School Management Assistance	
Section: ***265.10.50***	**Section:** ***265.10.50***
Makes the following earmarks of GRF appropriation item 200422, School Management Assistance:	Same as the Executive, but makes the following changes to the earmarks:
(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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.
(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	(3) No provision.

Executive	As Passed by the House
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.	(4) Same as the Executive, but decreases the earmark in FY 2010 to $4,994,000, changes the "audits" to "reviews", adds STEM schools to the entities to receive performance reviews on a five-year cycle, and specifies that these performance reviews not begin until FY 2011 unless conducted as part of the support provided to schools in fiscal watch or fiscal emergency.
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.	Same as the Executive, but adds that funding may be used for fiscal caution provisions, as well as fiscal watch and fiscal emergency.

403 EDU - 43 Policy Analysis

Section: *265.10.60*	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:	Same as the Executive.
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.	Same as the Executive, but specifies that the fiscal reporting dimension be based on prior year fiscal data.

Executive	As Passed by the House
404 EDU - 44 Tech Prep Consortia Support	
Section: ***265.10.60***	**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.	Same as the Executive.
405 EDU - 45 Ohio Educational Computer Network	
Section: ***265.10.70***	**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:	Same as the Executive.
(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.	Same as the Executive.
(2) Up to $2,163,657 in each fiscal year for the Union Catalog and InfOhio Network.	Same as the Executive.
(3) Up to $7,942,391 in each fiscal year to subsidize the activities of designated information technology centers.	Same as the Executive.
Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems.	Same as the Executive.

Executive	As Passed by the House
406 EDU - 46 Academic Standards	
Section: ***265.10.80***	**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.	Same as the Executive.
407 EDU - 47 School Improvement Initiatives	
Section: ***265.10.90***	**Section:** ***265.10.90***
Makes the following earmarks of GRF appropriation item 200431, School Improvement Initiatives:	Same as the Executive, but makes the following changes to the earmarks:
(1) Up to $510,990 in each fiscal year to support educational media centers to provide Ohio public schools with instructional resources and services.	(1) Same as the Executive.
(2) Up to $9,349,007 in each fiscal year to support districts in the development and implementation of continuous improvement plans.	(2) Same as the Executive.
(3) No provision.	(3) Up to $2,000,000 in FY 2011 to fund grants for a pilot subsidy program for creative and innovative classrooms.
(4) No provision.	(4) Up to $3,500,000 in each fiscal year to create early college high schools, to be distributed according to guidelines established by ODE and BOR.
408 EDU - 48 Student Assessments	
Sections: ***265.20.10, 265.50.50***	**Sections:** ***265.20.10, 265.50.50***
Makes the following earmarks of GRF appropriation item 200437, Student Assessments:	Same as the Executive.

Executive	As Passed by the House
Up to $212,486 in each fiscal year for costs associated with the state's required diagnostic assessments.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
Specifies that the remainder of the appropriation be used to develop, field test, print, distribute, score, and report results of tests, including the English language arts, mathematics, science, and social studies assessments and the Ohio Graduation Test. 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.	Same as the Executive, but adds the system of assessments developed for high school students contained in the bill to the other tests for which the remainder of the appropriation is to be used.
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 are not sufficient, permits the Superintendent of Public Instruction to seek Controlling Board approval to transfer up to $9.0 million from the Lottery Profits Education Reserve Fund to the GRF to be appropriated to this item.	Same as the Executive.

Executive	As Passed by the House
409 EDU - 53 Accountability/Report Cards	
Section: ***265.20.20***	**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.	Same as the 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.	Same as the Executive, but adds funding and expenditure accountability reports as part of the accountability system.
410 EDU - 54 Child Care Licensing	
Section: ***265.20.20***	**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.	Same as the Executive.
411 EDU - 56 Education Management Information System	
Section: ***265.20.30***	**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:	Same as the Executive.
(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.	Same as the Executive.

Executive	As Passed by the House
(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.	Same as the Executive.
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.	Same as the Executive.

412 EDU - 58 GED Testing

Section: ***265.20.40***	**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.	Same as the Executive.

Executive	As Passed by the House
413 EDU - 59 Educator Preparation	
Section: ***265.20.50***	**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.	Same as the Executive.
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.	Same as the Executive.
414 EDU - 61 Community Schools	
Section: ***265.20.60***	**Section:** ***265.20.60***
Makes the following earmarks of GRF appropriation item 200455, Community Schools:	Same as the Executive, but makes the following changes to the earmarks:
(1) Up to $1,308,661 in each fiscal year to support the State Office of Community Schools in ODE.	(1) Same as the Executive.
(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.	(2) Same as the Executive, but adds community schools to sponsors and prospective sponsors of community schools as entities that may receive training funded through the earmark.

Executive	As Passed by the House
415 EDU - 62 STEM Initiatives	
Section: ***265.20.60***	**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, including on-site laboratories, job-embedded professional development, and mentoring and coaching.	Same as the Executive, but instead of on-site laboratories, job-embedded professional development, and mentoring and coaching, requires that the initiatives be connected to and leveraged against Ohio's portfolio of STEM education initiatives including STEM schools, STEM Programs of Excellence, and STEM Centers positioned to enhance teacher preparation and professional development through professional practice on-site laboratories, teacher-in-residence programs, master teacher and apprentice models, and STEM teaching fellowships.
416 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.	No provision.
417 EDU - 65 Pupil Transportation	
Section: ***265.20.70***	**Section:** ***265.20.70***
Makes the following earmarks to GRF appropriation item 200502, Pupil Transportation:	Same as the Executive, but makes the following changes to the earmarks:
(1) Up to $838,930 in each fiscal year for training school bus drivers.	(1) Same as the Executive.
(2) Up to $60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county MR/DD boards.	(2) Same as the Executive.

Executive	As Passed by the House
(3) 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.	(3) Same as the Executive, but earmarks $376,914,469 in each fiscal year for the prorated portion of transportation aid and the remainder for supplemental transportation aid for district's below both the state median parity aid wealth measure and state median bus ridership density.

418 EDU - 69 Bus Purchase Allowance

Section: ***265.20.80***	**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.	Same as the Executive.

419 EDU - 70 School Lunch Match

Section: ***265.20.80***	**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.	Same as the Executive.
Specifies any remaining appropriation be used to reimburse school buildings required to have a school breakfast program.	Same as the Executive.

420 EDU - 71 Auxiliary Services

Section: ***265.20.90***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.

421 EDU - 72 Nonpublic Administrative Cost Reimbursement

Section: *265.30.10*	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.	Same as the Executive.

422 EDU - 74 Special Education Enhancements

Section: *265.30.20*	Section: *265.30.20*
Makes the following earmarks to GRF appropriation item 200540, Special Education Enhancements:	Same as the Executive, but makes the following changes to the earmarks:
(1) Up to $2,906,875 in each fiscal year for home instruction for children with disabilities.	(1) Same as the Executive.
(2) Up to $47,518,582 in FY 2010 and up to $48,421,435 in FY 2011to 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.	(2) Same as the Executive.
(3) No provision.	(3) Up to $1,500,000 in each fiscal year for parent mentoring programs.
(4) No provision.	(4) Up to $2,783,396 in each fiscal year for school psychology interns.

Executive	As Passed by the House
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.	Same as the Executive.

423 EDU - 76 Career-Technical Education Enhancements

Section: *265.30.30*	Section: *265.30.30*
Makes the following earmarks to GRF appropriation item 200545, Career-Technical Education Enhancements:	Same as the Executive, but makes the following change to the earmarks:
(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.	(1) Same as the Executive.
(2) Up to $2,228,281 in each fiscal year to fund competitive grants to tech prep consortia.	(2) Same as the Executive.
(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.	(3) Same as the Executive.
(4) No provision.	(4) $2,000 in each fiscal year for the Perry Local High School College Medical Tech Prep program in Massillon to teach low-income kids how to lead healthy lifestyles.

424 EDU - 84 Foundation Funding

Section: *265.30.40*	Section: *265.30.40*
Provides the following concerning GRF appropriation item 200550, Foundation Funding:	Same as the Executive, but makes the following changes:
(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.	(1) Same as the Executive.

Executive	As Passed by the House
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.	(2) Same as the Executive, but decreases the amount specified to $11,900,000 in FY 2010 and $39,300,000 in FY 2011.
(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.	(3) Same as the Executive.
(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.	(4) Same as the Executive.
(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.	(5) Same as the Executive, but increases the earmark to $18,000,000 in FY 2010 and $15,000,000 in FY 2011.
(6) Earmarks up to $2,000,000 in each fiscal year for Youth Services tuition payments.	(6) Same as the Executive.
(7) No provision.	(7) Earmarks up to $8,100,000 in each fiscal year to fund gifted education units at educational service centers (ESCs).
(8) Earmarks up to $42,300,000 in each fiscal year to fund the state reimbursement of educational service centers	(8) Increases the earmark to $47,000,000 in each fiscal year.

Executive	As Passed by the House
(ESCs).	
(9) Requires that an amount be available in each fiscal year for transitional aid for school districts.	(9) Same as the Executive.
(10) 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) Same as the Executive.
(11) Earmarks up to $8,686,000 in FY 2010 and $8,722,860 in FY 2011 to operate "the school choice program."	(11) Same as the Executive, but earmarks the funds for "school choice programs."
(12) 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) Same as the Executive.
(13) Earmarks $263,184,858 in FY 2010 and $268,185,371 in FY 2011 to fund joint vocational school districts (JVSDs).	(13) Same as the Executive, but does not specify an amount.
(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.	(14) Same as the Executive, but removes GRF appropriation items 200541, Special Education - Federal Stimulus, and 200609, Poverty Funding - Federal Stimulus from the list of items that collectively fund state formula aid obligations.

Executive	As Passed by the House
425 EDU - 85 Teach Ohio	
Section: ***265.30.60***	**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.	Same as the Executive.
Specifies that the remainder of the be used to support alternative teacher licensure programs.	Same as the Executive.
426 EDU - 86 Violence Prevention and School Safety	
Section: ***265.30.70***	**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.	Same as the Executive.
Specifies that the remainder of the appropriation be distributed based on guidelines developed by ODE to enhance school safety.	Same as the Executive.
427 EDU - 151 Community Projects	
	Section: ***265.30.70***
No provision.	Makes the following earmarks to GRF appropriation item 200587, Community Projects:
(1) No provision.	(1) $1,000,000 in each fiscal year for the National Underground Railroad Freedom Center for education programs.

Executive	As Passed by the House
(2) No provision.	(2) $39,500 in each fiscal year to support the application fee for candidates participating in the Take One program.
(3) No provision.	(3) $100,000 in each fiscal year for the Toledo Tech Academy with $25,000 of this set-aside in each fiscal year to enhance and establish For Inspiration and Recognition in Science and Technology programs (F.I.R.S.T.).
(4) No provision.	(4) $25,000 in each fiscal year for the Beaver Creek Wildlife Education Center for student field trips.
(5) No provision.	(5) $50,000 in each fiscal year for the after-school programs of the Monroe Community Center in Stark County.
(6) No provision.	(6) $250,000 in each fiscal year for Kids Unlimited to support its after-school program.
(7) No provision.	(7) $100,000 in FY 2011 for the Green Local School District in Summit County, in partnership with The University of Akron, to create a distance learning pilot program.
(8) No provision.	(8) $100,000 in each fiscal year for the Cincinnati Arts and Technology Center to increase program support for high-risk teens and unemployed urban adults.
(9) No provision.	(9) $1,500,000 in each fiscal year for Project Lead the Way.
(10) No provision.	(10) Up to $900,000 in each fiscal year for the Reading Recovery Training Network.
(11) No provision.	(11) Up to $100,000 in each fiscal year to establish a reading recovery teacher leader training site at Marietta College in FY 2010 and to provide training to reading recovery teachers by a teacher leader in FY 2011.
(12) No provision.	(12) $50,000 in each fiscal year for the Ohio University Leadership Project.

Executive	As Passed by the House
(13) No provision.	(13) Up to $1,026,017 in each fiscal year for the Summer Honors Institute, including funding for the Martin Essex Program, to be awarded through a request for proposal process.
(14) No provision.	(14) $75,000 in each fiscal year for Leaf Lake/Geauga Educational Assistance Funding.
(15) No provision.	(15) $500,000 in each fiscal year to support the Bellefaire Jewish Children's Bureau.
(16) No provision.	(16) $650,000 in each fiscal year to support Project More for one-to-one reading mentoring.
(17) No provision.	(17) $100,000 in each fiscal year for the American Academy of Pediatrics for the Reach Out and Read Program.
(18) No provision.	(18) Up to $500,000 in each fiscal year for ODE to contract with the Children's Hunger Alliance to expand access to child nutrition programs.
(19) No provision.	(19) Up to $260,000 in FY 2010 for the development of a model dating violence policy and adoption of dating violence prevention education standards.

428 EDU - 88 Property Tax Allocation - Education

Section: *265.30.80*	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.	Same as the 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	Same as the Executive.

Executive	As Passed by the House
conversion levies.	
429 EDU - 89 Teacher Certification and Licensure	
Section: ***265.30.90***	**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.	Same as the Executive.
430 EDU - 90 School District Solvency Assistance	
Section: ***265.30.90***	**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.	Same as the Executive.
Earmarks $9,000,000 in each fiscal year for the School District Shared Resource Account to make advances to districts that must be repaid.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
431 EDU - 92 Schools Medicaid Administrative Claims	
Section: ***265.40.10***	**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.	Same as the Executive.
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.	Same as the Executive.
432 EDU - 93 Reading First	
Section: ***265.40.20***	**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.	Same as the Executive.

Executive	As Passed by the House
433 EDU - 94 Half-Mill Maintenance Equalization	
Section: ***265.40.20***	**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.	Same as the Executive.
434 EDU - 96 Start-Up Funds	
Section: ***265.40.30***	**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:	Same as the Executive.
(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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.
(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.	(3) Same as the Executive, but does not require the reimbursement when the early learning programs is no longer funded from Title IV-A.

Executive	As Passed by the House
435 EDU - 97 Auxiliary Services Reimbursement	
Section: ***265.40.40***	**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.	Same as the Executive.
436 EDU - 98 Lottery Profits Education Fund	
Section: ***265.40.50***	**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.	Same as the Executive.
437 EDU - 99 Lottery Profits Education Reserve Fund	
Section: ***265.40.60***	**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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
exceed $667,900,000 and for FY 2010 exceed $705,000,000.	

438 EDU - 100 School District Property Tax Replacement - Business

Sections: *265.40.70, 265.40.80*	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.	Same as the 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.	Same as the Executive.

439 EDU - 101 School District Property Tax Replacement - Utility

Section: *265.40.80*	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.	Same as the Executive.

Executive	As Passed by the House
440 EDU - 102 Distribution Formulas	
Section: ***265.40.80***	**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.	Same as the Executive.
441 EDU - 103 Earmark Accountability	
Section: ***265.50.70***	**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.**	Same as the Executive.

Executive	As Passed by the House
442 PAY - 9 Changes in Annual Vacation Leave for Certain State Employees	
	R.C. ***124.134, Section 803.30***
(1) No provision.	(1) Reduces by one year the amount of service required of the following state employees before they accrue specific amounts of vacation leave, effective August 30, 2009: (a) exempt employees, (b) legislative employees, (c) Supreme Court employees, (d) certain employees in the office of the Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, and (e) employees in any position for which authority to determine compensation is given by law to an individual or entity other than the Director of Administrative Services.
(2) No provision.	(2) Provides that employees specified in (1) may begin using their vacation leave upon completing their initial probationary period.
(3) No provision.	(3) Requires the Director of DAS to determine an additional, prorated amount of vacation leave for employees who are in their fourth, ninth, fourteenth, nineteenth, or twenty-fourth year of service to receive as a result of the transition occurring on that date. Requires the additional, prorated amount to be such that the affected employees are not harmed as a result of the transition, and to be added to the vacation leave balances of the affected employees on August 30, 2009.
	Fiscal effect: No net effect on wage costs, but there would likely be an increase in vacation leave usage for the specified employees. Likely increase in payments made from ALF Fund 8060, Accrued Leave Fund, for vacation leave cash conversion for those employees leaving state service.

Executive	As Passed by the House
443 PAY - 11 Life Insurance for Municipal and County Judges	
	R.C. *124.81*
(2) No provision.	(1) Requires the Department of Administrative Services to obtain group life insurance coverage for all municipal and county court judges.
(2) No provision.	(2) Provides that on and after the effective date of the life insurance coverage for municipal and county court judges, these judges are ineligible for life insurance coverage from any county or other political subdivision. **Fiscal effect: Increase of several thousand dollars annually in expenditures from AGY Fund 8100, Life Insurance Investment Fund, to pay for the cost of providing life insurance to county and municipal judges.**
444 PAY - 1 Accrued Leave Liability Fund	
Section: *271.10*	**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.	Same as the Executive.
445 PAY - 2 State Employee Disability Fund	
Section: *271.10*	**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.	Same as the Executive.

Executive	As Passed by the House
446 PAY - 4 State Employee Health Benefit Fund	
Section: ***271.10***	**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.	Same as the Executive.
447 PAY - 5 Dependent Care Spending Fund	
Section: ***271.10***	**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.	Same as the Executive.
448 PAY - 6 Life Insurance Investment Fund	
Section: ***271.10***	**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.	Same as the Executive.

Executive	As Passed by the House
449 PAY - 7 Parental Leave Benefit Fund	
Section: ***271.10***	**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.	Same as the Executive.
450 PAY - 8 Health Care Spending Account Fund	
Section: ***271.10***	**Section:** ***271.10***
(1) Requires that AGY Fund 8130 appropriation item 995672, Health Care Spending Account, be used to make payments pursuant to state employees' participation in a flexible spending account for non-reimbursed health care expenses. Permits the Director of Administrative Services to request additional appropriations if needed, subject to the approval of the Director of Budget and Management, and appropriates those amounts.	(1) Same as the Executive.
(2) Authorizes OBM, at the request of DAS, to transfer up to $145,000 from the GRF to Fund 8130 during FY 2010 and FY 2011 to provide adequate cash flow for the account. Requires the amounts so transferred to be returned to the GRF, along with any accrued interest, at the end of FY2010 and FY2011 if the cash is available.	(2) Same as the Executive.
451 PAY - 3 Payroll Withholding Fund	
Section: ***271.10***	**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.	Same as the Executive.

Executive	As Passed by the House
452 ERB - 1 SERB/PBR Merger	
R.C. ***124.03, 4117.01, 4117.02, 4117.12, Section 273.20***	**R.C.** ***124.03, 4117.01, 4117.02, 4117.12, Section 273.20***
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.
Fiscal effect: Potential savings in the long term due to consolidation of staff and office space.	**Fiscal effect: Same as the Executive.**
453 ERB - 2 Collective Bargaining Elections	
R.C. ***4117.07***	**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.	Same as the Executive.
Fiscal effect: Reduces employee travel and other administrative costs for overseeing collective bargaining elections at job sites.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
454 ENG - 1 Professional Engineer or Surveyor Registration Verification	
R.C. ***4733.10***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House

455 EPA - 6 Scrap Tire Fund Transfer

R.C. *1502.12, 3734.82*	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.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: Results in more money that could be used for scrap tire amnesty and clean up events.	**Fiscal effect: Same as the Executive.**

456 EPA - 5 E-Check Extension; Fee on Tire Sales for Auto Emissions Testing

R.C. *3704.14, 3737.901*	R.C. *3704.14, 3734.901, 3734.9010, Section 277.10*
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 through a competitive selection process, beginning upon the termination of the six-month contract extension through June 30, 2011, and authorizes an additional one-year extension of the contract through June 30, 2012.	Same as the Executive.

Executive	As Passed by the House
Abolishes the Motor Vehicle Inspection and Maintenance Fund (Fund 6020) and replaces it with the Auto Emissions Test Fund (Fund 5BY0) in permanent law.	Same as the Executive.
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).	No provision.
Requires the Director of Budget and Management to transfer up to $1.5 million 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 program.	Replaces the Executive provision with a provision requiring that the Director of Budget and Management transfer $14.4 million in FY 2010 and $14.8 million in FY 2011 from the GRF to Fund 5BY0 for the operation and oversight of the auto emissions testing program.
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), abolished in the bill, to the Auto Emissions Test Fund (Fund 5BY0).	Same as the Executive.
Fiscal effect: Authorizes the extension of 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	**Fiscal effect: Authorizes the extention of the E-Check program until June 20, 2011, removes the tire fee and instead makes GRF transfers in each fiscal year the funding source for the program.**

457 EPA - 17 Clean Diesel School Bus Fund

	R.C. ***3704.144***
No provision.	Authorizes the Director of Environmental Protection to make grants from the Clean Diesel School Bus Fund to county boards of mental retardation and developmental disabilities rather than only to school districts as authorized in current law.

Executive	As Passed by the House
458 EPA - 22 Construction and Demolition Debris Disposal Fees	
	R.C. ***3714.073, 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 to provide grants to local soil and water conservation districts, from $0.125 per cubic yard and $0.25 per ton to $1.25 per cubic yard or $2.50 per ton, as applicable.	Same as the Executive.
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.	No provision.
No provision.	Specifies that fees on the disposal of construction and demolition debris apply to the disposal of asbestos and asbestos-containing materials and products.
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 fee to SSR Fund 5BC0, the Environmental Protection Fund. Offsets an estimated $11,930,000 in DNR GRF Funding for Soil and Water Conservation Projects.	**Fiscal effect: Same as the Executive, but decreases revenues to Fund 5BC0, the Environmental Protection Fund, due to the removal of new construction and demolition debris fees deposited into that fund. However, including asbestos as a material to which the disposal fee applies could increase revenues to each applicable fund.**

	Executive		As Passed by the House
459	**EPA - 20**	**Hazardous Waste Facility Permit Modifications**	
			R.C. ***3734.05***
	No provision.		Declares that the transfer of a hazardous waste facility installation and operation permit for a facility that is not an off-site facility is a Class 1 modification rather than a Class 3 modification as in current law, and specifically declares that the transfer of a hazardous waste facility installation and operation permit for an off-site facility is a Class 3 modification.
	No provision.		Eliminates provisions of law concerning the modification of a hazardous waste facility involving permit transfers that require the Director of Environmental Protection to make certain determinations regarding the background of the transferee if the transferee has been involved in any prior activity involving hazardous waste.
			Fiscal effect: Because Class 1 permits generally involve minor changes to a facility and usually take less time to be processed, this provision could reduce the amount of time it takes EPA to process these permit modifications.

Executive	As Passed by the House
460 EPA - 4 Natural Resource Damages Fund	
R.C. ***3734.28, 3734.281, 3734.282***	**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	Same as the Executive.
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).	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
461	**EPA - 21** **Solid Waste Management District Rules**	
		R.C. ***3734.53, Section 343.01***
	No provision.	Provides that rules of a solid waste management district governing out-of-district waste apply only to county and district solid waste facilities unless the board of county commissioners or board of directors of the district submits an application to the Director of Environmental Protection that demonstrates insufficient disposal capacity in the district and the Director approves the application.
462	**EPA - 2** **Electronic Payment of Construction and Demolition Debris and Solid Waste Disposal Fees**	
	R.C. ***3714.07***	**R.C.** ***3734.57, 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.	Same as the Executive.
	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.	Same as the Executive.
	Fiscal effect: Reduces some administrative costs for EPA for receiving and processing these fees.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
463 EPA - 10 State Solid Waste Disposal and Generation Fees	
R.C. ***3734.57***	**R.C.** ***3734.57, 3734.573***
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.	Same as the Executive, but also permits solid waste disposal fees to be paid by a customer or political subdivision to a transporter of solid waste rather than only to the owner or operator of a solid waste transfer or disposal facility.
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.	Same as the Executive, but delays the implementation of these new and increased fees from July 1, 2009 to August 1, 2009.
No provision.	Specifies that the existing solid waste management district generation fees do not apply to solid waste delivered to a solid waste composting facility for processing rather than specifying that it does not apply to yard waste, as well as to materials removed from the solid waste stream for recycling. Declares that if any unprocessed solid waste or compost product is transported off the premises of a composting facility for disposal at a landfill, the solid waste generation fee applies and must be collected by the owner or operator of the landfill.

Executive	As Passed by the House
Fiscal effect: Continues this revenue stream for funds that collect solid waste disposal fee revenues, and therefore has no new fiscal effect. Increases revenue to the Environmental Protection Agency through new and increased fees to SSR Fund 5BC0, the Environmental Protection Fund, and to the Department of Natural Resources Soil and Water Conservation Fund (Fund 5BV0).	**Fiscal effect: Same as the Executive.**

464 EPA - 11 Synthetic Minor Facility Emission Fees, Water Pollution Control Fees, and Safe Drinking Water Fees

R.C. ***3745.11, 6109.21***	**R.C.** ***3745.11, 6109.21***
Extends for two years the sunset on annual emissions fees for minor synthetic facilities (air permits).	Same as the Executive.
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.	Same as the Executive except provides for a two-year extension of the $100 application fee for a permit, variance, or plan approval under the Safe Drinking Water Law or the Water Pollution Control Law and provides for a two-year extension of the $200 application fee for a National Pollutant Discharge Elimination System permit.
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.	Same as the Executive.
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.	**Fiscal effect: The fee extensions added in this version were inadvertently omitted from the Executive version.**

Executive	As Passed by the House
465 EPA - 8 Areawide Planning Agencies	
Section: ***277.10***	**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.	Same as the executive.
466 EPA - 9 Corrective Cash Transfer for the Copperweld Settlement	
Section: ***277.10***	**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).	Same as the Executive.
467 EPA - 19 Environmental Review Appeals Commission Funding	
	Section: ***277.10***
No provision.	Specifies that Fund 5BC0 appropriation item 715690, Environmental Review Appeals, be used to support the Environmental Review Appeals Commission, including the hiring of two staff attorneys. **Fiscal effect: The bill eliminates $487,000 per year in GRF funding for the Commission and instead provides funding of $637,000 per year derived from the environmental protection fee.**

Executive	As Passed by the House
468 ETC - 14 State PK-16 Education Technology Plan	
	R.C. ***3301.07, 3353.09, Sections 265.10.70, 265.20.30***
No provision.	Requires the eTech Ohio Commission, instead of the State Board of Education as specified under current law, to develop a state education technology plan. Changes the purpose of the plan from "promoting the use of technological advancements in educational settings" to "creating an aligned preschool to postsecondary educational technology system that complies with federal mandates." Requires eTech to "implement" the plan. Requires eTech to periodically modify the plan as it deems necessary.
No provision.	Requires the State Board of Education, upon eTech's request, to assist eTech in the development and modification of the state education technology plan.
No provision.	Makes conforming changes to budget language related to GRF appropriation items 200426, Ohio Educational Computer Network, and 200446, Education Management Information System in the ODE budget. (These two items are parts of the funding sources for the state education technology plan.) **Fiscal effect: eTech may incur increased administrative costs for developing and implementing the education technology plan while ODE may experience decreased administrative costs related to the plan.**

Executive	As Passed by the House
469 ETC - 10 Interactive Distance Learning Pilot Project	
	R.C. ***3353.20***
No provision.	Requires eTech to develop and implement an interactive distance learning pilot project to provide, beginning with the 2009-2010 school year, access to at least three free interactive distance learning courses for all high schools operated by school districts, including two advanced placement courses and one foreign language course.
No provision.	Requires eTech to: (1) contract for the development and offering of interactive distance learning courses; (2) produce and broadcast the courses offered by the pilot project; (3) provide funds for schools to purchase video conferencing telecommunications equipment and connectivity devices, if necessary, for participation; (4) assist schools in arranging for the purchase and installation of telecommunications equipment and connectivity devices; (5) pay, for up to one school year, the cost of upgrading internet service for certain schools; and (6) offer training in the use of the telecommunications equipment.
No provision.	Requires ODE, in consultation with the Chancellor of the Board of Regents, to select courses to be offered by the pilot project and to develop standards for the curriculum of each course selected.
No provision.	Requires eTech and ODE, in consultation with the Chancellor, to select teachers to develop and teach the courses offered by the pilot project.
No provision.	Specifies that each high school determine the manner in which and facilities at which students may participate in courses consistent with specifications for technology and connectivity required by eTech.
No provision.	Specifies that the grade for a student enrolled in the course offered through the pilot project be assigned by the course

Executive	As Passed by the House
	teacher and transmitted to the student's high school.
No provision.	Requires eTech, the Superintendent of Public Instruction, and the Chancellor to submit, by December 31, 2010, an evaluation of the pilot project and legislative recommendations for changes to the pilot project to the Governor and the General Assembly. **Fiscal effect: The bill appropriates $2 million in FY 2010 to GRF appropriation item 935427, Distance Learning Pilot Project, and $4.5 million in each fiscal year to SSR Fund 5GP0 appropriation item 935609, Interactive Distance Learning Program, for the pilot project.**
470 ETC - 1 Statehouse News Bureau	
Section: ***281.20***	**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.	Same as the Executive.
471 ETC - 2 Ohio Government Telecommunications Services	
Section: ***281.20***	**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.	Same as the Executive.

Executive	As Passed by the House
472 ETC - 3 Technology Operations	
Section: ***281.20***	**Section:** ***281.20***
No provision.	Earmarks $3,000,000 in FY 2010 of GRF appropriation item 935409, Technology Operations, for contracting with an entity to provide the common statewide platform and online advanced placement courses to up to 5,000 public school students in Ohio and earmarks $3,000,000 in FY 2011 of the same item for maintaining the distance learning clearinghouse established under section 3333.82 of the Revised Code for online advanced placement courses.
No provision.	Specifies that school districts that have students participating in the program not be charged a fee in fiscal year 2010, but may be charged a fee in fiscal year 2011 through the clearinghouse.
No provision.	Specifies that students participating in the program receive services free of charge.
Specifies that GRF appropriation item 935409, Technology Operations, be used to pay expenses of eTech's infrastructure, which includes the television and radio transmission infrastructure and the K-12 telecommunity infrastructure.	Same as the Executive, but specifies that the remainder of GRF appropriation item 935409, Technology Operations, be used for those purposes.
473 ETC - 4 Content Development, Acquisition, and Distribution	
Section: ***281.20***	**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:	Same as the Executive.

Executive	As Passed by the House
(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 3317.0213 of the Revised Code as that section existed prior to June 30, 2005.	Same as the Executive.
(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.	Same as the Executive.
(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.	Same as the Executive.

Executive	As Passed by the House
474 ETC - 8 Technology Integration and Professional Development	
Section: ***281.30***	**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:	Same as the Executive.
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.	Same as the Executive, but increases earmark to up to $2,675,641 in FY 2010 and to up to $2,675,966 in FY 2011.
475 ETC - 11 Distance Learning Pilot Project	
	Section: ***281.35***
No provision.	Specifies that GRF appropriation item 935427, Distance Learning Pilot Project, be used by eTech to create an interactive distance learning pilot project and to contract for the development and offering of interactive distance learning courses pursuant to R.C. 3353.20.

Executive	As Passed by the House
No provision.	Specifies that any remaining funds may be used by eTech to provide funds to assist non-Title I schools in purchasing video conferencing telecommunications equipment and upgrading Internet service.
No provision.	Specifies that, notwithstanding anything to the contrary in R.C. 3353.20, non-Title I schools and school districts are not entitled under that section to funds for purchasing equipment, connectivity devices, or Internet upgrades or to assistance from eTech in arranging for the purchase and installation of the equipment and connectivity devices.

476 ETC - 13 Interactive Distance Learning Program - Title I Schools

	Section: ***281.36***
No provision.	Specifies that SSR Fund 5GP0 appropriation item 935609, Interactive Distance Learning Program, be used by eTech to provide competitive grants to Title I schools for their participation in the interactive distance learning pilot project notwithstanding anything to the contrary in R.C. 3353.20.
No provision.	Specifies that eTech (1) issue a request for proposals (RFP) for awards before or during the 2009-2010 school year; (2) limit the number of grants so that each grant recipient receives an amount sufficient to ensure full participation in the program; (3) solicit all Title I schools to participate in the program; (4) require 25% of any grant award be used for professional development, which is to include at least one component of training in the classroom and any training conducted by eTech that eTech deems necessary for participation; (5) contract for the development and offering of interactive distance learning courses; (6) require each Title I school submitting proposals to specify the amount, if any, needed to purchase video conferencing telecommunications equipment and the cost of upgrading the schools; (7)

Executive	As Passed by the House
	require each Title I school submitting proposals to specify the amount needed to upgrade its Internet connection; (8) assist schools in arranging for the purchase and installation of telecommunications equipment; and (9) retain 5% of the appropriated funds to administer and oversee the program.
No provision.	Specifies that eTech, in awarding grants, give priority to: (1) school districts for which advanced placement (AP) or foreign language course offerings make up less than 1% of the district's total course offerings; (2) schools and school districts that without additional assistance lack the necessary connectivity to offer interactive distance learning courses; (3) schools and school districts that demonstrate commitment to appropriately supporting distance learning offerings; (4) schools and school districts that without additional assistance lack the necessary equipment to offer interactive distance learning courses; and (5) school districts that demonstrate that the courses will take place during the day.
No provision.	Specifies that eTech is not obligated to use more than the amount appropriated in the development of, administration of, oversight of, and awarding of funds.

477 ETC - 12 Transfer from the Technology Literacy Transfer Fund (Fund 3S20)

	Section: ***281.37***
No provision.	Requires the Director of Budget and Management to transfer, on July 1 of each fiscal year, or as soon as possible thereafter, $4,500,000 in each fiscal year from the Technology Literacy Transfer Fund (Fund 3S20) used by ODE to the newly created Interactive Distance Learning Program Fund (Fund 5GP0) to be used by eTech Ohio for the awarding of grants to Title I schools under the Interactive Distance Learning Program.

Executive	As Passed by the House
478 ETC - 5 Telecommunity	
Section: ***281.40***	**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.	Same as the Executive.
479 ETC - 6 Distance Learning	
Section: ***281.40***	**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.	Same as the Executive.
480 ETC - 7 Gates Foundation Grants	
Section: ***281.40***	**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.	Same as the Executive.

Executive	As Passed by the House
481 EXP - 1 State Fair Reserve	
Section: ***285.10***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
482 GOV - 3 Federal Relations	
Section: ***287.10***	**Section:** ***287.10***
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive.
483 GOV - 2 Funds for Governor's Residence	
Section: ***503.90***	**Section:** ***503.90***
Appropriates moneys that the Governor's Residence Fund (Fund 4H20) receives for use of the residence to line item 100604, Governor's Residence Gift.	Same as the Executive.
484 GOV - 1 Service Coordination Workgroup	
Section: ***751.20***	**Section:** ***751.20***
(1) 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.	(1) Same as the Executive.

Executive	As Passed by the House
(2) Requires the Workgroup, not later than July 31, 2009, to submit a report to the Governor with recommendations for implementing the procedures.	(2) Same as the Executive.
(3) 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.	(3) Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
485 DOH - 15 Child Fatality Review Board Reports	
R.C. ***307.626, 149.43, 307.629, and 3701.045***	**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.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: This provision could increase administrative expenses for the Department.	**Fiscal effect: Same as the Executive.**
486 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	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.

Executive	As Passed by the House
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.	Same as the Executive.
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.

Executive	As Passed by the House
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 abatement project without a written contract containing specified provisions.	Same as the Executive.
No provision.	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: 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 injuctions, which could increase costs to the Attorney General. The amount would depend on the number of actions required.	**Fiscal effect: Same as the Executive.**

487 DOH - 32 Hemophilia Advisory Council

	R.C. *3701.0211*
No provision.	Creates the Hemophilia Advisory Council within the Department of Health to advise the Director of Health on issues pertaining to persons with hemophilia and related bleeding disorders.
No provision.	Requires the Council to annually submit a report to the Governor and General Assembly with recommendations on increasing access to care and treatment and obtaining

Executive	As Passed by the House
	appropriate health insurance coverage for persons with hemophilia and related bleeding disorders. **Fiscal effect: ODH could realize an increase in administrative expenses and expenses for reimbursement of actual and necessary expenses for Council members.**
488 DOH - 12 Program for Medically Handicapped Children Diagnostic Services	
R.C. ***3701.024***	**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. The Department anticipates this would result in a gain of $1.4 million annually.**	Same as the Executive. **Fiscal effect: Same as the Executive.**
489 DOH - 38 Sickle Cell Anemia Advisory Committee	
	R.C. ***3701.136***
No provision.	Creates the Sickle Cell Anemia Advisory Committee within ODH to assist the Director in fulfilling the Director's duties regarding sickle cell disease and requires the Committee's five members to serve without compensation. **Fiscal effect: None.**

Executive	As Passed by the House
490 DOH - 42 Help Me Grow Advisory Council	
R.C. ***3701.611***	**R.C.** ***3701.611***
Codifies the existing Help Me Grow Advisory Council mirroring the requirements set forth in federal law. Specifies the duties of the Council. Allows members of the Council to be reimbursed for actual and necessary expenses incurred in the performance of their official duties, including child care for the parent representatives. Allows compensation to members who are not employed or who must forfeit wages from other employment when performing official council business.	Same as the Executive, but requires the Governor to appoint to the Council a representative of a local board of health.
Fiscal effect: If the Council currently exists, there should be no fiscal effect.	**Fiscal effect: Same as the Executive.**
491 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***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
492 DOH - 35 Authorize the Department of Health to Form a Nonprofit Corporation	
	R.C. ***3701.84***
No provision.	Authorizes the Department to form a nonprofit corporation for the purpose of raising money to aid in its efforts to reduce tobacco use by Ohioans.

Executive	As Passed by the House
	Fiscal effect: The provision is permissive. The Department may incur some initial costs to establish the nonprofit corporation. It may also realize some revenues from donations.

493 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***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
Provides for each comparative review process to consist of two phases occurring over a four-year period.	Same as the Executive, but (1) changes the deadline for accepting CON applications to April 30 (instead of March 31) of the second year of the initial phase of the comparative review period and (2) provides for the second phase of the review period to begin on July 1 of the third year (rather than the second year) of the review period.
Eliminates provisions of the CON statutes concerning health care activities for which a CON is no longer needed.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

494 DOH - 6 Dentist Loan Repayment Program

R.C. ***3702.87, 3702.89 - 3702.94, Section 289.20***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

495 DOH - 2 Vital Statistics Fees

R.C. ***3705.24***	**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 or a local board of health: (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.	Same as the Executive.
Requires the ODH Director to transfer $4 of each minimum $12 fee to the Office.	Same as the Executive, but also imposes the same requirement on local boards of health that provide the same items and services and, for both the ODH Director and the boards, requires the transfer to occur not later than 30 days after the end of each calendar quarter.
Fiscal effect: The Department would realize a gain in fee revenue, which would be deposited into SSR Fund 4700, Fee Supported Programs Fund.	**Fiscal effect: Same as the Executive, but could result in a decrease in revenue for local boards of health if they are currently able to retain these funds.**

Executive	As Passed by the House
496 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***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
Applies the late payment penalties to food service operations and retail food establishments, both of which currently cannot be charged more than $50.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: Local boards of health could realize a gain in fee revenues as a result of these provisions.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
497	**DOH - 39** **Palliative Care in Hospice Programs**	
		R.C. ***3712.01***
	No provision.	Revises the definition of "palliative care" used in the laws governing hospice care programs to mean "treatment for a patient with a serious or life-threatening illness directed at controlling pain, relieving other symptoms, and enhancing the quality of life of the patient and the patient's family rather than treatment for the purpose of cure."
	No provision.	Specifies that nothing in the definition of "palliative care" is to be interpreted as meaning that the care can be provided only as a component of a hospice care program.
		Fiscal effect: None.
498	**DOH - 9** **Fees for Hospice Care Programs**	
	R.C. ***3712.03***	**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.	Same as the Executive.
	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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
499 DOH - 1 Nursing Home and Residential Care Facility Licensing Fees	
R.C. ***3721.02***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
500 DOH - 8 Nurse Aide Registry	
R.C. ***3721.23, 1347.08***	**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.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
No provision.	Modifies the Director's authority to issue subpoenas regarding alleged abuse and neglect of a long-term care facility resident by permitting the Director to do the following: (1) issue subpoenas for "other evidence," rather than only for witnesses and documents, (2) issue subpoenas for purposes of an investigation, rather than only for purposes of a hearing, and (3) serve subpoenas by means of a representative of the Director.
Fiscal effect: There could be minimal administrative costs relating to this provision.	**Fiscal effect: Same as the Executive.**

501 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***	**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, 5119.613***
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.	Same as the Executive.
No provision.	Permits the Director of Health to waive any of the adult care facility licensing requirements established by rule, in place of the Director's existing authority to waive only those requirements pertaining to fire and safety requirements or building standards.
Eliminates the issuance of temporary licenses for adult care facilities.	Same as the Executive.
Eliminates the requirement that proof of insurance be submitted with an application for an adult care facility license.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
Permits the Director of Health to determine whether inspections of adult care facilities will be announced or unannounced.	No provision.
No provision.	Provides for the following when an inspection is conducted to investigate an alleged violation in an adult care facility that serves residents receiving publicly funded mental health services or Residential State Supplement payments: (1) the inspection must be coordinated with the appropriate mental health agency, ADAMHS board, or PASSPORT agency and (2) the inspection may be conducted jointly with the mental health agency, ADAMHS board, or PASSPORT agency.
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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
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 as the Executive.

Executive	As Passed by the House
same violation.	
Prohibits an adult care facility from admitting a resident who requires publicly funded mental health services without first notifying the appropriate ADAMHS board.	Same as the Executive, but also requires the adult care facility to enter into a "mental health program participation agreement" with the ADAMHS board as a condition of admitting a resident who requires publicly funded mental health services. Requires the Director of Mental Health to approve a standardized form for such agreements and, as part of approving the form, to specify the requirements that an adult care facility must meet under the agreement.
No provision.	Modifies the Public Health Council's rulemaking authority regarding the establishment of procedures to be followed by an adult care facility when persons with mental illness or severe mental disability are referred to the facility.
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.	Same as the Executive.
Prohibits employees of public entities and related agencies from placing an individual in an adult care facility that has reached its licensed capacity.	Same as the Executive, but also prohibits employees of public entities and related agencies from placing an individual in an adult care facility if (1) a disciplinary action is pending that may result in the revocation or non-renewal of the facility's license or (2) a potential resident is receiving or is eligible for publicly funded mental health services and the facility has not entered into a mental health resident program participation agreement with the ADAMHS board.
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.	Same as the Executive.
Specifies that individuals providing skilled nursing care in adult care facilities must be appropriately licensed.	Same as the Executive.
Requires each adult care facility to post the telephone number maintained by the Department of Health for	Same as the Executive.

Executive	As Passed by the House
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 administrative costs for the Department.**	**Fiscal effect: Same as the Executive, but may increase administrative costs for ADAMHS boards and PASSPORT agencies.**
502 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***	**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.	Same as the Executive.
No provision.	Same as the Executive.
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 currently pay a licensing fee.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
503 DOH - 3 Hospital Accreditation	
R.C. ***3727.02***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
504 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***	**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.	Same as the Executive, but specifies that the minimum standards apply to every hospital and every unit providing medical and nursing care in city and county institutions.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

505 DOH - 28 Agricultural Labor Camp Fees

R.C. ***3733.43***	**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:	Same as the Executive.
Increases if submitted prior to April 15, the annual license fee from $75 to $150.	Same as the Executive.
Increases if submitted on or after April 15, the annual license fee from $100 to $166.	Same as the Executive.
Increases if submitted prior to April 15, the fee charged per housing unit from $10 per unit to $20 per unit.	Same as the Executive.
Increases if submitted on or after April 15, the fee charged per housing unit from $15 per unit to $42.50 per unit.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
506 DOH - 5 Radiation Fees	
R.C. ***3748.04, 3748.01, 3748.07, 3748.12, 3748.13***	**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.	Same as the Executive.
Clarifies an existing requirement that medical-practitioner handlers of radiation-generating equipment pay fees specified in statute, and raises the statutory fees by 20%.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
507 DOH - 29 Child Passenger Safety Seat Fines	
R.C. ***4511.81***	**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.	Same as the Executive.
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.)	Same as the Executive.

Executive	As Passed by the House
Fiscal effect: There would be an increase in revenues of approximately $100,000 in each fiscal year deposited in HSF Fund 4T40, Child Highway Safety Fund.	**Fiscal effect: Same as the Executive.**

508 DOH - 16 HIV/AIDS Prevention and Treatment

Section: ***289.20***	**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.	Same as the Executive.

509 DOH - 17 Infectious Disease Prevention

Section: ***289.20***	**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.	Same as the Executive.

Executive	As Passed by the House
510 DOH - 18 Help Me Grow	
Section: ***289.20***	**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.	Same as the Executive.
Specifies that GRF appropriation item 440459, Help Me Grow, is also to be used for the Autism Diagnosis Education Pilot Program.	Same as the Executive.
No provision.	Earmarks $300,000 in each fiscal year from GRF appropriation item 440459, Help Me Grow, for the Ohio State University College of Dentistry's Dental Bus Program.
511 DOH - 19 Health - Federal Stimulus	
Section: ***289.20***	**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:	Same as the Executive.

Executive	As Passed by the House
(1) $300,000 in FY 2010 and $257,709 in FY 2011 to appropriation item 440407, Animal Borne Disease and Prevention;	(1) Same as the Executive.
(2) $50,000 in each fiscal year to appropriation item 440412, Cancer Incidence Surveillance System;	(2) Same as the Executive.
(3) $106,194 in each fiscal year to appropriation item 440413, Local Health Department Support;	(3) Same as the Executive.
(4) $800,000 in FY 2010 and $700,000 in FY 2011 to appropriation item 440418, Immunizations;	(4) Same as the Executive.
(5) $200,000 in each fiscal year to appropriation item 440431, Free Clinics Safety Net Services;	(5) Same as the Executive.
(6) $200,000 in fiscal year to appropriation item 440446, Infectious Disease Protection and Surveillance;	(6) Same as the Executive.
(7) $100,000 in each fiscal year to appropriation item 440454, Local Environmental Health;	(7) Same as the Executive.
(8) $50,000 in each fiscal year to appropriation item 440465, Federally Qualified Health Centers;	(8) Same as the Executive.
(9) $100,000 in each fiscal year to appropriation item 440468, Chronic Disease and Injury Prevention;	(9) Same as the Executive.
(10) $773,841 in FY 2010 and $700,000 in FY 2011 to appropriation item 440511, Uncompensated Care/Emergency Medical Assistance.	(10) Same as the Executive.

Executive	As Passed by the House
512 DOH - 20 Targeted Health Care Services Over 21	
Section: ***289.20***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
Specifies that the Department is to expend all funds in GRF appropriation item 440507, Targeted Health Care Services Over 21.	Same as the Executive.
513 DOH - 21 Genetics Services	
Section: ***289.20***	**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.	Same as the Executive.

Executive	As Passed by the House
514 DOH - 22 Medically Handicapped Children Audit	
Section: ***289.20***	**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.	Same as the Executive.
515 DOH - 23 Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund	
Section: ***289.20***	**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.	Same as the Executive.

Executive	As Passed by the House

516 DOH - 25 Medically Handicapped Children - County Assessments

Section: *289.20*	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.	Same as the Executive.

517 DOH - 26 Cash Transfer from the Sewage Innovation Fund to Fee Supported Programs Fund

Section: *289.20*	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, to SSR Fund 4700, Fee Supported Program, to meet the needs of the Sewage Program. Appropriates transferred amounts for the Sewage Program.	Same as the Executive.

518 DOH - 27 Nursing Facility Technical Assistance Program

Section: *289.20*	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. Requires the transfer to be equal to $698,595 in each fiscal year.	Same as the Executive.

Executive	As Passed by the House
519 DOH - 33 Mothers and Children Safety Net Services	
	Section: ***289.20***
No provision.	Earmarks GRF appropriation item 440416, Mothers and Children Safety Net Services, in each fiscal year as follows:
No provision.	(1) $15,000 to the to the Jewish Family Services in Dayton, of which $5,000 is to be used for children's health and nutrition programs;
No provision.	(2) $10,000 to the Jewish Community Center in Akron, of which $5,000 is to be used for children's health and nutrition programs;
No provision.	(3) $10,000 to the Jewish Community Services in Sylvania, of which $5,000 is to be used for children's health and nutrition programs;
No provision.	(4) $7,500 to the Jewish Community Center in Youngstown, of which $5,000 is to be used for children's health and nutrition programs;
No provision.	(5) $4,500 to the Jewish Community Center in Canton, of which $2,000 is to be used for children's health and nutrition programs;
No provision.	(6) $16,667 to the Yassenoff Jewish Community Center for children's health and nutrition camp programs;
No provision.	(7) $16,666 to the Jewish Community Center in Cleveland for children's health and nutrition camp programs;
No provision.	(8) $15,000 to the Jewish Family Services in Cleveland for interpreters for healthcare;
No provision.	(9) $16,667 to the Jewish Community Center in Cincinnati for children's health and nutrition camp programs;

	Executive	As Passed by the House
	No provision.	(10) $15,000 to the Jewish Family Services in Cincinnati for interpreters for healthcare;
	No provision.	(11) $15,000 to the Jewish Family Services in Columbus for interpreters for healthcare; and
	No provision.	(12) $10,000 to the Wexner Heritage Village for interpreters for healthcare.
520	**DOH - 34** **Healthy Ohio**	
		Section: ***289.20***
	No provision.	Earmarks $250,000 of GRF appropriation item 440437, Healthy Ohio, for the Activate Ohio - Diabetes Education, Support, and Self-Management Program.
521	**DOH - 37** **Disease and Cancer Commission**	
		Section: ***289.30***
	No provision.	Establishes the Disease and Cancer Commission within the Department of Health to study colorectal cancer, prostate cancer, triple negative breast cancer, and sickle cell anemia in Ohio areas where those conditions are prevalent and requires the Commission to prepare a report by June 30, 2011. **Fiscal effect: Minimal increase in costs to the Department of Health to assist in the study and report.**
522	**DOH - 40** **Funding for Immunizations**	
		Section: ***289.40***
	No provision.	Specifies that funds appropriated for the purchase of immunizations are required to be used to provide immunizations to children and adults in Ohio.

Executive	As Passed by the House
523 DOH - 36 Fund Reference	
	Section: ***610.10***
No provision.	Removes an unnecessary fund reference in H.B. 2 of the 128th General Assembly.

Executive	As Passed by the House
524 SPA - 1 Legislative Members on the Commission	
	R.C. ***121.31***
No provision.	Changes the political party affiliation of the House and Senate appointees to the Commission on Hispanic-Latino affairs by requiring that the House Speaker appoint a House member of the majority party, and the Senate President appoint a Senate member of a political party different than that of the House member.

Executive	As Passed by the House
525 OHS - 1 Subsidy Appropriation	
Section: ***295.10***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
526 OHS - 2 State Archives	
Section: ***295.10***	**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.	Same as the Executive.

	Executive	As Passed by the House
527	**OHS - 3 Hayes Presidential Center**	
	Section: ***295.10***	**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.	Same as the Executive.
528	**OHS - 4 State Historical Grants**	
		Section: ***295.10***
	No provision.	Earmarks $100,000 in each fiscal year from GRF appropriation item 360508, State Historical Grants, for the Cincinnati Museum Center.

Executive	As Passed by the House
529 REP - 1 Operating Expenses	
Section: ***301.10***	**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.	Same as the Executive.

Executive	As Passed by the House
530 BWC - 12 BWC Internal Auditor	
R.C. ***4121.125***	**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.	Same as the executive.
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.	**Fiscal effect: Same as the executive.**

Executive	As Passed by the House
531 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***	**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).	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House

532 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***	**R.C.** ***1751.15, 1751.16, 3923.122, 3923.57, 3923.58, 3923.581, 3924.01, 3924.09, and 3924.10***
(1) 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.	(1) Same as the Executive.
(2) 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.	(2) Same as the Executive, but specifies that the rules adopted by the Superintendent concerning the Ohio Health Care plan (OHC) basic, standard, and carrier reimbursement plans that are eligible for reinsurance under the Ohio Health Reinsurance Program must be adopted in accordance with the Administrative Procedures Act, and specifies that the Superintendent must conduct an actuarial analysis of the cost impact of any proposed rule that makes changes to the basic and standard plans prior to adopting such rules.
(3) 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	(3) Same as the Executive.

Executive	As Passed by the House
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.	
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).	**Fiscal effect: Same as the Executive, but the Department of Insurance may incur additional cost to conduct required actuarial analysis of any proposed rule. Any such cost is expected to be minimal, and would be paid from Fund 5540.**

533 INS - 12 Continuation of Health Insurance Coverage after Termination of Employment

R.C. *1751.53, 3923.38*	R.C. *1751.53, 3923.38 and Section 105.10*
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.	Makes permanent the changes made to Ohio's law regarding continuation of coverage after termination of employment by Am. Sub. H.B. 2 of the 128th General Assembly. (The executive provision was enacted in H.B. 2. Under H.B. 2, the coverage was set to expire January 1, 2010.)
Fiscal effect: None to the state and to most local governments. This provision 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). It may apply to small villages and townships, however. If so, it could increase their administrative costs. Any such cost increase is expected to be minimal.	**Fiscal effect: Making permanent the executive provision would extend its fiscal effects indefinitely.**

Executive	As Passed by the House
534 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***	**R.C.** ***1751.831, 1751.84, 1751.85, 3923.66, 3923.67, 3923.68, 3923.75, 3923.76, and 3923.77***
(1) 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.)	(1) Same as the Executive.
(2) 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).	(2) Same as the Executive, but allows an insurer to deny an insured's request for an external review that does not result from the Superintendent's review if that request is not made within a certain time frame.

Executive	As Passed by the House
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).	**Fiscal effect: Same as the Executive.**

535 INS - 8 Prompt Payment Fines

R.C. ***3901.3812***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

536 INS - 23 Actuarial Opinion to Certify the Adequacy of a Property and Casualty Insurance Company's Reserves

	R.C. ***3903.77***
No provision.	(1) Requires property and casualty insurance companies to annually submit to the Superintendent of Insurance a statement of actuarial opinion that certifies the adequacy of the insurance company's reserves including an actuarial opinion summary unless the insurance company is licensed but not domiciled in this state. Specifies requirements related to supporting documents for the statement of actuarial opinion and actuarial opinion summary.
No provision.	(2) Authorizes the Superintendent to contract with a "qualified actuary" at the expense of the insurance company in the event that the company fails to provide acceptable documentation for the actuarial opinion at the request of the Superintendent.

Executive	As Passed by the House
No provision.	(3) Provides liability protection for the actuary appointed by an insurance company to prepare the statement of actuarial opinion and actuarial opinion summary.
No provision.	(4) Specifies that the statement of actuarial opinion is a public document and a public record, but that the actuarial opinion summary and supporting documents are not public records. Provides additional requirements for the Superintendent's use and sharing of confidential documents.
No provision.	(5) Delays for one year the effective date of the above changes. **Fiscal effect: Potential increase to the Department of Insurance's administrative costs. Any such costs would be paid from the Department of Insurance Operating Fund (SSR Fund 5540).**

537 INS - 14 Health Insurance Premium Rate Filing

R.C. ***3923.021, 3924.06***	**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.	Same as the Executive.

Executive	As Passed by the House
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).	**Fiscal effect: Same as the Executive.**

538 INS - 13 Administrative Expenses Incurred by Sickness and Accident Insurers

R.C. ***3923.022***	**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.	Same as the Executive.
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).	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
539 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***	**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.	Same as the Executive, but requires insurers to offer coverage at the insured's request, rather than requiring coverage of those dependents automatically. Specifies that the proposed offer of coverage does not require employers to pay for any part of the premium for an unmarried child that has already attained the normally limiting age specified in the policy. Specifies that multiple employer welfare arrangements must provide the same information that insurers are required to provide under the bill regarding limiting age for a dependent child's health insurance coverage.
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.	Same as the Executive.
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.	Same as the Executive, but removes a requirement that employers separately identify additional premium costs for coverage of older dependent children.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

540 INS - 16 Health Care Coverage and Quality Council

R.C. ***3923.90, 3923.91***	**R.C.** ***3923.90, 3923.91***
(1) 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 the Council from the current sunset requirement.	(1) Same as the Executive, but revises the membership of the Council by (a) substituting the Director of Health for the Director of the Office of Healthy Ohio in the Department of Health, (b) including two additional members selected according to specified criteria, (c) removing one member appointed by the Governor, and (d) adding an unspecified number of other members appointed by the Superintendent of Insurance. Makes changes to certain duties that the Council is required to perform. Permits, rather than requires, reimbursement of necessary expenses for members.
(2) Requires advice and consent of the Senate for seventeen members appointed by the Governor.	(2) No provision.

Executive	As Passed by the House
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).	**Fiscal effect: Same as the Executive, but may increase the reimbursement expenses if the Superintendent appoints more than one member. If there is any such increase, it would likely be minimal.**

541 INS - 17 The Ohio Fair Plan Underwriting Association

R.C. ***3929.43***	**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.	Same as the 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).	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
542 INS - 9 Employer-sponsored Health Insurance Coverage	
R.C. ***4113.11***	**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.	Same as the Executive.
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 invovled with the phase-in of the requirement.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
543 INS - 3 Examinations of Domestic Fraternal Benefit Societies	
Section: ***307.10***	**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.	Same as the Executive.
544 INS - 4 Transfer from Fund 5540 to General Revenue Fund	
Section: ***307.10***	**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.	Same as the Executive.
545 INS - 5 Market Conduct Examination	
Section: ***307.10***	**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).	Same as the Executive.

Executive	As Passed by the House
546 INS - 24 Health Insurance Coverage of Autism Spectrum Disorders	
	Sections: ***307.10, 1739.05, 1751.68, 3923.84, and Section 271.10***
No provision.	(1) Earmarks up to $20,000 in FY 2010 of SSR Fund 5540 appropriation item 820606, Operating Expenses, to be used by the Department of Insurance for a study related to autism spectrum disorder coverage, and requires the study to be completed by January 31, 2010.
No provision.	(2) Requires the Director of Budget and Management, in FY 2010, to transfer $20,000 cash from the General Revenue Fund to Fund 5540.
No provision.	(3) Prohibits health insurers from excluding coverage for specified autism services for individuals diagnosed with an autism spectrum disorder but allows insurers to impose a yearly maximum of $36,000 on coverage of those services. Allows an insurer to opt out of the required coverage if the insurer can show that the incurred claims for those coverages caused the insurer's costs to increase by more than 1% and that the increase could reasonably justify an increase of more than 1% in the annual premiums or rates charged by the insurer for health insurance coverage. Exempts this provision from the existing law requirement that the Superintendent of Insurance review all new health benefit mandates before a mandate may take effect.
No provision.	(4) Requires the Director of Mental Retardation and Developmental Disabilities to convene a committee on the coverage of autism spectrum disorders to investigate and recommend additional treatments or therapies for autism spectrum disorders to be covered by health insurers.
No provision.	(5) Delays the applicability of the requirements to plans that are issued or renewed six months after the bill's effective date.

Executive	As Passed by the House
No provision.	(6) Requires the Director of Budget and Management to transfer $1.62 million from the GRF to the State Employee Health Benefit Fund (Fund 8080) on June 30, 2010, or as soon as possible thereafter. **Fiscal effect: The provision to mandate coverage for screening, diagnosis, and treatment of an autism spectrum disorder may potentially increase the costs to Medicaid in the tens of millions of dollars per year. The federal government would likely reimburse approximately 60% of any increase in Medicaid spending if federal rules allow the federal matching rate to apply.** **It would increase costs to the state's health benefit plan for employees and their dependents by approximately $1.62 million in FY 2011, assuming such coverage applies to approximately 45 children under age 6 per year. The GRF would pay the cost of coverage for approximately half the individuals, with various state funds providing the rest. It would also increase costs, potentially in the millions per year, to counties, municipalities, townships, and school districts statewide of providing such coverage in their health benefits to employees and their dependents.**

	Executive		As Passed by the House
547	**INS - 22**	**State Coverage Initiative**	
	No provision.		**Section:** ***307.10*** Earmarks up to $7 million in each fiscal year of GRF appropriation item 820607, State Coverage Initiative, to be used for health information technology strategies. Specifies that the remaining balance be used for the implementation of strategies recommended by the Health Care Coverage and Quality Council, which may include patient-centered medical homes, improved consumer information, and payment reform, or may be transferred to another fund in the state treasury by ISTV for use by another state agency in implementing such strategies. Reappropriates the unexpended, unencumbered portion of appropriation item 820607, State Coverage Initiative, at the end of fiscal year 2010 for the same purpose for fiscal year 2011.
548	**INS - 25**	**Prompt Payment Policy Workgroup**	
	No provision.		**Section:** ***751.30*** Creates the Prompt Payment Policy Workgroup to research and make policy recommendations by February 1, 2010, concerning prompt payment policy for Ohio's Medicaid program. Members of the Workgroup are to serve without compensation, except to the extent that serving on the Workgroup is considered part of the members' regular employment duties.

Executive	As Passed by the House
General	
549 JFS - 34 Expenditure of Federal Grant Funds	
R.C. ***131.33***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
550 JFS - 5 Collaboration on Welfare Reform Training	
R.C. ***5101.072, (Repealed)***	**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.	Same as the Executive.
Fiscal effect: Potential minimal decrease in costs related to training.	**Fiscal effect: Same as the Executive.**
551 JFS - 26 ODJFS General Services Administration and Operating Fund	
R.C. ***5101.073***	**R.C.** ***5101.073***
Creates in the state treasury GSF Fund 5DM0, General Services Administration and Operating.	Same as the Executive.
Requires the Treasurer of State to transfer money in 7090 Fund R012, Refunds and Audit Settlements, to Fund 5DM0, on receipt of a report the ODJFS Director must submit when there is a final closeout of a federal grant regarding a program ODJFS administers or a reconciliation	Same as the Executive, but permits, rather than requires, the ODJFS Director to submit the report and provides that the report is provided after completion of the reconciliation of all final transactions with the federal government regarding a federal grant for a program ODJFS administers

Executive	As Passed by the House
of all final transactions with the federal government regarding federal funds for a program ODJFS administers.	and a final closeout for the grant.
Provides for money in Fund 5DM0 to be used for ODJFS's administrative expenses.	Same as the Executive, but provides for the money to be used also for the expenses of the programs ODJFS administers.
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.	**Fiscal effect: Same as the Executive.**

Workforce Development

552 JFS - 95 Workforce Investment Act

	Sections: ***309.60, 309.60.10, 309.60.20, 309.60.30***
	Makes the following earmarks of FED Fund 3V00 appropriation item 60688, Workforce Investment Act:
No provision.	(1) $1 million in each fiscal year to reimburse nurse assistant training programs that service TANF-eligible individuals;
No provision.	(2) $2 million in fiscal year 2010 for programs that provide skill-based education and assistance to individuals eligible for Ohio Works First ;
No provision.	(3) $700,000 in each fiscal year to support the Nursing Faculty Fellowship Grant Program.
No provision.	Reappropriates any of funds unspent for those earmarks at the end of fiscal year 2010 for fiscal year 2011.

Executive	As Passed by the House
Child Care	
553 JFS - 85 Publicly Funded Child Care Providers	
	R.C. ***5104.01, 5104.38, 309.10, 309.45.80***
No provision.	Defines "full-time" for publicly funded child care providers as being at least 32.5 hours and not more than 60 hours per week for licensed child care centers and licensed Type A homes, and at least 32.5 hours and not more than 50 hours per week for certified Type B providers.
No provision.	Automatically repeals the above definition of "full-time" for publicly funded child care providers effective July 1, 2011.
No provision.	Codifies the reimbursement ceiling for providers of publicly funded child care for fiscal years 2010 and 2011 at the 51st percentile of the child care market rate survey commissioned by ODJFS in 2008.
	Fiscal effect: Defining a "full-time" week at 32.5 hours may increase costs by about $11.4 million above the executive's plan of defining a "full-time" week at 35 hours through rule (up from the current definition of 25 hours). **Codifying the reimbursement ceiling at 51% of the 2008 market rate survey may affect costs depending on how the amounts compare to the executive's plan to continue with current rate ceilings of 65% of the 2006 market rate survey.**

	Executive	As Passed by the House
554	**JFS - 97** **Liability Insurance for Family Day-Care Homes**	
		R.C. ***5104.041***
	No provision.	Requires the parent, guardian, or custodian of each child receiving child care from a type A or type B family day-care home that is not covered by liability insurance to sign a written statement, instead of an affidavit, provided by the licensee of the type A family day-care home or the provider of the type B family day-care home stating that the family day-care home does not carry liability insurance. **Fiscal effect: None.**
555	**JFS - 83** **Publicly Funded Child Care Reimbursements**	
		R.C. ***5104.42, 5104.30, 5104.32, 5104.341, 5104.35, and 5104.39, and Section 309.40.60***
	No provision.	Permits the Director of ODJFS to adopt rules that establish a different system for the payment of publicly funded child care.
	No provision.	Eliminates the requirement that county departments of job and family services specify the maximum number of days providers of publicly funded child care will be provided certificates of payment for days the provider would have provided publicly funded child care had the child been present.
	No provision.	Eliminates the requirement that county departments of job and family services automatically review the fee paid by a caretaker parent for publicly funded child-care every six months, and instead requires county departments of job and family services to adjust the fee if the parent reports changes in income, family size, or both. **Fiscal effect: Minimal decrease in county administrative costs to review fees.**

Executive	As Passed by the House
556 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	
557 JFS - 50 Office of Child Support Requests for Medical Insurance Information	
R.C. ***3119.371***	**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.	Same as the Executive.
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 ODJFS Director in rule.	Same as the Executive.
Requires health insurance providers to send information to the Office of Child Support in ODJFS identifying policy holders and policy information upon request.	Same as the Executive.
Fiscal effect: Potential savings for ODJFS as this provision enables the Office of Ohio Health Plans to share certain information it receives with the Office of Child Support.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
558 JFS - 48 Mandatory Electronic Remittance of Child Support by Certain Payors	
R.C. ***3121.19, 3121.037, 3121.0311, and 3121.20***	**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.	Same as the Executive.
Fiscal effect: Potential savings to ODJFS to receive child support payments electronically.	**Fiscal effect: Same as the Executive.**
559 JFS - 49 Waiver and Compromise of Assigned Child Support Arrearages	
R.C. ***3125.25***	**R.C.** ***3125.25***
Requires the ODJFS Director 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.	Same as the Executive.
Fiscal effect: ODJFS may experience additional administrative costs associated with the adoption of rules.	**Fiscal effect: Same as the Executive.**
Child Welfare and Adoption	
560 JFS - 55 Alternative Response	
Section: ***309.40.40***	**Section:** ***309.45.10***
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.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.
Allows ODJFS to expand the Alternative Response approach statewide at any point during, or at the conclusion of the pilot period and requires ODJFS to seek statutory framework for the Alternative Response approach to child protection if the independent evaluation recommends statewide implementation.	Replaces the Executive provision with a provision that allows ODJFS to expand the Alternative Response approach statewide through a schedule determined by ODJFS if the independent evaluation of the pilot program recommends statewide implementation.
No provision.	Permits ODJFS to adopt rules as if they were internal management rules, as necessary to carry out the purposes of the Alternative Response Pilot Program.
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.	**Fiscal effect: Same as the Executive.**

561 JFS - 98 Independent Living Services

	Section: ***309.45.15***
No provision.	Earmarks GRF appropriation item 600523, Children and Families Services, $1,500,000 in each fiscal year for independent living services to foster youth and former foster youth between 16 and 21 years of age.

Executive	As Passed by the House
Title IV-A Temporary Assistance for Needy Families	
562 JFS - 18 Fraudulent Assistance	
R.C. *5101.83*	**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.	Same as the Executive.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
563 JFS - 4 Felony Drug Conviction Not a Bar to TANF Program	
R.C. *5101.84*	**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.	Same as the Executive.
Fiscal effect: This provision would allow such individuals to be eligible for other programs supervised by ODJFS that are funded with TANF funds. This may include publicly funded child care, as well as other TANF-funded programs that ODJFS may establish. This could result in a minimal increase in TANF expenditures.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
564 JFS - 1 Ohio Works First Sanctions	
R.C. ***5107.16, 5107.05, 5107.17, 5111.01***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: This provision will standardize sanctions across all counties.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
565	**JFS - 88** **Economic and Community Development Institute**	
		Section: ***309.40.35***
	No provision.	Earmarks $325,000 of GRF appropriation item 600410, TANF State, in each fiscal year for the Economic and Community Development Institute.
566	**JFS - 31** **Child Support Collections/TANF MOE**	
	Section: ***309.40.50***	**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.	Same as the Executive.
	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.	Same as the Executive.
	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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House

Medicaid

567 JFS - 20 Disqualifying Offenses -- Medicaid Providers and Home and Community Waiver Services Providers

R.C. ***109.572, 5111.032, 5111.033, 5111.034***	**R.C.** ***109.572, 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.	Same as the Executive.
No provision.	Specifies that the date a person was convicted of, entered a guilty plea for, or was found eligible for intervention in lieu of conviction for an offense that disqualifies the person from being a Medicaid provider, provider of home and community-based services, or an employee of such providers is irrelevant for purposes of determining the person's eligibility to be a provider or employee.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

568 JFS - 9 Nursing Home Franchise Permit Fee

R.C. ***3721.51, 3721.56***	**R.C.** ***3721.51, 3721.50, 3721.511, 3721.512, 3721.513, 3721.53, 3721.55, 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.	Same as the Executive.
No provision.	Requires ODJFS to seek a federal waiver to (1) reduce the nursing home franchise permit fee to zero dollars for each nursing home that is exempt from state and federal taxation, does not participate in Medicaid or Medicare, and

Executive	As Passed by the House
	provides services for the life of each resident without regard to the resident's ability to secure payment for the services and (2) reduce, for each nursing facility with more than 200 Medicaid-certified beds, the franchise permit fee for a number of the facility's beds specified by ODJFS to the amount necessary to obtain approval of the waiver.
No provision.	Permits ODJFS to increase uniformly the franchise permit fee for each nursing home and hospital not qualifying for a reduction to an amount that will have the franchise permit fee raise an amount of money that does not exceed the amount that would be raised if not for the waiver.
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%.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

569 JFS - 62 Medicaid Managed Care Prompt Payment

	R.C. ***3901.3814, 3901.38, 3901.383, 3901.3815, Repealed: R.C. 5111.178***
No provision.	Applies Ohio's prompt payment law (which establishes timeframes for paying health insurance claims) to Medicaid managed care organizations.
No provision.	Repeals a provision requiring the ODJFS Director to determine whether a waiver of federal Medicaid requirements is necessary in order to apply the prompt payment law to Medicaid managed care organizations.
	Fiscal effect: Potential increase in expenditures for the Department of Insurance to monitor compliance with prompt pay requirements.

	Executive		As Passed by the House
570	**JFS - 75**	**School-Based Health Centers**	
			R.C. ***5101.504, 5101.5110, 5101.5210***
	No provision.		Provides that a school-based health center may furnish health assistance services covered under the State Children's Health Insurance Program (SCHIP) Part I, II, or III if it meets the requirements applicable to other providers of those services. **Fiscal effect: By allowing school-based health centers to become health care providers under SCHIP the services the centers provide to eligible children will be reimbursed at the enhanced federal reimbursement rate.**
571	**JFS - 76**	**Children's Buy-In Program**	
			R.C. ***5101.5212***
	No provision.		Provides that an individual's countable family income must exceed 300% of the federal poverty guidelines rather than 250% for the individual to meet the income requirement for the Children's Buy-In Program.
	No provision.		Revises the program's eligibility requirements regarding creditable coverage. **Fiscal effect: May increase the number of eligibles for the Children's Buy-in Program. H.B. 1, As Introduced, includes $1.2 million in FY 2010 and $1.9 million in FY 2011 in funding for the program.**

Executive	As Passed by the House
572 JFS - 14 Third Party Liability	
R.C. ***5101.573***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
573 JFS - 87 Annual Medicaid Eligibility Redeterminations for Parents	
	R.C. ***5111.0121, 5111.0120***
No provision.	Provides that a parent who qualifies for Medicaid due to family income not exceeding 90% of the federal poverty guidelines is not required to undergo an eligibility redetermination for Medicaid more often than once every 12 months unless there are reasonable grounds to believe that circumstances have changed that may affect the parent's eligibility.
	Fiscal effect: None.

Executive	As Passed by the House
574 JFS - 67 Time-Limited Medicaid Provider Agreements	
	R.C. ***5111.028***
No provision.	Modifies the law regarding time-limited Medicaid provider agreements by (1) extending the phase-in period to January 1, 2015 (from January 1, 2011), (2) extending the duration of time-limited agreements to seven years (from three), and (3) exempting hospitals from the requirement that provider agreements be time-limited. **Fiscal effect: May reduce ODJFS administrative costs.**
575 JFS - 8 Administrative Actions Relative to Medicaid Provider Agreements	
R.C. ***5111.06***	**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.**	Same as the Executive, but when action is taken against a provider for failing to give its National Provider Identifier to ODJFS, requires ODJFS to send a notice by certified mail rather than regular mail. **Fiscal effect: Potential increase in mailing costs.**

Executive	As Passed by the House
576 JFS - 17 Medicaid E-Prescribing System	
R.C. ***5111.083***	**R.C.** ***5111.083***
Repeals law that expressly authorizes the ODJFS Director to establish an e-prescribing system for the Medicaid Program.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
577 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 the Medicaid fee-for-service 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 MCO before January 1, 2006, and has retained one such contract.	No provision.

Executive	As Passed by the House
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. The Executive budget assumes savings of $35.1 million in FY 2010 and $110.5 million in FY 2011 ($9.5 million state share in FY 2010 and $34.9 million in FY 2011).	

578 JFS - 15 Medicaid Health Insuring Corporation Franchise Permit Fee

R.C. ***5111.176***	**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.	Same as the Executive.
Fiscal effect: The executive estimates the state will lose $520 million in revenue annually.	**Fiscal effect: Same as the Executive.**

579 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***	**R.C.** ***5111.231, 5111.24***
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.	Same as the Executive, but maintains in statute the specific inflation measuring systems used in determining Medicaid rates for ICFs/MR.
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.	Same as the Executive, but maintains that requirement in statute for ICFs/MR.

Executive	As Passed by the House
Fiscal effect: This provision could have a fiscal impact on the state. The impact will depend on the inflation measuring systems for nursing facilities and ICFs/MR that ODJFS is to specify in rules and the difference between the actual and estimated inflation rate.	**Fiscal effect: Same as the Executive, but the fiscal effect applies to nursing facilities only.**

580 JFS - 2 Deadline for Nursing Facility to Submit Corrections

R.C. ***5111.232***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

581 JFS - 92 Medicaid Coverage of Oxygen Services to ICF/MR Residents

	R.C. ***5111.236***
No provision.	Requires the Medicaid Program to cover oxygen services provided by a medical supplier to a medically fragile child residing in an intermediate care facility for the mentally retarded regardless of certain circumstances.
	Fiscal effect: ODJFS projects a cost of $297,528 per year. This is based on the assumption that about half of the 328 children who are currently served in ICFs/MR might be eligible under this provision.

Executive	As Passed by the House
582 JFS - 77 Nursing Facilities' Medicaid Rates for Capital Costs	
	R.C. ***5111.25, 5111.222***
No provision.	Provides that a nursing facility's Medicaid rate for capital costs cannot be less than the sum of (1) the capital costs portion of its FY 2005 rate or, if it did not have a FY 2005 Medicaid rate, its initial Medicaid rate for capital costs and (2) any capital compensation per diem for which it qualified during the first three quarters of FY 2008. **Fiscal effect: The provisions "FY 2010 Medicaid Reimbursement Rate for Nursing Facilities", "FY 2011 Medicaid Reimbursement Rate for Nursing Facilities", and "Nursing Facilities' Medcaid Rates for Capital Costs" will increase Medicaid costs by an estimated $56.4 million or more in FY 2010 and $177.3 million or more in FY 2011 ($15.6 million state share in FY 2010 and $57.0 million in FY 2011).**
583 JFS - 3 Limits on Costs of Outside ICF/MR Resident Meals	
R.C. ***5111.261***	**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.**	Same as the Executive. **Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
584 JFS - 12 Exiting Operator Fund	
R.C. ***5111.688, 5111.65, 5111.651, 5111.689, 5111.874, 5111.875***	**R.C.** ***5111.688, 5111.65, 5111.651, 5111.689, 5111.874, 5111.875***
Establishes GSF Fund 5FX0, Exiting Operator Fund.	No provision.
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 Exiting Operator Fund.	Same as the Executive, but provides for such money to be temporarily deposited into the existing Medicaid Payment Withholding 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.	**Fiscal effect: Same as the Executive.**
585 JFS - 16 Home First Rules for Home and Community-Based Services	
R.C. ***5111.85, 5111.705, 5111.851***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

586 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***	**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 ODJFS Director 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.	Same as the Executive.
Establishes requirements an individual must meet to be able to provide home care attendant services under either of the Medicaid waiver programs.	Same as the Executive.
Places limits on a health care attendant's authority to assist a consumer with nursing tasks and self-administration of medication.	Same as the Executive, but extends to any medication, not just a controlled substance, the restriction that a home care attendant provide assistance to a consumer with self-administration of medication only when it is administered orally, topically, or via a gastrostomy or jejunostomy tube.
Establishes requirements a home care attendant must follow when providing home care attendant services.	Same as the Executive, but provides that a home care attendant may count a medication in the presence of a consumer or consumer's authorized representative, rather than just the consumer, when the medication is administered to the consumer and may perform the monthly recount of the medication in the presence of the consumer or consumer's authorized representative, rather than just the consumer.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

587 JFS - 68 Assisted Living Program

	R.C. ***5111.89, 5111.891***
No provision.	Provides that the Assisted Living Program is hereby created rather than permitting the ODJFS Director to seek federal approval to implement the program.
No provision.	Eliminates the statutory limit (1,800) on the number of individuals who may participate in the program, but specifies that enrollment may not exceed any limit set by the federal government when it approves the program. **Fiscal effect: The provision could result in an increase in expenses for the Assisted Living Program due to the elimination of the current state limit of 1,800 slots. The increase would be dependent upon the number of slots approved by the federal government.**

588 JFS - 69 Assisted Living Home First Report

	R.C. ***5111.894***
No provision.	Eliminates a requirement that the ODJFS Director report annually on the number of individuals enrolled in the Assisted Living Program pursuant to the home first process and the costs incurred and savings achieved as a result of the enrollments. **Fiscal effect: The Department could realize a minimal decrease in administrative costs.**

Executive	As Passed by the House
589 JFS - 22 ICF/MR Franchise Permit Fee	
R.C. ***5112.30, 5112.31, 5112.37, 5112.371, 5112.372***	**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.	Same as the Executive.
Increases the franchise permit fee on ICF/MR beds to $14.25 per day from $11.98.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
590 JFS - 21 Hospital Assessments	
R.C. ***5112.40, 5112.41, 5112.42, 5112.43, 5112.44, 5112.45, 5112.46, 5112.47, 5112.48***	**R.C.** ***5112.40, 5112.41, 5112.42, 5112.43, 5112.44, 5112.45, 5112.451, 5112.46, 5112.47, 5112.48***
Imposes an annual assessment on hospitals based on their total facility costs. Sets the first annual assessment at 1.27% of a hospital's total facility costs and sets the second and subsequent annual assessments at 1.37%.	Same as the Executive, but increases the first annual assessment to 1.52% and increases the second and subsequent annual assessments to 1.61%.
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.	Same as the Executive.
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.	Same as the Executive, but requires that 16.45% of the amounts raised by the hospital assessments during the first year be used for the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program and requires that 14.91% of the amounts raised by the hospital assessments in the second and subsequent years be used for that program.
No provision.	Requires the ODJFS Director to seek federal approval to create the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program under which supplemental Medicaid payments would be made to hospitals for inpatient services and outpatient services covered by the Medicaid program.
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.	Same as the Executive.
Repeals the law governing the hospital assessment effective October 1, 2011.	Same as the Executive.

Executive	As Passed by the House
Fiscal effect: The executive estimates the assessment will generate $282.8 million in FY 2010 and $315.6 million in FY 2010.	**Fiscal effect: Increase in hospital assessment revenue of $55.7 million in FY 2010 and $55.3 million in FY 2011 to be used to make supplemental payments to hospitals for Medicaid services. Increase in federal Medicaid reimbursement of $151.5 million in FY 2010 and $119.3 million in FY 2011.**

591 JFS - 93 Medicaid Coverage of Oxygen Services to ICF/MR Residents

	Section: ***309.30.12***
No provision.	Earmarks $30,000 in each fiscal year from GRF appropriation item 600525, Health Care/Medicaid, to reimburse medical suppliers of oxygen services to ICF/MR residents.

592 JFS - 61 Payments to Children's Hospitals for Cost Outlier Claims

	Section: ***309.30.15***
No provision.	Requires supplemental Medicaid payments received by children's hospitals in FY 2010 and FY 2011 for cost outlier claims under a threshold amount ($443,463 in 2002, adjusted annually for inflation) to be increased to 100% (from 85%) of the product of the hospital's allowable charges and the hospital's Medicaid inpatient cost-to-charge ratio.
No provision.	Requires supplemental Medicaid payments to be paid to children's hospitals for inpatient services under a program modeled after the program ODJFS was required to create under previous budget acts when the difference between the amount paid at the 100% level for cost outlier claims and the amount that would have been paid at the 85% level for such claims does not require expenditure of all state and federal funds earmarked for the additional cost outlier payments in the applicable fiscal year.

Executive	As Passed by the House
No provision.	Prohibits the ODJFS Director from adopting, amending, or rescinding any rules that would result in decreasing the amount paid to children's hospitals for cost outlier claims. **Fiscal effect: Directs how supplemental payments to children's hospitals are to be allocated.**

593 JFS - 10 FY 2010 Medicaid Reimbursement Rate for Nursing Facilities

Section: *309.30.20*	Section: *309.30.20*
Adjusts the formula used to calculate nursing facilities' Medicaid reimbursement rates for FY 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.	Same as the Executive, but further adjusts the formula by (1) specifying that the capital costs portion of the rate, before further adjustments, cannot be less than the capital costs portion of its FY 2005 rate plus any capital compensation per diem for which it qualified during the first three quarters of FY 2008 and (2) adding $3 per Medicaid day to the total rate.
No provision.	Reduces a nursing facility's total rate by one-half of the difference between the rate it would otherwise be paid for FY 2010 and its FY 2009 rate if the rate it would otherwise be paid for FY 2010 is more than its FY 2009 rate.
No provision.	Increases a nursing facility's total rate by five-sixths of the difference between the rate it would otherwise be paid for FY 2010 and its FY 2009 rate if the rate it would otherwise be paid for FY 2010 is less than its FY 2009 rate.
Requires the ODJFS Director to submit a state Medicaid plan amendment for federal approval as necessary to implement the FY 2011 rate changes.	Adds, in the case of nursing facilities with more than 250 Medicaid-certified beds, $5 per Medicaid day to the total rate after all other adjustments are made.

Executive	As Passed by the House
Requires the ODJFS Director to submit a state Medicaid plan amendment for federal approval as necessary to implement the FY 2011 rate changes.	No provision.
Fiscal effect: The executive estimates this provision will save the state $55.9 million in FY 2010.	**Fiscal effect: The provisions "FY 2010 Medicaid Reimbursement Rate for Nursing Facilities", "FY 2011Medicaid Reimbursement Rate for Nursing Facilities", and "Nursing Facilities' Medcaid Rates for Capital Costs" will increase Medicaid costs by an estimated $56.4 million or more in FY 2010 and $177.3 million or more in FY 2011 ($15.6 million state share in FY 2010 and $57.0 million in FY 2011).**

594 JFS - 11 FY 2011 Medicaid Reimbursement Rate for Nursing Facilities

Section: *309.30.30*	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.	Same as the Executive, but further adjusts the formula by (1) specifying that the capital costs portion of the rate, before further adjustments, cannot be less than the capital costs portion of its FY 2005 rate plus any capital compensation per diem for which it qualified during the first three quarters of FY 2008 and (2) adding $5.35 per Medicaid day to the total rate.
No provision.	Increases a nursing facility's total rate by two-thirds of the difference between the rate it would otherwise be paid for FY 2011 and its FY 2009 rate if the rate it would otherwise be paid for FY 2011 is less than its FY 2009 rate.
No provision.	Adds, in the case of nursing facilities with more than 250 Medicaid-certified beds, $5 per Medicaid day to the total rate after all other adjustments are made.

Executive	As Passed by the House
Requires the ODJFS Director to submit a state Medicaid plan amendment for federal approval as necessary to implement the FY 2011 rate changes.	No provision.
Fiscal effect: The executive estimates this provision will save the state $56.3 million in FY 2011.	**Fiscal effect: The provisions "FY 2010 Medicaid Reimbursement Rate for Nursing Facilities", "FY 2011Medicaid Reimbursement Rate for Nursing Facilities", and "Nursing Facilities' Medcaid Rates for Capital Costs" will increase Medicaid costs by an estimated $56.4 million or more in FY 2010 and $177.3 million or more in FY 2011 ($15.6 million state share in FY 2010 and $57.0 million in FY 2011).**

595 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 FY 2010.	No provision.
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.	No provision.
Creates formulas to be used to determine the amount of the capital compensation payments.	No provision.
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.	No provision.
Requires that payments made to qualifying nursing facilities for capital compensation be made from GRF	No provision.

Executive	As Passed by the House
appropriation item 600529, Capital Compensation Program. **Fiscal effect: This provision increases state Medicaid costs by $40 million in FY 2010.**	

596 JFS - 23 FY 2010 Medicaid Reimbursement Rate for ICFs/MR

Section: *309.30.60*	Section: *309.30.60*
Adjusts the formula used to calculate ICFs/MR's Medicaid reimbursement rates for FY 2010 by (1) limiting an ICF/MR's rate to a maximum of 108% of its FY 2009 rate, (2) requiring ODJFS to reduce the FY 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 FY 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.	Same as the Executive, but does not limit an ICF/MR's rate to a maximum of 108% of its FY 2009 rate.
Requires the ODJFS Director to implement the changes to the FY 2010 Medicaid rate for ICFs/MR retroactive to the later of the effective date of the state Medicaid plan amendment regarding the changes and July 1, 2009. **Fiscal effect: By imposing limits on the ICF/MR reimbursement rate, the state may realize cost savings in the Medicaid Program.**	Same as the Executive, but establishes the retroactive implementation date as the later of the effective date of the state Medicaid plan amendment or (rather than and) July 1, 2009. **Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
597 JFS - 24 FY 2011 Medicaid Reimbursement Rate for ICFs/MR	
Section: ***309.30.70***	**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 a maximum of 107% of its FY 2010 rate, (2) requiring ODJFS to reduce the FY 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.	Same as the Executive, but does not limit an ICF/MR's rate to a maximum of 107% of its FY 2010 rate.
Requires the ODJFS Director to implement the changes to the fiscal year 2011 Medicaid rate for ICFs/MR retroactive to the later of the effective date of the state Medicaid plan amendment regarding the changes and July 1, 2010.	Same as the Executive, but establishes the retroactive implementation date as the later of the effective date of the state Medicaid plan amendment or (rather than and) July 1, 2010.
Fiscal effect: By imposing limits on the ICF/MR reimbursement rate, the state may realize cost savings in the Medicaid Program.	**Fiscal effect: Same as the Executive.**
598 JFS - 94 ICF/MR Reimbursement Study Council	
	Section: ***309.30.71***
No provision.	Establishes the ICF/MR Reimbursement Study Council and requires the Council to submit a report, not later than July 1, 2010, on its review of Ohio's system for Medicaid reimbursement of ICF/MR services.

	Executive		As Passed by the House
			Fiscal effect: Minimal increase in costs associated with the Study Council and the report. Members of the Council are to serve without compensation or reimbursement.
599	**JFS - 80**	**Increase in Medicaid Rates for Hospital Services**	
			Section: ***309.30.73***
	No provision.		Increases the Medicaid reimbursement rate for hospital inpatient and outpatient services provided between January 1, 2010, and June 30, 2011, by 5% over the rate for such services provided on December 31, 2009. **Fiscal effect: None. This was assumed in the executive budget. The bill includes $87.9 million in FY 2010 and $178.5 million in FY 2011 to fund the provision.**
600	**JFS - 82**	**Medicaid Rates for Community Behavioral Health Services**	
			Section: ***309.30.75***
	No provision.		Increases the Medicaid rate ceilings for community behavioral health services provided during FY 2010 by 1/2% over the rate ceilings for FY 2009 and the Medicaid rate ceilings for those services provided during FY 2011 by 1/2% over the rate ceilings for FY 2010. **Fiscal effect: Funding for the rate increase is provided through earmarks in the Departments of Mental Health and Alcohol and Drug Addiction Services.**

Executive	As Passed by the House

601 JFS - 35 Residential State Supplement Transfer

Section: *309.30.80*	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.	Same as the Executive.

602 JFS - 27 Fiscal Activities Related to Medicaid Waiver Programs

Section: *309.30.90*	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.	Same as the Executive.

603 JFS - 28 Money Follows the Person Enhanced Reimbursement Fund

Section: *309.31.10*	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.	Same as the Executive.

Executive	As Passed by the House
Fiscal effect: The executive estimates that the enhanced portion of the federal reimbursement will be about $6.2 million in each fiscal year.	**Fiscal effect: Same as the Executive.**

604 JFS - 36 Medicare Part D

Section: ***309.31.20***	**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.	Same as the 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.	**Fiscal effect: Same as the Executive.**

605 JFS - 37 Ohio Access Success Project and Identification of Overpayments

Section: ***309.31.30***	**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.	Same as the Executive, but corrects a fund number reference.

Executive	As Passed by the House
606 JFS - 38 Transfer of Funds to the Department of Aging	
Section: ***309.31.40***	**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.	Same as the Executive, but corrects a fund number reference.
607 JFS - 39 Provider Franchise Fee Offsets	
Section: ***309.31.50***	**Section:** ***309.31.50***
Requires, at least quarterly, the ODJFS Director 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.	Same as the Executive.

	Executive	As Passed by the House
608	**JFS - 40** **Transfer of Funds to the Department of Mental Retardation and Developmental Disabilities**	
	Section: ***309.31.60***	**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.	Same as the Executive.
609	**JFS - 41** **Funding For Transition Waiver Services**	
	Section: ***309.31.70***	**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.	Same as the Executive.

Executive	As Passed by the House
610 JFS - 43 Health Care Services Administration Fund	
Section: ***309.31.90***	**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 ODJFS Director 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.	Same as the Executive.
611 JFS - 44 Medicaid Program Support Fund - State	
Section: ***309.32.10***	**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.	Same as the Executive.

Executive	As Passed by the House
612 JFS - 45 Transfers of IMD/DSH Cash to the Department of Mental Health	
Section: ***309.32.20***	**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.	Same as the Executive.
613 JFS - 46 Prescription Drug Rebate Fund	
Section: ***309.32.30***	**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.	Same as the Executive.
614 JFS - 79 Federal Medicaid Match for ADAMHS Boards	
	Section: ***309.32.40***
No provision.	Requires the ODJFS Director to seek federal approval to establish a system under which community behavioral health boards obtain federal financial participation for the allowable administrative activities the boards perform in the administration of the Medicaid program. **Fiscal effect: Potential revenue gain for ADAMHS boards.**

Executive	As Passed by the House
615 JFS - 78 Nonemergency Medical Transportation Management	
	Section: ***309.32.60***
No provision.	Requires ODJFS to establish a two-year pilot program under which county departments of job and family services serving a county with at least 400,000 persons may contract with nonemergency medical transportation management organizations to manage nonemergency medical transportation services provided to groups of Medicaid recipients the county department includes in the pilot program. **Fiscal effect: May increase or decrease Medicaid costs depending on the terms of the contract(s) for nonemergency medical transportation services.**
Hospital Care Assurance Program	
616 JFS - 42 Hospital Care Assurance Match	
Section: ***309.31.80***	**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.	Same as the Executive.
617 JFS - 29 Delay of Termination of Hospital Care Assurance Program	
Sections: ***640.10, 640.11***	**Sections:** ***640.10, 640.11***
Delays the termination of the Hospital Care Assurance Program to October 16, 2011.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

Social Services

618 JFS - 90 Direct Deposit System for Cash Assistance

	R.C. ***329.03, 126.35***
No provision.	Revises the law governing the method by which cash assistance is provided under the Ohio Works First and Disability Assistance Financial programs by (1) also applying the law to cash assistance provided under the Refugee Assistance Program, (2) eliminating law that permits a board of county commissioners to require a county department of job and family services to establish a voluntary or mandatory direct deposit system unless the ODJFS Director has provided for the cash assistance to be made by a state electronic benefit transfer system, (3) requiring each county department to establish a direct deposit system and inform applicants for and recipients of the programs that they must choose whether to receive the cash assistance under the county direct deposit system or the state electronic benefit transfer system, (4) eliminating law that (a) requires county departments to determine what type of account will be used for direct deposit, (b) requires county departments to negotiate with financial institutions to determine the charges, if any, to be imposed, and (c) specifies whether a county department must or may pay the charges, (5) eliminating law that permits a recipient to elect to receive cash assistance in the form of a paper warrant, and (6) eliminating law that requires county departments to bear the full cost of the amount of a replacement warrant under certain circumstances.

	Executive	As Passed by the House
		Fiscal effect: Standardizes delivery of cash assistance benefits across counties.
619	**JFS - 63** **Child, Family, and Adult Community and Protective Services**	
		Sections: ***309.45.21, 309.10***
	No provision.	Requires that GRF appropriation item 600533, Child, Family, and Adult Community & Protective Services, ($50 million in each fiscal year) be distributed to each county department of job and family services using the formula ODJFS uses when distributing Title XX funds to county departments and requires county departments to use the funds for specified purposes.
620	**JFS - 86** **Early Care and Education**	
		Sections: ***309.45.40, 309.45.50, 309.10***
	No provision.	Makes the following earmarks of GRF appropriation item 600535, Early Care and Education: (1) $1.5 million in each fiscal year for the Children's Hunger Alliance. (2) $9 million in each fiscal year for the Ohio Child Care Resource and Referral Association to distribute funds to organizations that provide summer and after-school programs to TANF-eligible youth. (3) $1 million in each fiscal year for the Ohio Alliance of Boys and Girls Clubs to provide after-school programs for TANF-eligible youth.

	Executive		As Passed by the House
621	**JFS - 65**	**Kinship Permanency Incentive Program**	
			Sections: ***309.45.70, 309.10***
	No provision.		Requires GRF appropriation item 600541, Kinship Permanency Incentive Program, ($5 million in each fiscal year) be used to support the Kinship Permanency Incentive Program.
622	**JFS - 91**	**Reallocation of Unused County Funds**	
			Section: ***309.45.90***
	No provision.		Requires ODJFS to reallocate income maintenance funds, TANF funds, TANF Title XX transfer funds, and Title XX social services funds to counties when ODJFS is informed a county will not use the full amount allocated to it for FY 2010 or FY 2011. **Fiscal effect: Potential minimal increase in ODJFS administrative costs. Potential revenue gain for some counties.**

Executive	As Passed by the House
Food Stamp Program	
623 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***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
Fiscal effect: Potential minimal decrease in administrative costs due to reducing administrative procedures in delivering electronic benefit transfer cards to participants.	**Fiscal effect: Same as the Executive.**

624 JFS - 32 Food Assistance Transfer

Section: ***309.40.10***	**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).	Same as the 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.	**Fiscal effect: Same as the Executive.**

625 JFS - 33 Ohio Association of Second Harvest Food Banks

Section: ***309.40.30***	**Section:** ***309.40.30***
Requires the ODJFS Director 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.	Same as the Executive.
No provision.	Requires that newly created GRF appropriation item 600540, Second Harvest Food Banks, ($3.5 million in each fiscal year) be distributed to the Ohio Association of Second Harvest Food Banks to purchase and distribute food products.
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.	**Fiscal effect: Increases the amount that the Ohio Association of Second Harvest Food Banks will receive from ODJFS to $12 million in each fiscal year.**

Executive	As Passed by the House

Appropriation Language

626 JFS - 57 Agency Fund Group

Section: *309.20.10*	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 ODJFS Director 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.	Same as the Executive.

Unemployment Compensation

627 JFS - 54 Removal of Unemployment Compensation Advisory Council Members from PERS

R.C. *4141.08, 145.012*	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."	Same as the Executive.

Executive	As Passed by the House
Fiscal effect: Reduces ODJFS' employer contribution to PERS for council members who are no longer defined as state employees under PERS law.	**Fiscal effect: Same as the Executive.**

628 JFS - 56 Payments from the Unemployment Compensation Special Administrative Fund

R.C. ***4141.11***	**R.C.** ***4141.11***
Removes the requirement that the ODJFS Director 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 ODJFS 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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

629 JFS - 51 Employer Surcharge

Sections: ***309.50, 309.50.10***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
630 JFS - 52 Federal Unemployment Programs	
Section: ***309.50.20***	**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 ODJFS Director, 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.	Same as the Executive.

Executive	As Passed by the House
631 JCR - 1 Operating	
Section: ***297.10***	**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.	Same as the Executive.
632 JCR - 2 Operating Expenses	
Section: ***297.10***	**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.	Same as the Executive.

Executive	As Passed by the House
633 JCO - 1 State Council of Uniform State Laws	
Section: ***311.10***	**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.	Same as the Executive.
634 JCO - 2 Ohio Jury Instructions Fund	
Section: ***311.10***	**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.	Same as the Executive.

Executive	As Passed by the House
635 JSC - 2 Annual Compensation of Judges	
R.C. ***141.04***	**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.)	Same as the Executive.
Fiscal effect: Potential savings effect, as it appears to make it easier for staff to process the payment of judicial salaries.	**Fiscal effect: Same as the Executive.**
636 JSC - 12 Pay Period for Certain Clerks of Municipal Courts	
	R.C. ***1901.31***
No provision.	Changes the pay period for clerks of municipal courts other than those of the Auglaize County, Brown County, Hamilton County, Holmes County, Lorain County, Portage County, and Wayne County municipal courts from semimonthly to either semimonthly or biweekly as determined by the payroll administrator.
	Fiscal effect: Potential savings effect, as it appears to give certain administrators greater flexility in the handling of certain payroll matters.

Executive	As Passed by the House
637 JSC - 15 Judges of the Lorain County Court of Common Pleas	
	R.C. ***2101.01, 2301.02, 2301.03, and Section 721.10***
No provision.	Provides that, as of September 29, 2009, the judge of the Lorain County Court of Common Pleas, Division of Domestic Relations, whose term began on February 9, 2009, is the probate judge of the Lorain County Probate Court and that successors to that judge must be elected as the judge of the probate division of that court. **Fiscal effect: Absent this provision, it appears that Lorain County may incur significant one-time transitional costs as a result of being required to merge the probate and domestic relations divisions of the Lorain County Court of Common Pleas.**
638 JSC - 1 Supreme Court Filing Fee	
R.C. ***2503.17, and Section 313.20***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

639 JSC - 4 Law-Related Education

Section: ***313.10***	**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.	Same as the Executive.

Executive	As Passed by the House

640 JSC - 5 Ohio Courts Technology Initiative

Section: *313.10*	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.	Same as the Executive.

641 JSC - 6 Legal Education Opportunity

Section: *313.10*	Section: *313.10*
(1) 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.	(1) Same as the Executive.
(2) 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	(2) Same as the Executive.

Executive	As Passed by the House
administrative costs.	

642 JSC - 7 Continuing Judicial Education

Section: *313.10*	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.	Same as the Executive.

Executive	As Passed by the House
643 JSC - 8 Federal Grants	
Section: ***313.10***	**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.	Same as the Executive.

Executive	As Passed by the House
644 JSC - 9 Attorney Services	
R.C. ***313.10***	**Section:** ***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.	Same as the Executive.

Executive	As Passed by the House
645 JSC - 10 Grants and Awards	
Section: ***313.10***	**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.	Same as the Executive.
646 JSC - 11 Supreme Court Admissions	
R.C. ***313.10***	**Section:** ***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.	Same as the Executive.

Executive	As Passed by the House
647 LRS - 4 Legal Rights Service Transition Study	
Section: ***Section 317.20***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
648 LSC - 3 Legislative Office of Education Oversight	
	R.C. ***3301.68, 3314.03***
No provision.	Re-establishes the Legislative Committee on Education Oversight as a subcommittee of LSC and re-establishes the Legislative Office of Education Oversight.
No provision.	Requires a community school governing authority to provide its annual report of its activities and progress in meeting its academic goals and performance standards and its financial status to LOEO, in addition to the sponsor and parents of school students. Requires community schools to collect and provide any data that LOEO requests in furtherance of any study or research that the General Assembly requires LOEO to conduct. **Fiscal effect: The bill appropriates $500,000 in each fiscal year for GRF appropriation item 035404, Legislative Office of Education Oversight.**

Executive	As Passed by the House
649 LIB - 1 Bill and Melinda Gates Foundation Grant Fund	
R.C. ***3375.79***	**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.**	Same as the Executive.
650 LIB - 2 Ohioana Rental Payments	
Section: ***323.10***	**Section:** ***323.10, 348.10***
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. **Fiscal effect: Incorporates the state operating susidy for the Ohioana Library Association into the State Library Board's budget under appropriation item 350401, Ohioana Library Support, which has traditionally been used for Ohioana's rental expenses.**	Same as the Executive, but limits the purpose of the item to pay only the rental expenses of the Ohioana Library Association. **Fiscal effect: Maintains the Ohioana Library Association as a separately budgeted entity as under current law and provides a state operating subsidy of $160,000 in each fiscal year in GRF appropriation item 355501, Library Subsidy.**

Executive	As Passed by the House
651 LIB - 3 Regional Library Systems	
Section: ***323.10***	**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.	Same as the Executive.
652 LIB - 4 Ohio Public Library Information Network	
Section: ***323.10***	**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.	Same as the Executive.
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, 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.	Same as the Executive.
Requires OPLIN, INFOhio, and OhioLINK to coordinate and cooperate in their purchase or other acquisition of the	Same as the Executive.

Executive	As Passed by the House
use of electronic databases for their respective users and to contribute funds in an equitable manner for this purpose.	

653 LIB - 5 Library for the Blind

Section: *323.10*	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.	Same as the Executive.

654 LIB - 6 Transfer to OPLIN Technology Fund

Section: *323.10*	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.	Same as the Executive.

655 LIB - 7 Transfer to Library for the Blind Fund

Section: *323.10*	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.	Same as the Executive.

Executive	As Passed by the House
656 LOT - 1 Lottery Transfers to the Lottery Profits Education Fund	
Section: ***327.10***	**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.	Same as the Executive.
657 LOT - 2 Operating Expenses	
Section: ***327.10***	**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.	Same as the Executive.
658 LOT - 3 Direct Prize Payments	
Section: ***327.10***	**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.	Same as the Executive.

Executive	As Passed by the House
659 LOT - 4 Annuity Prizes	
Section: ***327.10***	**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.	Same as the Executive.

Executive	As Passed by the House
660 MHC - 1 Manufactured Home Authority Transfer	
	R.C. ***4505.01, 4505.062, 4505.111, 4505.181, 4505.20, 4517.01 - 4517.03, 4517.30, 4517.33, 4517.43, 4517.052, 4517.27, 4781.01, 4781.02, 4781.04 - 4781.07, 4781.16 - 4781.25, 4781.99***
(1) No provision.	(1) Transfers from the Bureau of Motor Vehicles to the Manufactured Homes Commission (MHC) the licensing authority for manufactured housing dealers, manufactured housing brokers, and manufactured housing salespersons, and makes conforming changes to the licensure process effective July 1, 2010.
(2) No provision.	(2) Transfers the inspection authority over manufactured housing in manufactured home parks from the Ohio Department of Health to the Commission, effective January 1, 2010.
(3) No provision.	(3) Makes other changes concerning current licensure requirements for manufactured housing dealers, brokers, and salespersons, effective only until July 1, 2010.
	Fiscal effect: Increased expenditures for MHC, likely offset by gains in license fees and home inspection revenues, with corresponding decreases for the Bureau of Motor Vehicles and the Department of Health.

Executive	As Passed by the House
661 MED - 2 License Verification	
R.C. ***4731.10***	**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.	Same as the Executive.
Eliminates the Board's duty to certify out-of-state license applications.	Same as the Executive.
Fiscal effect: Projected annual increase of $325,000 in state revenue deposited into GSF Fund 5C60, State Medical Board.	**Fiscal effect: Same as the Executive.**
662 MED - 3 Certificate Duplication	
R.C. ***4731.26***	**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).	Same as the Executive.
Fiscal effect: Projected annual increase of $21,000 in state revenue deposited into GSF Fund 5C60, State Medical Board.	**Fiscal effect: Same as the Executive.**
663 MED - 1 Voucher Approval	
R.C. ***4731.38***	**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.	Same as the Executive.

Executive	As Passed by the House
664 AMB - 1 Ambulette Licensure	
R.C. ***4766.09***	**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.	Same as the Executive.
Fiscal effect: No direct fiscal effect on the Board's revenue and expenditure activity.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
665	**DMH - 20** **Ohio Family and Children First Cabinet Council**	
		R.C. ***121.37***
	No provision.	Adds the Directors of Aging and Rehabilitation and Corrections as members of the Ohio Family and Children First Cabinet Council. **Fiscal effect: Increase in costs for the Departments of Aging and Rehabilitation and Correction and an increase in revenue for DMH, which acts as the fiscal agent for the Ohio Family and Children First Cabinet Council, since state agencies represented on the Council share the Council's operating costs.**
666	**DMH - 17** **Care Coordination Information**	
		R.C. ***121.375***
	No provision.	Permits a care coordination agency to provide certain information to the Ohio Family and Children First Cabinet Council regarding care coordination for at-risk individuals and permits the Council to use the information to help improve care coordination for at-risk individuals throughout the state. **Fiscal effect: None.**

Executive	As Passed by the House
667 DMH - 3 ODMH Purchasing Program	
R.C. ***5119.16, 5120.09***	**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.	Same as the Executive.
Eliminates the specific process to be used by recipients of ODMH services in attempting to resolve issues of unsatisfactory service from ODMH.	Same as the Executive.
Fiscal effect: Potential revenue loss and expenditure savings, net annual effect uncertain.	**Fiscal effect: Same as the Executive.**
668 DMH - 2 Information Systems Maintained by ODMH	
R.C. ***5119.61***	**R.C.** ***5119.61***
Expressly authorizes ODMH to develop and operate more than one community mental health information system.	Same as the Executive.
Modifies the existing prohibition on the collection of identifying information by ODMH from ADAMHS boards by specifying that (1) the prohibition applies to the collection of information that is personal, (2) the prohibition does not apply when state or federal law allows the collection (rather than only when the law requires the collection) and (3) the collection must be for purposes related to payment, health care operations, program and service evaluation, reporting activities, research, system administration, and oversight.	Same as the Executive.
Fiscal effect: Potential increase in costs for ODMH to develop and implement additional information systems.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House

669 DMH - 1 Allocation of Funds for Local Management of Mental Health Services; Funds for Administrative Purposes

R.C. *5119.622, 5119.621*	**R.C.** *5119.622, 5119.621*
Requires ODMH, when allocating funds for the local management of mental health services, 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.	Same as the Executive, but clarifies that the funds being allocated are state and federal funds and permits the ODMH Director to establish either a maximum "amount" or "portion" of the funds that may be used for administrative purposes.
Permits ODMH to distribute funds for the local management of mental health services to groups of ADAMHS boards on a regional or statewide basis.	Replaces the Executive provision with a provision that permits the ODMH Director, when allocating state General Revenue Fund (GRF) money for the local management of mental health services, to allocate the money to groups of two or more boards (instead of separate boards) if the boards in each group agree to the group allocation.
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 ODMH Director has sole discretion to approve or deny the request.	Same as the Executive, but permits an ADAMHS board or group of boards to seek a variance or waiver from ODMH's determination of either a maximum "amount" or "portion" of state and federal funds that may be used for administrative purposes.
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.	Same as the Executive.
No provision.	Permits the ODMH Director to deny funds to an ADAMHS board that exceeds the limit the Director establishes on the amount or portion of state and federal funds that may be used for administrative purposes.
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.	**Fiscal effect: Same as the Executive.**

	Executive		As Passed by the House
670	**DMH - 15**	**Disclosure of Hospital Psychiatric Records to Other Health Care Professionals**	
			R.C. ***5122.31***
	No provision.		Specifies that the prohibition against disclosing, without patient consent, certain documents related to a patient's hospitalization for a psychiatric condition does not apply when the exchange is between both of the following: (1) ODMH hospitals, other ODMH institutions and facilities, or community mental health agencies and (2) other providers of treatment and health services for a patient.
	No provision.		Provides that the purpose of the exchange must be to facilitate the patient's continuity of care.
	No provision.		Requires the custodian of records of an ODMH hospital, institution, or facility, or of a community mental health agency, to attempt to obtain patient consent before the documents are disclosed. **Fiscal effect: May reduce administrative costs to obtain documents, but may minimally increase administrative costs to obtain consent from patients for record disclosure.**
671	**DMH - 16**	**Regional Care Coordination Hubs**	
			Sections: ***335.10, 335.40.15***
	No provision.		Earmarks $130,000 in each fiscal year of GRF appropriation item 335405, Family & Children First, to each of the regional care coordination hubs to be used to (1) help care coordination agencies, (2) collect certain information from care coordination agencies, and (3) compile the information and provide it to the hubs' governing boards and the Ohio Family and Children First Cabinet Council.

Executive	As Passed by the House
No provision.	Earmarks $124,000 in each fiscal year of GRF appropriation item 335405, Family & Children First, to the Ohio Family and Children First Cabinet Council to be used to provide support services to the regional care coordination hubs, receive the information the regional care coordination hubs provide to the Council, and use the information to help improve care coordination services throughout the state.

672 DMH - 18 Medicaid Rates for Community Behavioral Health Services

Sections: ***335.10, 335.40.30***

No provision.	Requires that $669,912 in FY 2010 and $1,261,286 in FY 2011 of GRF appropriation item 335505, Local Mental Health Systems of Care, be provided to local boards to pay the nonfederal share of the 1/2% increase in the Medicaid reimbursement rate ceilings for Medicaid-covered community behavioral health services. (The provision that increases the provider rate is in the Department of Job and Family Services in Section 309.30.75 of the bill.)

Executive	As Passed by the House
673 DMH - 6 Forensic Services	
Section: ***335.10.10***	**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.	Same as the Executive.
674 DMH - 7 Residency Traineeship Programs	
Section: ***335.20.10***	**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.	Same as the Executive.

Executive	As Passed by the House
675 DMH - 8 Pre-Admission Screening Expenses	
Section: ***335.20.20***	**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.	Same as the Executive.
676 DMH - 9 Lease-Rental Payments	
Section: ***335.20.30***	**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.	Same as the Executive.

Executive	As Passed by the House
677 DMH - 10 Behavioral Health Medicaid Services	
Section: ***335.20.40***	**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.	Same as the Executive.
Fiscal effect: May result in increased administrative costs to administer Medicaid services delegated by ODJFS.	**Fiscal effect: Same as the Executive.**
678 DMH - 11 Community Mental Health Board Risk Fund	
Section: ***335.30.10***	**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.	Same as the Executive.

Executive	As Passed by the House
679 DMH - 12 Behavioral Health Services - Children	
Section: ***335.40.10***	**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.	Same as the Executive.
No provision.	Earmarks $1 million in each fiscal year of GRF appropriation item 335404, Behavioral Health Services - Children, for behavioral health treatment services for children under age seven and their families and specifies that amount is to be distributed to the ADAMHS and CMHS boards based on community-need as determined by the Director of Mental Health.
680 DMH - 13 Community Medication Subsidy	
Section: ***335.40.20***	**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.	Same as the Executive.

Executive	As Passed by the House
681 DMH - 14 Local Mental Health Systems of Care	
Section: ***335.40.30***	**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.	Same as the Executive.
682 DMH - 4 Advisory Group Regarding Medicaid-Covered Community Behavioral Health Services	
Section: ***729.10***	**Section:** ***751.10***
Creates the Medicaid Elevation Advisory Group.	Same as the Executive, but renames the Group the Medicaid Community Behavioral Health Elevation and Administration Advisory Group.
Provides for the following to serve on the Group: (1) the ODMH and ODADAS Directors or their designees, (2) representatives of ADAMHS boards, (3) representatives of providers of community behavioral health services, (4) consumers of community behavioral health services and advocates of consumers, and (5) certain state policy makers.	Same as the Executive, but (1) adds the ODJFS Director or the Director's designee to the Group and (2) permits various organizations to nominate individuals to serve on the Group.
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.	Replaces the Executive provision with a provision that requires the Group to study the statewide administration and management of Medicaid-covered community behavioral health services.
Requires the Group to issue a report regarding its study not later than June 30, 2010, and requires the report to include (1) a fiscal analysis of the impact that transferring payment responsibility and related management responsibilities would have on ODMH, ODADAS, and the ADAMHS boards, (2) recommendations for increasing efficiencies,	Same as the Executive, but requires the report to include instead (1) a plan for the statewide administration and management of Medicaid-covered community behavioral health services, (2) a fiscal analysis of the impact any changes to the system of paying providers and related management functions would have on ODMH, ODADAS,

Executive	As Passed by the House
and (3) recommendations for system changes needed to transfer payment responsibility to ODMH and ODADAS.	and the ADAMHS boards, (3) recommendations for increasing efficiencies, and (4) recommendations for system changes needed to implement the statewide administration and management of the Medicaid-covered community behavioral health services.
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 any necessary changes in state law, including changes related to funding.	Replaces the Executive provision with a provision that requires ODMH and ODADAS to implement, under ODJFS's supervision, changes to the administration and management of Medicaid-covered community behavioral health services (including changes to the system of paying providers) not later than July 1, 2011, but provides that the implementation of the changes is subject to enactment or adoption of any necessary changes in state law, including changes related to funding.
Fiscal effect: Minimal increase in ODMH's and ODADAS' costs to produce the required report. May cause minimal increase in ODMH's and ODADAS' costs to reimburse members for travel expenses.	**Fiscal effect: Same as the Executive.**

683 DMH - 19 Community Behavioral Health Services Study

	Section: ***751.13***
No provision.	Requires the Mental Health Director, ODADAS Director, and ODJFS Director to convene a group to develop recommendations regarding the amount, duration, and scope of publicly funded community behavioral health services that should be available through Ohio's community behavioral health system.
	Fiscal effect: Minimal increase for the participating agencies to produce the required report.

Executive	As Passed by the House
684 DMR - 3 ODMR/DD and ODJFS Administration and Oversight Funds	
R.C. ***5123.0412***	**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.	Same as the Executive.
Fiscal effect: Broadens the use of the dollars in the funds.	**Fiscal effect: Same as the Executive.**
685 DMR - 26 County MR/DD Board Levy Failure	
	R.C. ***5123.0413, 5123.049, 5126.0512, 5126.19***
No provision.	Eliminates a requirement that ODMR/DD adopt rules establishing a method of paying for extraordinary costs and ensure the availability of adequate funds in the event a county property tax levy for services with individuals with MR/DD fails and requires instead that ODMR/DD adopt rules to establish, in the event such a levy fails, methods of (1) paying for home and community-based services and (2) reducing the number of individuals a county MR/DD board would otherwise be required to ensure are enrolled in home and community-based services.
No provision.	Abolishes the State MR/DD Risk Fund and the State Insurance Against MR/DD Risk Fund.
	Fiscal effect: Minimal administrative costs associated with the development of rules and potential savings to county MR/DD boards in waiver costs if the number of individuals required to be enrolled is reduced.

Executive	As Passed by the House
686 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.	No provision.
Fiscal effect: Potential savings to ODMR/DD.	
687 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.	No provision.
Fiscal effect: Potential savings to ODMR/DD.	
688 DMR - 4 Identity Disclosure -- County MR/DD Programs	
R.C. ***5126.044***	**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.	Same as the Executive.
Eliminates provisions under which a county MR/DD board or contracting entity is required to maintain a record or	Same as the Executive.

Executive	As Passed by the House
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.**	**Fiscal effect: Same as the Executive.**

689 DMR - 25 County MR/DD Board Business and Medicaid Services Managers

	R.C. ***5126.054***
No provision.	Revises the conditions by which a county MR/DD board may satisfy a requirement to have a business manager and Medicaid services manager. **Fiscal effect: Potential savings to county MR/DD boards by allowing county boards to share business and Medicaid service managers.**

690 DMR - 24 Summary Page for MR/DD Individual Service Plans

	R.C. ***5126.055***
No provision.	Requires a county MR/DD board to include with each individualized service plan a summary page, agreed to by the board, provider, and individual, clearly outlining the amount, duration, and scope of services to be provided under the plan. **Fiscal effect: Minimal.**

691 DMR - 28 Golden Key Center

	Sections: ***337.10, 337.30.45***
No provision.	Earmarks $25,000 of appropriation item 322451, Family Support Services, in each fiscal year for the Golden Key Center for Exceptional Children.

Executive	As Passed by the House
692 DMR - 11 Lease-Rental Payments	
Section: ***337.20.10***	**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.	Same as the Executive.
693 DMR - 12 Residential and Support Services	
Section: ***337.30.10***	**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.	Same as the Executive.
694 DMR - 13 Other Residential and Support Service Programs	
Section: ***337.30.20***	**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.	Same as the Executive.

Executive	As Passed by the House
695 DMR - 14 Medicaid Waiver - State Match (GRF)	
Section: ***337.30.30***	**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 XIX 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.	Same as the Executive.
Provides that if receipts credited to the Medicaid Waiver Fund (Fund 3G60) used by ODMR/DD exceed the amounts appropriated from the fund, the Director of Mental Retardation and Developmental Disabilities may request that Director of OBM to authorize expenditures in excess of amounts appropriated and provides that upon the approval of the Director of OBM, the amounts are appropriated.	Same as the Executive.
Provides that if receipts credited to the Interagency Reimbursement Fund (Fund 3G50) used by the Department of Job and Family Services, exceed the amounts appropriated from the fund, the Director of Job and Family Services may request that Director of OBM to authorize expenditures in excess of amounts appropriated and provides that upon the approval of the Director of OBM, the amounts are appropriated.	Same as the Executive.

Executive	As Passed by the House
696 DMR - 8 Fiscal Plan for Home and Community-Based Services	
Section: ***337.30.40***	**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.	Same as the Executive, but specifies that any recommendations on modifying the methodology used in establishing provider payment rates may address (1) wages and benefits of persons who provide direct care and (2) training and supervision of those persons.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive.**
697 DMR - 22 State Subsidy to County MR/DD Boards	
Section: ***337.30.50***	**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.	Same as the Executive.

Executive	As Passed by the House
698 DMR - 9 County Share of Medicaid Home and Community-Based Services	
Section: ***337.30.60***	**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.	Same as the Executive.
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.	Same as the Executive.
699 DMR - 15 Tax Equity	
Section: ***337.30.70***	**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.	Same as the Executive.
700 DMR - 16 Medicaid Waiver - State Match (Fund 4K80)	
Section: ***337.30.80***	**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.	Same as the Executive.

Executive	As Passed by the House
701 DMR - 23 ICF/MR Conversion	
	Section: ***337.30.85***
No provision.	Provides the funding mechanism for conversion of ICF/MR beds to home and community-based services for the FY 2010-FY 2011 biennium by transferring cash from the General Revenue Fund to the Home and Community-Based Services/Mental Retardation Fund (Fund 4K80), used by ODMR/DD, appropriating the transferred amount to appropriation item 322604, Medicaid Waiver - State Match, and reducing appropriation item 600525, Health Care/Medicaid, used by the Department of Job and Family Services.
702 DMR - 17 Targeted Case Management Services	
Section: ***337.30.90***	**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.	Same as the 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.	Same as the Executive.

Executive	As Passed by the House
703 DMR - 18 Transfer to Program Fee Fund	
Section: ***337.31.10***	**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.	Same as the Executive.
704 DMR - 10 Developmental Center Billing for Services	
Section: ***337.31.20***	**Section:** ***337.31.20***
Permits a developmental center to provide services to persons with mental retardation or other developmental disabilities 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.	Same as the Executive.
705 DMR - 19 Transfer of Funds for Developmental Center Pharmacy Programs	
Section: ***337.40.10***	**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.	Same as the Executive.

Executive	As Passed by the House
706 DMR - 20 Nonfederal Match for Active Treatment Services	
Section: ***337.40.20***	**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.	Same as the Executive.
707 DMR - 21 Nonfederal Share of New ICF/MR Beds	
Section: ***337.40.30***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.

	Executive	As Passed by the House
708	**MIH - 2** **Commission on Minority Health**	
		R.C. ***3701.78***
	No provision.	Adds two representatives of the Lupus Awareness and Education Program as members of the Commission on Minority Health. **Fiscal effect: Minimal. Members of the Commission serve without compensation, but are reimbursed for the actual and necessary expenses they incur in the performance of their official duties.**
709	**MIH - 1** **Lupus Program**	
		Section: ***339.10***
	No provision.	Earmarks $250,000 in each fiscal year of GRF appropriation item 149502, Lupus Program, for additional lupus education and awareness activities.

Executive	As Passed by the House

710 DNR - 26 Departmental Reorganization - Division of Soil and Water Resources

R.C. ***121.04, 307.79, 504.21, 903.082, 903.11, 903.25, 1501.01, 1501.05, 1501.07, 1501.30, 1506.01, 1507.01, 1511.01-1511.08, 1514.08, 1514.13, 1515.08, 1515.183, 1519.03, 1520.02-1520.03, 1521.03-1521.07, 1521.10-1521.16, 1521.18-1521.19, 1523.01-1523.20, 1541.03, 3701.344, 3718.03, 6109.21, 6111.044, Sections 515.30, 515.40, and 515.50, Repealed: R.C. 1504.01-1504.04, 1521.02***

(1) No provision.	(1) Renames the Division of Soil and Water Conservation in the Department of Natural Resources as the Division of Soil and Water Resources and abolishes the Division of Water.
(2) No provision.	(2) Transfers a portion of the duties and responsibilities of the Division of Water to the Division of Soil and Water Resources, including the administration of the Water Management Fund; responsibility for well construction logs and well sealing reports; issuance of construction permits for dams or levees; inspection of dams, dikes, and levees; floodplain management activities; responsibility for water resource inventories; and other similar duties and responsibilities.
(3) No provision.	(3) Transfers the Division of Water's authority, duties, and responsibilities concerning canals and canal reservoirs owned by the state to the Division of Parks and Recreation.
(4) No provision.	(4) Abolishes the Division of Real Estate and Land Management and transfers its duties and responsibilities concerning DNR's geographic information system needs to the Director of Natural Resources; transfers its duties concerning the coordination and conduct of all real estate functions, comprehensive planning, capital improvements

Executive	As Passed by the House
	planning, and other similar planning, and other duties and responsibilities for the Department to the Division of Engineering; and transfers its duties and responsibilities concerning the statewide recreational trails system to the Division of Parks and Recreation.
(5) No provision.	(5) Revises the authority, duties, and responsibilities of the Director of Natural Resources to reflect the abolishment and transfer of duties and responsibilities of the Division of Real Estate and Land Management.
(6) No provision.	(6) Revises the authority, duties, and responsibilities of the Chief Engineer of the Division of Engineering to reflect the changes discussed above, and requires the Chief Engineer to carry out all of the Chief Engineer's duties with the approval of the Director of Natural Resources. **Fiscal effect: Consolidates funding for the Division of Water and the Division of Soil and Water Conservation under the new Division of Soil and Water Resources. Potentially creates initial costs to carry out reorganizational efforts, which may be offset by savings due to consolidation of certain operations.**

711 DNR - 8 Energy Resource Extraction Fee

R.C. *1509.021, 1513.021*	R.C. *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;	(1) Same as the Executive.
(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	(2) No provision.
(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	(3) No provision.

Executive	As Passed by the House
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.	Retains the Executive provisions relating to the deposit of the proceeds of the energy extraction fee on coal, but eliminates the requirements relating to the fees on crude oil and natural gas.
Requires the Chief of the Division of Mineral Resources Management, in cooperation with a statewide association representing the coal mining industry and a statewide environmental advocacy organization, to conduct a study to determine the solvency of the Coal Mining Administration and Reclamation Reserve Fund and to report findings and recommendations concerning the rate of the coal extraction fee to the Director of Natural Resources no later than January 1, 2015.	Same as the Executive, but removes the requirement that the study be conducted in cooperation with a statewide association representing the coal industry and a statewide environmental advocacy organization.
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.	**Fiscal effect: Removes the fees for oil and natural gas as revenue sources for Funds 5110 and 5180.**

Executive	As Passed by the House
712 DNR - 3 Well Log Filing Fee	
R.C. ***1521.05, 3701.344, 6109.21, Section 343.20.20***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
713 DNR - 4 Dam or Levee Construction Permit Filing Fee	
R.C. ***1521.06***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

714 DNR - 9 Dam Fees and Discounts

R.C. ***1521.063***	**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.	Same as the Executive, but increases the base fee for class I dams to $300 and the base fee for class II and class III dams to $90.
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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive, but further increases the amount that would be collected in base fees for each type of dam.**

715 DNR - 2 Hunting Licenses and Annual Deer and Wild Turkey Permits

R.C. *1533.10, 1533.11, 1531.01*	R.C. *1533.10, 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 to hunt on the land without a hunting license, thus requiring such a nonresident owner to purchase a nonresident hunting license. Retains the continuing exemption that allows a resident owner and the owner's children of any age and grandchildren under 18 years of age to hunt on the land without a hunting license.	(1) Same as the Executive, but removes the requirement that the owner's grandchildren be under 18 years of age and instead specifies that grandchildren may be of any age.
(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.	(2) No provision.
(3) Defines "children" and "grandchildren" for purposes of the Division of Wildlife Law and the Hunting and Fishing Law.	(3) Same as the Executive.

Executive	As Passed by the House
Fiscal effect: Increases revenue to the Wildlife Fund (Fund 7015) by approximately $330,000 from additional hunting license fees for nonresident landowners, their children, their tenants, and their tenants' children. May minimally increase administrative expenses for the Division of Wildlife in the Department of Natural Resources to process licenses and permits.	**Fiscal effect: Same as the Executive, but may reduce hunting license revenue by an amount attributable to resident landowners' grandchildren who are over age 18.**

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

Executive	As Passed by the House
717 DNR - 14 Natural Resources General Obligation Debt Service	
Section: ***343.10***	**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.	Same as the Executive.
718 DNR - 11 Central Support Indirect	
Section: ***343.20***	**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.	Same as the Executive.
719 DNR - 10 Federal Economic Stimulus/Recovery Funds	
Section: ***343.20.10***	**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.	Same as the Executive.

Executive	As Passed by the House
720 DNR - 13 Canal Lands	
Section: ***343.30***	**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.	Same as the Executive.
721 DNR - 12 Lease Rental Payments	
Section: ***343.30***	**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.	Same as the Executive.
722 DNR - 15 Fountain Square	
Section: ***343.30.10***	**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.	Same as the Executive.

Executive	As Passed by the House
723 DNR - 16 Soil and Water Districts	
Section: ***343.40***	**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.	Same as the Executive.
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.	Same as the Executive.
724 DNR - 17 Oil and Gas Well Plugging	
Section: ***343.40***	**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.	Same as the Executive.

Executive	As Passed by the House
725 DNR - 18 Litter Control and Recycling	
Section: ***343.40***	**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.	Same as the Executive.
726 DNR - 19 Clean Ohio Operating Expenses	
Section: ***343.40.10***	**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.	Same as the Executive.
727 DNR - 20 Watercraft Marine Patrol	
Section: ***343.50***	**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.	Same as the Executive.

Executive	As Passed by the House
728 DNR - 21 Parks Capital Expenses Fund	
Section: ***343.60***	**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.	Same as the Executive.
729 DNR - 22 Natureworks Capital Expenses Fund	
Section: ***343.60***	**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.	Same as the Executive.

	Executive	As Passed by the House
730	**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.	No provision.
731	**DNR - 28 Venison Donations by Farmers and Hunters Feeding the Hungry**	
		Section: ***751.40***
	No provision.	Requires the Director of Natural Resources and Farmers and Hunters Feeding the Hungry to enter into a memorandum of understanding that prescribes a method by which Farmers and Hunters Feeding the Hungry may donate venison to Ohio food banks and methods to encourace private donations that are equal or greater in value than the venison donations during the period of July 1, 2009 to June 30, 2011.
732	**DNR - 27 Marietta State Nursery**	
		Section: ***753.10***
	No provision.	Requires the Director of Natural Resources to enter into a memorandum of understanding with the Southeastern Ohio Port Authority to develop the former Marietta State Nursery Property.

Executive	As Passed by the House
No provision.	Requires that the memorandum: (1) Provide for the sale of the property for highest and best use and with the maximum financial return for the Department of Natural Resources;
No provision.	(2) Require contracted professional engineering services to conduct a phase 1 environmental assessment and a master plan for property development, including an evaluation of permits that must be obtained and other regulatory requirements that must be satisfied for purposes of the development of the property;
No provision.	(3) Require the Port Authority to manage the master plan, including engaging in the marketing and sale of the property;
No provision.	(4) Specify that the Department owns the property and may sell it to the Port Authority for sale to private buyers; and
No provision.	(5) Specify that the Department is responsible for the costs of environmental, engineering, printing, design, and signage costs.
No provision.	Requires the Department and Port Authority to agree on a cap on invoices for cost specified in (5) above.

Executive	As Passed by the House
733 NUR - 1 Nursing Special Issues	
Section: ***345.10***	**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.	Same as the Executive.

Executive	As Passed by the House
734 PYT - 1 Occupational Therapist Fees	
R.C. ***4755.12, 4755.06***	**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.	Same as the Executive.
Requires that the Section's fee amounts be established in rules adopted by the Section.	Same as the Executive.
Fiscal effect: Potential increase in revenue as a result of required fees for late license renewal and reviewing continuing education activities depending on the amounts set by the Board; the Board currently charges for initial license applications and license verifications.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
735 PUB - 9 Public Defender Fee Schedules	
	R.C. ***120.04***
No provision.	Requires the State Public Defender to establish minimum and maximum hourly rates and per case amounts for fee schedules that the state will reimburse the counties for each specific type of legal service performed by a county appointed counsel system. **Fiscal effect: Uncertain.**
736 PUB - 1 Indigent Defense Support Fund	
R.C. ***120.08, 2937.22, 2949.091, 2949.111, 4507.45, 4509.101, and 4510.22***	**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.	(1) Same as the Executive.
(2) Establishes a surcharge of $25 to be paid when a person posts bail and to be retained by the clerk if the person is convicted, pleads guilty, or forfeits bail.	(2) Same as the Executive.
(3) Increases additional court costs to $30 for a felony offense and $20 for a misdemeanor offense other than a traffic offense that is not a moving violation.	(3) Same as the Executive.
(4) Imposes a $10 additional court cost for a traffic offense that is neither a moving violation nor a parking violation.	(4) Same as the Executive.
(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	(5) Same as the Executive.

Executive	As Passed by the House
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 that the increases in 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).	(6) Same as the Executive.
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).	**Fiscal effect: Same as the Executive.**

737 PUB - 2 IOTA and IOLTA Regulations

R.C. ***120.52, 174.02, 3953.23, 3953.231, 4705.09, and 4705.10***	**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)).	(1) Same as the Executive.
(2) Eliminates the deduction of service charges from IOTA and IOLTA interest income.	(2) Same as the Executive.
(3) Amends the IOTA and IOLTA statutory rate provisions to require eligible depositories to pay a rate that equals or exceeds the highest rate paid on specified accounts.	(3) Same as the Executive.

Executive	As Passed by the House
(4) Removes the statutory restriction on funding legal services from the Housing Trust Fund.	(4) Same as the Executive.
Fiscal effect: The fiscal effect of these provisions, if any, is uncertain.	**Fiscal effect: Same as the Executive.**

738 PUB - 3 Unpaid Moneys in Class Actions - Legal Aid Fund

R.C. ***120.52, 120.53, and 2315.50***	**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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.
(3) Makes a corrective change in the provision regarding rules established by OLAF in administering the Fund.	(3) Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
739 PUB - 8 Civil Legal Aid Filing Fees	
	R.C. ***1901.26, 1907.24, 2303.201***
No provision.	Increases by $5 the additional filing fees collected in civil actions to fund legal aid societies, and expands the application of the filing fee to marriage terminations and dissolutions. **Fiscal effect: The Ohio Legal Assistance Foundation estimates that this filing fee change will generate an additional $4 million to $5 million annually to support Ohio's civil legal aid delivery system.**
740 PUB - 4 Multi-County Office	
Section: ***361.10***	**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.	Same as the Executive.
741 PUB - 5 Indigent Defense Office	
Section: ***361.10***	**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.	Same as the Executive.

Executive	As Passed by the House
742 PUB - 6 Training Account	
Section: ***361.10***	**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.	Same as the Executive.
743 PUB - 7 Federal Representation	
Section: ***361.10***	**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.	Same as the Executive.

Executive	As Passed by the House
744 DPS - 58 Ohio Pet Fund	
	R.C. ***955.201***
No provision.	Changes the definition of "Ohio Pet Fund," which current law defines to mean a nonprofit corporation that is organized under the Nonprofit Corporation Law that consists of humane societies, veterinarians, animal shelters, companion animal breeders, dog wardens, and similar individuals and entities, by replacing "and" with "or" so that the fund consists of any of those individuals and entities rather than all of them. Expands the 501(c)(3) charitable organizations that may receive assistance from the fund to include those 501(c)(3) organizations that have as one of their purposes, rather than as their primary purpose, the support of programs for the sterilization of dogs and cats and educational programs concerning proper veterinary care. **Fiscal effect: None.**

Executive	As Passed by the House
745 DPS - 53 Clerk of Courts Titling Fees	
	R.C. ***1548.10, 4505.09, and 4519.59***
No provision.	Revises the amount of each fee (generally increased by $10 in Am. Sub. H.B. 2 of the 128th General Assembly) that a clerk of a court of common pleas retains for issuing a certificate of title as follows: (1) $10.50 for each watercraft or outboard motor certificate of title issued with a lien or security interest noted on the certificate of title and $12 when there is no lien or security interest notation, (2) $11.50 for each motor vehicle, off-highway motorcycle, or all-purpose vehicle certificate of title when there is a lien or security interest noted on the certificate of title, $12.25 when there is no lien or security interest notation, and $11.50 for each duplicate certificate of title, and (3) adjusts the remaining amounts paid by a clerk to the Registrar of Motor Vehicles. **Fiscal effect: This provision makes a correction to the titling fee changes enacted in Am. Sub. H.B. 2 of the 128th General Assembly to better reflect the intention of the General Assembly.**
746 DPS - 56 Snowmobiles, Off-Highway Motorcycles, and All-Purpose Vehicles	
R.C. ***4519.04, 4919.09***	**R.C.** ***2911.21, 4519.02, 4519.04, and 4519.44***
(1) No provision.	(1) Adds snowmobiles and off-highway motorcycles to the enhanced penalty provisions of the trespassing statute.
(2) No provision.	(2) Provides that an all-purpose vehicle that is used for agricultural purposes generally is exempt from the registration requirement if the owner qualifies for the current agricultural use valuation tax credit.
(3) No provision.	(3) Provides that snowmobiles and off-highway motorcycles are to be issued two decal registration

Executive	As Passed by the House
	stickers, which are to be placed one on either side of the forward cowling or fuel tank.
(4) 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 temporary operating permit is valid from 15 days to one year and the cost of such a permit from $5 to $11.25.	(4) Increases the three-year registration fee for snowmobiles, off-highway motorcycles, and all-purpose vehicles from the $31.25 fee that will become effective July 1, 2009, to $32.25 and permits the Registrar of Motor Vehicles to retain not more than $6 of each such registration fee for administrative costs rather than the $5 amount that will become effective July 1, 2009.
(5) No provision.	(5) Removes the minimum age requirement of 12 years for operation of snowmobiles, off-highway motorcycles, and all-purpose vehicles on state-controlled land under Department of Natural Resources jurisdiction when such a minor is accompanied by a parent or guardian who is a licensed driver and is 18 years of age or older.
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.	**Fiscal effect: Uncertain.**

747 DPS - 55 State Highway Safety Fund

	R.C. *4501.06*
No provision.	Updates the references of fees deposited into the State Highway Safety Fund (Fund 7036) to include fees from the cost of replacing a license plate and obtaining an initial or personalized license plate, recently added by Am. Sub. H.B. 2 of the 128th General Assembly. **Fiscal effect: This provision makes a technical correction to the references of fees deposited into the State Highway Safety Fund (Fund 7036) as enacted by Am. Sub. H.B. 2 of the 128th General Assembly.**

	Executive		As Passed by the House
748	DPS - 49	"Ohio Nature Preserves" License Plates	
			R.C. ***4501.243, and 4503.563***
	No provision.		(1) Creates the "Ohio Nature Preserves" license plate, (2) requires payment of a contribution not exceeding $40 and directs it for deposit in the Ohio Nature Preserves Fund, (3) requires the Department of Natural Resources to use the money in the Ohio Nature Preserves Fund to help finance nature preserve education, nature preserve clean-up projects, and nature preserve maintenance, protections, and restoration, and (4) requires payment of a $10 administrative fee and directs it for deposit in the State Bureau of Motor Vehicles Fund (Fund 4W40) to compensate the Bureau for additional services required in issuing the plate. **Fiscal effect: This provision could result in: (1) a potential, likely minimal at most, increase in state revenues and administrative expenditures, and (2) a potential, likely minimal at most, change in the amount of money distributed annually to local governments from the State Bureau of Motor Vehicles Fund (Fund 4W40). Whether the direction of that revenue change will be a minimal gain or minimal loss for local governments will depend upon the degree to which the $10 administrative fee offsets the Bureau's cost to produce and distribute the "Ohio Nature Preserves" license plate.**

	Executive	As Passed by the House
749	**DPS - 52** **Online Commercial Fleet Licensing and Management Program**	
		R.C. ***4503.10***
	No provision.	Requires the Registrar of Motor Vehicles to determine the feasibility of implementing an electronic commercial fleet licensing and management program that will enable the owners of commercial tractors, commercial trailers, and commercial semitrailers to conduct electronic transactions by July 1, 2010 or sooner. Updates section to reflect its amendment by Am. Sub. H.B. 2 of the 128th General Assembly. **Fiscal effect: One-time, likely no more than minimal, cost for the Department of Public Safety to perform the required feasibility study.**
750	**DPS - 57** **Multi-Year Registration for Commercial Trailers and Semitrailers and Biennial Motor Vehicle Registration**	
		R.C. ***4503.103***
	(1) No provision.	(1) Removes the requirement that a person must own or lease two or more commercial trailers or semitrailers in order to be eligible to register them for up to five years.
	(2) No provision.	(2) Requires a person who registers a commercial trailer or semitrailer under the multiyear registration provision to pay the additional $30 registration fee enacted by Am. Sub. H.B. 2 of the 128th General Assembly for each year of registration as well as the $3.50 deputy registrar service fee or Bureau of Motor Vehicles service fee, as applicable, for each year of registration.
	(3) No provision.	(3) Requires a person who registers a motor vehicle under the existing biennial registration provision to pay the $3.50 deputy registrar service fee or Bureau of Motor Vehicles service fee, as applicable, for each year of registration rather than one and one-half times that service fee as

Executive	As Passed by the House
	specified in current law. **Fiscal effect: The language described in dot points (1) and (2) above has no fiscal effect, as it clarifies the intent of changes enacted by Am. Sub. H.B. 2 of the 128th General Assembly. As a result of the language described in dot point (3) above, an additional, minimal at most, amount in service fee revenues may be collected annually by the Registrar of Motor Vehicles and deposited in the State Bureau of Motor Vehicles Fund (Fund 4W40).**

751 DPS - 62 Fees for Certain Special and Replacement License Plates

	R.C. *4503.19, 4503.40, and 4503.42*
(1) No provision.	(1) Provides that the fee increases for special field reserve license plates from $10 to $25 and special personalized license plates from $35 to $50 enacted in Am. Sub. H.B. 2 of the 128th General Assembly apply for each registration renewal with an expiration date on or after October 1, 2009, and for each initial application for registration received on or after that date.
(2) No provision.	(2) Clarifies that $7.50 of each special field reserve license plate fee, whether it is $10 or $25, is to compensate the Bureau of Motor Vehicles for the expenses it incurs in issuing the license plates and the remainder of each such fee, whether it is $2.50 or $17.50, is to be deposited into the State Highway Safety Fund (Fund 7036).
(3) No provision.	(3) Clarifies that $5 of each special personalized license plate fee, whether it is $35 or $50, is to compensate the Bureau of Motor Vehicles for the expenses it incurs in issuing the license plates and the remainder of each such fee, whether it is $30 or $45, is to be deposited into the State Highway Safety Fund (Fund 7036).
(4) No provision.	(4) Clarifies that the $1 fee charged for a replacement certificate of registration is to be deposited into the State

Executive	As Passed by the House
	Bureau of Motor Vehicles Fund (Fund 4W40).
(5) No provision.	(5) Provides that $2 of each $7.50 fee charged for a replacement set of two license plates and each $6.50 fee charged for a single replacement license plate or replacement validation sticker is to be deposited into the State Bureau of Motor Vehicles Fund (Fund 7036). **Fiscal effect: These are largely clarifying changes related to certain fee adjustments enacted by Am. Sub. H.B. 2 of the 128th General Assembly.**

752 DPS - 61 Multi-year Vehicle Registration Validation Stickers

	R.C. ***4503.191***
No provision.	Allows the Registrar of Motor Vehicles to determine by rule the manner to use to indicate the expiration of a validation sticker issued for an all-purpose vehicle (three-year registration period) or for a trailer or semitrailer (up to a five-year registration period). **Fiscal effect: Uncertain.**

753 DPS - 59 Placards and License Plates for Walking-Impaired

	R.C. ***4503.44***
No provision.	Creates the Rehabilitation Employment Fund to be used by the Rehabilitation Services Commission to fund employment-related services and requires the Registrar of Motor Vehicles and any deputy registrar to ask each applicant for a removable windshield placard or temporary removable windshield placard or duplicate removable windshield placard or license plate issued to a person who is walking-impaired whether the person wishes to make a $2 contribution to the Rehabilitation Employment Fund.

	Executive	As Passed by the House
		Fiscal effect: The state cost to collect the contribution is likely to be minimal at most, if that. The amount of money that may be collected in contributions annually for deposit in the Rehabilitation Employment Fund is uncertain.
754	**DPS - 47** **Operation of Small Three-Wheel Motorcycles**	
	No provision.	**R.C.** ***4507.03*** Specifies that a person who has a valid driver's or commercial driver's license cannot be required to have a motorcycle operator's endorsement to operate a three-wheel motorcycle with a motor of not more than 50 cubic centimeters piston displacement. **Fiscal effect: Potential, likely no more than minimal, annual loss in motorcycle related registration revenues.**
755	**DPS - 54** **Vision Screening Fee**	
	No provision.	**R.C.** ***4507.24*** Requires a deputy registrar of motor vehicles to transmit the entire $1.75 increase in the vision screening fee enacted by Am. Sub. H.B. 2 of the 128th General Assembly to the Registrar of Motor Vehicles for deposit into the State Highway Safety Fund (Fund 7036), rather than just $1 of the increase. **Fiscal effect: This provision makes a correction to the vision screening fee changes as enacted by Am. Sub. H.B. 2 of the 128th General Assembly.**

	Executive		As Passed by the House
756	**DPS - 45**	**Motor Vehicle Child Restraint Law**	
			R.C. ***4511.81***
	No provision.		Eliminates the prohibition against using violations of the motor vehicle child restraint law in other criminal proceedings. **Fiscal effect: Uncertain.**
757	**DPS - 50**	**Motor Vehicle Violations**	
			R.C. ***4513.021, 4513.03, 4513.04, 4513.05, 4513.06, 4513.07, 4513.071, 4513.09, 4513.11, 4513.111, 4513.12, 4513.13, 4513.14, 4513.15, 4513.16, 4513.17, 4513.171, 4513.18, 4513.19, 4513.21, 4513.22, 4513.23, 4513.24, 4513.242, 4513.28, 4513.60, 4513.65, 4513.99, 4549.10, and 4549.12***
	No provision.		Reclassifies 29 specified motor vehicle violations (primarily vehicle equipment requirements) as minor misdemeanors, regardless of prior similar offenses. **Fiscal effect: Uncertain.**
758	**DPS - 60**	**All-Purpose Vehicle Affidavit**	
			R.C. ***4519.03***
	No provision.		Permits the owner of an off-highway motorcycle or all-purpose vehicle that was purchased prior to October 1, 2005, and for which a certificate of title has not been issued, to register the motorcycle or vehicle by presenting an affidavit of ownership rather than requiring the owner to obtain first a certificate of title for the off-highway motorcycle or all-purpose vehicle. **Fiscal effect: Uncertain.**

	Executive	As Passed by the House
759	**DPS - 17** **Cash Transfers from Reparations Fund to Disaster Preparedness Fund**	
	Section: ***512.20***	
	Transfers $350,000 in cash in each of FYs 2010 and 2011 from the Reparations 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.
760	**DPS - 51** **Federal Stimulus - Justice Programs**	
		Sections: ***601.10, 601.11, and 690.10***
	No provision.	Amends Am. Sub. H.B. 2 of the 128th General Assembly to move appropriation item 768613, Federal Stimulus – Justice Programs, and related $4,604,597 appropriation from the FY 2008-FY 2009 biennium to the FY 2010-FY 2011 biennium. Requires the appropriation be used to support activities to prevent and control crime and to improve the criminal justice system.

Executive	As Passed by the House

761 PUC - 7 Permissive Commercial Motor Vehicle Enforcement by Local Law Enforcement

	R.C. ***737.39, 311.32, 4905.06, 4919.79, 4919.80, 4923.12, and 4923.20***
No provision.	(1) Allows sheriffs, deputy sheriffs, and municipal police officers trained in the same manner as the State Highway Patrol Motor Carrier Enforcement Unit's uniformed employees to enforce, to the same extent as those employees, compliance with certain motor carrier laws and Public Utilities Commission (PUCO) orders or rules regarding commercial motor vehicle transportation safety, economic, and hazardous materials requirements. Authorizes such sheriffs, deputy sheriffs, and municipal police officers to stop commercial motor vehicles and inspect them, as well as certain premises and property, and requires them to cooperate with the PUCO in the course of enforcement. Requires the PUCO to adopt any rules it finds necessary regarding that enforcement, with which sheriffs, deputy sheriffs, and municipal police officers must comply.
No provision.	(2) Provides that the forfeitures collected by such local law enforcement must be deposited into the Local Commercial Motor Vehicle Enforcement Fund, a new fund of the state treasury. Specifies that the first $200,000 of the forfeitures so deposited in a fiscal year must be used by the PUCO for administration. Provides that forfeitures in excess of $200,000 but not more than $1.2 million in a fiscal year must be used for reimbursing related local government training and equipment costs. Specifies that any forfeiture revenue in excess of $1.2 million within a fiscal year shall be deposited into the General Revenue Fund.

Executive	As Passed by the House
	Fiscal effect: Revenue from forfeitures collected cannot be determined because it is subject to behavior of those driving commercial motor vehicles. The PUCO will not spend more than $1.2 million of the forfeitures.

762 PUC - 5 Definitions of "Advanced Energy Project" and "Advanced Energy Resources"

	R.C. ***3706.25, 4928.01***
No provision.	Expands the definition of "advanced energy project" in advanced energy project law to include "any technologies, products, activities, or management practices or strategies that facilitate the generation or use of energy." Expands the definition of "advanced energy resource," in laws governing advanced energy projects and alternative energy requirements imposed upon electric distribution utilities and electric services companies to include "methane gas emitted from an operating or abandoned coal mine." **Fiscal effect: None**

Executive	As Passed by the House
763 PUC - 1 Utility Radiological Safety Board Assessments	
Section: ***506.10***	**Section:** ***506.10***
Specifies, absent contractual agreement, 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) 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) used by the Department of Health; (3) $286,114 in each fiscal year to the ER Radiological Safety Fund (Fund 6440) 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) used by the Department of Public Safety.	Same as the Executive.
Fiscal effect: Less than $5.5 million will be assessed against nuclear utilities and spent by state agencies over the biennium.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
764 PUC - 6 9-1-1 Funding and Modernization Task Force and Report	
	Section: ***749.10***
No provision.	Creates the thirteen-member 9-1-1 Funding and Modernization Task Force to review current funding models for Ohio 9-1-1 systems, and to research, analyze, and recommend appropriate future funding models and modernization policies to improve the effectiveness of their infrastructures and personnel. Requires the Task Force to deliver a report of its recommendations within ten months to the Speaker of the House of Representatives, the President of the Senate, and the Governor. Provides that Task Force members serve without compensation, and that it will cease to exist after delivering the required report. **Fiscal effect: None; the legislation does not direct the PUCO to pay any expenditures incurred by the Task Force.**

Executive	As Passed by the House
765 PWC - 5 Conservation General Obligation Debt Service	
Section: ***365.10***	**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.	Same as the Executive.
766 PWC - 6 State Capital Improvements General Obligation Debt Service	
Section: ***365.10***	**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.	Same as the Executive.
767 PWC - 7 Clean Ohio Operating Expenses	
Section: ***365.10***	**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.	Same as the Executive.

Executive	As Passed by the House
768 PWC - 8 Reimbursement to the General Revenue Fund	
Section: ***365.10***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
769 BOR - 73 Energy Conservation Measures	
	R.C. ***156.01, 156.02, 156.03, 156.04, 3345.61, 3345.62, 3345.63, 3345.64, 3345.66***
No provision.	(1) Permits a state-assisted institution of higher education to implement certain water conservation measures in addition to the energy conservation measures permitted in current law, and provides authority to issue notes to finance those measures. Specifies that energy or water conservation measures should result in energy, water, or wastewater cost savings, operating costs savings, and avoided capital costs.
No provision.	(2) Reduces the amount of contract costs that must be paid within two years after the purchase of a conservation contract from one-tenth to one-fifteenth of those costs. Specifies that the remaining balance of conservation contract costs must be paid within 15 years.
No provision.	(3) Extends the payment period for cogeneration system contracts from 5 years to 15 years. Extends the payment period for other conservation contracts from 10 to 15 years.
	Fiscal effect: Potential decrease in operating and capital expenses for institutions that elect to implement water saving measures.

Executive	As Passed by the House
770 BOR - 4 Ohio College Opportunity Grant Changes	
R.C. ***3333.122, Section 371.50.50***	**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.	(1) Same as the Executive.
(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.	(2) Same as the Executive, but permits OCOG grants for eligible foster youth who are attending two-year institutions of higher education and who also meet the guidelines for the Ohio Education and Training Voucher Program that receives funding under the federal John H. Chafee Foster Care Independence Program OCOG funds for housing costs.
(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.	(3) Same as the Executive.
Fiscal effect: The bill appropriates $120.0 million in FY 2010 and $135.0 million in FY 2011 for OCOG.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
771 BOR - 60 Nonpublic Need-Based Aid Grants	
R.C. ***3333.122, 5107.58, Repealed: R.C. 3333.27; Section 371.50.80***	**R.C.** ***3333.122, 5107.58, Section 371.50.80, 371.50.82; Repealed: R.C. 3333.27***
(1) Requires the Chancellor to establish by rule 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.	(1) Same as the Executive, but allows rather than requires the Chancellor to adopt rules for the Private Higher Education Need-based Financial Aid Block Grant Program.
(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.	(2) Same as the Executive.
(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.	(3) Replaces the Executive provision with a provision that requires the Chancellor to use a prescribed formula to calculate the need-based block grant allocations to eligible nonprofit private institutions for fiscal years 2010 and 2011. Requires that in FY 2010 each eligible nonprofit private institution receive 90% of the amount it received in FY 2008 under the Ohio Instructional Grant (OIG) and the Ohio College Opportunity Grant (OCOG), plus a portion of the remaining Private Higher Education Needs-based Financial Aid Block Grant, if any, equal to the institution's proportional share of the total number of Pell-eligible students weighted by grade level at all eligible private institutions in academic year 2008-2009. Requires that in FY 2011, each eligible nonprofit private institution be allocated a percentage of the appropriation for the Private Higher Education Needs-based Financial Aid Block Grant equal to the institution's proportional share of the total number of Pell-eligible students weighted by grade level at

Executive	As Passed by the House
	all eligible private institutions in academic year 2009-2010. Specifies the weights for each grade level. Requires that each institution report the number of Pell-eligible students enrolled for the academic year prior to the fiscal year of block grant funding. Requires the Chancellor to use an institution's Pell-eligible enrollment for the academic year two years prior to the fiscal year of block grant funding if the institution does not report the number of Pell-eligible enrollees in a timely manner.
(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.	(4) Same as the Executive.
(5) Eliminates the Student Choice Grant Program.	(5) Same as the 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.	**Fiscal effect: Same as the executive, but earmarks $60.0 million in each fiscal year for the Private Higher Education Need-based Financial Aid Block Grant Program and $10.0 million in each fiscal year for the Career College Need-based Financial Aid Block Grant Program.**
772 BOR - 72 Course Classification System	
	R.C. ***3333.16***
No provision.	Replaces a curent law requirement that state institutions of higher education implement the "course applicability system" (CAS) for advising and transferring associate degree students with a requirement that institutions implement the information system selected by, contracted for, or adopted by the Chancellor. **Fiscal effect: None.**

	Executive		As Passed by the House
773	**BOR - 74**	**Nurse Education Assistance Loan Program**	
			R.C. ***3333.28***
	No provision.		Changes the allocation of 25% of the Nurse Education Assistance Fund from loans to students in prelicensure professional nurse education programs for licensed practical nurses to loans to students in any nurse education programs, as determined by the Chancellor. Requires the Chancellor to give preference to programs aimed at increasing enrollment in an area of need. **Fiscal effect: May affect which students receive loans.**
774	**BOR - 81**	**Choose Ohio First Scholarship and Ohio Research Scholars Programs**	
			R.C. ***3333.66, 3333.61, and 3333.62***
	No provision.		Allows the Chancellor to authorize institutions of higher education to award Choose Ohio First Scholarships in an amount greater than one-half of the highest in-state, undergraduate instructional and general fees charged by all state universities, which is the maximum scholarship amount in current law, to (1) undergraduate students enrolled in a program leading to a teaching profession in science, technology, engineering, math, or medicine (STEM) or (2) certain graduate students in STEM fields or STEM education.
	No provision.		Eliminates the requirement that a private Ohio institution of higher education, in order to submit a proposal for Choose Ohio First Scholarships, must collaborate with a state university or college in implementation of the proposal. Permits a private Ohio institution of higher education to submit a proposal for the Ohio Research Scholars Program, which provides grants for recruiting scientists to college and university faculties.

Executive	As Passed by the House
No provision.	Adds to the current criteria the Chancellor must use in awarding grants the extent to which a Choose Ohio First Scholarship grant proposal will increase the number of women participating in the program.

775 BOR - 61 Community and Technical College Bond Intercept Program

R.C. ***3333.90, 152.09, 152.10, 152.12, 152.15, 3345.12***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

	Executive	As Passed by the House
776	**BOR - 82 Employee Training Grant Program**	
	No provision.	**R.C.** ***3333.91*** Requires the Chancellor to administer a grant program to provide training for individuals seeking employment in the biotechnology or bioscience fields or in other fields in which critical demands exist for certain skills. Specifies that eligible grant recipients include (1) municipal corporations, (2) employers, and (3) entities that sponsor multi-company employee training projects. Requires that the Chancellor use the same competitive process used to make awards under the Ohio Co-op/Internship Program to award the training grants. Specifies that the maximum grant amount is 50% of the training program's allowable costs, which include administrative expenses, curriculum development, employee wages, travel expenses, and training equipment. **Fiscal effect: The bill earmarks $5 million in each fiscal year of GRF appropriation item 235441, Co-op/Internship Program, for the grant program.**
777	**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.	**R.C.** ***3345.011*** Same as the Executive.

	Executive		As Passed by the House
778	BOR - 80	Entrepreneurial Projects for Economic Development	
			R.C. ***3345.36, 3345.12***
	No provision.		Specifies that it is the public policy of the state that boards of trustees of state-assisted institutions of higher education facilitate and assist with establishing and developing entrepreneurial projects for economic development pursuant to Section 13 of Article VII of the Ohio Constitution. Specifies that such projects qualify as property, structures, equipment, and facilities under that constitutional provision.
	No provision.		Authorizes boards of trustees of state-assisted institutions to (1) enter into agreements to encourage the development of entrepreneurial projects, (2) acquire stock or other ownership in entrepreneurial projects or connected legal entities in return for intellectual property rights, and (3) make or guarantee loans and issue bonds, notes or other debt to provide money for entrepreneurial projects.
			Requires that bond proceeding law governing the issuance of bonds, notes, and other evidence of obligations for housing and dining, auxiliary, or education facilities also apply to the bonds, notes, and other evidence of obligations issued for entrepreneurial projects.

Executive	As Passed by the House
779 BOR - 2 Eastern Gateway Community College	
R.C. ***3354.24***	**R.C.** ***3354.24, Section 515.10***
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. 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.	Same as the Executive, but adds language related to the transition by renaming the Jefferson County Community College District as the Eastern Gateway Community College District and assigning all powers, duties, obligations, liabilities, employees, and property of the board of trustees of the former District to the board of trustees of the new renamed District.
Fiscal effect: FY 2010 and FY 2011 State Share of Instruction subsidy formula allocations for Eastern Gateway Community College will be based on the allocations received by Jefferson State Community College. Eastern Gateway Community College may receive additional funding if the new subdistrict passes a levy for the College.	**Fiscal effect: Same as the Executive.**
780 BOR - 5 Lease Rental Payments	
Section: ***371.10.10***	**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.	Same as the Executive.

	Executive	As Passed by the House
781	**BOR - 66 Sea Grants**	
		Section: ***371.10.15***
	No provision.	Requires that GRF appropriation item 235402, Sea Grants, be disbursed to the Ohio State University to conduct research on fish in Lake Erie.
782	**BOR - 6 Articulation and Transfer**	
	Section: ***371.10.20***	**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.	Same as the Executive.
783	**BOR - 7 Midwest Higher Education Compact**	
	Section: ***371.10.30***	**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.	Same as the Executive.
784	**BOR - 8 Information System**	
	Section: ***371.10.40***	**Section:** ***371.10.40***
	Requires that GRF appropriation item 235409, Information System, be used for the development and implementation of information technology solutions.	Same as the Executive, but requires that the information technology solutions be provided by the Ohio Academic Research Network (OARnet).

Executive	As Passed by the House
785 BOR - 9 State Grants and Scholarship Administration	
Section: ***371.10.50***	**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.	Same as the Executive.
786 BOR - 10 Jobs Challenge	
Section: ***371.10.60***	**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, regional campuses of state-assisted universities, and certain other member campuses of the workforce training network to support noncredit job training.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
787 BOR - 11 Ohio Learning Network	
Section: ***371.10.70***	**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.	Same as the Executive.
788 BOR - 12 Appalachian New Economy Partnership	
Section: ***371.10.80***	**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.	Same as the Executive.
789 BOR - 13 Economic Growth Challenge	
Section: ***371.10.90***	**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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
projects that are eligible for federal stimulus funds.	
790 BOR - 77 College Readiness and Access	
	Section: ***371.20.06***
No provision.	Makes the following earmarks of GRF appropriation item 235434, College Readiness and Access:
No provision.	(1) $1,000,000 in each fiscal year for the Ohio College Access Network (OCAN).
No provision.	(2) $600,000 in each fiscal year for the Ohio Appalachian Center for Higher Education (OACHE) at Shawnee State University. Specifies the makeup of the OACHE board of directors.
No provision.	(3) $140,000 in each fiscal year for Miami University's Student Achievement in Research and Scholarship (STARS) Program.
No provision.	(4) $2,500,000 in each fiscal year for the Early College High School Program. Specifies that funds be distributed according to guidelines established by the Chancellor and the Department of Education.
791 BOR - 76 Teacher Improvement Initiatives	
	Section: ***371.20.08***
No provision.	Makes the following earmarks of GRF appropriation item 235435, Teacher Improvement Initiatives:
No provision.	(1) $204,000 in each fiscal year for the Porter Center for Science and Mathematics in Lake County.
No provision.	(2) $320,000 in each fiscal year for the Ohio View consortium of research universities. Requires that the funds be used to train teachers, higher education students

Executive	As Passed by the House
	and faculty, and employees in the public and private sectors to develop the job pipeline in the field of geospatial technology. Requires that Ohio View prepare K-12 teachers to instruct students in the uses of existing geospatial technology, especially through hands-on observations.

792 BOR - 14 Choose Ohio First Scholarship

Section: *371.20.10*	Section: *371.20.10*
(1) 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.	(1) Same as the Executive.
(2) No provision.	(2) Earmarks $125,000 in each fiscal year under GRF appropriation item 235438, Choose Ohio First Scholarship, to support University Circle, Inc.
(3) 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 disbursed to institutions be paid on a reimbursement basis.	(3) Same as the Executive.

Executive	As Passed by the House
(4) 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.	(4) Same as the Executive.

793 BOR - 15 Co-op/Internship Program

Section: ***371.20.20***	**Sections:** ***371.20.20, R.C. 3333.73***
No provision.	Adds to the current criteria the Chancellor must use in awarding grants the extent to which a Co-op/Internship Program grant proposal will increase the number of women participating in cooperative education and internship programs.
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.	Same as the Executive, but makes the following earmarks:
(1) No provision.	(1) $5,000,000 in each fiscal year for a grant program for employee training in the fields of biotechnology and bioscience or in other fields in which critical demand exists for certain skills.
(2) No provision.	(2) $1,000,000 in each fiscal year for programs at institutions of higher education that collaborate with businesses that have been in operation for three years or fewer. Requires that the Chancellor establish a competitive process for awards and seek the advice of the Co-op/Internship Advisory Committee. Requires that an institution receiving an award enter into an agreement with the Chancellor regarding the use of the funds and reporting requirements.
(3) No provision.	(3) $250,000 in each fiscal year for students enrolled at institutions of higher education that develop a successful business plan in Ohio. Requires that each winner of the competition receive $50,000 and that awards not be

Executive	As Passed by the House
	distributed until a winner provides documentation that a business has been established with the winner's business plan. Reappropriates any unawarded or unencumbered funds under the earmark at the end of FY 2010 for the same purpose in FY 2011.
(4) No provision.	(4) $500,000 in each fiscal year provided to the University of Cincinnati to support Rookwood Pottery Company internship programs with state-assisted institutions of higher education.
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 Co-op/Internship 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.	Same as the Executive.

794 BOR - 16 Adult Basic and Literacy Education

Section: ***371.20.30***	**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. Makes the following earmarks:	Same as the Executive, but makes the following changes to the earmarks:
(1) Up to $507,558 in FY 2010 for the support and operation of the State Library Resource Center Program.	(1) Same as the Executive.

Executive	As Passed by the House
(2) No provision.	(2) $60,000 in each fiscal year for Jewish Community Federation of Cleveland.
(3) No provision.	(3) $25,000 in each fiscal year for Yassenoff Jewish Community Center of Columbus.
(4) No provision.	(4) $30,000 in each fiscal year for Jewish Family Services of Cincinnati.
(5) No provision.	(5) $7,000 in each fiscal year for Jewish Family Services of Dayton.
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.	Same as the Executive.

795 BOR - 17 Post-Secondary Adult Career-Technical Education

Section: ***371.20.40***	**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.	Same as the Executive.

Executive	As Passed by the House
796 BOR - 18 Statewide Workforce Development Initiatives	
Section: ***371.20.50***	**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.	Same as the Executive.
797 BOR - 19 Fiscal Year 2011 Plan for Adult Workforce Training Programs	
Section: ***371.20.60***	**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.	Same as the Executive.
798 BOR - 20 Area Health Education Center	
Section: ***371.20.70***	**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.	Same as the Executive, but earmarks $200,000 in each fiscal year for the Ohio University College of Osteopathic Medicine mobile health care unit.

Executive	As Passed by the House
799 BOR - 21 State Share of Instruction Formulas	
Section: ***371.20.80***	**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.	(1) Same as the Executive.
(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.	(2) Same as the Executive.
(3) Requires that the state share of instruction formula for regional university campuses reward course completion and the achievement of mission-specific goals.	(3) Same as the Executive.
(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.	(4) Same as the Executive.
(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.	(5) Same as the Executive.

Executive	As Passed by the House
800 BOR - 22 State Share of Instruction for Fiscal Years 2010 and 2011	
Section: ***371.20.90***	**Section:** ***371.20.90***
Prohibits the increase of in-state undergraduate instructional and general fees in FY 2010 at all state-assisted institutions.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: Tuition caps could limit the amounts of tuition revenues for public institutions of higher education.	**Fiscal effect: Same as the Executive.**
801 BOR - 23 Higher Education Board of Trustees	
Section: ***371.30.10***	**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.	(1) Same as the Executive.
(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 changes are not to be applied uniformly.	(2) Same as the Executive.

Executive	As Passed by the House
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.	(3) Same as the 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.	(4) Same as the Executive.
(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.	(5) Replaces the Executive provision with a provision that provides a procedure for the Chancellor to follow if the Chancellor intends to seek a fee adjustment for associate degree programs. Specifies that the Chancellor must notify the institution's board of trustees of intent to seek a fee adjustment, obtain information about the current fees, and convene a meeting with the board of trustees to reach an agreement on adjusting fees and on implementing a plan. Specifies that if an agreement is reached, the board of trustees must implement the plan for a fee adjustment and that if an agreement is not reached, the Chancellor must make a recommendation for adjusting the fees and, if rejected, may submit the recommendation to the Controlling Board for approval. Requires that the Chancellor recommend only plans that, if implemented, would not place the institution in fiscal watch. Requires that the board of trustees adjust fees if the Controlling Board approves the recommendation. Specifies that any restrictions on tuition increases applicable to a public institution of higher education's associate degree programs in FY 2012 or FY 2013 shall be applied to the instructional and general fees charged for the programs prior to an adjustment of those fees.

Executive	As Passed by the House
(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.	(6) Same as the Executive.
(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.	(7) Same as the Executive.

802 BOR - 24 Student Support Services

Section: ***371.30.20***	**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.	Same as the Executive.

803 BOR - 25 War Orphans Scholarships

Section: ***371.30.30***	**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.	Same as the Executive.
Reappropriates FY 2010 year-end balance for the same purpose for FY 2011.	Same as the Executive.

Executive	As Passed by the House
804 BOR - 26 OhioLINK	
Section: ***371.30.40***	**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.	Same as the Executive.
805 BOR - 27 Air Force Institute of Technology	
Section: ***371.30.50***	**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.	Same as the Executive.
Specifies that projects supported under this item may include research projects that connect the Air Force Research Laboratories with university partners. 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.	Same as the Executive but earmarks $1,227,106 in each fiscal year for these research projects.
No provision.	Earmarks $613,553 in each fiscal year for to match federal dollars to support technology commercialization and job creation through the Development Research Corporation. Requires that the Corporation use the funds for Ohio-based technology and commercial development collaborations in areas prioritized by Ohio's Third Frontier Initiative.

Executive	As Passed by the House
806 BOR - 75 Women in Transition	
	Section: ***371.30.55***
No provision.	Requires that GRF appropriation item 235509, Women in Transition, be used to support Women in Transition programs at Ohio institutions of higher education.
807 BOR - 28 Ohio Supercomputer Center	
Section: ***371.30.60***	**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.	Same as the Executive.
Specifies that part of the funds be used to support the Ohio Supercomputer Center's Computational Science Initiative, which includes the industrial outreach program, Blue Collar computing, and the School of Computational Science.	Same as the Executive.
808 BOR - 29 Cooperative Extension Service	
Section: ***371.30.70***	**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.	Same as the Executive.
809 BOR - 30 Ohio University Voinovich Center	
Section: ***371.30.80***	**Section:** ***371.30.80***
Requires that GRF appropriation item, 235513, Ohio University Voinovich Center, be used to support the operations of the Center.	Same as the Executive, but changes the appropriation item name to Ohio University Voinovich School.

Executive	As Passed by the House
810 BOR - 31 Central State Supplement	
Section: ***371.30.90***	**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.	Same as the Executive.
811 BOR - 32 Case Western Reserve University School of Medicine	
Section: ***371.40.10***	**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.	Same as the Executive.
812 BOR - 33 Family Practice	
Section: ***371.40.20***	**Section:** ***371.40.20***
Requires the Chancellor to develop plans for the distribution of GRF appropriation item 235519, Family Practice.	Same as the Executive.

Executive	As Passed by the House
813 BOR - 34 Shawnee State Supplement	
Section: ***371.40.30***	**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.	Same as the Executive.
814 BOR - 35 OSU John Glenn School of Public Affairs	
Section: ***371.40.40***	**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.	Same as the Executive.
815 BOR - 36 Police and Fire Protection	
Section: ***371.40.50***	**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.	Same as the Executive.
816 BOR - 37 Geriatric Medicine	
Section: ***371.40.60***	**Section:** ***371.40.60***
Requires the Chancellor to develop plans for the distribution of the funds under GRF appropriation item 235525, Geriatric Medicine.	Same as the Executive.

Executive	As Passed by the House
817 BOR - 38 Primary Care Residencies	
Section: ***371.40.70***	**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.	Same as the Executive.
818 BOR - 67 Ohio Aerospace Institute	
	Section: ***371.40.75***
No provision.	Requires that GRF appropriation item 235527, Ohio Aerospace Institute, be distributed under section 3333.042 of the Revised Code.
No provision.	Requires BOR, in consultation with the Third Frontier Commission, to develop a plan for providing appropriate, value-added participation by the Ohio Aerospace Institute in Third Frontier Project proposals and grants.

Executive	As Passed by the House
819 BOR - 39 Ohio Agricultural Research and Development Center (OARDC)	
Section: ***371.40.80***	**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.	Same as the Executive.
820 BOR - 40 State University Clinical Teaching	
Section: ***371.40.90***	**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.	Same as the Executive.

Executive	As Passed by the House
821 BOR - 41 Capital Component	
Section: ***371.50.10***	**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.	Same as the Executive.
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 appropriation equal to the sum of these amounts from GRF appropriation items 235501, State Share of Instruction, or 235535, Ohio Agricultural Research and Development Center, to this appropriation item. Requires the transferred funds be combined with the original appropriation for this item and distributed as described above.	Same as the Executive.
822 BOR - 78 Dayton Area Graduate Studies Institute	
	Section: ***371.50.15***
No provision.	Specifies that GRF appropriation item 235553, Dayton Area Graduate Studies Institute, be used to support the Dayton Area Graduate Studies Institute.

Executive	As Passed by the House
823 BOR - 42 Library Depositories	
Section: ***371.50.20***	**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.	Same as the Executive.
824 BOR - 43 Ohio Academic Resources Network (OARnet)	
Section: ***371.50.30***	**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.	Same as the Executive.
Requires OARnet to give priority to supporting the Third Frontier Network and allocating bandwidth to programs directly supporting Ohio's economic development.	Same as the Executive.
825 BOR - 44 Long-Term Care Research	
Section: ***371.50.40***	**Section:** ***371.50.40***
Requires that GRF appropriation item 235558, Long-term Care Research, be disbursed to Miami University for long-term care research.	Same as the Executive.

Executive	As Passed by the House
826 BOR - 63 Ohio College Opportunity Grant	
Sections: ***371.50.50, 371.60.90***	**Sections:** ***371.50.50, 371.60.90***
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.	Same as the Executive.
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.	Same as the Executive.
Reappropriates the appropriation balance at the end of FY 2010 to BOR to be used for the same purpose in FY 2011.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House
827 BOR - 46 Central State University Speed to Scale	
Section: ***371.50.60***	**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.	Same as the Executive.
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.	Same as the Executive.
828 BOR - 47 The Ohio State University Clinic Support	
Section: ***371.50.70***	**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.	Same as the Executive.
829 BOR - 64 Nonpublic Need-based Financial Aid	
Section: ***371.50.80***	**Section:** ***371.50.80***
Makes the following earmarks of GRF appropriation item 235576, Nonpublic Need-Based Financial Aid:	Same as the Executive, but makes the following changes to the earmarks:

Executive	As Passed by the House
(1) $40.0 million in each fiscal year for the Private Higher Education Needs-based Financial Aid Block Grant Program.	(1) Increases to $60.0 million in each fiscal year.
(2) $30.0 million in each fiscal year for the Career College Needs-based Financial Aid Block Grant Program.	(2) Decreases to $10.0 million in each fiscal year.

830 BOR - 68 Bliss Institute

	Section: ***371.50.83***
No provision.	Requires that GRF appropriation item 235579, Bliss Institute, be used to support the Bliss Institute of Applied Politics at the University of Akron.

831 BOR - 71 Entrepreneurship Education Program

	Section: ***371.50.84***
No provision.	Requires that GRF appropriation item 235580, Entrepreneurship Education Program, be used to develop an entrepreneurship education program at North Central State College. Specifies that the program can include collaboration and partnerships with local businesses and government entities.

Executive	As Passed by the House
832 BOR - 69 Urban University Program	
	Section: ***371.50.85***
No provision.	Requires universities receiving funds under GRF appropriation item 235583, Urban University Programs, to certify periodically that program funds are being matched on a one-to-one basis with equivalent resources. Prohibits overhead support from being used to meet this requirement. Requires matching funds to come from continuing rather than one-time sources when funds received are used to support an ongoing university cost.
No provision.	Makes the following earmarks under GRF appropriation item 235583, Urban University Program: (1) $71,618 in each fiscal year to support the Center for the Interdisciplinary Study of Education and the Urban Child at Cleveland State University.
No provision.	(2) $875,586 in each fiscal year to Cleveland State University to support the Maxine Goodman Levin College of Urban Affairs.
No provision.	(3) $875,586 in each fiscal year for the Northeast Ohio Research Consortium, the Urban Linkages Program, and the Urban Research Technical Assistance Grant Program. Specifies that the distribution among the three programs be made by the chairperson of the Urban University Program.
No provision.	(4) $151,194 in each fiscal year to support a public communication outreach program (WCPN).
No provision.	(5) $169,310 in each fiscal year to support the Kent State University Learning and Technology Project.
No provision.	(6) $65,119 in each fiscal year to support the Ameritech Classroom/Center for Research at Kent State University.

Executive	As Passed by the House
No provision.	(7) $442,087 in each fiscal year to support the Polymer Distance Learning Project at the University of Akron.
No provision.	(8) $19,894 in each fiscal year to support the Kent State University/Cleveland Design Center program.
No provision.	(9) $10,199 in each fiscal year to support the Advancing-Up Program at the University of Akron.
No provision.	(10) $85,404 in each fiscal year to support the Strategic Economic Research Collaborative at the University of Toledo Urban Affairs Center.
No provision.	(11) $100,679 in each fiscal year to support the Institute for Collaborative Research and Public Humanities at the Ohio State University.
No provision.	(12) $259,900 in each fiscal year to support the Medina County University Center.
No provision.	(13) $91,650 in each fiscal year to support the Ohio State University African American and African Studies Community Extension Center.
No provision.	(14) $122,200 in each fiscal year to support the Cleveland Institute of Art.

833 BOR - 70 Rural University Projects

	Section: ***371.50.86***
No provision.	Makes the following earmarks under GRF appropriation item 235587, Rural University Projects:
No provision.	(1) $161,171 in each fiscal year for Bowling Green State University to support the Center for Policy Analysis and Public Service.
No provision.	(2) $149,891 in each fiscal year for Miami University to support the Center for Public Management and Regional

Executive	As Passed by the House
	Affairs.
No provision.	(3) $351,334 in each fiscal year for Ohio University to support the Institute for Local Government Administration and Rural Development (ILGARD).
No provision.	(4) $9,741 in each fiscal year to support the Washington State Community College day care center.
No provision.	(5) $36,556 in each fiscal year to support the COAD/ILGARD/GOA Appalachian Leadership Initiative.

834 BOR - 49 Hazardous Materials Program

Section: *371.50.90*	Section: *371.50.90*
Requires that GRF appropriation item 235596, Hazardous Materials Program, be used to support and develop hazardous materials education, studies, or programs at Ohio institutions of higher education.	Same as the Executive, but adds the following earmark:
No provision.	Earmarks $115,000 in each fiscal year for the Center for the Interdisciplinary Study of Education and Leadership in Public Service at Cleveland State University. Requires that the funds be targeted toward increasing the role of special populations in public service and not-for-profit organizations.

835 BOR - 50 National Guard Scholarship Program

Section: *371.60.10*	Sections: *371.60.10, 759.10*
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.	Same as the Executive.
Authorizes the unencumbered balance of GRF appropriation item 235599, National Guard Scholarship Programs, to be transferred to the National Guard	Same as the Executive.

Executive	As Passed by the House
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.	
No provision.	Replaces the limit of 800 full-time equivalent participants in the National Guard Scholarship Program with a limit of 1,000 ull-time equivalent participants for the 2009 summer term.

836 BOR - 84 Youngstown State Pilot Service Area Study Committee

	Section: ***371.60.15***
No provision.	Creates the Youngstown State Pilot Service Area Study Committee. Requires that the Committee examine the cost and feasibility of creating a Youngstown State Pilot Service Area, determine what counties the service area may include and the need for reciprocity agreements, and submit its recommendations in a written report to the Governor, the Speaker of the House of Representatives, and the President of the Senate not later than June 30, 2010. Requires that BOR provide administrative support for the Committee. **Fiscal effect: Increase in administrative costs for BOR.**

837 BOR - 51 Pledge of Fees

Section: ***371.60.20***	**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.	Same as the Executive.

Executive	As Passed by the House
838 BOR - 52 Higher Education General Obligation Debt Service	
Section: ***371.60.30***	**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.	Same as the Executive.
839 BOR - 53 Sales and Services	
Section: ***371.60.40***	**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.	Same as the Executive.
840 BOR - 54 Higher Educational Facility Commission Administration	
Section: ***371.60.50***	**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).	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
used by BOR.	

841 BOR - 55 Nursing Loan Program

Section: *371.60.60*	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.	Same as the Executive.
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.	Same as the Executive.

842 BOR - 56 Veterans' Preferences

Section: *371.60.70*	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.	Same as the Executive.

843 BOR - 65 State Need-Based Financial Aid Reconciliation

Section: *371.60.80*	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.	Same as the Executive.

	Executive	As Passed by the House
844	**BOR - 83** **Research Incentive Third Frontier Fund**	
		Section: ***371.60.93***
	No provision.	Requires the Director of Budget and Management, in each fiscal year, to transfer $2,000,000 cash from the General Revenue Fund to the Third Frontier Research and Development Fund (Fund 7011).
845	**BOR - 79** **Transfer and Adjustment of ARRA State Fiscal Stabilization Fund Appropriations**	
		Section: ***371.60.95***
	No provision.	Permits the Director of Budget and Management to transfer appropriations between GRF appropriation items 235501, State Share of Instruction, 235644, State Share of Instruction - Federal Stimulus - Education, and 235646, SSI - Federal Stimulus - Government Services. Requires that the Director report each transfer to the Controlling Board.
846	**BOR - 59** **Efficiency Savings**	
	Section: ***371.70.10***	**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.	Same as the Executive.

Executive	As Passed by the House
847 BOR - 62 Columbus State Community College Capital Appropriation	
Section: ***610.30***	**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.	Same as the Executive.

Executive	As Passed by the House
848 DRC - 4 Intensive Program Prisons	
R.C. ***9.06, 5120.032, and 5120.033***	**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.	Same as the Executive.
Fiscal effect: The fiscal effect of this provision is uncertain.	**Fiscal effect: Same as the Executive.**
849 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.	No provision.

Executive	As Passed by the House
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.	

850 DRC - 14 Offenses Against an Officer or Employee of an Adult Protective Services Agency

	R.C. ***2903.13, 2903.21, 2903.211, and 2903.22***
No provision.	Enhances, if the victim is an officer or employee of an adult protective services agency: (1) the penalties for assault, aggravated menacing, and menacing by stalking from a first-degree misdemeanor to either a fifth- or fourth-degree felony, depending on certain prior convictions, and (2) the penalty for menacing from a fourth-degree misdemeanor to either a first-degree misdemeanor or fourth-degree felony, depending on certain prior convictions.

Executive	As Passed by the House
	Fiscal effect: These penalty enhancements may: (1) increase the cost for municipalities and counties to prosecute and sanction certain offenders, (2) generate related additional court cost and fine revenues for both state and local governments, and (3) result in additional offenders being sentenced to prison, which, in theory, increases the Department of Rehabilitation and Correction's incarceration expenditures. The magnitude of these potential fiscal effects is uncertain.

851 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.**	No provision.

Executive	As Passed by the House
852 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 Rehabiliation and Correction staff estimate the provision will open up around 591 beds each year, and produce an annual savings estimated at $2.5 million.**	No provision.
853 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.	No provision.

Executive	As Passed by the House
Fiscal effect: DRC 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.	

854 DRC - 3 Collective Bargaining by Community Based Correctional Facility Employees

R.C. ***4117.01***	**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.	Same as the Executive.
Fiscal effect: The fiscal effect of this provision is uncertain.	**Fiscal effect: Same as the Executive.**

855 DRC - 11 Laboratory Services

	R.C. ***5120.135***
(1) No provision.	(1) Permits, rather than requires, the Department of Rehabilitation and Correction to provide laboratory services to the departments of Mental Health, Mental Retardation and Developmental Disabilities, Youth Services, and Rehabilitation and Correction.
(2) No provision.	(2) Eliminates a provision that establishes a resolution process for the departments to follow if the Department of Rehabilitation and Correction provides unsatisfactory laboratory services.
	Fiscal effect: Potential revenue loss and expenditure savings, net annual effect uncertain.

Executive	As Passed by the House
856 DRC - 2 Tobacco Use in Correctional Facilities	
R.C. ***5145.32***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
857 DRC - 8 OSU Medical Charges	
Section: ***375.10***	**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.	Same as the Executive.
858 DRC - 9 Ohio Building Authority Lease Payments	
Section: ***375.10***	**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).	Same as the Executive.

	Executive	As Passed by the House
859	**DRC - 10 Prisoner Compensation**	
	Section: ***375.10***	**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.	Same as the Executive.
860	**DRC - 12 Unit Management Model Implementation**	
		Section: ***375.10***
	(1) No provision.	(1) Requires the Department of Rehabilitation and Correction to implement the unit management model at the Southern Ohio Correctional Facility.
	(2) No provision.	(2) Requires the Department of Rehabilitation and Correction to implement the unit management model at the Mansfield Correctional Institution.
		Fiscal effect: Uncertain.
861	**DRC - 13 Justice Reinvestment Study**	
		Section: ***375.10***
	No provision.	Earmarks, in FY 2010, $100,000 from GRF appropriation item 504321, Administrative Operations, to be provided to the Council of State Governments to fund the Justice Reinvestment Study. Requires the Council to report its findings to the Governor and the General Assembly not later than July 1, 2010.

Executive	As Passed by the House
862 DRC - 17 Halfway House	
	Section: ***375.10***
(1) No provision.	(1) Earmarks $56,400 of GRF appropriation item 501405, Halfway House, in each fiscal year for support of the Community Integration and Socialization Program in Portage County.
(2) No provision.	(3) Earmarks $17,500 of GRF appropriation item 501405, Halfway House, in each fiscal year to be disbursed to the Stark Social Workers' Network.

Executive	As Passed by the House
863 RSC - 1 Independent Living Council	
Section: ***377.10***	**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.	Same as the Executive.
864 RSC - 2 Assistive Technology	
Section: ***377.10***	**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.	Same as the Executive.
865 RSC - 3 Office for People with Brain Injury	
Section: ***377.10***	**Section:** ***377.10***
Requires that GRF appropriation 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.	Same as the Executive.

Executive	As Passed by the House
866 RSC - 4 Vocational Rehabilitation Services	
Section: ***377.10***	**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.	Same as the Executive.
867 RSC - 5 Services for the Deaf	
Section: ***377.10***	**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.	Same as the Executive.
No provision.	Earmarks $60,000 in each fiscal year of GRF appropriation item 415508, Services for the Deaf, and $222,000 in each fiscal year of FED Fund 3790 appropriation item 415616, Federal – Vocational Rehabilitation, to provide vocational rehabilitation services to eligible consumers who are deaf or hard of hearing.
868 RSC - 6 Independent Living/Vocational Rehabilitation Programs	
Section: ***377.10***	**Section:** ***377.10***
Requires that FED Fund 3L40 appropriation item 415617, Independent Living/Vocational Rehabilitation Programs, be used to support vocational rehabilitation programs.	Same as the Executive.

Executive	As Passed by the House

869 RSC - 7 Social Security Reimbursement Funds

Section: *377.10*	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.	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.

870 RSC - 8 Program Management Expenses

Section: *377.10*	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.	Same as the Executive.

	Executive		As Passed by the House
871	**RSC - 12**	**Vocational Rehabilitation Services for Students**	
			Section: ***377.10***
	No provision.		Authorizes the the Director of OBM, at the request of the Chancellor of the Board of Regents, to transfer appropriation from GRF appropriation item 235502, Student Support Services, to GRF appropriation item 415506, Services for People with Disabilities in RSC.
	No provision.		Requires RSC to use any transferred funds to obtain additional federal matching funds to serve disabled students.
			Fiscal effect: Potential revenue gain.
872	**RSC - 11**	**Federal Stimulus Funds in FY 2009**	
			Section: ***601.10, 601.11***
	No provision.		Amends H.B. 2 of the 128th General Assembly to (1) increase FED Fund 3L40 appropriation item 415615, Federal Independent Living Centers or Services, by $170 in FY 2009 and (2) appropriate $245,816 in FY 2009 to FED Fund 4680 appropriation item 415618, Third Party Funding.

Executive	As Passed by the House
873 RET - 3 PERS Retirement Incentive Plans	
R.C. ***145.298***	**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.	Same as the Executive.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
874 RET - 2 State Highway Patrol Retirement System Contribution Rates	
	R.C. ***5505.15, 5505.152***
No provision.	Provides that the employer contribution rate under the State Highway Patrol Retirement System (SHPRS) is to be 26.5% of members' salaries, in place of existing law's requirement that the employer contribution be a "certain percentage" of members' salaries. Requires the Ohio Retirement Study Council (ORSC) to annually review the following: (1) the adequacy of SHPRS employee and employer contribution rates and (2) the contribution rates recommended in a report prepared by the SHPRS actuary for the upcoming year. **Fiscal effect: None to state and local governments, but may increase the ORSC's administrative costs related to the annual review requirements.**

Executive	As Passed by the House
875 RDF - 1 Additional Appropriations	
Section: ***381.10***	**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.	Same as the Executive.
876 RDF - 2 General Revenue Fund Transfers	
Section: ***381.10***	**Section:** ***381.10***
(1) 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.	(1) Same as the Executive.
(2) No provision.	(2) Requires the Director of Budget and Management to transfer $5 million in each fiscal year from the General Revenue Fund to the Public Library Fund (Fund 7065).
(3) No provision.	(3) Requires the Director of Budget and Management to transfer $11.2 million in FY 2011 from the General Revenue Fund to the Local Government Property Tax Replacement - Business Fund (Fund 7081).

Executive	As Passed by the House
877 OSB - 1 Capital Reappropriations	
Section: ***610.10***	**Section:** ***610.10***
Increases the reappropriation amount for the FY 2009 - FY 2010 biennium in appropriation item C22612, Residential Renovations, by $34,606.	Same as the Executive.

Executive	As Passed by the House
878 OSD - 1 Capital Reappropriations	
Section: ***610.10***	**Section:** ***610.10***
Increases the reappropriation amount for the FY 2009-FY 2010 biennium in capital appropriation item C22106, Storage Barn, by $53,429.	Same as the Executive.

	Executive	As Passed by the House
879	**SFC - 14** **Joint Vocational School District Facilities Funding**	
		R.C. ***133.06, 3318.44***
	No provision.	Specifies that bonds issued by a joint vocational school district (JVSD) under existing law to pay for the district's share of the project cost that are payable from a property tax for general permanent improvements, are not counted toward the district's unvoted debt limit if the district formally covenants to continue collecting the tax in sufficient amount to pay the bonds. (A similar provision currently applies to school districts.) **Fiscal effect: Provides JVSDs more flexibility in providing local funding for facilities projects.**
880	**SFC - 13** **Design Specifications for Community Schools**	
		R.C. ***3314.052***
	No provision.	Requires all community schools except e-schools to meet the classroom facility design guidelines adopted by SFC.
	No provision.	Specifies the 350 minimum service capacity for an entire classroom facility specified in the SFC guidelines for school districts does not apply to community schools. **Fiscal effect: Depending on the application of the SFC guidelines, community schools could incur additional facility costs.**

Executive	As Passed by the House
881 SFC - 3 Changes to Maintenance Levy Requirement for Accelerated Urban Districts	
R.C. ***3318.061, 3318.38, Section 385.30***	**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.	Same as the Executive.
Requires SFC to amend project agreements with the six AUI districts, if necessary, to comply with these changes.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**
882 SFC - 15 Classroom Facilities Study - New Operating Requirements	
	R.C. ***3318.312***
No provision.	Requires that SFC conduct a study of new demands upon and issues related to classroom facilities that may arise due to new operating requirements in rules adopted by the Superintendent of Public Instruction relating to expenditure and reporting standards. **Fiscal effect: Increase in SFC administrative costs to perform the study.**

Executive	As Passed by the House

883 SFC - 12 Priority for School Districts Participating in Expedited Local Partnership Program

	R.C. ***3318.36***
No provision.	Specifies that the priority for state assistance under the Classroom Facilities Assistance Program (CFAP) for a school district participating in the Expedited Local Partnership Program (ELPP) is based on the district's percentile ranking on the equity list at the time it entered into ELPP instead of on the current equity list as provided under current law. **Fiscal effect: While this provision has no effect on an ELPP district's local share percentage when it enters into a CFAP project, as that percentage is "locked" into place upon ELPP approval, it could lead to a district entering into a CFAP project agreement sooner or later depending on changes in a district's equity list rankings.**

884 SFC - 8 Common Schools General Obligation Debt Service

Section: ***385.20***	**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.	Same as the Executive.

885 SFC - 7 Operating Expenses

Section: ***385.20***	**Section:** ***385.20***
Specifies that SSR Fund 5E30 appropriation item 230644, Operating Expenses, be used by SFC to carry out its duties.	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive.

886 SFC - 6 School Facilities Encumbrances and Reappropriation

Section: ***385.20***	**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.	Same as the Executive.
Fiscal effect: The canceled encumbrances would be made available to serve other school districts.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
887 SFC - 2 Study of Community Space	
Section: ***385.40***	**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.	Same as the Executive.
Fiscal effect: Minimal. Conducting the study may result in a minimal increase in administrative costs for SFC.	**Fiscal effect: Same as the Executive.**
888 SFC - 5 Extreme Environmental Contamination of School Facilities	
Section: ***385.50***	**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.	Same as the Executive, but limits the district share under the program to 75% of the total project cost.
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.	**Fiscal effect: Same as the Executive, but lowers the cost for any school district participating in this program if they would otherwise have a local share higher than 75%. Based on the current available data, Three Rivers Local in Hamilton County would benefit from this provision as it has a 95% share and is eligible for participation in the program.**

	Executive	As Passed by the House
889	**SFC - 4** **Canton City School District Project**	
	Section: ***385.60***	**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.	Same as the Executive.
	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.	**Fiscal effect: Same as the Executive.**
890	**SFC - 10** **Raising Local Share of Classroom Facilities Project**	
		Section: ***385.70***
	No provision.	Extends until December 31, 2009, the deadline for each school district that was conditionally approved for a project under the Classroom Facilities Assistance Program in July 2008 to pass a levy to raise its share of the project cost before the project approval lapses. (The current law deadline is one year, and would be July 1, 2009.)
891	**SFC - 11** **Cincinnati School for the Creative and Performing Arts**	
		Section: ***385.80***
	No provision.	Requires SFC, notwithstanding any provision of Chapter 3318. of the Revised Code and the agreement between the Cincinnati City School District and SFC, to pay $4,000,000 to the Cincinnati School District for the School for Creative and Performing Arts, in addition to the state funds the district is scheduled to receive under its current agreement with SFC.

Executive	As Passed by the House
No provision.	Specifies that the School for the Creative and Performing Arts need not comply with the SFC's Design Manual. **Fiscal effect: Currently, Cincinnati is set to receive approximately $160.1 million (23%) of its total project cost from SFC. The additional $4.0 million for the School will increase the state total to approximately $164.1 million.**

892 SFC - 16 Eligibility for Exceptional Needs Program

	Section: ***385.85***
No provision.	Permits SFC, in FY 2010, to approve a classroom facilities project under the Exceptional Needs School Facilities Assistance Program (ENP) for a school district that (1) initially applied for ENP in FY 2008 and (2) is ranked higher than 360 on the equity list for FY 2009. (Current law generally prohibits a school district that is within three fiscal years of eligibility for the main Classroom Facilities Assistance Program from participating in ENP, which serves low-wealth and "large land area" districts.) **Fiscal effect: Based on the current available data, Greenville City School District in Darke County would be eligible for ENP assistance under this provision.**

893 SFC - 9 School Facilities Project Shares

	Section: ***385.90***
No provision.	Requires SFC to reduce by 1% a school district's portion of the cost of its state-assisted classroom facilities project if its portion as estimated in FY 2008 was one percentile lower than on an alternate equity list required by H.B. 562, the capital appropriations act of the 127th G.A.

Executive	As Passed by the House
	Fiscal effect: This provision appears to affect only Clay Local School District in Scioto County. With this change, the local share of Clay's $22.8 million project will lower by about $228,000, while the state share of the project will increase by the same amount.

894 SFC - 1 Transfers from Education Facilities Trust and Public School Building Funds to GRF

Section: ***512.50***	**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.	Same as the Executive, but adds the Public School Building Fund (Fund 7021) as another source for the transfer.
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.	Same as the Executive, but specifies the cash be deposited into a fund of SFC, rather than Fund N087 or another SFC fund.

Executive	As Passed by the House
895 SOS - 1 Acquisition of Voting Machines	
R.C. ***111.26, 152.33***	**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.	Same as the Executive, but also permits the Secretary of State to enter into leases or other agreements with the Ohio Building Authority or boards of elections as necessary.
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.	Same as the Executive.
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 optical scan 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 used from the fund to 50% of the total cost and not more than $5 million.	Same as the Executive, but permits moneys from the fund to be used to acquire all types of voting machines, marking devices, or automatic tabulating equipment instead of just marking equipment and tabulating devices for optical scan ballots. Also permits transfers of cash into the fund in addition to proceeds from the sale of bonds.
Fiscal effect: Provides a new funding source through which counties may acquire specified voting equipment.	**Fiscal effect: Same as the Executive, however, expanding the type of voting machines, marking devices and tabulating equipment to encompass all types may result in more counties using this option.**

	Executive	As Passed by the House
896	**SOS - 7** **Board of Elections Reimbursement and Education and Statewide Ballot Advertising Funds**	
		R.C. ***111.27, 3501.17***
	No provision.	Creates the Board of Elections Reimbursement and Education Fund (Fund 5FG0) in the state treasury, which is to be used by the Secretary of State to reimburse boards of elections for various purposes such as reimbursements for special elections to fill vacancies in Congress, and to provide training and educational programs. Permits the fund to receive transfers of cash pursuant to Controlling Board action, and also receive revenues from fees, gifts, grants and donations.
	No provision.	Creates the Statewide Ballot Advertising Fund (Fund 5FH0) in the state treasury, which is to be used by the Secretary of State to pay advertising costs for required public notices of statewide ballot issues. Permits the fund to receive transfers of cash pursuant to Controlling Board action.
897	**SOS - 2** **Board of Voting Machine Examiners**	
	Section: ***387.10***	**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.	Same as the Executive.

Executive	As Passed by the House
898 SOS - 3 Business Services Fund Transfer	
Section: ***387.10***	**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).	Same as the Executive, but also reappropriates the unexpended, unencumbered balance of appropriation item 050619, Election Data Collection Grant, in FY 2009 for the same purpose in FY 2010.
899 SOS - 4 HAVA Funds	
Section: ***387.10***	**Section:** ***387.10***
Requires the Director of Budget and Management, on July 1, 2009, or as soon as possible thereafter, to transfer from the GRF to the Election Data Collection Grant Fund (Fund 3AC0) all investment earnings in amounts equal to the interest earnings attributable to Fund 3AC0 in FY 2009.	Same as the Executive.
Requires the Director of Budget and Management to credit ongoing interest earnings from the Election Reform/Health and Human Services Fund (Fund 3AH0), the 2005 HAVA Voting Machines Fund (Fund 3AS0) and the Election Data Collection Grant Fund (Fund 3AC0) to the respective funds and distribute the earnings in accordance with the terms of the grant under which the money is received.	Same as the Executive.
Reappropriates the unexpended, unencumbered portions of appropriation items 050616, 2005 HAVA Voting Machines, and 050614, Election Reform/Health and Human Services, remaining at the end of FY 2010 for the same purposes in FY 2011.	Same as the Executive, also reappropriates the unexpended, unencumbered portion of appropriation item 050619, Election Data Collection Grant, remaining at the end of FY 2009 for the same purposes in FY 2010.

Executive	As Passed by the House
900 SOS - 5 Holding Account Redistribution List	
Section: ***387.10***	**Section:** ***387.10***
Requires appropriation item 050605, Uniform Commercial Code Refunds, and 050606, Corporate/Business Filing Refunds, to be used to hold revenues until they are directed to the appropriate accounts or until they are refunded, and reappropriates additional amounts if needed.	Same as the Executive
901 SOS - 6 Cash Transfer to the Corporate and Uniform Commercial Code Filing Fund	
Section: ***387.10***	**Section:** ***387.10***
Requires Director of Budget and Management to transfer $53,915.40 cash from the Public Utility Territorial Administration Fund (Fund 5590) to the Corporate and Uniform Commercial Code Filing Fund (Fund 5990).	Same as the Executive.
902 SOS - 8 Expedited Business Filings	
	Section: ***387.10***
No provision.	Earmarks $250,000 in FY 2010 from appropriation item 050321, Operating Expenses, to subsidize the first $125 of initial filing fees for specified new domestic or foreign business entities that are filed by December 31, 2009.
No provision.	Earmarks $250,000 in FY 2010 from appropriation item 050321, Operating Expenses, to subsidize the first $100 of costs associated with all level one expedited business filings for the initial filings of new domestic or foreign business entities.

Executive	As Passed by the House
903 SEN - 1 Operating Expenses	
Section: ***389.10***	**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.	Same as the Executive.

Executive	As Passed by the House
904 CSF - 1 Debt Service Costs	
Section: ***391.10***	**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.	Same as the Executive.
905 CSF - 2 General Obligation Debt Service Payments	
Section: ***518.10***	**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.	Same as the Executive.
906 CSF - 3 Lease Payments to OPFC, OBA, and Treasurer of State	
Section: ***518.20***	**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.	Same as the Executive.

Executive	As Passed by the House
907 BTA - 1 Mailing of Board of Tax Appeals Decisions	
R.C. ***5705.341, 5705.37, 5715.251, 5717.03, 5717.04***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
Commercial Activity Tax	
908 TAX - 14 Changes to the Job Creation Tax Credit	
R.C. ***122.17***	**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).	Same as the Executive, but clarifies that the credit may be based only on employee withholdings occurring on or after the day the taxpayer becomes eligible for the credit.
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.	Same as the Executive, but requires that the refund a business may pay increases from 50% of the credit allowed and taken to 75%.
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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
909 TAX - 15 Changes to the Job Retention Tax Credit	
R.C. ***122.171, 5725.98, 5729.98***	**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.	Same as the Executive, but requires the Superintendent of Insurance to consider applications filed by insurance companies and the Director of Development to consult with the Superintendent of Insurance in adopting rules to implement the credit.
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).	Same as the Executive.
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.	Same as the Executive.
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.	Same as the Executive.
No provision.	Increases the amount a business may be required to return to the state from 50% of credit allowed and taken to 75% if the business does not maintain operations at the project site for a period equal to the greater of seven years or the term of the credit plus three years.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

910 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***	**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.	Same as the Executive.
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.	Same as the Executive.
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).	Same as the Executive.
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.	Same as the Executive.
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	Same as the Executive.

Executive	As Passed by the House
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.	Same as the Executive, but requires the taxpayer not to have been required to file a return and pay the tax for 2006, 2007, or 2008 to be eligible.
Fiscal effect: The provisions will decrease revenues from the CAT. However, the amount of revenue loss is indeterminate.	**Fiscal effect: Same as the Executive.**

911 TAX - 7 Tax Reform System Implementation Fund

R.C. ***5751.20***	**R.C.** ***5751.20***
Creates the Tax Reform System Implementation Fund to which will be credited 0.85% of commercial activity tax receipts for purposes of administering the tax.	Same as the 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).	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

Corporation Franchise Tax

912 TAX - 9 New Markets Tax Credits

R.C. ***5733.01, 5733.58, 5733.98, 5725.33, 5725.98, 5729.16, 5729.98***	**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.	Same as the Executive, but requires the Treasurer of State to invoice insurance companies in the procedure to recapture credits and specifies that the existing three-year statute of limitations on assessing unpaid taxes does not apply to the recapture; limits the amount of credit allowed for any one business to $1 million; removes investments in long-term debt securities from the definition of qualified investments.
No provision.	Designates the Director of Development as the administrator of the credits and authorizes fees to defray expenses of administration of the credit. Eliminates the requirement that the issuer of equity investments certify to the Director the anticipated amount of qualified investments.

Executive	As Passed by the House
Fiscal effect: Decreases revenues from the corporate franchise tax and insurance taxes. The revenue impact would potentially start in FY 2012.	**Fiscal effect: Same as the Executive.**

Personal Income Tax

913 TAX - 6 Increase to the Technology Investment Tax Credit Limit

R.C. ***122.151***	**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.	Same as the Executive.
Fiscal effect: Decreases revenues from the personal income tax, the public utility tax, or the dealers in intangibles tax.	**Fiscal effect: Same as the Executive.**

914 TAX - 20 Motion Picture Production Tax Credit

R.C. ***122.85, 5733.58, 5733.98, 5747.66, 5747.98***	**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 eligible production expenditures for a motion picture production.	Same as the Executive, but specifies the credit equals 35% rather than 25% of total payroll expenditures on behalf of resident cast and crew wages.
Defines eligible production expenditures as those expenditures for goods or services purchased and consumed in Ohio including cast and crew wages. Limits credit eligible expenditures for nonresident cast and crew wages to only one-tenth of the payroll expenditure.	Same as the Executive, except does not limit any expenditures for nonresident cast and crew wages.
Specifies motion picture productions eligible for the tax credit to include feature-length films, documentaries, and television series and other specified productions.	Same as the Executive, but (1) expands productions eligible for the credit to include sound recordings, videos, music videos, videogames, commercials, interactive television and games, any format of digital media, and certain other specified productions, and also (2) limits productions eligible for the credit by excluding productions

Executive	As Passed by the House
	for purposes of political advocacy.
Requires Ohio production expenditures to exceed $1.2 million before a credit is authorized.	Same as the Executive, but decreases the minimum production expenditure threshold for the credit from $1.2 million to $300,000.
Limits the amount of credits that may be allowed to $20 million per fiscal biennium and $5 million per production.	Same as the Executive, but further limits the amount of the tax credit allowed in the first year of the biennium to $10 million.
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.	Same as the Executive, but also requires the Director of Development to adopt rules pursuant to Chapter 119.
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.	Same as the Executive.
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.**	**Fiscal effect: Same as the Executive**

	Executive	As Passed by the House
915	**TAX - 40** **Income Tax Check-off: Ohio Historical Society**	
	No provision.	**R.C.** ***149.308, 5747.113, Section 803.20*** Enables taxpayers to contribute all or a portion of a taxpayer's Ohio income tax refund to the Ohio Historical Society by checking a box on the taxpayer's Ohio income tax return. **Fiscal effect: May increase contributions to the Ohio Historical Society. Costs to the Department of Taxation of administering the income tax contribution system are covered out of contributions.**
916	**TAX - 41** **Changes Made By the Federal American Recovery and Reinvestment Act of 2009**	
	No provision.	**R.C.** ***5701.11*** Incorporates into Ohio's tax law changes made to federal tax law since December 30, 2008, and permits a taxpayer whose taxable year ends after that date, but before the effective date of the incorporated changes, to elect to apply federal law as it existed before that date. (The American Recovery and Reinvestment Act of 2009 - the federal "stimulus" bill - is the principal federal act whose tax law changes would be incorporated.) **Fiscal effect: Reduces revenues from the personal income tax by $59.8 million in FY 2010 and $10.4 million in FY 2011. Revenue loss to the GRF would be $56.3 million in FY2010 and $9.8 million in FY 2011. The combined revenue loss to LGF and PLF would be $3.5 million in FY 2010 and $0.6 million in FY 2011.**

Executive	As Passed by the House

917 TAX - 5 Personal Income Tax Assessment

Executive	As Passed by the House
R.C. ***5747.13***	**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.	Same as the Executive, except adds as a third condition for payment if the taxpayer's return was determined to be incomplete, false, fraudulent, or frivolous.
Fiscal effect: May reduce Department of Taxation receipts, however, the amount of any such reduction appears indeterminate.	**Fiscal effect: Same as the Executive.**

Property Taxes and Transfer Fees

918 TAX - 1 Manufactured and Mobile Home Tax Reduction Reimbursements

Executive	As Passed by the House
R.C. ***321.24, 319.302, 323.156, 4503.068***	**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).	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

919 TAX - 46 Special Improvement Districts

	R.C. ***1710.02, 1710.01, 1710.03, 1710.04, 1710.06, 1710.10, 1710.13***
No provision.	Authorizes the creation of a special improvement district by certain existing nonprofit corporations, and provides for the governance of the district by the existing corporation's governing board instead of the creation of a new board. (Special improvement districts currently may be created by property owners to provide public improvements or services funded by local government bonds and special assessments levied on members of the district.) Requires that the existing corporation must have certain specified purposes and must have created a police department under existing law authorizing the establishment of a police department by certain nonprofit corporations (R.C. 1702.80) in order to create a special improvement district. **Fiscal effect: May facilitate the formation of additional special improvement districts.**

Executive	As Passed by the House
920 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***	**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.)	Same as the Executive, but specifies that a school district conversion levy applies to the tax year in which voters approve it and authorizes voters to repeal a conversion levy that originally was imposed for a continuing period of time. Specifies that, if a conversion levy is repealed, reimbursement based on passage of the levy is terminated.
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.	Same as the Executive.
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.	Same as the Executive, but changes the latest year for which conversion levy reimbursement is authorized from 2025 to the thirteenth year after the year in which voters approved the conversion levy. Corrects a technical error in a provision providing for continued tangible personal property tax reimbursement for a qualifying school district fixed-sum levy if the levy is replaced with a "substitute" levy defined in section 5705.199 of the Revised Code.

Executive	As Passed by the House
Authorizes school boards to propose conversion levies for four years (2010 through 2013). Specifies that the conversion levy must raise the same amount of revenue (from Class I property) as was raised from the levies being replaced.	Same as the Executive, but extends the period during which school boards may propose conversion levies to five years (2010 through 2014). Authorizes a school board eligible to impose a conversion levy under the bill to propose that the levy raise a smaller amount (from Class I property) than the levies that the conversion levy would replace. Specifies that, if the school board chooses to levy a smaller amount, it will not receive additional compensation for the nonresidential/agricultural real property and public utility tangible personal property losses incurred by a smaller conversion levy.
No provision.	Prevents a school board eligible to impose a conversion levy under the bill from repealing fewer mills than is necessary to reduce the effective tax rate for current expense levies on residential/agricultural real property to 20 mills.
Fiscal effect: Reimbursement cost for converted millage cannot be determined because it is subject to voter behavior.	**Fiscal effect: Same as the Executive.**

921 TAX - 37 Extend Hold Harmless Provision of CAT through FY 2011

	Section: ***399.10***
No provision.	Reimburses 100% of revenue losses of local taxing units other than school districts due to the phase-out of general business tangible personal property taxes through the state's fiscal year 2011 (does not affect school districts which under current law are held harmless through FY 2011).

Executive	As Passed by the House
	Fiscal effect: Increases the payments to be made to units of local government by May 31, 2011, from fourteen-seventeenths of one-seventh of the losses to 100% of one-seventh of the losses. Adds $11,200,000 to the appropriation to line item 110981 in FY 2011 to pay these additional costs. Reduces funds available to the GRF because the source of funding for appropriation line item 110981, in fund 7081, is the commercial activity tax; shortfalls in CAT revenues from amounts needed to reimburse school districts and other units of local government are transferred from the GRF; and through FY 2011 CAT revenues in excess of amounts needed are transferred to the GRF.

922 TAX - 39 Property Tax Exemption, Remission for Lessee Port Authority

	Section: ***757.10***
No provision.	Authorizes the exemption and remittance of taxes paid on airport property leased by a port authority that was precluded from exemption because the port authority did not own the property, as required under prior law, at the time it submitted the application for exemption. **Fiscal effect: Will require the remittance of tax revenues for previous years by units of local government. Will not affect state payments to these units of local government, in LSC's estimation, because LSC does not anticipate that the Departments of Taxation or Education will adjust payments for changes to tax revenues for prior years.**

Executive	As Passed by the House
Sales and Use Taxes	
923 TAX - 23 Sales Taxation of Medicaid-Provided Health Care Services	
R.C. ***5739.01, 5739.03, 5739.033, 5739.051***	**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.	Same as the Executive, but makes technical changes.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
924 TAX - 38 Lodging Tax: Definition of Hotel	
	R.C. ***5739.09***
No provision.	Permits local authorities to modify the definition of which hotels are subject to local lodging taxes by specifying that "hotel" includes establishments at which rooms are used for the accommodation of guests regardless of whether each room is accessible through the same keyed entry; and, in determining the number of rooms, all rooms are included regardless of the number of structures in which the rooms are situated or the number of parcels of land on which the structures are located, if the structures are under the same ownership and not advertised as distinct establishments. **Fiscal effect: May increase revenues to counties, townships, or municipal corporations from the lodging tax.**
925 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.**	No provision.

Executive	As Passed by the House
Cigarette Taxes	
926 TAX - 11 Tobacco License Fee Changes	
R.C. ***5743.15, 5743.61***	**R.C.** ***5743.15, 5743.61, Section 812.10***
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.	Same as the Executive, but requires that the proposed license fees for retailers and wholesalers be paid for each place of business instead of all places of business.
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%).	Same as the Executive.
No provision.	Transfers from County Auditors to the Tax Commissioner the responsibility for issuing wholesale cigarette licenses.
No provision.	Increases the retail license replacement fee from 50 cents to $5 and the transfer fee (from one place of business to another) for such licenses from $1 to $5. Increases the wholesale license replacement fee from 50 cents to $25

Executive	As Passed by the House
	and the transfer fee from $1 to $25. Imposes a $25 fee to replace a tobacco product distribution license and to transfer such a license from one place of business to another place of business of the same licensee.
No provision.	Requires late cigarette license fees collected by county auditors to be sent to the Treasurer of State by the last day of the month following the month in which the money was collected, rather than by December 31.
No provision.	Specifies that the cigarette and tobacco product licensing provisions take effect January 1, 2010.
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.	**Fiscal effect: Same as the Executive, except the delay in implementation of the cigarette and tobacco product licensing potentially reduces revenues to the Cigarette Tax Enforcement Fund.**

Other Taxation Provisions

927 TAX - 42 Venture Capital Tax Credit

	R.C. ***150.01, 150.02, 150.03, 150.04, 150.07, and 4582.71***
No provision.	Authorizes port authorities to issue revenue bonds for the research and development purposes of Section 2p, Article VIII, Ohio Constitution, lend the bond proceeds to venture capital funds through the Ohio Venture Capital Authority Program Fund, and to claim refundable venture capital program tax credits to cover losses (claiming the credits either directly or through a trustee). The bond proceedings may include, among other terms, a covenant by the state that the venture capital tax credits shall be preserved as fully refundable tax credits in amounts sufficient to pay the port authorities' debt service and reserves for as long as the port authority bonds are outstanding.

Executive	As Passed by the House
	Fiscal effect: The provision expands the Ohio Venture Capital Program and potentially decreases state tax revenue collections. Venture capital tax credits generally may be claimed against the dealers in intangibles tax, the domestic and foreign insurance taxes, the public utility excise tax, the corporate franchise tax, and the personal income tax.

928 TAX - 3 Timing of County Auditor Reimbursement for Expense of Expanded Homestead Exemption

R.C. ***319.54***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

929 TAX - 17 Municipal Income Taxation of Justices and Certain Judges

R.C. ***718.04***	**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.	Same as the Executive, but delays the applicability of proposed changes to the municipal income tax to January 1, 2010.

Executive	As Passed by the House
Fiscal effect: None on the state. However, the provision potentially increases municipal income tax revenue to Columbus and certain other municipalities.	**Fiscal effect: Same as the Executive.**

930 TAX - 28 Use of Department of Taxation Enforcement Fund

R.C. ***2981.13***	**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.	Same as the Executive.
Fiscal effect: None	**Fiscal effect: Same as the Executive.**

931 TAX - 8 Ohio Grape Industries Fund

R.C. ***4301.43***	**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.	Same as the Executive, but specifies that the earmark of wine tax revenue credited to the Ohio Grape Industries Fund is effective July 1, 2009 rather than immediately after the bill's passage.
Fiscal effect: Maintains current revenues to the Ohio Grape Industries Fund (Fund 4960).	**Fiscal effect: Same as the Executive.**

932 TAX - 24 Employee Classification

R.C. ***5703.05***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
933 TAX - 2 Department of Taxation Notice Requirements	
R.C. ***5703.37, 4303.331, 5728.12, 5739.131, 5747.16, 5749.12, and 5751.09***	**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.	Same as the Executive.
Fiscal effect: By setting clear and uniform procedures, the provision may facilitate increased efficiency in Department of Taxation operations.	**Fiscal effect: Same as the Executive.**
934 TAX - 4 Increases in Credits to the Property Tax Administration Fund	
R.C. ***5703.80***	**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.	Same as the Executive.

Executive	As Passed by the House
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.	**Fiscal effect: Same as the Executive.**

935 TAX - 22 Domestic and Foreign Insurance Taxes - Medicaid Managed Care

R.C. ***5725.18, 5725.25, 5729.03***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

936 TAX - 27 Technical Corrections - Personal Property Tax, and Corporate Franchise Tax

R.C. ***5733.04, 5711.33***	**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.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
937 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.	No provision.
Fiscal effect: Potential revenue loss, but the amount is indeterminate.	
938 TAX - 21 School District Income Tax	
R.C. ***5748.02, 3317.021, 3317.0216, 3317.08, 5748.03***	**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.	Same as the Executive.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
939 TAX - 12 Salt Severance Tax Revenue Use	
R.C. ***5749.02(B)***	**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.)	Replaces the Executive provision with a provision that requires that all revenue from the salt severance tax be credited to the Geological Mapping Fund.
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 Fund 5290.	**Fiscal effect: Eliminates the revenue increase to Fund 5140 and instead allocates that increase to the Geological Mapping Fund (Fund 5110).**
940 TAX - 47 Technical Changes	
	Section: ***399.10***
No provision.	Changes the name of the Litter Control and Natural Resource Tax Administration Fund to the Income Tax Contribution Administration Fund (Fund 4370).
	Fiscal effect: None.
Appropriation Language	
941 TAX - 29 Homestead Exemption, Property Tax Rollback, and Tangible Tax Exemption	
Section: ***399.10***	**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.	Same as the Executive.

Executive	As Passed by the House
942 TAX - 30 Municipal Income Tax	
Section: ***399.10***	**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.	Same as the Executive.
943 TAX - 31 Tax Refunds	
Section: ***399.10***	**Section:** ***399.10***
Specifies that appropriation item 110635, Tax Refunds, in the Agency Fund Group, be used to pay for tax refunds under section 5703.052 of the Revised Code. Appropriates additional amount if necessary.	Same as the Executive.
944 TAX - 32 International Registration Plan Audit	
Section: ***399.10***	**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.	Same as the Executive.
945 TAX - 33 Travel Expenses for the Streamlined Sales Tax Project	
Section: ***399.10***	**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.	Same as the Executive.

Executive	As Passed by the House
946 TAX - 34 Centralized Tax Filing and Payment Fund	
Section: ***399.10***	**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.	Same as the Executive.
947 TAX - 35 Tobacco Settlement Enforcement	
Section: ***399.10***	**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.	Same as the Executive.
948 TAX - 25 Income Tax Distribution to Counties	
Section: ***503.70***	**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.	Same as the Executive.
Fiscal effect: May require appropriation and expenditure of funds in the GRF.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
949 DOT - 61 Division of Equal Opportunity	
	R.C. ***5501.04***
No provision.	Creates a Division, and a Deputy Director of, Equal Opportunity in DOT and requires the new Division to ensure that all groups protected by state and federal civil rights laws are afforded equal opportunity in the employment of or on projects of DOT and to participate in contracts DOT awards.
No provision.	Requires the Director of DOT to report to the Governor and the General Assembly on the Division's activities and accomplishments.
	Fiscal effect: Likely minimal. DOT's Office of Civil Rights, currently housed under DOT's Chief Legal Counsel, already performs the duties that would be required of the proposed division. There may be some new payroll costs associated with the Deputy Director position. There may also be some administrative costs to reflect the organizational changes associated with the Office of Civil Rights' duties being housed under the Division of Equal Opportunity rather than the Chief Legal Counsel, but these are likely to be minimal.
950 DOT - 62 Southeastern Ohio Port Authority Container-on-Barge Study	
	Section: ***503.95***
No provision.	Earmarks $100,000 in FY 2010 from Highway Operating Fund appropriation item 771412, Planning and Research - Federal, for the Southeastern Ohio Port Authority to conduct a study of and to implement container-on-barge service on the Ohio River.
No provision.	Requires the study to take into account cargo origin and destinations, cost comparisons, target cargoes, and required infrastructure to connect with surface

Executive	As Passed by the House
	transportation.
951 DOT - 63 Motor Fuel Tax Revenue Distribution	
	Section: ***506.20***
No provision.	Requires the first 2% of monthly motor fuel tax receipts to be deposited to the credit of the Highway Operating Fund (Fund 7002).
No provision.	Permits the Director of OBM, upon the request of the Director of Public Safety, to make periodic transfers of cash totaling $16,220,000 in each fiscal year from Fund 7002 to the State Highway Safety Fund (Fund 7036). **Fiscal effect: Gain in revenue to Fund 7002 of approximately $36.4 million per year, based on FY 2008 motor fuel tax receipts of $1.82 billion. When the transfers to Fund 7036 are taken into account, the net gain to Fund 7002 is approximately $20.2 million per year.**

Executive	As Passed by the House
952 TOS - 5 Deferred Compensation Program for Public Employees	
	R.C. ***148.02, 148.04, 148.05, 3105.87***
No provision.	Specifies that the Treasurer of State is the custodian of contributions into the deferred compensation program.
No provision.	Requires, when an individual becomes employed in a position paid by warrant of the Director of Budget and Management, the individual's employer to provide information to the employee regarding the benefits of deferred compensation and to secure the employee's election to participate or not participate in a deferred compensation program. Requires such an election to be filed with the program not later than 30 days after the employee's employment begins.
No provision.	Removes a list of particular deferred funds investments that must be made available.
No provision.	Provides for the confidentiality of certain records maintained by the Ohio Public Employees Deferred Compensation Board on an individual who is a participating employee or continuing member, and specifies the circumstances under which otherwise confidential records may be released.
	Fiscal effect: None.

Executive	As Passed by the House
953 TOS - 1 Office of the Sinking Fund	
Section: ***403.20***	**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.	Same as the Executive.

Executive	As Passed by the House
954 TOS - 2 Police and Fire Death Benefit Fund	
Section: ***403.20***	**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.	Same as the Executive.
955 TOS - 3 Tax Refunds	
Section: ***403.20***	**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.	Same as the Executive.

Executive	As Passed by the House
956 TOS - 4 Action to Establish Funds in State Treasury	
Section: ***512.70***	**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.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House

957 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***	**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.	Same as the Executive.
(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.	Same as the Executive.
(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.	Same as the Executive.
Fiscal effect: Potential savings from the consolidation of the back office support functions of the Ohio Tuition Trust Authority and Board of Regents.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
958 TTA - 2 Abolishment of Index Savings Plan Fund	
Section: ***405.10***	**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.	Same as the Executive.
959 TTA - 3 Abolishment of Banking Products Fund	
Section: ***405.10***	**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.	Same as the Executive.

Executive	As Passed by the House
960 VTO - 1 Release of Funds	
Section: ***407.10***	**Section:** ***407.10***
Specifies that the Director of Budget and Management may release the GRF subsidies to the 13 veterans' organizations receiving funds.	Same as the Executive.

Executive	As Passed by the House
961 DVS - 1 Purchasing Without Competitive Selection	
R.C. ***127.16***	**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.	Same as the Executive.
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.	Same as the Executive.
Fiscal effect: None. It is assumed that the United States Department of Veterans Affairs is able to get the best and lowest price.	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House
962 DVM - 1 Veterninary Loan Repayment Program	
	R.C. ***4741.41, 4741.44 - 4741.46, Section 515.20***
No provision.	Transfers the administration of the Veterinarian Loan Repayment Program from the Ohio Board of Regents to the State Veterinary Medical Licensing Board. **Fiscal effect: Minimal increase in costs to administer loan repayment program.**

Executive	As Passed by the House
963 DYS - 4 County Juvenile Felony Delinquent Care and Custody Fund	
R.C. ***5139.43***	**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 the Department to withhold and reallocate, not an amount equal to moneys in the county's Fund that exceed the total moneys allocated to the Fund during the preceding fiscal year, but rather an amount equal to any moneys in the county's Fund that exceed 50% of the total moneys allocated in FY 2010, and 25% of the total moneys allocated in subsequent fiscal years.	Replaces the Executive provision with a provision that: (1) provides that the maximum balance carry-over at the end of each respective fiscal year in the Felony Delinquent Care and Custody Fund in any county cannot exceed an amount calculated pursuant to a formula set forth in the section, unless the county is granted an exemption by the Department of Youth Services, (2) specifies under that formula that, for FY 2008, the maximum balance carry-over is 100% of the FY 2007 allocation to be applied in determining the FY 2009 allocation, for FY 2009, it is 50% of the FY 2008 allocation to be applied in determining the FY 2010 allocation, for FY 2010, it is 25% of the FY 2009 allocation to be applied in determining the FY 2011 allocation, and for each fiscal year subsequent to FY 2010, it is 25% of the immediately preceding fiscal year's allocation to be applied in determining the allocation for the next immediate fiscal year, and (3) requires the Department to withhold from future payments in any fiscal year to a county an amount equal to any moneys in the county's Fund that exceed the applicable maximum balance carry-over for that county in that fiscal year and to reallocate the amount withheld.
Fiscal effect: Presumably, as a result of this provision, certain counties may receive certain state subsidy moneys to which they are entitled more promptly than might otherwise have been the case under current law and practice.	**Fiscal effect: Presumably, the change will encourage counties to expend state juvenile justice subsidy moneys more promptly than might otherwise have been the case under current law and practice.**

Executive	As Passed by the House
964 DYS - 1 Ohio Building Lease Authority Payments	
Section: ***413.10***	**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.	Same as the Executive.
965 DYS - 2 Education Reimbursement	
Section: ***413.10***	**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.	Same as the Executive.
966 DYS - 3 Employee Food Service and Equipment	
Section: ***413.10***	**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.	Same as the Executive.

Executive	As Passed by the House
967 DYS - 5 Behavioral Health/Juvenile Justice Programs	
	Section: ***413.10***
No provision.	Requires $2,500,000 of the amount appropriated to GRF appropriation item 470401, RECLAIM Ohio, in each fiscal year to be used to support Behavorial Health/Juvenile Justice programs.

Executive	As Passed by the House
Local Government Provisions	
968 MIS - 9 Reverse Internet Auctions	
	R.C. ***9.314, 9.317***
No provision.	Prohibits the state and political subdivisions from using internet reverse auctions to purchase supplies or services if the contract concerns the design, construction, alteration, repair, reconstruction, or demolition of a building, highway, road, street, alley, drainage system, water system, waterworks, ditch, sewer, sewage disposal plant, or any other structure or works of any kind. **Fiscal effect: It is uncertain how widely this bidding process is used on design and construction projects, and thus the effect on design and construction costs is unclear.**
969 MIS - 4 Contractor Compliance with Local Law	
	R.C. ***125.24, 153.013***
No provision.	Requires contractors to comply with any workforce regulation or ordinance enacted by a political subdivision when performing a contract in that political subdivision when that contract is made by the state or is funded in whole or in part by state funds. **Fiscal effect: If local workforce regulations or ordinances are more stringent than state regulations or laws, then the provision could result in greater costs for public improvements or goods and services.**

	Executive	As Passed by the House
970	**MIS - 14** **Certain County Sheriff and Law Enforcement Accident Report Fees**	
		R.C. ***311.17, 2949.17, 5502.12***
	(1) No provision.	(1) Increases certain fees that a sheriff charges for the service and return of certain writs and orders and for transporting convicted felons to state correctional institutions.
	(2) No provision.	(2) Requires a charge of $4 for accident reports and $4 for photos or any electronic format related to accident reports.
		Fiscal effect: Liklely annual increase of uncertain magnitude in fees collected by the Department of Public Safety and various local law enforcement agencies.
971	**MIS - 12** **County Land Reutilization Corporations**	
		R.C. ***323.78, 1724.04***
	No provision.	Authorizes all counties, not just those with a population greater than 1.2 million (Cuyahoga County) to create a county land reutilization corporation to dispose of tax-delinquent real property, and to shorten the time allowed for delinquent property owners to redeem tax-foreclosed property before it is sold or otherwise disposed of by the county.
		Fiscal effect: The number of tax-delinquent properties acquired will depend on the available resources for each county land reutilization corporation.
972	**MIS - 10** **Municipal Property Auctions**	
		R.C. ***721.15***
	No provision.	Reduces, from fifteen to ten, the minimum number of days for bidding when a nonchartered municipal corporation sells personal property by internet auction.

	Executive		As Passed by the House
973	**MIS - 11**	**Court Employee Collective Bargaining Exemption**	
	No provision.		**R.C.** ***4117.01*** Removes the exemption for employees and officers of the court and employees of the clerks of courts who perform a judicial function from the Public Employee Collective Bargaining Law. **Fiscal effect: The impact on pay and benefits would depend on the terms of the collective bargaining contracts in jurisdictions where employees opt for representation.**
974	**MIS - 5**	**County Boards of Revision Membership**	
	No provision.		**R.C.** ***5715.02*** Requires that a member of the board of county commissioners, rather than the president of the board of county commissioners be a member of the county board of revision.
975	**MIS - 8**	**Discounts or Reductions on Water and Sewer Service for Certain Persons 65 Years of Age or Older**	
	No provision.		**R.C.** ***6103.01, 6103.02, 6117.01, 6117.02, 6119.011, 6119.091*** Authorizes a board of county commissioners for a sewer district, and a board of trustees for a regional water and sewer district, to offer discounts or reductions on water and sewer rates, rentals, or charges to persons 65 years of age or older who are eligible for the homestead exemption or qualify as low- and moderate-income persons. **Fiscal effect: Potential reduction in water and sewer revenues for districts that provide the discount, dependent upon the number of eligible residents.**

	Executive	As Passed by the House
976	**MIS - 7**	**Ohio Commission on Local Government Reform and Collaboration**
		Sections: ***610.30, 610.31***
	No provision.	Requires that the Ohio Commission on Local Government Reform and Collaboration, when developing its recommendations, consider making annual financial reporting across local governments consistent for ease of comparison and aligning regional planning units across state agencies.
977	**MIS - 13**	**Land Conveyance from ODMH to Dayton Public School District/Dayton Board of Education**
		Section: ***753.20***
	No provision.	Conveys about 45 acres from the state (DMH) to the Dayton Public School District.
	No provision.	Specifies that the cost of the above conveyance is to convey about 9 acres of land adjacent to the remaining Twin Valley Behavioral Healthcare - Dayton Campus from the Dayton Public School District to the state subject to certain conditions; if the conditions are not met, in lieu of conveying the 9 acres to the state, requires the school district to pay $1,175,000, into the Mental Health Trust Fund (Fund 4P90) for the 45 acres of land.
	No provision.	Requires the Auditor of State, with the Attorney General's assistance, to prepare a deed stating the consideration, and requires the school district to present the deed for recording in the Montgomery County Recorder's office and pay all costs associated with conveyance of the real estate transferred to the state, including recordation costs of the deed.
	No provision.	Prohibits the school district, during any period that any bonds issued by the state to finance or refinance all or a portion of the real estate are outstanding, from using any

Executive	As Passed by the House
	portion of the real estate for a private business use without the state's prior written consent. **Fiscal effect: Reduces DMH's land maintenance costs and increases costs to the school district to meet the conditions of the conveyance.**

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(AMB) Ohio Medical Transportation Board

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