

Executive

In House Finance and Appropriations

1 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.

2 AGO - 1 County Sheriffs' Pay Supplement

Section: 223.10

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

Section: 223.10

Same as the Executive.

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3 AGO - 2 County Prosecutors' Pay Supplement

Section: 223.10

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

Section: 223.10

Same as the Executive.

4 AGO - 3 Workers' Compensation Section

Section: 223.10

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

Section: 223.10

Same as the Executive.

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5 AGO - 4 Corrupt Activity Investigation and Prosecution

Section: 223.10

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

Section: 223.10

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

6 AGO - 5 General Holding Account

Section: 223.10

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

Section: 223.10

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

7 AGO - 6 Attorney General Pass-Through Funds

Section: 223.10

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

Section: 223.10

Same as the Executive.

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

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

Section: 223.10

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

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

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

Section: 223.10

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

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

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

Section: 223.10

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

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11 AGO - 10 Fund Abolishments

Section: 223.10

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

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

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

Section: 223.10

(1) No provision.

(2) Same as the Executive.

(3) Same as the Executive.

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

R.C. 173.28

Permits the Director of Aging to impose civil fines for violating prohibitions against (1) subjecting a long-term care facility resident or community long-term care services recipient to retaliation for filing a complaint or (2) denying the Long-Term Care Ombudsperson access to a long-term care facility or community-based long-term care site to investigate a complaint.

Provides that the imposition of civil fines may be in lieu of the existing criminal fines for violating the prohibitions, and requires the Attorney General to collect unpaid civil fines.

Fiscal effect: There could be a decrease in local prosecutorial costs if the Department of Aging fines a long-term care provider for violations rather than seeks action through the criminal courts. As a result, local courts would lose the fine revenues associated with these cases.

Instead, these fines would be deposited into the Regional Long-Term Care Ombudsman Program Fund (Fund 4C40), used by the Department. The amount deposited would depend on the number of violations. The Attorney General's Office may realize an increase in costs if the Office is required to prosecute cases to collect any unpaid fines.

R.C. 173.28

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

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13 DOH - 30 Asbestos Hazard Abatement

R.C. *3701.01, 3701.01, 3701.05, 3701.051, 3701.06, 3701.07, 3701.08, 3710.12, 3710.13, and 3710.141*

Requires ODH to deny the application for an asbestos hazard abatement contractor's license to any person who has been found civilly liable under environmental protection laws.

Removes ODH's authority to: (1) in an emergency, waive certification requirements for certain types of asbestos hazard abatement workers; and (2) approve alternatives to worker protection requirements that contractors and asbestos hazard evaluation specialists must follow.

Authorizes ODH to: (1) deny, suspend, or revoke a license or certificate under the Ohio Asbestos Abatement Law for a violation or threatened violation of certain federal asbestos regulations, (2) serve by personal delivery the Director of Health's order pertaining to an asbestos proceeding, and (3) issue orders to unlicensed or uncertified persons requiring any action necessary to meet a public health emergency involving asbestos. If immediate action is not taken, the Attorney General, at the request of the Director of Health, may commence a civil action for civil penalties and injunctions.

Clarifies that a licensee or certificate holder's right to demand a hearing relating to the Ohio Asbestos Abatement Laws is limited to ten business days after receiving notice of the right to a hearing.

R.C. *3701.01, 3701.01, 3701.05, 3701.051, 3701.06, 3701.07, 3701.08, 3710.12, 3710.13, and 3710.141*

Same as the Executive

Same as the Executive.

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.

Same as the Executive.

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Clarifies what constitutes an "asbestos hazard abatement activity" and an "asbestos hazard abatement project" and clarifies which provisions in the Ohio Asbestos Abatement Law apply to each of those terms.

Same as the Executive.

Revises the definition of "asbestos hazard abatement activity" to: (1) lower the amount of asbestos-containing materials needed to qualify as such an activity and (2) include the operation and maintenance of friable asbestos containing materials.

Same as the Executive.

Creates a threshold amount of friable asbestos-containing material that must be involved for an asbestos hazard abatement activity to constitute an "asbestos hazard abatement project."

Same as the Executive.

Revises the definition of "friable asbestos-containing material" to (1) change the method by which the amount of asbestos in "friable asbestos-containing material" is determined and (2) specifically include previously non-friable material that has become damaged.

Same as the Executive.

Includes inspectors as persons who are considered "asbestos hazard evaluation specialists" and expands the description of specialists' duties to apply to suspect materials.

Same as the Executive.

Expands the possible duties of an "asbestos hazard abatement project designer" to include the oversight of an asbestos hazard abatement activity.

Same as the Executive.

Removes from the definition of "asbestos hazard abatement air-monitoring technician" the exception relating to a certified industrial hygienist in training.

Same as the Executive.

Expressly limits only to asbestos hazard abatement contractors an existing prohibition against persons contracting to perform any aspect of an asbestos hazard

Same as the Executive.

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abatement project without a written contract containing specified provisions.

No provision.

Fiscal effect: It is possible that ODH could experience an increase in costs related to this provision. However, ODH could realize a gain in fee revenue to offset this. Additionally, the provision allows ODH to request that the Attorney General begin proceedings for civil actions and civil penalties and injunctions, which could increase costs to the Attorney General. The amount would depend on the number of actions required.

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

Fiscal effect: Same as the Executive.

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14 DPS - 17 Cash Transfers from Reparatons Fund to Disaster Preparedness Fund

Section: 512.20

Transfers \$350,000 in cash in each of FYs 2010 and 2011 from the Reparatons Fund (SSR Fund 4020), which is used by the Attorney General, to the Disaster Preparedness Fund (SSR Fund 5EX0), which is used by the Department of Public Safety.

Section: 512.20

Same as the Executive.