

Executive

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1 SFC - 20 Allocation of National School Construction Bond Limitation

No provision.

No provision.

No provision.

R.C. 133.022

Authorizes the Ohio School Facilities Commission, in consultation with the Director of Budget and Management, to allocate the state's portion of the national qualified school construction bond limitation, including any portion that was originally allocated directly to a local education agency (LEA) but reallocated by the LEA to the state and to establish procedures and adopt guidelines for making allocations.

No provision.

No provision.

No provision.

Specifies that the factors to be considered when making allocations include (1) the interests of the state with regard to education and economic development and (2) the need and ability of each issuer to issue obligations.

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<p>2 SFC - 14 Joint Vocational School District Facilities Funding</p>	<p>R.C. 133.06, 3318.44</p> <p>No provision.</p> <p>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.)</p> <p>Fiscal effect: Provides JVSDs more flexibility in providing local funding for facilities projects.</p>	<p>R.C. 133.06, 3318.44</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the House.</p>	<p>R.C. 133.06, 3318.44</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the House.</p>
<p>3 SFC - 18 School District Bonds Maximum Security</p>	<p>No provision.</p>	<p>R.C. 133.20</p> <p>Allows securities issued by a school district for the acquisition or construction of real property to have a maximum maturity of greater than 30 years, but not greater than 40 years, if the school district fiscal officer estimates the real property's useful life to be greater than 30 years.</p>	<p>R.C. 133.20</p> <p>Same as the Senate.</p>

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		Fiscal effect: May allow school districts to extend the repayment of principal and interest associated with securities issued for acquisition or construction of real property over a longer period of time.	Fiscal effect: Same as the Senate.
4 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.	No provision.
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.	No provision.	No provision.

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5 SFC - 19 School Facilities Assistance Rankings			
No provision.	No provision.	<p>R.C. 3318.011, Section 385.93</p> <p>Specifies that if a school district's tangible personal property (TPP) valuation made up 20% or more of it's total taxable value on August 31, 2005, it's 3-year "average taxable value" used for computing wealth percentile rankings of school districts for school facilities assistance is only the 3-year average of the sum of its real property valuation (rather than of its real property valuation and its tangible personal property valuation as under current law). Continues to compute "average taxable value" as under current law for all other school districts.</p>	<p>R.C. 3318.011, Section 385.93</p> <p>Same as the Senate, but excludes public utility TPP value from the TPP value used in the 20% qualification and includes it along with real value in the calculation of average taxable value for the districts that qualify. Also, modifies the calculation of the 20% qualification by specifying the valuation be for tax year 2005 (instead of on August 31, 2005).</p>
No provision.	No provision.	<p>Requires the Department of Education to calculate and certify to SFC a new "alternate equity list" for use in FY 2010 using the bill's definition of "average taxable value", as described above. Specifies that any district already offered assistance for FY 2010 continues to be eligible for assistance that fiscal year.</p> <p>Fiscal effect: Some districts may be lower on the equity list and some may be higher in FY 2010. The equity list affects a district's local share and when a district is served under SFC's Classroom Facilities Assistance Program.</p>	<p>Same as the Senate.</p> <p>Fiscal effect: Same as the Senate.</p>

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<p>6 SFC - 3 Changes to Maintenance Levy Requirement for Accelerated Urban Districts</p>			
<p>R.C. 3318.061, 3318.38, Section 385.30</p>	<p>R.C. 3318.061, 3318.38, Section 385.30</p>		<p>R.C. 3318.061, 3318.38, Section 385.30</p>
<p>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.</p>	<p>Same as the Executive.</p>	<p>No provision.</p>	<p>Same as the Executive.</p>
<p>Requires SFC to amend project agreements with the six AUI districts, if necessary, to comply with these changes.</p>	<p>Same as the Executive.</p>	<p>No provision.</p>	<p>Same as the Executive.</p>
<p>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.</p>	<p>Fiscal effect: Same as the Executive.</p>		<p>Fiscal effect: Same as the Executive.</p>

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7 SFC - 15 Classroom Facilities Study - New Operating Requirements			
No provision.	<p>R.C. 3318.312</p> <p>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.</p> <p>Fiscal effect: Increase in SFC administrative costs to perform the study.</p>	No provision.	<p>R.C. 3318.312</p> <p>Same as the House, but does not require a study, instead requires SFC director to advise the Superintendent, upon request, of the demands and issues that may arise.</p>
8 SFC - 12 Priority for School Districts Participating in Expedited Local Partnership Program			
No provision.	<p>R.C. 3318.36</p> <p>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.</p>	No provision.	<p>R.C. 3318.36</p> <p>Same as the House.</p>

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	<p>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.</p>		<p>Fiscal effect: Same as the House.</p>
<p>9 SFC - 8 Common Schools General Obligation Debt Service</p>			
<p>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.</p>	<p>Section: 385.20 Same as the Executive.</p>	<p>Section: 385.20 Same as the Executive.</p>	<p>Section: 385.20 Same as the Executive.</p>
<p>10 SFC - 7 Operating Expenses</p>			
<p>Section: 385.20 Specifies that SSR Fund 5E30 appropriation item 230644, Operating Expenses, be used by SFC to carry out its duties. Requires the Executive Director of the SFC to certify, on a quarterly basis in each fiscal year, to the Director of Budget and Management the amount of cash to be</p>	<p>Section: 385.20 Same as the Executive. Same as the Executive.</p>	<p>Section: 385.20 Same as the Executive. Same as the Executive.</p>	<p>Section: 385.20 Same as the Executive. Same as the Executive.</p>

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<p>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.</p> <p>No provision.</p>	<p>No provision.</p>	<p>Permits the Executive Director of SFC, if interest is determined to be insufficient to support operations and with approval of the Controlling Board, to transfer non-interest cash from Fund 7021 and Fund N087 to support operations of the Commission.</p>	<p>Same as the Senate.</p>

11 SFC - 6 School Facilities Encumbrances and Reappropriation

Section: 385.20

Authorizes the Director of Budget and Management, at the request of SFC's Executive Director, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within one year of Controlling Board approval. Requires the Executive Director to certify the amounts of the canceled encumbrances on a quarterly basis. Appropriates the amounts of the canceled encumbrances to the Classroom Facilities Assistance Program.

Section: 385.20

Same as the Executive.

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Same as the Executive.

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Same as the Executive

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<p>Fiscal effect: The canceled encumbrances would be made available to serve other school districts.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>
<p>12 SFC - 2 Study of Community Space</p>			
<p>Section: 385.40 Requires the Executive Director of SFC to conduct a study of spaces included in state-assisted classroom facilities projects that are used for activities, services, and programs shared between schools and other public and private entities in their communities and recommend best practices for increasing shared community spaces in future projects. The study is to be submitted to the Commission by December 31, 2009. Fiscal effect: Minimal. Conducting the study may result in a minimal increase in administrative costs for SFC.</p>	<p>Section: 385.40 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>No provision.</p>	<p>Section: 385.40 Same as the Executive, but requires the Executive Director conduct a survey instead of a study. Fiscal effect: Same as the Executive.</p>
<p>13 SFC - 5 Extreme Environmental Contamination of School Facilities</p>			
<p>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.</p>	<p>Section: 385.50 Same as the Executive, but limits the district share under the program to 75% of the total project cost.</p>	<p>Section: 385.50 Same as the House, but limits the district share under the program to 50% of the total project cost.</p>	<p>Section: 385.50 Same as the Senate.</p>

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<p>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.</p>	<p>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.</p>	<p>Fiscal effect: Same as the House, but lowers the cost for any school district participating in this program if they would otherwise have a local share higher than 50%.</p>	<p>Fiscal effect: Same as the Senate.</p>
<p>14 SFC - 4 Canton City School District Project</p>			
<p>Section: 385.60 Authorizes SFC to commit up to \$35,000,000 to the Canton City School District for construction of a combined secondary and post-secondary facility in lieu of a high school that would otherwise be authorized under Chapter 3318. of the Revised Code. Fiscal effect: None. It authorizes the continuation of the current program and does not change the state share of the school facilities project in the Canton City School District.</p>	<p>Section: 385.60 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>Section: 385.60 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>Section: 385.60 Same as the Executive. Fiscal effect: Same as the Executive.</p>

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15 SFC - 10 Raising Local Share of Classroom Facilities Project			
No provision.	<p>Section: 385.70</p> <p>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.)</p>	<p>Section: 385.70</p> <p>Same as the House.</p>	<p>Section: 385.70</p> <p>Same as the House.</p>
16 SFC - 11 Cincinnati School for the Creative and Performing Arts			
No provision.	<p>Section: 385.80</p> <p>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.</p>	<p>Section: 385.80</p> <p>Same as the House.</p>	<p>Section: 385.80</p> <p>Same as the House.</p>
No provision.	<p>Specifies that the School for the Creative and Performing Arts need not comply with the SFC's Design Manual.</p>	<p>Same as the House.</p>	<p>Same as the House.</p>

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	<p>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.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>
<p>17 SFC - 16 Eligibility for Exceptional Needs Program</p>			
<p>No provision.</p>	<p>Section: 385.85 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.)</p>	<p>Section: 385.85 Same as the House, except permits the Commission to approve one or more eligible projects between FY 2010 and FY 2012, instead of one project in FY 2010.</p>	<p>Section: 385.85 Same as the House.</p>
<p>No provision.</p>	<p>No provision.</p> <p>Fiscal effect: Based on the current available data, Greenville City School District in Darke County would be eligible for ENP assistance under this provision.</p>	<p>Removes provision of current law that prohibits school districts that are within three fiscal years of eligibility for the main Classroom Facilities Assistance Program from participating in ENP.</p> <p>Fiscal effect: Same as the House, except additional school districts may become eligible for ENP assistance.</p>	<p>No provision.</p> <p>Fiscal effect: Same as the House.</p>

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<p>18 SFC - 9 School Facilities Project Shares</p>	<p>Section: 385.90 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. 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.</p>	<p>Section: 385.90 Same as the House. Fiscal effect: Same as the House.</p>	<p>Section: 385.90 Same as the House. Fiscal effect: Same as the House.</p>
<p>19 SFC - 1 Transfers from Education Facilities Trust and Public School Building Funds to GRF</p>	<p>Section: 512.50 Requires the Director of Budget and Management to transfer \$200,000,000 cash from the Education Facilities Trust Fund (Fund N087) to the General Revenue Fund in either FY 2010 or FY 2011. Requires that \$200,000,000 cash be deposited into Fund N087, or another fund used by the SFC, by June 30, 2013, for construction and renovation of school</p>	<p>Section: 512.50 Same as the Executive, but adds the Public School Building Fund (Fund 7021) as another source for the transfer. Same as the Executive, but specifies the cash be deposited into a fund of SFC, rather than Fund N087 or another SFC fund.</p>	<p>Section: 512.50 Same as the House, except increases the transfer amount to \$250,000,000. Same as the House, except increases the amount to be deposited to \$250,000,000.</p>

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20 CSR - 4 Payment of Debt Service for Statehouse Restoration			
No provision.	No provision.	<p>Sections: 231.10, 385.20</p> <p>Permits moneys in the Statehouse Underground Parking Garage Fund (Fund 2080) to be used for personnel and operating costs of the Statehouse and underground parking garage.</p>	<p>Sections: 231.10, 385.20</p> <p>Same as the Senate.</p>
No provision.	No provision.	<p>Appropriates in the Public School Building Fund (Fund 7021), used by the School Facilities Commission, an amount necessary to pay the outstanding debt issued for the 1996 Statehouse restoration.</p>	Same as the Senate.
		<p>Fiscal effect: Increases the available amount in the Underground Parking Garage Fund (Fund 2080) to pay for Statehouse and parking garage operations.</p>	<p>Fiscal effect: Same as the Senate.</p>