

Executive

As Passed by the House

As Passed by the Senate

LOCCD8 Publication of Legal Notices and Advertisements

R.C. 7.12, 7.16

(1) Revises the definition of a newspaper or newspaper of general circulation to a publication that has at least 25% editorial, non-advertising content, and that has a circulation of at least 50% of the households in the newspaper's retail trade zone.

(2) No provision.

(3) Notwithstanding any statute or rule that requires a state agency or political subdivision to publish a notice in a newspaper of general circulation, allows state agencies or political subdivisions to publish public notices on the state public notice web site the bill requires DAS to establish under R.C. 125.182 in lieu of publishing them in a newspaper. Specifies, however, that an entity that publishes a required notice on the web site must also publish an abbreviated notice in a newspaper providing a brief summary of the notice, a reference to the web site address for the state public notice web site where the complete notice may be found, and a telephone number to call for more information.

R.C. 7.12, 7.16, 125.182, and numerous other sections; Repealed: R.C. 7.14 and 701.04

(1) Replaces the Executive provision with provisions that revise the requirements for a newspaper to qualify as a "newspaper of general circulation" in which political subdivisions and state agencies publish public notices and advertisements and apply that definition anywhere that term is used in the Revised Code. Includes a minimum of 25% editorial content as one of the requirements. Authorizes mediation under a program operated by the court of common pleas if a newspaper's qualifications as a newspaper of general circulation are in question.

(2) Requires each newspaper to establish a "government rate" for publication of political subdivision public notices and advertisements, which cannot exceed the lowest classified advertising rate and lowest insert rate paid by other advertisers, and to post the notices and advertisements free on the newspaper's Internet web site, if the newspaper has one.

(3) Replaces the Executive provisions with the following:
 (A) Specifies that if a statute requires a state agency or political subdivision to publish a notice or advertisement two or more times in a newspaper and if the statute requiring such publication refers to R.C. 7.16, the state agency or political subdivision may use an alternative publication procedure to satisfy the multiple publication requirement by publishing the first notice or advertisement in its entirety in a newspaper of general circulation, which may be made in a preprinted insert, and by publishing a second, abbreviated notice or advertisement in a newspaper of general circulation in the state (for a state agency) or in the political subdivision,

R.C. 7.12, 7.16, 125.182, and numerous other sections; Repealed: R.C. 7.14 and 701.04

(1) Same as the House.

(2) Same as the House, but requires all legal advertisements or notices to be posted on the state public notice web site.

(3) (A) Same as the House, but expands the authority to use alternative publication methods to include public notices or advertisements required by rule (as opposed to just those required by statute).
 (B) Same as the House, but makes various changes to the requirements for the second, abbreviated notice or advertisement, which essentially requires use of the state public notice web site for the second, abbreviated notice or advertisement and makes publication on a political subdivision or state agency's web site secondary.
 Regarding (B)(b): Modifies the House provision to require the second, abbreviated notice or advertisement to include a

Executive	As Passed by the House	As Passed by the Senate
Authorizes a municipal corporation, county, or other political subdivision that is required by law to make a legal publication in a newspaper to use an insert placed in the newspaper.	<p>and on the newspaper's web site, if there is one.</p> <p>(B) Specifies that the state agency or political subdivision may eliminate any required further newspaper publications if the second, abbreviated notice or advertisement meets all of the following requirements: (a) it was published in the newspaper in which the first notice or advertisement was made and is published on that newspaper's web site if there is one; (b) it includes a statement that the notice or advertisement is posted in its entirety on the state agency's a political subdivision's web site, or on the state public notice web site established under the bill; (c) it includes the Internet addresses of the state agency, political subdivision, state public notice web site, and the newspaper as well as instructions for accessing those web sites; and (d) it must be at least one-fourth of the size of the first publication.</p> <p>(C) Prohibits a state agency or political subdivision from publishing a notice or advertisement under R.C. 7.16 if the state agency or political subdivision does not or ceases to operate and maintain a web site and if the state public notice web site is not operational.</p>	<p>title, followed by a summary paragraph or statement that clearly describes the specific purpose of the notice or advertisement and a statement that the notice or advertisement is posted in its entirety on the state public notice web site instead of on a state agency or political subdivision's web site.</p> <p>Regarding (B)(c): Modifies the House provision to require the second, abbreviated notice or advertisement to include the Internet address of the state public notice web site and the Internet address of the newspaper's, state agency's, or political subdivision's web site, if the notice is published on those web sites as well as the name, address, telephone number, and e-mail address of the entity responsible for the publication.</p> <p>Regarding (B)(d): Eliminates the House provision.</p> <p>(C) Same as the House.</p>
(4) No provision.	(4) Eliminates the requirements that certain notifications be made in newspapers of opposite politics, in two newspapers, or in newspapers with second-class mailing privileges and instead requires these notices to be made in a newspaper of general circulation in the political subdivision.	(4) Same as the House.
(5) No provision.	(5) Allows county auditors to charge a land or home owner a flat fee for the cost of publishing the land or home on the delinquent real property or delinquent manufactured home tax lists, and to place the fee as a lien on tax delinquent parcels or manufactured homes if it is not paid.	(5) Same as the House.
(6) No provision.	(6) Authorizes publication of a summary of a local government's ordinance, resolution, or rule in a newspaper of general circulation, rather than the entire ordinance, resolution, or rule.	(6) Same as the House.

Executive

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Fiscal effect: These provisions generally ease restrictions placed on state agencies and local governments related to public notifications in newspapers, which could result in savings. Although political subdivision public notice costs are unknown, state agencies paid approximately \$4.1 million in public notice advertising costs in FY 2010.

Fiscal effect: Same as the Executive, but as a result of the new government rate schedule, there could be additional savings in public notice advertising costs for political subdivisions over the amounts in the As Introduced bill.

Fiscal effect: Same as the House.

LOCCD9 Commercial Advertising on State Agency and Political Subdivision Web Sites

R.C. 9.03, 9.031

Authorizes state agencies and political subdivisions to adopt rules (in the case of state agencies) or resolutions (in the case of political subdivisions) to authorize commercial advertising on state agency and political subdivision web sites. Requires the rules or resolutions to specify the persons authorized to place the advertising on the web sites, the criteria for choosing advertisers and types of permissible advertisements, the requirements and procedures for making requests for proposals under the authority to place commercial advertisements on web sites, and any other necessary requirements and limitations for the authorization.

R.C. 9.03, 9.031

Same as the Executive.

No provision.

Modifies the current prohibition against commercial advertising by political subdivisions by allowing commercial advertising as long as it is posted on a political subdivision's web site in compliance with the authorization under the bill.

Same as the Executive.

No provision.

Fiscal effect: The provision would increase revenues for those entities that chose to offer advertising on their web sites.

Fiscal effect: Same as the Executive.

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As Passed by the House

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LOCCD5 Intergovernmental Shared Services

R.C. 9.482

Grants authority for political subdivisions to enter into contracts with one another to provide services, and specifies, in order to receive a service, a contracting recipient political subdivision must otherwise have the legal authority to exercise, perform, or render the service, and requires the legislative authorities of the contracting subdivision to approve the participation.

Provides that the political subdivision tort liability law applies to political subdivisions that are parties to an agreement and to their employees when they are rendering a service outside the boundaries of their employing political subdivisions under an agreement.

Allows employees acting outside the boundaries of their employing political subdivision, while providing a service under an agreement, to participate in any pension or indemnity fund established by the political subdivision to the same extent as while they are acting within the boundaries of the political subdivision, and entitles them to all the rights and benefits of the Workers' Compensation Law to the same extent as while they are performing a service within the boundaries of the political subdivision.

Fiscal effect: Presumably this authority would be used when the services could be provided at a lower cost.

R.C. 9.482

Same as the Executive, but requires political subdivisions that enter into an agreement for joint services under the bill to first obtain the written consent of a non-participating subdivision if the agreement is to be performed within that non-participating sub-division.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 9.482

Same as the House, but specifies that the proposed language does not prohibit agreements for the shared collection, administration, or enforcement of taxes or limit the ability of subdivisions to create and operate joint economic development zones or joint economic development districts.

Same as the House.

Same as the House.

Fiscal effect: Same as the Executive.

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As Passed by the House

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LOCCD55 Contracts for Legislative Agents

No provision.

No provision.

R.C. 101.711

Prohibits a public office from entering into a contract for a legislative agent with a cost exceeding \$50,000 per year unless the contract is approved by the Controlling Board.

Fiscal effect: May restrict the ability of state agencies, political subdivisions, higher education institutions, and other public offices to contract for legislative agents.

LOCCD24 Local Governments in Fiscal Distress

No provision.

R.C. 118.023, 118.025, 118.04, 118.05, 118.06, 118.12, 118.31, 118.99

Creates the designation of "fiscal caution" that applies to municipal corporations, counties, and townships (referred to as political subdivisions in this entry) and requires the Auditor of State to develop guidelines for identifying fiscal practices and budgetary conditions of these political subdivisions that, if uncorrected, could result in a future declaration of fiscal watch or fiscal emergency. Authorizes the Auditor of State to declare these political subdivisions to be under fiscal caution if any of those practices or conditions exist.

R.C. 118.023, 118.025, 118.04, 118.05, 118.06, 118.12, 118.31, 118.99

Same as the House.

No provision.

Requires the Auditor of State to notify a political subdivision of a declaration of fiscal caution and to request written proposals for discontinuing or correcting the fiscal practices or budgetary conditions that prompted the declaration.

Same as the House.

No provision.

Permits the Auditor of State to visit and inspect any political subdivision declared to be under a fiscal caution, and permits the Auditor to provide technical assistance to eliminate the practices or budgetary conditions that prompted the declaration of fiscal caution. Allows the Auditor to (a)

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Executive	As Passed by the House	As Passed by the Senate
No provision.	determine whether reasonable proposals have been made or actions have been taken to discontinue or correct the practices and conditions, and (b) if necessary, declare the political subdivision to be in a state of fiscal watch to prevent further fiscal decline.	
No provision.	Requires a political subdivision in fiscal watch to provide the Auditor of State with a financial recovery plan that identifies actions for eliminating the conditions that prompted the declaration, including dates of the commencement and completion of those actions, as well as a five-year forecast reflecting the effects of the actions.	Same as the House.
No provision.	Requires the Auditor of State to review and approve the financial recovery plan of a political subdivision in fiscal watch, and if the Auditor determines that a feasible financial recovery plan has not been submitted within 120 days of the declaration of fiscal watch, or within any extension of time granted, authorizes the Auditor of State to declare a state of fiscal emergency.	Same as the House.
No provision.	Makes the following changes in current law that apply to political subdivisions in fiscal emergency:	Same as the House, except:
(1) No provision.	(1) Revises the composition of, and reduces to five the number of members on, a financial planning and supervision commission established when a political subdivision is declared to be in fiscal emergency, and allows the commission chairperson to remove the appointed member if that member fails to attend three consecutive meetings.	(1) Replaces the House provision with a provision that restores the current law seven-member financial planning and supervision commission, but only for political subdivisions in fiscal emergency with populations of at least 1,000. Repeals the current law provision allowing the mayor on a commission to name a designee to attend meetings when the mayor is absent or cannot attend.
(2) No provision.	(2) Requires that the Auditor of State, rather than a financial planning and supervision commission as under current law, serve as the financial supervisor for villages or townships with a population of less than 2,500 that are in fiscal emergency.	(2) Same as the House, but decreases the population threshold from 2,500 to 1,000.

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(3) No provision.	(3) Requires that a political subdivision's financial plan include a five-year forecast reflecting the effects of the actions specified in the plan and that the plan be updated annually.	(3) Same as the House.
(4) No provision.	(4) Requires that, upon certification of the commission, all state funding for a political subdivision (except for benefit assistance to individuals) that fails to submit a financial plan, or fails to substantially comply with it, be escrowed until a plan is submitted and approved or compliance is achieved.	(4) Same as the House.
(5) No provision.	(5) Permits a commission to limit expenditures from any political subdivision fund if deemed prudent, instead of just general fund expenditures.	(5) Same as the House.
(6) No provision.	(6) Provides for the dissolution of political subdivisions that are in fiscal emergency and meet specified conditions.	(6) Same as the House, but removes counties from the provisions dissolving political subdivisions by court action due to fiscal emergency; changes, from two to four, the number of consecutive years that a municipal corporation or township must have been under a fiscal emergency before a court action could be filed to dissolve the subdivision; and specifies new procedures for a court-appointed receiver to follow when dissolving a municipal corporation or township.
(7) No provision.	(7) Specifies that an officer of a political subdivision in fiscal emergency who is convicted of certain violations of current law is ineligible to hold any public office in Ohio or be employed by a public entity in Ohio for seven years after the conviction.	(7) Same as the House.
No provision.	Clarifies that the Auditor of State must be reimbursed for any expenses incurred relating to a fiscal emergency or watch, including technical and support services.	Same as the House, but adds expenses related to fiscal caution to those expenses to be reimbursed.
No provision.	Requires the Controlling Board to provide funds to cover the costs incurred by the Auditor of State relative to a fiscal caution determination.	Same as the House, except allows (instead of requires) the Controlling Board to provide those funds.

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<p>No provision.</p>	<p>Clarifies that the Controlling Board must provide sufficient funds if necessary to reimburse the Auditor of State's expenses relating to fiscal watch and emergency.</p> <p>Fiscal effect: The Auditor of State could incur costs for overseeing political subdivisions in fiscal watch or caution, although these expenses may be reimbursed by the Controlling Board. Political subdivisions could also incur costs for compliance, which would presumably be offset through the implementation of financial recovery plans.</p>	<p>Same as the House, except allows (instead of requires) the Controlling Board to provide those funds.</p> <p>Fiscal effect: Same as the House.</p>
<hr/> <p>LOCCD42 County Public Defender Salaries</p>		
<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 120.40</p> <p>Modifies existing law by prohibiting the pay ranges established by the Board of County Commissioners for the County Public Defender and those established by the Joint County Board of County Commissioners for the Joint County Public Defender from exceeding the pay ranges for County Prosecutors, rather than from exceeding the pay ranges for the Ohio Public Defender.</p> <p>Fiscal effect: There could be a reduction in salary costs for counties in some cases.</p>
<hr/> <p>LOCCD11 Modified Work Week for Employees of Local Governments</p>		
<p>R.C. 124.34, 124.394</p> <p>Allows a county, township, or municipal corporation appointing authority to establish a modified work week schedule program for its exempt employees and requires all affected employees to participate in such an implemented program during FY 2012 and FY 2013.</p>	<p>R.C. 124.34, 124.394</p> <p>Same as the Executive.</p>	<p>R.C. 124.34, 124.394</p> <p>Same as the Executive.</p>

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<p>Permits the program to provide for a reduction from the usual work week of exempt employees immediately before the establishment of the program, provided that the reduction in hours does not exceed more than 50% of the usual hours worked.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Permits the program to be administered differently among exempt employees based on classifications, appointment categories, or other relevant distinctions.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Specifies that after June 30, 2013, a county, township, or municipal corporation may implement a modified work week program that applies to its exempt employees in the event of a fiscal emergency.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Fiscal effect: The provision will reduce personnel expenditures for those entities that implement a modified work week schedule program that reduces compensated hours for exempt employees.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>
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<p>LOCCD10 Mandatory Cost Savings Programs</p>		
<p>R.C. 124.393</p>	<p>R.C. 124.393</p>	<p>R.C. 124.393</p>
<p>Extends, from through FY 2011 to FY 2013, the authority for a county appointing authority to establish a mandatory cost savings program in which its exempt employees must participate. Expands the program to apply to townships and municipal corporations.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Extends the period in which a cost savings days program may be implemented to FY 2014 or later.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Fiscal effect: The provision could reduce personnel expenditures for those local governments that implement cost savings programs.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>

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LOCCD58	Political Subdivision Employee Health Care Coverage for Nontherapeutic Abortions	
No provision.	No provision.	<p data-bbox="1741 337 1999 370">R.C. 124.85</p> <p data-bbox="1741 386 2529 716">Prohibits the use of political subdivision funds, other than those of municipal corporations and of certain counties exercising local self-government powers, for paying the costs, premiums, or charges associated with a health care policy, contract, or plan that provides coverage, benefits, or services related to an abortion that is performed when (1) the life of the mother would not be endangered if the fetus were carried to term or (2) the pregnancy of the mother was not the result of a reported rape or incest, as continuing law does with regard to state funds.</p>
LOCCD18	Maturity of Securities Issued by Counties for Real Property	
No provision.	<p data-bbox="935 837 1177 870">R.C. 133.20</p> <p data-bbox="935 886 1714 1057">Provides that general obligation bonds issued by a county to finance the acquisition or construction of real property may have a maximum maturity of up to 40 years, instead of 30 years under current law, if supported by a certification as to its estimated useful life.</p> <p data-bbox="935 1073 1714 1174">Fiscal effect: Allows counties to finance projects with lower debt service payments, but over a longer repayment period.</p>	<p data-bbox="1741 837 1999 870">R.C. 133.20</p> <p data-bbox="1741 886 2026 919">Same as the House.</p> <p data-bbox="1741 1073 2214 1105">Fiscal effect: Same as the House.</p>

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LOCCD57 Destruction or Damage of Public Records

No provision.

No provision.

R.C. 149.351

Limits the cumulative total amount recovered in forfeiture for a violation of the prohibition against the destruction or damage of records of a public office, provides that a person is not aggrieved by such violation if clear and convincing evidence shows that the request for a record was contrived as a pretext to create liability, precludes the recovery of forfeiture by others involving the same record once a person has recovered a forfeiture, and prescribes a five-year statute of limitations for a civil action for injunctive relief or forfeiture.

Fiscal effect: This provision may reduce in some manner the financial liability that the state or a political subdivision may have otherwise faced in a civil action alleging a violation of the prohibition against the destruction or damage of public records.

LOCCD39 Records of Municipally Owned or Operated Utilities

No provision.

No provision.

R.C. 149.43

Exempts from public records law usage information, including the names and addresses of specific residential and commercial customers of municipally owned or operated utilities.

No provision.

No provision.

States that the provision allowing journalists to request the address of certain government employees applies to journalist requests for customer information maintained by a municipally owned or operated public utility, other than private financial information such as credit reports and Social Security numbers.

Executive

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LOCCD34

Regional Councils of Government - Joint Purchasing

No provision.

No provision.

R.C. 167.081

Authorizes a regional council of governments to enter into unit price contracts related to buildings or structures on behalf of member political subdivisions. Permits such contracts to include a unit price for, on a per unit basis, materials, labor, services, overhead, profit, and associated expenses for the repair, enlargement, improvement, or demolition of a building or structure if the contract is awarded pursuant to a competitive bidding procedure of a county, municipal corporation, or township or a special district, school district, or other political subdivision that is a council member; a statewide consortium of which the council is a member; or a multistate consortium of which the council is a member.

No provision.

No provision.

Provides that public notice of the contract is met if given once a week for at least two consecutive weeks in a newspaper of general circulation and if posted on the council's internet web site for at least two consecutive weeks before the date specified for receiving bids.

Executive

As Passed by the House

As Passed by the Senate

LOCCD2 County Centralized Services

R.C. 305.23

Authorizes a board of county commissioners to require county offices to use centralized purchasing, printing, transportation, vehicle maintenance, information technology (IT), human resources, revenue collection, and mail operation services.

No provision.

No provision.

No provision.

R.C. 305.23

Same as the Executive, but removes IT services from the list of services that can be centralized by a board of county commissioners.

No provision.

No provision.

No provision.

R.C. 305.23

Modifies the House provision by also specifying the types of human resources services that a board of county commissioners may centralize under the bill. Provides that the board cannot adopt a resolution establishing a centralized human resource service that requires any county office to exercise specific functions regarding the office's employees, for example, that requires the county office to conform to any classification and compensation plan.

Requires the board of county commissioners, before adopting a resolution establishing a centralized service, to inform any county office that will be impacted by the resolution of the board's desire to establish centralized services.

Authorizes the board to request any other county office to serve as the agent and responsible party for administering a centralized service or services, and authorizes that county office to enter into an agreement with the board of county commissioners to administer the centralized service or services.

Prohibits the board of county commissioners from centralizing services regarding: (1) purchases made with moneys from the special fund for the equipment needs of the county recorder, the real estate assessment fund, or from the funds that are paid out of the general fund of the county for the furtherance of justice, (2) purchases of financial software used by the county auditor, (3) the printing of county property tax bills, (4) the collection of any taxes, assessments, and fees the county treasurer is required by law to collect, or (5) purchases of computers, software, and micrographic equipment used by the county recorder.

Executive	As Passed by the House	As Passed by the Senate
<p>No provision.</p> <p>Fiscal effect: Using centralized services could reduce operating costs for county offices.</p>	<p>No provision.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Provides that the centralized services law does not authorize the board to control funds received directly by a county office under law, or to control the expenditure or use of those funds.</p> <p>Fiscal effect: Same as the Executive, but restricts the types of services that a county might centralize.</p>
<p>LOCCD25 Regional Transit Authority Membership</p>		
<p>(1) No provision.</p> <p>(2) No provision.</p>	<p>R.C. 306.322, 306.55, 306.551</p> <p>(1) Creates, until November 5, 2013, an additional procedure for counties, municipalities, and townships, by means of a ballot issue, to join a regional transit authority (RTA) that levies a property tax and that includes a county having a population of at least 400,000 (effectively limits the application of these provisions to the Toledo Area Regional Transit Authority (TARTA)). If the question of the joinder is approved by a majority of electors, specifies that the addition of a new territory in the RTA is effective immediately.</p> <p>(2) Allows, until November 5, 2013, a political subdivision that is a member of such an RTA to withdraw from the authority by placing the issue on the ballot and allows a political subdivision that withdraws from an RTA after placing the issue on the ballot to contract for the provision of transportation services. If the question of the withdrawal is approved by a majority of electors, specifies that the withdrawal of the territory in the RTA is effective one year from the date of the certification of its passage.</p>	<p>R.C. 306.322, 306.55, 306.551</p> <p>(1) Same as the House, but (a) removes the authority for a county to use the new authority to join the RTA, and (b) specifies that if a political subdivision joins by the new ballot procedure, the joinder is effective six months from the date of certification of the issue, and (c) clarifies that these provisions apply to any RTA that levies a property tax and that includes in its membership political subdivisions that are located in a county having a population of at least 400,000.</p> <p>(2) Same as the House, but (a) removes the authority for a county to use the new authority to withdraw and (b) specifies that if a political subdivision withdraws by the new ballot procedure, the withdrawal is effective six months from the date of the certification of the issue.</p>

Executive

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Fiscal effect: Uncertain. If a community "opts-out" of TARTA, TARTA would experience both a loss of property tax revenue collected from the political subdivision and, presumably, a decrease in operations costs. If a community "opts-in," TARTA would gain property tax revenue and incur increased operations costs. In addition, there may also be some marginal increase in costs for the boards of elections of Lucas and Wood counties to put additional issues on local ballots.

Fiscal effect: Same as the House.

LOCCD59

Leaseback Agreements for County Buildings

No provision.

No provision.

R.C. 307.093

Authorizes a county board of commissioners to enter into a sale and leaseback agreement in which a board agrees to convey a county-owned building to a purchaser. Requires the sale and leaseback agreement to obligate the lessor to make improvements to the building to improve functionality and reduce operating costs.

Fiscal effect: Counties that exercise this authority will obtain capital from the sale of assets and incur ongoing costs for leasing the asset from the buyer, all depending on the terms of the lease agreements.

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LOCCD56	County Automatic Data Processing Boards	
No provision.	No provision.	<p>R.C. 307.847, 307.80, 307.802, 307.803, 307.806, 307.83, 307.84, 307.842, 307.843, 307.846, 124.11, 149.38</p> <p>Permits a board of county commissioners to adopt a resolution requiring the County Automatic Data Processing Board to assume the duties of the County Records Commission and the County Microfilming Board and requires the resolution to specify the date on which the duties will be transferred.</p>
No provision.	No provision.	<p>Requires that, if a resolution is adopted to expand the duties of the Board, the prosecuting attorney, county engineer, county coroner, sheriff, and a judge of the court of common pleas be added to the membership of the board. Requires the county auditor to be the administrator of the facilities overseen by the Board, as under current law.</p>
No provision.	No provision.	<p>Requires that all assets and liabilities of the County Records Commission and the County Microfilming Board be transferred to the County Automatic Data Processing Board, if such a resolution is adopted.</p>
No provision.	No provision.	<p>Authorizes the Board, with the approval of the board of county commissioners, to contract with other political subdivisions, federal or state agencies, and other county automatic data processing or microfilming boards to provide services to one another.</p> <p>Fiscal effect: Centralizing data services under the County Automatic Data Processing Board could lead to operating efficiencies and savings.</p>

Executive

As Passed by the House

As Passed by the Senate

LOCCD40

County Recorder Continuing Education

No provision.

No provision.

R.C. 317.06

Requires a newly elected county recorder to complete at least 15 hours of continuing education approved by the Ohio Recorders' Association during the first year of the recorder's term, and complete at least 8 hours in each subsequent year of the term, and in each year of any successive term.

No provision.

No provision.

Requires the Ohio Recorders' Association to record and verify the completion of continuing education coursework and to provide a list of county recorders who have completed required coursework to the Auditor of State, and requires the Association to issue "failure to complete" notices to recorders who do not complete minimum levels of continuing education requirements.

No provision.

No provision.

Requires a board of county commissioners to approve reasonable amounts from funds appropriated to the county recorder in order to cover continuing education costs, including registration fees and travel, lodging, and meal expenses.

Fiscal effect: Potential minimal increase in expenditures from county general funds or recordation fees to cover eligible continuing education costs.

Executive

As Passed by the House

As Passed by the Senate

LOCCD20

New Community Authority Law Changes

R.C. 349.01, 349.03, 349.04, 349.06, 349.07,
349.09, 349.14, 349.17, 323.78, Section
803.50

(1) No provision.

(1) Removes the sunset date for the amendments made to the New Community Authority Law by Sub. H.B. 313 of the 128th General Assembly and makes those changes applicable to all new community authorities (NCAs), and includes off-street parking facilities in the definition of "community facilities".

No provision.

(2) No provision.

(2) Changes the organizational board of commissioners in cases where more than half of the proposed new community district lies within the boundaries of a municipal corporation, and clarifies that the alternative method of selecting successor trustees of the board of an NCA may be through elections, but that this is not the required method.

No provision.

(3) No provision.

(3) Requires that certain filings be filed with or given by the clerk of the organizational board of commissioners instead of the clerk of the board of county commissioners when the board of county commissioners is not also the organizational board of commissioners.

No provision.

(4) No provision.

(4) Provides that a "proximate city" may be any municipal corporation in which any part of the new community district is located or, if more than half of the new community district is or was located within a joint economic development district, the township containing the greatest portion of the new community district. Requires a proximate city to affirmatively disapprove a petition on the basis of good cause shown in order to halt the organization proceedings for a new community and revises the time frame within which establishment petitions must be heard and decided.

No provision.

Executive	As Passed by the House	As Passed by the Senate
(5) No provision.	(5) Provides that bonds and notes of an NCA are lawful investments for certain specified private and public entities and are acceptable as security for public moneys, and allows a county and an NCA to enter into an agreement that gives the NCA the authority to act on the county's behalf with regard to delinquent lands when a property has overdue community development charges. Provides that the agreement may permit the NCA to elect to invoke the alternative redemption period for a property that has been foreclosed on.	No provision.
(6) No provision.	(6) Provides that, upon dissolution of an NCA, the property may vest in a township upon agreement of the township, and that a new community district not wholly contained in a municipality may be less than 1,000 acres if more than half of it is located within a joint economic development district.	No provision.

LOCCD62 Lake Facilities Authorities

(1) No provision.	(1) No provision.	<p>R.C. 353.01, 353.02 to 353.17, 133.01, 135.80, 309.09, 4928.01, 5705.01, 5705.19, 5705.55, 5739.026</p> <p>(1) Authorizes one or more boards of county commissioners to create a Lake Facilities Authority (LFA) for remediating a watershed declared by the Director of Natural Resources a "watershed in distress." Creates an LFA board of directors consisting of the county commissioners of each county with territory in the "impacted lake district." Requires creation of an advisory council for each LFA, consisting of an appointee from each political subdivision with territory in the impacted lake district.</p>
(2) No provision.	(2) No provision.	<p>(2) Authorizes the new authority to levy property taxes, not to exceed one mill, with voter approval; charges against property in the distressed watershed, not to exceed 0.5% of true property value, with voter approval; a lodging tax that</p>

Executive

As Passed by the House

As Passed by the Senate

(3) No provision.

(3) No provision.

may not cause the aggregate of lodging taxes in the impacted lake district to exceed 5%, with voter approval; and user fees, including dock and campsite fees, with approval of the Director of Natural Resources.

(3) Authorizes an LFA to issue general obligation bonds up to an amount not in excess of 0.1% of the total value of property in the impacted lake district, and to issue revenue bonds and anticipation notes and bonds.

(4) No provision.

(4) No provision.

(4) Prohibits the creation of any new special district that would overlap with an LFA district if the new district would have the same powers or duties as those of the LFA. Prohibits any taxing authority from levying a property tax in the territory of an LFA if the purpose of the tax is similar to the purpose of a tax that the LFA is authorized to levy.

(5) No provision.

(5) No provision.

(5) Authorizes the Director of Natural Resources to transfer real property to an LFA to promote wetland mitigation banking, wildlife, or sporting activities, and authorizes the Division of Wildlife to enter agreements with an LFA to establish wetland or natural areas to benefit wildlife or sporting activities.

(6) No provision.

(6) No provision.

(6) Requires competitive bidding for construction projects in excess of \$25,000 except under certain circumstances. Permits, but does not require, an LFA to apply prevailing wage requirements to public improvements it undertakes or contracts for.

(7) No provision.

(7) No provision.

(7) Specifies that energy or fuel derived from algae or manure from an impacted lake district is a "renewable energy source" for the purposes of electricity generation alternative energy resource portfolio requirements of current law.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Revenue to the authority is permissive, from real property taxes or charges, lodging taxes, or dock and campsite fees. May result in general obligation bond issuance not in excess of 0.1% of the total value of property in the impacted lake district, and in issuance of revenue bonds and anticipation notes and bonds. There may be some initial costs to boards of county commissioners that choose to establish an LFA. Finally, the Department of Natural Resources could incur minimal administrative costs to enter into agreements with LFAs, which could be offset by revenues from the transfer of real property to LFAs for the purposes described above, if such a transfer is in the form of a sale.

LOCCD63 Limited Home Rule Township Law Enforcement

No provision.

No provision.

R.C. 504.16

Adds as one of the methods by which a limited home rule township may meet the requirement to provide law enforcement for the township, by designating one or more police constables.

Fiscal effect: Uncertain.

LOCCD32 Township Trustee Compensation

No provision.

No provision.

R.C. 505.24

Requires a township trustee to certify the percentage of time spent working on matters to be paid from the township general fund or from other township funds in such proportions as the kinds of services performed.

Executive

As Passed by the House

As Passed by the Senate

LOCCD44 Joint Police Districts

(1) No provision.

(1) No provision.

R.C. 505.482, various other sections of law

(1) Authorizes boards of township trustees of one or more contiguous townships and the legislative authorities of one or more contiguous municipal corporations, by adoption of a joint resolution, to create a joint police district comprising all or any part of the townships or municipal corporations as are mutually agreed upon.

(2) No provision.

(2) No provision.

(2) Requires the governing body of the joint police district to be a joint police district board composed of either all of the township trustees of each township and all of the members of the legislative authority of each municipal corporation in the district, as agreed to in the joint resolution, or of an odd number of members as agreed to in the joint resolution, as long as the members are representatives from each board of township trustees of each township and from the legislative authority of each municipal corporation in the joint police district.

(3) No provision.

(3) No provision.

(3) Authorizes the joint police district board to levy a property tax for the district's expenses in providing police protection and to issue bonds for buying police equipment.

(4) No provision.

(4) No provision.

(4) Authorizes a township or municipal corporation to join or to withdraw from an existing joint police district.

(5) No provision.

(5) No provision.

(5) Requires the treasurer of the joint police district board to execute a bond assuring the faithful performance of the treasurer's duties.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: By consolidating services into joint police districts, participating local jurisdictions could realize some manner of cost savings. The board of a joint police district is also authorized to generate revenue by levying a property tax and by issuing bonds.

LOCCD13 Source of Township Fiscal Officer Compensation

R.C. 507.09

No provision.

Allows townships to pay a township fiscal officer from township funds based on the proportion of time the fiscal officer spends on activities related to each fund, instead of only the general fund.

Fiscal effect: Gives townships the flexibility to use various funds to pay the township fiscal officer, instead of just the general fund as currently advised by the Auditor of State.

R.C. 507.09

Same as the House in allowing township fiscal officers to be paid from funds other than general fund, but instead requires township fiscal officers to document the amount of time spent providing services related to each fund by certification specifying the percentage of time spent working on matters to be paid from the various funds.

Fiscal effect: Same as the House.

LOCCD38 Township and Village Competitive Bidding Thresholds

No provision.

No provision.

R.C. 511.01, 511.12, 515.01, 515.07, 521.05, 731.14, 5549.21

Increases from \$25,000 to \$50,000 a township's competitive bidding thresholds for constructing a memorial building, monument, statue, or memorial; providing artificial lights for any road, highway, public place or building under its control for public safety or welfare; lighting improvements for streets and public ways; repairing or maintaining private sewage collection tiles; and purchasing or leasing machinery and tools used on roads and culverts.

Executive		As Passed by the House	As Passed by the Senate
No provision.		No provision.	Increases from \$10,000 to \$50,000 the threshold for submitting a question to the electors of the township regarding building, improving, enlarging, or removing a town hall.
No provision.		No provision.	Increases from \$25,000 to \$50,000 the competitive bidding threshold for expenditures of a village.
LOCCD37	Township Cemeteries		
No provision.		No provision.	R.C. 517.06 Authorizes Boards of Township Trustees to make and enforce all necessary rules and regulations for burial, interment, reinternment, or disinterment.
LOCCD29	Merger of Townships		
No provision.		R.C. 523.01, 523.02-523.08 Authorizes one or more townships to merge into a contiguous township, creating a new township upon passage of a resolution by each townships' board of trustees, subject to referendum the voters.	R.C. 523.01, 523.02-523.06, 523.09 Replaces the House provision with a provision that authorizes one or more townships to merge into a contiguous township if the merger is proposed by initiative petition and approved by the voters.
No provision.		Requires each resolution to merge townships to list (1) the necessity for the merger, (2) the townships that will merge, (3) the official name of the new township, and (4) the boundaries of the new township.	No provision.
No provision.		Requires that, upon certification of valid signatures for a referendum petition, a county board of elections place the merger question on the ballot in the same manner as regular elections for township officers, and that notice of the election be placed in a newspaper of general circulation for two consecutive weeks prior to the election.	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Prohibits a merger from being considered for at least three years after the voters reject the merger.
No provision.	Authorizes electors of the townships to propose a merger by initiative petition.	Same as the House.
No provision.	Requires merging townships to enter into a merger agreement, but if no agreement is entered into, requires the new township to function under default terms and conditions, or, if only a partial agreement is entered into, requires the new township to function under those default terms and conditions to which no agreement was reached.	Same as the House.
No provision.	Requires a merger agreement to set forth the (1) names of the former townships that were merged, (2) the name of the new township and the location of its principal office, (3) territorial boundaries of the new township, (4) the governmental organization of the new township, and other details concerning the operation of and transition to the new township.	Same as the House, but adds more topics that must be addressed in the merger agreement.
No provision.	Requires the merged township to succeed the interests of each individual township, including all (1) money, taxes, and special assessments, (2) property and property interests, (3) rights and interests in contracts, securities, bonds or notes, (4) accounts receivable and rights of action, and (5) other matters not addressed in the merger agreement.	Same as the House.
No provision.	Specifies that for townships that cannot enter into a full merger agreement as discussed above, the following eight default terms and conditions apply: (1) Members of each board of township trustees shall serve until the first general election after the merger, at which time there will be three trustees elected; (2) The township fiscal officer of the largest township, by population, shall serve as the fiscal officer for the new township;	Same as the House, except removes condition (7) in the House version.

Executive

As Passed by the House

As Passed by the Senate

- (3) Voted property tax levies shall remain in effect for parcels of real property to which they applied prior to the merger and will only apply until they expire;
- (4) The township fiscal officer shall continue to track parcels of real property and the tax revenue generated on those parcels for the purposes of retiring all debt obligations;
- (5) The State Employment Relations Board, within 60 days of the merger, shall designate the appropriate bargaining units for employees of the new township and conduct a representation election;
- (6) If the boundaries of the new township are coextensive with a special purpose district that existed at the time of the merger, the special purpose district shall be dissolved into the new township;
- (7) If the boundaries of the new township are not coextensive with a special purpose district, the new township shall remain in the existing special purpose district as a successor to the original township; and
- (8) Zoning codes that existed at the time of the merger shall remain in effect after the merger, and the townships that existed before the merger shall be treated as administrative districts within the new township for the purposes of zoning.

Fiscal effect: Depending on the merger agreement, and to the extent that services and operations can be consolidated while preserving existing revenue streams, this provision could result in reduced operating costs for the participating townships.

Fiscal effect: Same as the House.

LOCCD45

Merger Procedures for Townships and Municipalities

No provision.

No provision.

R.C. 709.43, 709.44, 709.451, 709.452

Allows the legislative authorities of a municipal corporation and township, by a two-thirds majority, to adopt a resolution or ordinance for merger.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	<p>Requires the legislative authorities of the merging subdivisions to enter into a merger agreement which must contain:</p> <ol style="list-style-type: none"> (1) The names of the municipality and township, if any, agreeing to the merger; (2) The territorial boundaries of the resulting municipality or township; (3) The date that the merger will take effect; (4) A procedure for the efficient and timely transition to the resulting municipality or township of specified services, functions, and responsibilities from each municipality or township and its respective departments and agencies; (5) A transition plan and schedule.
No provision.	No provision.	<p>Specifies that the merger will become effective 120 days after the approval of the last resolution or ordinance of the participating legislative authority, unless a referendum petition has been filed, at which time the legislative authority must certify the referendum petition to the board of elections for placement on the ballot at a special election, or the next general election</p>
No provision.	No provision.	<p>Authorizes the political subdivisions proposed for merger to present the question of merger to the voters before merging.</p>
No provision.	No provision.	<p>Specifies that a municipality merging into a township has only the rights, powers, and responsibilities afforded by law to townships, and all other authority ceases to exist on the effective date of the merger.</p>
No provision.	No provision.	<p>Clarifies that the new procedure for merger, as well as the existing procedure for merger, applies to one or more municipal corporations, one or more municipal corporations and the unincorporated area of a township, or one or more municipal corporations, whether or not adjacent to one another and an adjacent unincorporated area of a township.</p>

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Depending on the merger agreement, and to the extent that services and operations can be consolidated while preserving existing revenue streams, this provision could result in reduced operating costs for the participating subdivisions.

LOCCD27 Municipal Corporation Securities

R.C. 717.08

No provision.

Authorizes the largest municipal corporation located in the Southwestern portion of the state with a retirement system for its employees to enter into an agreement with the retirement system to issue securities for a single payment of its accrued liability to the system.

No provision.

No provision.

Specifies that the agreement may provide for a reduction in the amount of the accrued liability owed to the retirement system based on the value to the system of receiving a single payment.

No provision.

Fiscal effect: Potential savings to such municipality if it chooses to issue pension obligation bonds to satisfy its portion of unfunded accrued liability to the system. Any savings would depend on the interest rates paid by the municipality on such pension obligation bonds versus the investment return assumed by the retirement system.

LOCCD21 Joint Projects by Contracting Subdivisions

R.C. 755.16

No provision.

Authorizes educational service centers and state institutions of higher education to participate in joint projects with a joint recreation district and other contracting subdivisions, and adds educational facilities as one of the projects that may be jointly acquired, constructed, operated, or maintained.

R.C. 755.16

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	<p>Fiscal effect: Allows for construction and operating costs to be shared among additional political subdivisions, thereby reducing the expense for individual political subdivisions participating in these projects.</p>	<p>Fiscal effect: Same as the House.</p>
<p>LOCCD4 Park Bid Threshold</p> <p>R.C. 755.29</p> <p>Increases the competitive bidding threshold for contracts entered into by a board of park trustees for certain municipal park improvements from \$10,000 to \$25,000.</p>	<p>R.C. 755.29</p> <p>Same as the Executive.</p>	<p>R.C. 755.29</p> <p>Same as the Executive.</p>
<p>LOCCD35 Assistance Dogs</p> <p>No provision.</p>	<p>No provision.</p>	<p>R.C. 955.011</p> <p>Revises the definition of "mobility impaired person" to include a person who is diagnosed with autism for purposes of the statutes governing assistance dogs.</p>
<p>LOCCD48 Municipal Court Jurisdiction over the Village of West Milgrove</p> <p>No provision.</p>	<p>No provision.</p>	<p>R.C. 1901.02</p> <p>Moves jurisdiction over the Village of West Millgrove from the Fostoria Municipal Court to the Bowling Green Municipal Court.</p> <p>Fiscal effect: There will a shift in case related expenditures and court cost and fine revenue from the Fostoria Municipal Court to the Bowling Green Municipal Court.</p>

Executive

As Passed by the House

As Passed by the Senate

LOCCD49 Court Filing Fees

(1) No provision.

(1) No provision.

R.C. 1901.261, 1901.262, 1907.261, 1907.262, 2151.541, 2301.031, 2303.201

(1) Requires that expenditures of funds by municipal court judges, county court judges, juvenile court judges, domestic relations court judges, and court of common pleas judges received for computerized legal research be subject to appropriation by the board of county commissioners.

(2) No provision.

(2) No provision.

(2) Requires that expenditures of funds by municipal court judges and county court judges received for the resolution of disputes be subject to appropriation by the board of county commissioners.

Fiscal effect: These provisions could result in some change in the amount of, and purpose for which, these moneys will be spent from what would otherwise have occurred under current law and practice. The appropriated amounts could be for greater or lesser than would have otherwise occurred or could be allocated for a different mix of purposes.

LOCCD36 Sheriff Sales Notices

No provision.

No provision.

R.C. 2329.26

Specifies that notices of sheriff sales must be published at least once a week for three consecutive weeks before the day of the sale instead of just for three weeks as in current law.

Executive

As Passed by the House

As Passed by the Senate

LOCCD6 County Coroner Deposition or Testimonial Fees

R.C. 2335.061, 2335.05, 2335.06

Permits a party in a civil action to subpoena a coroner, as defined by the bill, or deputy coroner at a trial, hearing, or deposition only upon filing with the court a notice with specified information.

Requires a party that obtains the expert testimony to pay to the county treasury a "deposition fee" or a "testimonial fee," both as defined in the bill, and provides a procedure for determining such fees and for resolving disputes related to the notice and testimony.

Excludes the above provisions from current law specifying the fees and mileage allowed for witnesses in civil cases.

Fiscal effect: Gain in new deposition or testimonial fees deposited into county general funds.

R.C. 2335.061, 2335.05, 2335.06

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 2335.061, 2335.05, 2335.06

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

LOCCD28 Collection of Felony Court Costs

No provision.

R.C. 2949.14

Removes the requirement that a prosecuting attorney examine and certify each item in the bill of costs prepared by the clerk of the court of common pleas upon the conviction of a nonindigent person for a felony.

Fiscal effect: This would serve to expedite the process of submitting a bill, but otherwise has no fiscal effect.

R.C. 2949.14

Same as the House.

Fiscal effect: Same as the House.

Executive

As Passed by the House

As Passed by the Senate

LOCCD14 Township Tax Levy Expenses

R.C. 3501.17

Provides that, when a county board of elections incurs expenses related to a township tax levy ballot issue, the township board of trustees may request that those expenses be withheld from the particular township fund to which the tax is to be credited.

Fiscal effect: No net fiscal effect, but allows the costs to be allocated across applicable township funds. Under current law, the county auditor withholds election expenses from the township's next tax settlement, but nothing currently specifies which funds may be charged these expenses.

R.C. 3501.17

Same as the House.

Fiscal effect: Same as the House.

No provision.

LOCCD7 Office Space for General Health Districts

R.C. 3709.34, 3709.341

Requires a board of county commissioners to provide office space and utilities to the county's general health district board of health through FY 2011, and to provide payments in FY 2012 through FY 2015 based on specified decreasing proportions of the estimated costs of office space and utilities, with no obligation to provide or make payments for office space and utilities after FY 2015.

Relieves a board of county commissioners of its obligation to provide office space and utilities if the board of health rents, leases, lease-purchases, or acquires office space on its own.

Authorizes a board of county commissioners to donate or sell property, buildings, and furnishings to any board of health of a general or combined health district.

R.C. 3709.34, 3709.341

Same as the Executive.

Same as the Executive.

Same as the Executive.

R.C. 3709.34, 3709.341

No provision.

No provision.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Reduction in costs for boards of county commissioners since they will pay a decreasing portion of costs for office space and utilities through FY 2015 and will not be required to pay any portion after that date. Subsequent increase in costs for local boards of health in a general health district.

Fiscal effect: Same as the Executive.

LOCCD47 Local Government Regulation of Fast Food Restaurants

No provision.

No provision.

R.C. 3717.53, 3717.54

States that the Director of Agriculture has sole and exclusive authority in Ohio to regulate the provision of consumer incentive items at food service operations and defines these consumer incentive items.

No provision.

No provision.

Prohibits a political subdivision from doing any of the following: (1) Enacting, adopting, or continuing in effect local legislation relating to the provision of consumer incentive items; (2) Conditioning a license, a permit, or regulatory approval on the provision or nonprovision of food nutrition information or consumer incentive items at food service operations; (3) Banning, prohibiting, or otherwise restricting food at food service operations based on the food nutrition information or on the provision or nonprovision of consumer incentive items; (4) Conditioning a license, a permit, or regulatory approval for a food service operation on the existence or nonexistence of food-based health disparities; or (5) Banning, prohibiting, or otherwise restricting food service operations based on the existence or nonexistence of food-based health disparities.

No provision.

No provision.

Expands existing provisions that state that the Director has sole and exclusive authority to regulate the provision of food nutrition information to include in that information allergens and the designation of food as healthy or unhealthy.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Prohibits political subdivisions from enacting, adopting, or continuing in effect local legislation that bans, prohibits, or otherwise restricts a food service operation because that food service operation is characterized as a quick service or fast food restaurant.
No provision.	No provision.	States that the regulation of how food service operations are characterized is a matter of general statewide interest that requires uniform statewide regulation and that the Food Service Operations Law and rules adopted under it constitute a comprehensive plan with respect to all aspects of food service operations in Ohio.
<hr/>		
LOCCD51	Solid Waste Management District Fee Exemptions	
No provision.	No provision.	<p>R.C. 3734.577</p> <p>Provides that no solid waste management district can exempt a public sector commercial licensed hauler from a fee that is charged to private sector commercial licensed haulers by the solid waste management district.</p> <p>Fiscal effect: Solid waste management districts may collect more fee revenue through the elimination of this exemption, however, any public sector haulers that were receiving such an exemption would be paying more fees.</p>

Executive	As Passed by the House	As Passed by the Senate
LOCCD61	Use of Public Facilities for Nontherapeutic Abortions	
No provision.	No provision.	<p data-bbox="1720 324 2561 365">R.C. 5101.57</p> <p data-bbox="1720 373 2561 649">Prohibits the use of any institution, structure, equipment or physical asset that is owned, leased, or controlled by the state or any political subdivision of the state (except for municipal corporations and certain counties exercising local self-government powers) from performing or inducing an abortion except in cases in which the life of the mother is endangered or if the pregnancy was the result of a reported rape or incest.</p> <p data-bbox="1720 657 2561 836">Fiscal effect: It appears that a small percentage of abortions are performed in public hospitals and the majority of those are performed in cases of medical emergency. If this is the case, then there will be little to no fiscal impact.</p>
LOCCD17	School District Transfers from Bond Retirement Fund	
No provision.	<p data-bbox="349 941 1720 982">R.C. 5705.14</p> <p data-bbox="349 990 1720 1372">Authorizes school districts to transfer money in a bond fund or bond retirement fund to a specific permanent improvement fund, if the county budget commission determines that the money transferred will not be required to meet the obligations payable from the bond fund or bond retirement fund. (Currently, surplus money in a bond fund must be transferred to the sinking fund or bond retirement fund, and surplus money in a bond retirement fund must be transferred to the sinking fund or, if there is no sinking fund, the surplus may be transferred to any other fund but only if the court of common pleas approves.)</p>	<p data-bbox="1720 941 2561 982">R.C. 5705.14</p> <p data-bbox="1720 990 2561 1031">Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Revenue gain to certain permanent improvement funds if any transfer is made.

LOCCD3 County Quarterly Spending Plans

R.C. 5705.392

Authorizes a board of county commissioners to adopt a quarterly spending plan the second half of the fiscal year for a county office, department, or division that has spent or encumbered more than six-tenths of the amount appropriated for personal services and payroll during the first half of the fiscal year.

No provision.

R.C. 5705.392

Same as the Executive.

Authorizes a board of county commissioners to adopt a spending plan or amended spending plan during any fiscal year, setting forth separately a quarterly schedule of expenses and expenditures of appropriations from any county fund, for any county office, department, or division that, during the previous fiscal year, spent 105% or more of the total amount appropriated by the board in the annual appropriation measure. Requires the plan to stay in effect for three fiscal years, or until the county officer of the office for which the plan was adopted is no longer in office, whichever is later.

R.C. 5705.392

Same as the Executive.

Same as the House, except changes the total amount expended from 105% to 110%, and specifies this spending level only applies to personal services and payroll expenditures, and requires the plan to stay in place for two fiscal years instead of three.

LOCCD1 Enterprise Zone Extension

R.C. 5709.62, 5709.63, 5709.632

Extends the authority of local governments to offer Enterprise Zone economic development incentives from October 15, 2011 to October 15, 2012.

R.C. 5709.62, 5709.63, 5709.632

Same as the Executive.

R.C. 5709.62, 5709.63, 5709.632

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

LOCCD19

Delinquent Property Tax Certificates - Sales and Foreclosure Terms

R.C. 5721.30, 5721.31, 5721.32, 5721.37, 5721.38, 5721.42

R.C. 5721.30, 640.10, 640.11, 5721.31, 5721.32, 5721.37, 5721.38, 5721.42

No provision.

Authorizes county treasurers to shorten the deadline before which a tax certificate holder must initiate a foreclosure action to collect the taxes, from six years after the certificate was sold to three years.

Same as the House.

No provision.

Authorizes the negotiated sale of tax certificates in accordance with the requirements for current sales at public auction.

Same as the House

No provision.

Authorizes tax certificates being sold at public auction to be advertised electronically.

Same as the House.

No provision.

No provision.

Extends from December 31, 2011, until December 31, 2012, the authority of a prosecuting attorney or treasurer of a county with a population of between 800,000 and 900,000 to determine that the amount of money appropriated to the respective office from the Delinquent Tax and Assessment Collection Fund exceeds the amount required to be used by that office in collecting additional delinquent taxes and assessments, and thus expend up to 50% of the excess to pay the expenses of operating the respective office that otherwise would be payable from appropriations from the county general fund.

Fiscal effect: May reduce some public notice costs and expedite some foreclosures.

Fiscal effect: Same as the House.

Executive	As Passed by the House	As Passed by the Senate
<p>LOCCD16 County Sewer District Contracts</p>	<p>R.C. 6103.04, 6117.05</p>	<p>R.C. 6103.04, 6117.05, 6119.061</p>
<p>No provision.</p>	<p>Expands the scope of the contracting authority of a county sewer district by: (1) authorizing a board of county commissioners to convey, by mutual agreement, to a municipal corporation any part of water supply or sanitary facilities of the sewer district that are connected to facilities of the municipal corporation; and (2) authorizing a board to convey, by mutual agreement, to a municipal corporation water supply or sanitary facilities acquired or constructed by a county for the service of property located in the district that are also located in the municipal corporation or within an area that is incorporated as, or annexed to, the municipal corporation.</p>	<p>Replaces the House provisions with new provisions that are structured differently but that achieve the same substantive effect.</p>
<p>No provision.</p>	<p>No provision.</p>	<p>Declares that whenever any portion of a regional water and sewer district is incorporated as, or annexed to, a municipal corporation, the area incorporated or annexed remains under the jurisdiction of the district for purposes of the acquisition, construction, or operation of a water resource project until the project's completion or abandonment.</p>
<p>No provision.</p>	<p>No provision.</p>	<p>Establishes new contracting authority for regional water and sewer districts regarding the conveyance of water resource projects to municipal corporations.</p>

Executive

As Passed by the House

As Passed by the Senate

LOCCD31

Sanitary District for the Reduction of Biting Arthropods

No provision.

No provision.

R.C. 6115.321

Establishes procedures for the exclusion of a municipal corporation from the territory of a sanitary district established solely for the reduction of biting arthropods by allowing a question on the removal to be placed on the general election ballot. Requires the county auditor to remove any assessment on real property that applies to the district that is due on or after January 1 or July 1, whichever is earlier, following a vote in favor of removal from the district. Prohibits the county treasurer from collecting any such assessments.

LOCCD52

Dayton Public Schools Land Conveyance

No provision.

No provision.

Sections: 620.20, 620.21

Amends H.B. 1 of the 128th G.A. to extend the expiration date, from July 17, 2011 to October 16, 2013, for an authorization to convey state land (Department of Mental Health) to the Dayton Public Schools.

Fiscal effect: The extension will provide Dayton with more time to complete the required demolition and construction.

Executive

As Passed by the House

As Passed by the Senate

LOCCD23

Land Conveyance - Ripley Union Lewis Huntington School District

Section: 753.20

Authorizes the Governor to execute a deed in the name of the state conveying to the Ripley Union Lewis Huntington school district, its successors and assigns, all of the state's right, title, and interest in certain real estate located in Brown County.

Section: 753.20

Same as the House.

No provision.

No provision.

Specifies the consideration for the conveyance is the mutual benefit accruing to the state and Ripley from the use of the real estate so that a water well may be constructed and operated.

Same as the House.

No provision.

Requires Ripley to use the real estate to construct and operate a water well. Specifies that if Ripley ceases to use the real estate for the water well that all right, title, and interest in the real estate immediately reverts to the state.

Same as the House.

No provision.

Requires Ripley to pay the costs of conveyance.

Same as the House.

No provision.

Specifies that the section authorizing the land conveyance expires one year after its effective date.

Same as the House.

LOCCD26

Land Conveyance from Kent State University to Jackson Township

Section: 753.23

Authorizes the Governor to execute a deed in the name of the state conveying to the Board of Township Trustees of Jackson Township, its successors and assigns, all of the state's right, title, and interest in certain real estate located in Stark County.

Section: 753.23

Same as the House.

No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Specifies that the consideration for the conveyance is the mutual benefit accruing to the state and to Jackson Township from the use of the real estate for a fire station.	Same as the House.
No provision.	Specifies that if Jackson Township ceases to use the real estate for a fire station, that all right, title, and interest in the real estate immediately reverts to the state.	Same as the House.
No provision.	Requires Jackson Township to pay the costs of conveyance.	Same as the House.
No provision.	Specifies that the section authorizing the land conveyance expires one year after its effective date.	Same as the House.

Executive

As Passed by the House

As Passed by the Senate

DASCD11 Construction Reform

R.C. 9.33, 9.331, 9.332, 9.333, 9.334, 9.335, 123.011, 126.141, 153.01, 153.03, 153.07, 153.08, 153.50, 153.501, 153.502, 153.51, 153.52, 153.53, 153.54, 153.55, 153.56, 153.57, 153.581, 153.65, 153.66, 153.67, 153.69, 153.692, 153.693, 153.694, 153.70, 153.71, 153.72, 153.73, 153.80, 3313.46, 3353.04, 3354.16, 3357.16, 4113.61, 5540.03, 6115.20, Section 701.10

(1) Eliminates the requirement that the multiple-prime contracting method be used for public improvements, but does not prohibit its use. Authorizes public authorities, other than the Ohio Turnpike Commission, to enter into public improvement contracts with construction managers at risk (CMARs) and design-build firms (D/B firms), and to enter into public improvement contracts with general contracting firms as sole prime contractors regardless of the size of the project.

(2) Defines CMAR and prescribes the process that a public authority must use to select a CMAR. Requires a CMAR to provide a surety bond in an amount not less than the combined contract values of any work under contract prior to the establishment of the guaranteed maximum price or in the amount of the guaranteed maximum price. Subjects CMARs to the current drug-free workplace and prompt-pay laws.

(3) Defines D/B services and prescribes the process that a public authority must use to select a D/B firm. Requires a D/B firm to provide a surety bond in an amount not less than the combined contract values of any work under contract

R.C. 9.33, 9.331, 9.332, 9.333, 9.334, 9.335, 123.011, 126.141, 153.01, 153.03, 153.07, 153.08, 153.50, 153.501, 153.502, 153.51, 153.52, 153.53, 153.54, 153.55, 153.56, 153.57, 153.581, 153.65, 153.66, 153.67, 153.69, 153.692, 153.693, 153.694, 153.70, 153.71, 153.72, 153.73, 153.80, 3313.46, 3353.04, 3354.16, 3357.16, 4113.61, 5540.03, 6115.20, Section 701.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

R.C. 9.33, 9.331-9.335, 123.011, 126.141, 153.01, 153.012, 153.03, 153.07, 153.08, 153.50, 153.501-153.505, 153.51-153.56, 153.581, 153.65, 153.66, 153.67, 153.69, 153.692-153.694, 153.70-153.73, 153.80, 3313.46, 3318.111, 3353.04, 3354.16, 3357.16, 4113.61, 5540.03, 6115.20; Sections 701.10 and 701.13

(1) Replaces the Executive provision with a provision that restores the current multiple prime requirement, but makes the following exceptions only for state agencies, state institutions of higher education, counties, and school districts using School Facilities Commission assistance: a) authorizes the use of CMAR and D/B firms, regardless of the size of the project; b) authorizes the use of a general contractor, if the cost of the project is \$600,000 or less; and c) increases the minimum cost threshold for a single mechanical, electrical, or plumbing (MEP) branch or class of work to \$20,000.

(2) Same as the Executive, but specifies that the surety bond guidelines are to be established by DAS rule.

(3) Same as the Executive, but specifies that the surety bond guidelines are to be established by DAS rule.

Executive	As Passed by the House	As Passed by the Senate
<p>prior to the establishment of the guaranteed maximum price or in the amount of the guaranteed maximum price. Authorizes the public authority to require the D/B firm to carry contractor's professional liability insurance and any other insurance the public authority considers appropriate. Subjects D/B firms to the current drug-free workplace and prompt-pay laws.</p>		
(4) No provision.	(4) No provision.	(4) Permits a contract with a CMAR or a D/B firm to provide for the distribution of savings in the final cost of the project.
(5) No provision.	(5) No provision.	(5) Requires CMARs and D/B firms to receive separate bids and award separate subcontracts for MEP work. Requires that bidders on these subcontracts be certified to bid in accordance with rules adopted by DAS. Requires DAS to commission an independent study of the certification process by July 1, 2013.
(6) Permits public authorities to utilize design-assist firms on CMAR and D/B projects	(6) Same as the Executive.	(6) No provision.
(7) Requires DAS to prescribe the form for the contracts to be used by a public authority when entering into a contract with a CMAR or D/B firm.	(7) Same as the Executive.	(7) No provision.
(8) No provision.	(8) No provision.	(8) Requires DAS to adopt rules establishing the proper forms that must be used for general contracts and for subcontracts awarded by CMARs, D/B firms, and general contractors.
(9) Requires DAS to adjust the competitive bidding threshold every five years based on the average rate of inflation.	(9) No provision.	(9) Same as the Executive, but applies to multiple-prime and general contracting thresholds as well.
(10) No provision.	(10) No provision.	(10) Requires, when CMARs or D/B firms award subcontracts, that preference be given to subcontractors whose principle place of business is in Ohio.

Executive	As Passed by the House	As Passed by the Senate
(11) No provision.	(11) No provision.	(11) Specifies the rights and remedies available to subcontractors who perform work on behalf of a CMAR or D/B firm.
(12) Increases from \$50,000 to \$200,000 the minimum project cost threshold that requires competitive bidding for state projects; exempts contracts with CMARs and D/B firms from this requirement.	(12) Same as the Executive.	(12) Same as the Executive, but the increased threshold only applies to state agencies and state institutions of higher education.
(13) Permits certain public entities to advertise for bids on a public improvement project by electronic means, pursuant to rules adopted by DAS, rather than by newspaper.	(13) Same as the Executive.	(13) Replaces the Executive provision with a provision that applies the uniform public notice requirements as otherwise required under the bill.
(14) Requires that capital funds released contain a contingency reserve.	(14) Same as the Executive.	(14) Same as the Executive, but only applies this requirement to projects for which the contracts are awarded by DAS.
(15) No provision.	(15) No provision.	(15) Provides that the bill's changes to the law governing the construction of public improvements are not applicable until DAS adopts the aforementioned surety bond guidelines by rule.
Fiscal effect: Increased flexibility in construction delivery methods may enable state agencies and local governments to achieve savings on public improvements.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DASCD35	Health Care Pooling Program/School Employees Health Care Board	
R.C. 9.883, 9.90, 9.901, 305.171, 505.60, 505.601, 505.603, 1545.071, 3313.202, Section 701.20	R.C. 9.883, 9.90, 9.901, 305.171, 505.60, 505.601, 505.603, 1545.071, 3313.202, Section 701.20	R.C. 9.883, 9.90, 9.901, 305.171, 505.60, 505.601, 505.603, 1545.071, 3313.202, Sections 207.1010, 701.20, 515.60
<p>(1) Eliminates the School Employees Health Care Board and transfers the majority of the Board's duties to DAS. Renames the School Employees Health Care Fund the Public Employees Health Care Fund.</p>	<p>(1) Replaces the Executive provisions with provisions that (a) completely eliminate the School Employees Health Care Board and the School Employees Health Care Fund; (b) eliminate the requirement that all health care benefits provided to persons employed by public school districts be provided by health care plans that contain best practices established by the Board; and (c) eliminate the provision that allow any board of education member of a school district and his or her dependent children and spouse to be covered under any medical plan designed by the Board.</p>	<p>(1) Same as the Executive, but makes the following changes: (a) Transfers all equipment, assets, and records of the School Employees Health Care Board to DAS, specifies that DAS designate the Board positions, if any, to be transferred, and requires DAS and the Department of Education to enter into an interagency agreement for the transfer of equipment, assets, records, and positions to DAS; (b) Requires the Director of Budget and Management to cancel any existing encumbrances against appropriation item 200458, School Employees Health Care Board, and re-establish them against appropriation item 100403, Public Employees Health Care Program, and reappropriates the reestablished encumbrances; and (c) Renames the School Employees Health Care Fund the Political Subdivisions and Public Employees Health Care Fund.</p>
<p>(2) Requires DAS to design health insurance plans for political subdivisions, school districts (including educational service centers), and institutions of higher education. Permits any or all of the plans designed by DAS to be self-insured. Requires these plans to incorporate the best practices adopted by DAS. Requires DAS to set employee and employer health care premiums for these plans. Permits health benefits to be provided by those entities until DAS implements these new plans. Requires that any such interim plan for school district employees must contain those best practices established by the School Employees Health Care Board or by DAS.</p>	<p>(2) No provision.</p>	<p>(2) Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate
(3) Requires DAS to determine geographic regions for the availability of providers, networks, costs, and other factors relating to providing health care benefits.	(3) No provision.	(3) Same as the Executive.
(4) Requires DAS to examine those plans currently offered through a consortium of public entities, including the benefits and the strategies of these plans to manage health care costs.	(4) No provision.	(4) Same as the Executive.
(5) Permits such consortiums that are composed of at least 2,500 employees to continue offering health benefit plans to seek permission from DAS to continue offering such plans.	(5) No provision.	(5) Same as the Executive, but does not impose the limit of 2,500 employees for consortium benefit plans.
(6) Eliminates the Public Schools Health Care Advisory Committee.	(6) Same as the Executive.	(6) Replaces the Executive provision with a provision that reconstitutes the Committee under DAS with 15 members, as opposed to 18 as is the case currently.
(7) Requires DAS to contract with an independent consultant to analyze costs related to employee health care benefits provided by existing entities. Requires the consultant to submit certain written recommendations to DAS for the development of a successful program for pooling purchasing power for the acquisition of employee health care plans.	(7) No provision.	(7) Same as the Executive.
(8) Requires any health care provider that has provided coverage for these entities within the last two years to provide DAS with nonidentifiable aggregate claims data within 30 days of receiving such a request for information from DAS.	(8) No provision.	(8) Same as the Executive.
(9) Requires DAS to develop a request for proposals and to solicit bids for the provision of those plans that it develops. Requires DAS, in consultation with the Superintendent of Insurance and using competitive selection, to contract with one or more insurance companies for the issuance of these plans. Permits all health care benefits for these entities to be provided through these plans.	(9) No provision.	(9) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(10) Prohibits these entities, once the plans developed by DAS are in their final form and are fully implemented, from receiving state aid while being in violation of these provisions.	(10) No provision.	(10) No provision.
(11) Permits these entities to offer health care benefits to their employees that the entity is currently authorized to offer and that are not covered by DAS's plan.	(11) No provision.	(11) Same as the Executive.
(12) Requires DAS, not later than 12 months after the section's effective date, to submit a report to the General Assembly on the feasibility of providing care plans that cover persons employed by these entities.	(12) Same as the Executive, but requires the report to be submitted by July 1, 2012, instead of 12 month's after the provision's effective date. Specifies that the report applies to public school districts, as well as political subdivisions and institutions of higher education. Requires that (a) DAS consider voluntary and mandatory participation, and (b) the impacts of changes to the existing purchasing structure on existing health care pooling and consortiums.	(12) Same as the House.
(13) No provision.	(13) Specifies that no action can be taken regarding health care coverage for employees of political subdivisions, public school districts, and state institutions of higher education without the enactment of a bill by the General Assembly.	(13) Same as the House.
<p>Fiscal effect: Providing pooled health insurance to local governments, school districts, and institutions of higher education may decrease personnel costs for these agencies, if discounts can be achieved through the program. DAS could incur some costs for preparing the report required under the bill.</p>	<p>Fiscal effect: DAS could incur some costs for preparing the report required under the bill.</p>	<p>Fiscal effect: Same as the Executive.</p>
<hr/> <p>DASCD42 OAKS Capital Project Reporting Requirements</p>		
No provision.	No provision.	<p>R.C. 123.101</p> <p>Requires public entities to submit a report to the Director of Administrative Services upon completion of each capital facilities project funded wholly or in part with state funds.</p>

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Requires the Attorney General to submit an annual report to the Director on any mediation and litigation costs associated with capital facilities projects for which a judgment has been rendered.
No provision.	No provision.	Requires the Director to incorporate the information received from the reports submitted by public entities and the Attorney General into the Ohio Administrative Knowledge System (OAKS). Fiscal effect: The provision may increase administrative costs for DAS related to processing the required reports. There may also be a minimal administrative cost for the Attorney General to produce the report on mediation and litigation costs.

DASCD8 State Public Notice Web Site

R.C. 125.182

Requires the Office of Information Technology in the Department of Administrative Services (DAS) to establish, operate, and maintain a state public notice web site.

Specifies criteria that the Office of Information Technology must satisfy in establishing, maintaining, and operating the state public notice web site. Prohibits the Office from charging a fee to any users of the site. Requires the Office to ensure that (1) notices conform to the statutory or rule requirements as if they were being published in a newspaper or other publication, and (2) notices be displayed on the web site for not less than the length of time required by the relevant statute or rule.

Requires the Office of Information Technology to submit a status report to the Secretary of State twice annually that demonstrates compliance with statutory requirements governing publication of notices.

R.C. 125.182

Same as the Executive.

Same as the Executive, but specifically prohibits the Office of Information Technology from charging a state agency or political subdivision a fee for publishing a notice on the state public notice web site.

Same as the Executive.

R.C. 125.182

Same as the Executive.

Same as the House.

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
<p>Requires the Office of Information Technology to bear the expense of maintaining the public notice web site domain name.</p> <p>Fiscal effect: Possible savings for agencies and local governments that use the state public notice web site in lieu of local news publications. The cost to develop the site will be paid for from GRF appropriation item 100418, Web Site and Business Gateway.</p>	<p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

AGOCD14 Public Records Retention

R.C. 149.38, 109.43, 149.381, 149.39, 149.41, 149.411, 149.412, 149.42, 307.801, 1901.41, 3313.29

(1) No provision.

(1) No provision.

(1) Consolidates the records retention procedure that currently applies to municipal corporations, school districts, educational service centers, libraries, special taxing districts, and townships into one law.

(2) No provision.

(2) No provision.

(2) Clarifies the procedure for the disposal of records and preparation of a schedule of records retention and disposition by a county, municipal corporation, school district, educational service center, library, special taxing district, and township, and revises the procedure used by the Ohio Historical Society for selecting records of continuing historical value before those entities dispose of records.

(3) No provision.

(3) No provision.

(3) Extends the training or educational programs the Attorney General may offer to include the records retention procedure.

(4) No provision.

(4) No provision.

(4) Moves the date for meetings of a county microfilming board, from the third Monday in January to the second Monday in January.

Fiscal effect: These provisions could result in the shifting of some costs from one local entity to another, specifically relating to notification and transportation costs of records scheduled for disposal. However, other clarifying changes may offset these costs by creating greater efficiencies in the public records retention law.

Executive

As Passed by the House

As Passed by the Senate

COMCD7 Prevailing Wage Law Modifications

R.C. 4115.03, 4115.033, 4115.034, 4115.04, 4115.10, and 4115.16. Repealed: R.C. 4115.032

R.C. 4115.03, 4115.033, 4115.034, 4115.04, 4115.10, and 4115.16. Repealed: R.C. 4115.032 and 4582.37

R.C. 4115.03, 4115.033, 4115.034, 4115.04, 4115.10, 4115.16, and 4582.12. Repealed: R.C. 4115.032 and 4582.37

(1) Increases the current statutory monetary thresholds for determining when the Prevailing Wage Law applies to public improvements other than roads, sewers, ditches, and other related projects from \$78,258 (the inflation-adjusted statutory baseline threshold of \$50,000) to \$5 million for new construction and from \$23,447 (the inflation-adjusted statutory baseline threshold of \$15,000) to \$5 million for reconstruction. Requires these amounts to be adjusted biennially by the Director of Commerce, as under current law.

(1) Same as the Executive, but reduces the statutory monetary threshold for determining when the Prevailing Wage Law applies to construction and reconstruction on public improvements other than roads, sewers, ditches, and other related works, to \$3.5 million, still to be adjusted biennially by the Director of Commerce.

(1) Same as the House, but (a) reduces the statutory monetary threshold for determining when the Prevailing Wage Law applies to construction on public improvements other than roads, sewers, ditches, and other related works, to \$125,000 for the first year after the effective date of the amendment, \$200,000 for the second year, and \$250,000 thereafter, with no biennial adjustments and (b) reduces the statutory monetary threshold for determining when the Prevailing Wage Law applies to reconstruction on public improvements other than roads, sewers, ditches, and other related works, to \$38,000 for the first year after the effective date of the amendment, \$60,000 for the second year, and \$75,000 thereafter, with no biennial adjustments.

(2) Retains the Prevailing Wage Law thresholds at their current, inflation-adjusted levels for roads, sewers, ditches, and other related projects.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Excludes from the definition of "public improvement" an improvement that is neither constructed by a public authority nor constructed for the benefit of a public authority, even if the improvement uses or receives financing, grants, or in-kind support from a public authority.

(3) Same as the Executive.

(3) No provision.

(4) Exempts from the Prevailing Wage Law public improvements undertaken by, or under contract for, state institutions of higher education.

(4) Same as the Executive.

(4) No provision.

(5) No provision.

(5) Exempts from the Prevailing Wage Law public improvements undertaken by, or under contract for, a port authority created by a municipal corporation, township, or

(5) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(6) No provision.	county after 1964 under R.C. 4582.02 or 4582.22 and repeals the prevailing wage requirement that applies to the construction or repair of a port authority facility. (6) No provision.	(6) Exempts from the Prevailing Wage Law any portion of a public improvement that is undertaken and completed solely with donated labor.
(7) Prohibits a public authority from applying prevailing wage requirements to a public improvement that is undertaken by, or under contract for, a state institution of higher education, a school district, or an education service center.	(7) Same as the Executive, but removes the prohibition against a public authority applying prevailing wage requirements to a public improvement undertaken by, or under contract for, a state institution of higher education.	(7) Same as the House.
(8) Repeals a provision of the Prevailing Wage Law that deemed certain projects to be public improvements and required all contractors and subcontractors on those projects to comply with the Prevailing Wage Law.	(8) Same as the Executive.	(8) Same as the Executive.
(9) Removes the right of an interested party to sue regarding a violation of the Prevailing Wage Law when the Director of Commerce fails to rule on the merits of an administrative complaint within 60 days after the party files that complaint with the Director.	(9) Same as the Executive.	(9) No provision.
(10) No provision.	(10) No provision.	(10) Increases the time in which the Director or the designated representative must conclude the investigation and make a recommendation, from 60 days to 120 days, with up to a 90-day extension if the parties are given proper notice and a longer a extension if agreed to by the parties. Specifies that the Director make a determination, rather than a recommendation, concerning alleged violations of the Law.
(11) No provision.	(11) No provision.	(11) Changes the definition of "interested party" so that contractors, subcontractors, labor organizations, and trade associations are interested parties only with respect to the particular public improvement contract with which they, or their members, are involved.

Executive	As Passed by the House	As Passed by the Senate
(12) No provision.	(12) No provision.	(12) Requires all interested party complaints to allege a specific complaint by a specific contractor or subcontractor, in writing, on a form furnished by the Director and to include sufficient evidence to justify the complaint and prohibits the Director from investigating an interested party complaint that does not satisfy those requirements.
(13) No provision.	(13) No provision.	(13) Allows contractors, subcontractors, and public authorities to exceed the permissible ratio of apprentices to skilled workers by two or fewer apprentices for no more than two days in any 30-day period.
(14) No provision.	(14) No provision.	(14) Requires labor organizations to file with the Director, for purposes of determining the prevailing wage rate, the relevant portions of any applicable collective bargaining agreement, contract, or understanding within 90 days after executing the agreement or within 90 days after the amendment's effective date if the agreement is in effect on the effective date of the amendment. Requires those labor organizations also to certify under penalty of law that the portions of the agreement, contract, or understanding filed contains, in full, all provisions of the agreement, contract, or understanding concerning wages paid to persons and apprentice to skilled worker ratios under the agreement, contract, or understanding.
(15) No provision.	(15) No provision.	(15) Specifies that any change in the prevailing wage rate on an ongoing project takes effect two weeks after the Director receives the relevant portion of any agreement, contract, or understanding showing that the prevailing wage rate has changed.
(16) No provision.	(16) No provision.	(16) Provides that no contractor or subcontractor is responsible for paying the penalties under the Prevailing Wage Law for its subcontractor's violation of the Law, if the contractor or subcontractor made a good faith effort to ensure that its subcontractors complied with the Law.

Executive	As Passed by the House	As Passed by the Senate
<p>(17) No provision.</p> <p>Fiscal effect: Uncertain. These provisions could lower the cost of a public improvement project falling under the proposed threshold amounts, but it could be that the savings in labor costs are put toward expanding the scope of the project. A reduction in labor costs could also result in certain tax effects that are difficult to quantify. Finally, the change in (7) above could reduce enforcement costs for the Department's Labor and Wage Section (LAWS) by preventing an interested party filing in court before LAWS has made a determination on the alleged violation.</p>	<p>(17) No provision.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>(17) Exempts from further liability any contractor or subcontractor whose underpayment to an employee is less than \$1,000 if the contractor or subcontractor makes full restitution to the affected employee.</p> <p>Fiscal effect: Same as the Executive, but (a) reduces the number of projects to which an exemption of the Prevailing Wage Law would apply, (b) may reduce the number of complaints filed and investigated by the Labor and Wage Section, (c) may reduce enforcement costs for LAWS by increasing the amount of time to complete an investigation before an interested party files in court, and (d) may reduce prevailing wage penalty revenue received by the Labor Operating Fund (Fund 5560).</p>

Executive

As Passed by the House

As Passed by the Senate

PAYCD1 Retirement Systems Contribution Rates

R.C. 145.47, 145.48, 145.49, 742.31, 742.33, 742.34, 3307.26, 3307.28, 3309.47, 3309.49, 5505.15

Decreases employer contribution rates and increases employee contribution rates paid toward the state's five public retirement systems - the Public Employees Retirement System (PERS), the State Teachers Retirement System (STRS), the School Employees Retirement System (SERS), the Ohio Police and Fire Pension Fund (OP&F), and the Highway Patrol Retirement System (HPRS), by 2% of payroll beginning with pay periods on or after July 1, 2011.

No provision.

No provision.

PERS - State and local divisions (non-law enforcement and public safety): reduces employer contribution rates to 12% (from 14%) and increases employee contribution rates to 12% (from 10%); Law enforcement division: reduces employer contribution rates to 16.1% (from 18.1%) and increases employee contribution rates to 13.6% (from 11.6%); and Public safety division: reduces employer contribution rates to 16.1% (from 18.1%) and increases employee contribution rates to 13% (from 11%).

No provision.

No provision.

STRS - Reduces employer contribution rates to 12% (from 14%) and increases employee contribution rates to 12% (from 10%).

No provision.

No provision.

SERS - Reduces employer contribution rates to 12% (from 14%) and increases employee contribution rates to 12% (from 10%).

No provision.

No provision.

OP&F - Police officers: reduces employer contribution rates to 17.5% (from 19.5%) and increases employee contribution rates to 12% (from 10%); and Firefighters: reduces employer contribution rates to 22% (from 24%) and increases

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

employee contribution rates to 12% (from 10%).

HPRS - Reduces employer contribution rates to 24.5% (from 26.5%) and increases employee contribution rates to 12% (from 10%).

No provision.

No provision.

Fiscal effect: This provision would decrease state and local public employers' total contributions toward the five retirement systems by about \$532 million per year and increase public employees' contributions by a corresponding amount. It would reduce state contributions by about \$113 million, with \$27 million of this savings being for the state GRF, \$34 million for various state non-GRF funds, and \$52 million for various other entities, such as state universities. Approximately 96% of state employees are members of PERS, 2.5% are members in HPRS, and the remaining 1.5% are in STRS. The provision would decrease local governments' total contributions by about \$419 million.

The provision could increase the systems' future liabilities. Even though total contribution rates are kept the same, it would likely increase the systems' liabilities because of the shift in contributions from employers to employees. Currently, employer contributions are not refundable upon the termination of certain employees, but employee contributions are refundable.

Executive

As Passed by the House

As Passed by the Senate

DOHCD25 Self-Service Device Included as a Vending Machine for Food Service Operations Law

No provision.

No provision.

R.C. 3717.01

Includes as a vending machine, under the Food Service Operations Law, a self-service device at which an individual purchases a predetermined unit serving of food by scanning the bar code of the food that was obtained at the vending machine location.

Fiscal effect: Potential gain in revenues for license fees for these devices and potential increase in expenditures for regulatory activities.

DOHCD11 Licensing and Inspection of Marinas

R.C. 3733.21, 3701.83, 3709.09, 3709.092, 3733.22 - 3733.30 (All Repealed), and 3733.99; and Section 737.20

Repeals the statutes governing the licensure and inspection of marinas, including the requirement that the Public Health Council adopt rules for such purposes.

No provision.

R.C. 3733.21, 3701.83, 3709.09, 3709.092, 3733.22 - 3733.30 (All Repealed), and 3733.99; and Section 737.15

Same as the Executive.

Requires a board of health that has a marina within its jurisdiction to adopt rules regarding the inspection and licensing of marinas within 12 months of the provision's effective date. Allows a board to charge a fee for a license.

No provision.

Same as the Executive, but specifies that the rules are to require, at a minimum, annual inspections.

Establishes procedures for the transition of these operations to the boards of health such as specifying that: (1) the rules governing marinas under former section 3733.22 of the Revised Code are to remain in effect in a health district until a board of health in that district adopts rules; and (2) the Public Health council rules adopted under former section 3733.22 of the Revised Code cease to be effective in a board of health jurisdiction on the effective date of the rules

No provision.

Same as the Executive, but specifies that the provisions apply to a board of health with a marina located in its jurisdiction on the effective date of this section.

Executive

As Passed by the House

As Passed by the Senate

adopted by that board of health.

Fiscal effect: Loss of \$29,200 in fee revenue each year transferred from the local boards of health and deposited into SSR Fund 4700, General Operations. Decrease of \$10,800 in supplemental GRF expended on the program. Currently, boards of health charge license and inspection fees for marinas and transfer a portion of these fees to the General Operations Fund. ODH currently acts in an advisory role for these programs and uses funds collected for the administration of the program.

Fiscal effect: Same as the Executive.

DOHCD13 Licensing and Inspection of Agricultural Labor Camps

R.C. 3733.42, 3701.83, 3733.41, 3733.43 (Repealed), 3733.431 (Repealed), 3733.44 - 3733.47 (All Repealed), 3733.471 (Repealed), 3733.48 (Repealed), 3733.49 (3733.43), 3733.99, 3733.41, 4141.031, and 5321.01; and Section 737.10

R.C. 3733.42, 3701.83, 3733.41, 3733.43 (Repealed), 3733.431 (Repealed), 3733.44 - 3733.47 (All Repealed), 3733.471 (Repealed), 3733.48 (Repealed), 3733.49 (3733.43), 3733.99, 3733.41, 4141.031, and 5321.01; and Section 737.11

Repeals the statutes governing the licensure and inspection of agricultural labor camps, including the requirement that the Public Health Council adopt rules for such purposes.

No provision.

Same as the Executive.

Requires a board of health that has an agricultural labor camp within its jurisdiction to adopt rules regarding the inspection and licensing of these within 12 months of the provision's effective date. Allows a board to charge a fee for a license.

No provision.

Same as the Executive, but specifies that the rules are to require, at a minimum, annual inspections.

Establishes procedures for the transition of these operations to the boards of health such as specifying that: (1) the rules governing agricultural labor camps under former section 3733.42 of the Revised Code are to remain in effect in a health district until a board of health in that district adopts

No provision.

Same as the Executive, but specifies that the provisions apply to a board of health with an agricultural labor camp located in its jurisdiction on the effective date of this section.

Executive

As Passed by the House

As Passed by the Senate

rules; and (2) the Public Health council rules adopted under former section 3733.42 of the Revised Code cease to be effective in a board of health jurisdiction on the effective date of the rules adopted by that board of health.

Fiscal effect: Loss of \$41,700 in fee revenue collected for licenses and inspections and deposited into SSR Fund 4700, General Operations. Decrease of \$65,468 in supplemental GRF expended on the program. ODH currently performs licensure and inspection duties relating to agricultural labor camps.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

MHCCD1 Oversight of Manufactured Homes Parks

R.C. 4781.26, 3701.83 (4781.26), 3709.085, 3709.09, 3709.092, 3733.01 (4781.36), 3733.091 (4781.37), 3733.101 (4781.39), 3733.13 (4781.45); 3733.021 (4781.31), 3733.022 (4781.32), 3733.024 (4781.33), 3733.025 (4781.34), 3733.03 (4781.27), 3733.04 - 3733.08 (4781.28-4781.35), 3733.41, 4781.04, 4781.07, and 4781.14; and Sections 737.30 and 747.10

R.C. 1901.19, 1909.11, 1923.01, 1923.02, 1923.061, 1923.15, 2305.01, 3709.085, 3729.01, 3733.01 (Repealed), 3733.02, 3733.41, 3781.06, 4503.061, 4503.062, 4517.01, 4517.04, 4517.09, 4517.10, 4517.12, 4517.13, 4517.14, 4517.23, 4517.24, 4517.44, new and existing sections under Chapter 4781, 4905.90, 6111.46, Sections 737.30, 747.20

R.C. 1901.19, 1909.11, 1923.01, 1923.02, 1923.061, 1923.15, 2305.01, 3709.085, 3729.01, 3733.01 (Repealed), 3733.02, 3733.41, 3781.06, 4503.061, 4503.062, 4517.01, 4517.04, 4517.09, 4517.10, 4517.12, 4517.13, 4517.14, 4517.23, 4517.24, 4517.44, new and existing sections under Chapter 4781, 4905.90, 6111.46, Sections 737.30, 747.20

(1) Repeals the statutes governing the licensure and inspection of manufactured home parks, including the requirement that the Public Health Council adopt rules for such purposes.

(1) No provision.

(1) No provision.

(2) Requires a board of health that has a manufactured home park within its jurisdiction to adopt rules regarding the inspection and licensing of these within 12 months of the provision's effective date. Allows a board to charge a fee for a license.

(2) No provision.

(2) No provision.

(3) Establishes procedures for the transition of these operations to the boards of health.

(3) No provision.

(3) No provision.

(4) No provision.

(4) Transfers authority for licensing and inspecting manufactured homes parks from the Department of Health and local boards of health to the Manufactured Homes Commission.

(4) Same as the House.

(5) No provision.

(5) Requires the Commission to adopt rules regarding the inspection and licensing of manufactured homes parks no later than December 1, 2011.

(5) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(6) No provision.	(6) Replaces the member of the Manufactured Homes Commission that represents the Department of Health with a member who is a registered sanitarian, has experience with the regulation of manufactured homes, and is an employee of a health district.	(6) Same as the House.
(7) No provision.	(7) Stipulates that the term of the member of the Manufactured Homes Commission who is a representative of the Department of Health ends on the effective date of this section, and that the initial term of the registered sanitarian shall expire when the original member's term would have expired.	(7) Same as the House.
(8) No provision.	(8) Specifies the following apply when a person violates Manufactured Homes Law: (a) requires the Commission to hold a hearing and to notify the alleged violator of the hearing; (b) authorizes the Commission to levy a fine of not more than \$1,000 per violation per day; (c) authorizes the Commission to apply to the court of common pleas to compel an alleged violator if the person does not appear for the associated hearing; and (d) authorizes the Commission to forward the name of the violator and the amount of the fine to the Attorney General for collection, if the violator does not pay the fine.	(8) Same as the House.
(9) No provision.	(9) Creates the Manufactured Homes Commission Regulatory Fund and requires licensing fees and fines related to manufactured homes parks to be deposited into the fund.	(9) Same as the House.
(10) No provision.	(10) Allows boards of health to transfer prior manufactured home park licensing and inspection fees in the amount of \$2,000 or less to the general fund of the local board of health and requires funds in excess of \$2,000 to be transferred to the Manufactured Homes Commission Regulatory Fund.	(10) Same as the House.
(11) No provision.	(11) Allows the Commission to enter into contracts for the inspection of manufactured home parks and gives the boards of health of city or general health districts the right of	(11) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

(12) No provision.

first refusal for those contracts.

(12) Requires a board of health to issue to the Commission a report of an inspection of a manufactured home park that was completed in response to a flood event within ten days after the inspection is completed.

(12) Same as the House.

Fiscal effect: Loss of \$245,800 in fee revenue transferred from the local boards of health and deposited into SSR Fund 4700, General Operations, used by the Department of Health. Decrease of \$52,000 in supplemental GRF expended on the program. Currently, boards of health charge license and inspection fees for manufactured home parks and transfer a portion of these fees to the General Operations Fund. The Department currently acts in an advisory role for these programs and uses funds collected for the administration of the program.

Fiscal effect: The provision will increase administrative duties and costs related to MHC's oversight of Ohio's roughly 1,800 manufactured homes parks. However, the bill authorizes MHC to adopt licensing fees to offset these costs. These revenues are to be deposited into the Manufactured Homes Commission Regulatory Fund created by the bill, as opposed to the Occupational Licensing and Regulatory Fund (Fund 4K90) which currently supports MHC's operations. Currently, local boards of health charge license and inspection fees for manufactured home parks and transfer a portion of these fees to the General Operations Fund (Fund 4700), used by the Department of Health. The Department currently acts in an advisory role and uses funds collected for the administration of the program. As a result of the program transfer, there will be a loss of fee revenue and a subsequent decrease in expenditures for both the Department and the local boards of health.

Fiscal effect: Same as the House.

Executive

As Passed by the House

As Passed by the Senate

PWCCD10 Local Government Integrating and Innovation Committees

R.C. 122.085, 122.088, 122.0810, 122.0816, 122.0819, 122.65, 122.652, 122.653, 122.657, 164.02, 164.04, 164.05, 164.051, 164.06, 164.08, 164.14, 164.21, 164.30, 5751.20; Section 367.10

(1) No provision.

(1) Earmarks \$50 million of commercial activity tax revenue each year to fund grants to local governments to help cover costs of implementing or enhancing shared services.

(1) No provision.

(2) No provision.

(2) Specifies that allowable expenses of the grants include costs of making the transition to shared services, establishing shared services, and paying for the initial operations of the shared services; prohibits the costs of ongoing operations of shared services as an allowable expense.

(2) No provision.

(3) No provision.

(3) Requires grants to be awarded on the basis of projected cost efficiencies, provided that no more than \$250,000 may be awarded to each applicant for each service sharing proposal; requires at least 20% of grant money to be awarded to townships and permits up to 30% to be awarded to governments in fiscal emergency primarily because of reductions in federal, state, and local revenue since 2008.

(3) No provision.

(4) No provision.

(4) Makes the existing district public works integrating committees (renamed under the amendment as local government integrating and innovation committees) that currently allocate state bond-funded infrastructure assistance among local governments responsible for selecting grant recipients.

(4) No provision.

(5) No provision.

(5) Specifies that up to 3% of the money credited to the Local Government Integrating and Innovation Fund (Fund 5KJ0) may be used by the Director of PWC to defray the

(5) No provision.

Executive	As Passed by the House	As Passed by the Senate
(6) No provision.	<p>costs of PWC or of the local government integrating and innovation committees in administering the grant program.</p> <p>(6) Requires SSR Fund 5KJ0 appropriation item 150600, Local Government Integrating and Innovation, to be used to make awards to political subdivisions that implement or enhance shared services or efficiencies pursuant to R.C. 164.30.</p> <p>Fiscal effect: Earmarks \$50 million that would otherwise go to the state GRF, the School District Tangible Property Tax Replacement Fund, or the Local Government Tangible Property Tax Replacement Fund. Under current law the GRF would receive 5.3% of revenue from the tax in FY 2012 and 10.6% in FY 2013, but these percentages are changed by the current version of the bill.</p>	(6) No provision.

Executive

As Passed by the House

As Passed by the Senate

Other Provisions

DRCCD9

Corrections Commissions and Medical Care Reimbursement Rate for Confined Persons

R.C. 307.93, 341.192

(1) Eliminates as members of a corrections commission the presiding common pleas court judge of each county, and the municipal court judge of each municipal corporation, participating in the establishment of a multicounty, municipal-county, or multicounty-municipal correctional center, and requires that a member of the board of county commissioners, rather than the president of the board, be a member of the corrections commission.

(2) Creates a judicial advisory board to make recommendations to a corrections commission about bed allocation, expansion of the correctional center the commission oversees, community corrections or diversion programs, the administration of sentences, and any other matters the commission considers appropriate.

(3) Establishes the Medicaid reimbursement rate as the amount to be paid to a medical provider who is not employed by or under contract with a municipal corporation or township for providing medical services to persons confined in multicounty, municipal-county, or multicounty-municipal correctional centers.

Fiscal effect: Provisions (1) and (2) are organizational in nature and have no direct fiscal effect. Provision (3) could create savings for certain counties and municipalities if they obtain Medicaid reimbursement rates for medical services delivered to locally confined persons.

R.C. 307.93, 341.192

(1) No provision.

(2) No provision.

(3) Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 307.93, 341.192

(1) No provision.

(2) No provision.

(3) Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

Property Taxes and Transfer Fees

TAXCD29 County Delinquent Tax and Assessment Funds

No provision.

No provision.

R.C. 321.261, 149.38, 323.73, 323.75, 5721.19, and 5723.18

Divides each county's Delinquent Tax and Assessment Collection Fund into two separate funds, one for county treasurer expenses and the other for prosecuting attorney expenses. Currently, half of the money in each county's fund is appropriated to the treasurer and half to the prosecuting attorney, and the purposes for which the money may be used are unchanged. Authorizes the county treasurer or prosecuting attorney to suspend the crediting of delinquent tax collections to the respective funds if the balance reaches specified thresholds.

Fiscal effect: May reduce amounts held in county delinquent tax and assessment collection funds.

TAXCD40 Purposes for Which a Property Tax May Be Levied Related to Police and Fire Services

No provision.

No provision.

R.C. 5705.19

Expands the expressly stated purposes for which a political subdivision may levy a property tax related to police and fire services to include payment of (1) salaries of emergency medical service personnel, part-time police personnel, and police and fire communications and administrative personnel, and (2) employer contributions to retirement or pension funds for such personnel. Under current permanent law, the proceeds of a police or fire levy may be used towards the salaries and retirement benefits of only "firefighters or firefighting companies" and "permanent police personnel."

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: The fiscal effects of this change appear indeterminate. May codify current practice in an unknown number of jurisdictions.

TAXCD16 Local Government Reimbursement for Utility Personal Property Tax Losses
R.C. 5727.84, 5727.85, 5727.86, Section 757.20

(1) Accelerates the phase-out of fixed-rate public utility property tax loss reimbursements for most non-school taxing units based on each unit's reliance on the reimbursement as measured by the unit's CY 2010 public utility tax loss reimbursement as a percentage of its total resources as defined in the bill. Specifies that reimbursements are phased out, beginning in CY 2011, so that each unit's reliance on the reimbursement falls by two percentage points per year. Beginning in FY 2012, phases out reimbursements for nonoperating fixed-rate levies by 25% per year (municipalities are the only non-school taxing unit that is eligible for this reimbursement).

(2) Changes the percentages of money credited to various funds from kilowatt-hour (KWH) tax receipts. For FY 2012 and FY 2013, requires 88% of receipts to be credited to the GRF (from 63%), 9% (from 25.4%) to the School District Property Tax Replacement Fund (Fund 7053), and 3% (from 11.6%) to the Local Government Property Tax Replacement Fund (Fund 7054). Distributions to the GRF increase in subsequent fiscal years, to 100% in FY 2031, and eliminates distributions to the other two funds in that same year.

(3) Changes the distribution of receipts from the excise tax on natural gas distribution companies. Beginning FY 2012, requires 100% of receipts to the GRF instead of 68.7% to the School District Property Tax Replacement Fund (Fund 7053) and 31.3% to the Local Government Property Tax Replacement Fund (Fund 7054) as under current law.

R.C. 5727.84, 5727.85, 5727.86, Section 757.20

(1) Same as the Executive, except holds reimbursements at CY 2013 levels in subsequent years for units of local government other than school districts.

(2) Same as the Executive, except holds percentages of KWH tax receipts at FY 2012 levels in subsequent years.

(3) Same as the Executive.

R.C. 5727.84, 5727.85, 5727.86, Section 757.20

(1) Same as the House.

(2) Same as the House.

(3) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(4) Changes the default method for apportioning reimbursement payments among local governments other than school districts for mergers or annexations from a property value basis to a square mileage basis.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Allows a local government to appeal to the Tax Commissioner a levy classification or amount used in calculation of total resources. Specifies that decisions of the Tax Commissioner regarding appeals are final and not subject to appeal and that no changes in classifications or calculations will be made after June 30, 2013.	(5) Same as the Executive.	(5) Same as the Executive.
(6) States that, with respect to unvoted debt levies within the ten-mill limit or pursuant to a municipal charter, if the levy was no longer levied for debt purposes for tax year 2010 or for any tax year thereafter before 2016, payments for that levy are to be made under the new reimbursement mechanism for fixed-rate levy losses beginning the first year after the year for which it is no longer levied for debt purposes (and is levied for other purposes). (Taxes levied pursuant to a municipal charter refer to taxes levied pursuant to a provision of a municipal charter that permits the tax to be levied without prior voter approval.)	(6) Same as the Executive.	(6) Same as the Executive.
(7) Requires reimbursement payments to be made on or before August 31 and February 28 instead of in late August and February as under current law.	(7) Same as the Executive.	(7) Same as the Executive.
(8) Repeals the law creating, as of January 1, 2011, the Public Utility Tax Study Committee, which was to study the extent to which school districts had been compensated by the tax loss reimbursements	(8) Same as the Executive.	(8) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: See LSC's Bill Analysis for H.B. 153 for a more extensive discussion of these proposed statutory changes. The appropriation for these payments from the Local Government Property Tax Replacement Fund (Fund 7054) is \$16 million for FY 2012 and \$11 million for FY 2013, down from an estimated \$90 million in FY 2011. The reallocation of KWH tax receipts would increase revenue to the GRF by about \$139 million in FY 2012 and \$141 million in FY 2013. The reduction in receipts to Fund 7054 under the proposed formula would be about \$48 million in FY 2012 and FY 2013. The remainder of the increase in GRF revenue would come from the reduction in share to Fund 7053. Also, the bill directs the natural gas distribution tax to the GRF beginning in FY 2012. All revenues prior to FY 2012 have been distributed to Fund 7053 and Fund 7054. Amounts raised by this tax in recent years have ranged from about \$66 million to \$71 million.

Fiscal effect: Same as the Executive except increases tax-loss reimbursements in FY 2014 and thereafter. Revenues to Fund 7054 appear likely to be adequate to cover the required payments.

Fiscal effect: Same as the House.

TAXCD17 Local Government Reimbursement for Tax Losses on Tangible Personal Property (TPP) of General Business

R.C. 5751.20, 5751.21, 5751.22, 5751.23, Section 757.20

(1) Accelerates the phase-out of fixed-rate TPP tax loss reimbursements for most non-school taxing units, based on each unit's reliance on the reimbursements as measured by each unit's calendar year (CY) 2010 TPP reimbursement as a percentage of the unit's total resources as defined in the bill. Specifies that beginning in CY 2011, reimbursements for operating fixed rate levies are phased out so that each unit's reliance on the reimbursements falls by two percentage points per year.

R.C. 5751.20, 5751.21, 5751.22, 5751.23, Section 757.20

(1) Same as the Executive, except holds reimbursements at CY 2013 levels in subsequent years for units of local government other than school districts.

R.C. 5751.20, 5751.21, 5751.22, 5751.23, Section 757.20

(1) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(2) Phases out nonoperating fixed-rate levy reimbursement by 25% per year beginning in CY 2011. (Municipalities are the only non-school taxing unit that is eligible for these reimbursements.)	(2) Same as the Executive, except holds nonoperating fixed-rate levy reimbursement at 25% in CY 2013 and thereafter.	(2) Same as the House.
(3) Changes the percentages of money credited to various funds from commercial activity tax (CAT) receipts. For FY 2012, requires 25% (from 5.3%) of receipts to be credited to the GRF, 52.5% (from 70%) to the School District Tangible Property Tax Replacement Fund (Fund 7047), and 22.5% (from 24.7%) to the Local Government Tangible Property Tax Replacement Fund (Fund 7081). Specifies that the corresponding percentages for FY 2013 are 50% (from 10.6%), 35% (from 70%), and 15% (from 19.4%), respectively. Increases distributions to the GRF in subsequent fiscal years, to 100% in FY 2021, and phases out distributions to the other two funds. Eliminates distributions to Fund 7047 beginning in FY 2021. Eliminates distributions to Fund 7081 beginning in FY 2019.	(3) Same as the Executive, except holds percentages of CAT receipts at FY 2013 levels in subsequent years.	(3) Same as the House.
(4) Changes the default method for apportioning reimbursement payments among local governments other than schools for mergers or annexations from a property value basis to a square mileage basis.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Phases out from 2012 to 2016 the county administrative fee losses caused by the tangible personal property tax losses.	(5) Same as the Executive.	(5) Same as the Executive.
(6) Allows a local government to appeal to the Tax Commissioner a levy classification or amount used in calculation of total resources. Specifies that decisions of the Tax Commissioner regarding appeals are final and not subject to appeal and that no changes in classifications or calculations will be made after June 30, 2013.	(6) Same as the Executive.	(6) Same as the Executive.
(7) Specifies that annual reimbursement payments for non-school taxing units be made twice per year, in May and on or before November 20, beginning in TY 2011. (Current law	(7) Same as the Executive.	(7) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
<p>requires three payments per year, in May, August, and October.)</p> <p>(8) Specifies that debt levies that have been imposed pursuant to a municipal charter, and that do not have to be approved by voters will, like other unvoted debt levies, continue to be reimbursed at 100% as long as the levy was still being used to pay debt in 2010 and as long as it continues to be levied to pay debt.</p>	<p>(8) Same as the Executive.</p>	<p>(8) Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: See LSC's Bill Analysis for H.B. 153 for a more extensive discussion of these proposed statutory changes. The appropriation for these payments from the Local Government Tangible Property Tax Replacement Fund (Fund 7081) is \$291 million for FY 2012 and \$181 million for FY 2013, down from an estimated \$414 million in FY 2011. The reallocation of CAT receipts would increase revenue to the GRF by about \$289 million in FY 2012 and \$594 million in FY 2013. The reduction in receipts to Fund 7081 under the proposed formula would be about \$32 million in FY 2012 and \$66 million in FY 2013. The remainder of the increase in GRF revenue would come from the reduction in share to Fund 7047. The bill retains the current law provision that the GRF would make up any shortfall in amounts needed to provide school districts and local governments their required reimbursements, though the required reimbursements are phased out more quickly under the proposed changes. The provision that limits the speed with which TPP reimbursements are phased out for any individual jurisdiction to no more than 2% of its total resources in calendar year 2011 and 4% in 2012 makes a statewide calculation of the change in required reimbursement very data intensive. LSC has not yet determined whether GRF transfers will be needed in addition to the amounts appropriated in the bill.

Fiscal effect: Same as the Executive except increases tax-loss reimbursements in FY 2014 and thereafter. Revenues to Fund 7081 appear likely to be adequate to cover the required payments.

Fiscal effect: Same as the House.

Executive

As Passed by the House

As Passed by the Senate

Other Taxation Provisions

TAXCD3 Adjustments to Local Government Distributions

R.C. 131.44, 131.51, 5705.031, 5705.32, 5705.321, 5707.03, 5725.01, 5725.151, 5725.18, 5725.24, 5747.46, 5747.47, 5747.48, 5747.50, 5747.51, 5751.011, and Sections 379.10 and 757.10

R.C. 131.44, 131.51, 5705.031, 5705.32, 5705.321, 5707.03, 5725.01, 5725.151, 5725.18, 5725.24, 5747.46, 5747.47, 5747.48, 5747.50, 5747.51, 5751.011, and Sections 379.10 and 757.10

R.C. 131.44, 131.51, 5705.031, 5705.32, 5705.321, 5707.03, 5725.01, 5725.151, 5725.18, 5725.24, 5747.46, 5747.47, 5747.48, 5747.50, 5747.51, 5751.011, and Sections 379.10 and 757.10

(1) Reduces Local Government Fund (LGF or Fund 7069) distributions to 75% of FY 2011 levels for the period between August 2011 and June 2012, and reduces distributions to 50% of FY 2011 levels for all months in FY 2013. Provides that distributions after FY 2013 will depend on the total amount allocated to the fund as a percentage of total state tax revenue credited to the General Revenue Fund in FY 2013, instead of the current 3.68% of GRF tax revenue. Provides that allocations among county undivided LGFs and direct municipal payments from August 2011 through June 2013 will be on a pro rata basis based on their respective FY 2011 shares.

(1) Same as the Executive, except guarantees that any county undivided LGF that received less than \$500,000 in FY 2011 will have no reduction in monthly distribution amounts in FY 2012 and FY 2013, and that any county undivided LGF that received over \$500,000 in FY 2011 will receive at least \$500,000 in FY 2012 and FY 2013.

(1) Same as the House, except increases the guarantee amount from \$500,000 to \$750,000, and increases the appropriation to the Local Government Fund by \$50 million in each of FY 2012 and FY 2013. Distributes these amounts first to county undivided local government funds that received less than \$750,000 in FY 2011 and to county undivided local government funds that in the absence of a guarantee amount would receive less than \$750,000 in either FY 2012 or FY 2013, in amounts sufficient to offset reductions below the FY 2011 amounts and below \$750,000, respectively. Distributes the balance of the \$50 million in each year to all county undivided local government funds in proportion to distributions in FY 2011. Clarifies that current permanent law is to govern allocation of money to the Local Government Fund in July 2011.

(2) Reduces distributions from the Public Library Fund (PLF or Fund 7065) for all months between August 2011 and June 2013 to 95% of FY 2011 levels. Provides that allocations among county undivided PLFs from July 2011 through December 2011 are on a pro rata basis based on their respective CY 2010 shares, and from January 2012 through June 2013, based on their respective CY 2011 shares. Provides that distributions after FY 2013 will depend on the total amount allocated to the fund as a percentage of total state tax revenue credited to the General Revenue Fund in

(2) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

FY 2013, instead of the current 2.22% of GRF tax revenue.

(3) Provides that, after December 31, 2011, counties would no longer receive 5/8ths of the revenue from the dealers in intangibles tax on unaffiliated dealers, and instead allocates all revenue from that tax to the General Revenue Fund.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Excuses the Tax Commissioner from compliance with existing certification requirements (regarding estimates of revenue to each county undivided LGF and PLF) for the 2012 and 2013 distribution years. Requires instead that the Commissioner send to each county one estimate of the total amount to be received from the Local Government Fund and the Public Library Fund by July 20 of the preceding year.

(4) Same as the Executive.

(4) Same as the Executive.

(5) No provision.

(5) No provision.

(5) Establishes a new formula for allocating money to subdivisions from the county undivided local tax funds. Permits deviation from the formula if 75% of the subdivisions in the county agree to an alternative formula. Allocates to each subdivision a base allocation which for the county equals 30% of the amount allocated to the county undivided local government fund, for a metropolitan park district equals 5.5% of this amount, and for all other subdivisions is a three-year rolling average of prior allocations or distributions. Provides for adjustment of allocations if the sum of all base allocations is greater or less than the amount allocated to the county undivided local government fund. Also provides for allocations to subdivisions of amounts received in excess of those originally allocated.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Reduces transfers from the GRF to Fund 7069 in FY 2012 by about \$172 million compared to current law, to \$526 million. Reduces these transfers in FY 2013 by about \$398 million compared to current law, to \$339 million. Reduces transfers from the GRF to Fund 7065 by about \$75 million in FY 2012 compared to current law, to \$354 million. Reduces these transfers in FY 2013 by about \$102 million compared to current law, to \$345 million. Reduces transfers from the dealers in intangibles tax to counties, allocating these amounts instead to the GRF starting in CY 2012, that totaled about \$13 million in CY 2009. Total gain to the GRF would be about \$254 million in FY 2012 and \$513 million in FY 2013.

Fiscal effect: Same as the Executive, except increases appropriation item 110969, Local Government Fund, by \$1 million in FY 2012 and \$2 million in FY 2013. Total gains to the GRF would be reduced by these amounts.

Fiscal effect: Same as the House except further increases appropriation item 110969, Local Government Fund, by \$50 million in each of FY 2012 and FY 2013.

Executive

As Passed by the House

As Passed by the Senate

TOSCD6 Supplemental School Employee Compensation Deferral Plan

(1) No provision.	(1) No provision.	<p>R.C. 113.42, 113.43, 113.44, 2907.15, and 2921.41</p> <p>(1) Authorizes the Treasurer of State to offer a supplemental employee compensation deferral plan to eligible employees of a school district or college. Specifies that the plan is in addition to any retirement or any other benefit program provided by law for employees of the school district or college. Allows the Treasurer to designate one or more third parties as administrator of the plan. Requires the Treasurer to establish eligibility criteria for plan participation and adopt necessary rules related to the plan.</p>
(2) No provision.	(2) No provision.	<p>(2) Provides that the plan may be invested in investments considered appropriate by the Treasurer, including life insurance, annuity contracts, and mutual funds.</p>
(3) No provision.	(3) No provision.	<p>(3) Specifies that the deferred employee compensation under such plan is not included in the computation of federal or state income taxes.</p>
(4) No provision.	(4) No provision.	<p>(4) Creates the Supplemental Employee Deferral Plan Administration Fund, to be used by the Treasurer of State to pay actual and necessary administrative expenses of the plan. Specifies that the fund will not be part of the state treasury, but will be in the custody of the Treasurer of State.</p>
(5) No provision.	(5) No provision.	<p>(5) Allows the Treasurer of State to apply administrative expenses of the plan in any of the following ways: (a) against earnings from investments, (b) as prorated fees charged equitably among the participants of the plan, or (c) by another method determined by the Treasurer of State. Specifies that the Treasurer of State must use one of the above options.</p>

Executive	As Passed by the House	As Passed by the Senate
		<p>Fiscal effect: Potential increase in administrative costs for the Treasurer to establish and administer the plan. Potential increase in pension costs if a school district or a college opts to contribute to the supplemental plan on behalf of its participating employees; any such increase would be permissive. Potential reduction in state personal income tax and school district income tax revenue, with the magnitude of the reduction depending on participation in the new plan.</p>