COMPARISON DOCUMENT

Substitute House Bill 153
129th General Assembly

Main Operating Appropriations Bill

(FY 2012-FY 2013)

As Introduced
As Passed by the House
As Passed by the Senate

*Items on which the Executive, House, and Senate are in agreement are **not** shown.*

Legislative Service Commission

June 10, 2011

Introduction

The Comparison Document provides brief descriptions and estimates of the fiscal effect for the provisions that make up the executive recommended version and subsequent versions of the biennial budget bill of the 129th General Assembly, House Bill 153. The document is arranged in alphabetical order by state agency. It also includes two nonagency items for which appropriations are made, Employee Benefits Fund (PAY) and Revenue Distribution Funds (RDF), as well as a Local Government Provisions (LOC) section for provisions that affect local governments and that are not entered in other agency sections. A Table of Contents follows this Introduction. Two indices are located at the end of the document. The first index gives the page number of each particular item within the sections; the second index lists cross-references by agency.

Generally within an agency's section, items that involve Revised Code changes come first, followed by items that involve uncodified (i.e., temporary) law provisions. The sections for the Department of Education, the Department of Job and Family Services, and the Department of Taxation are first arranged by general topic areas. If an item affects more than one agency, it is described under one of the affected agencies, rather than all of the agencies. However, the other agencies are listed in the cross-referencing index at the end of the document. This index lists, for each agency, all entries that affect the agency but are not included in that agency's section as well as the page numbers for these entries. A reader who is interested in all provisions affecting a certain agency should consult the cross-referencing index in addition to the agency's section.

Each item is assigned a unique identification number. This number begins with an agency's three-letter Central Accounting System (CAS) code followed by a comparison document reference ("CD") and a number (DEVCD15, for example). A reader who wants to track an item across several versions of the Comparison Document may find the identification number useful.

The Comparison Document does not include appropriation amounts for the agencies. Please see the Legislative Service Commission's Budget in Detail spreadsheet for that information. For a complete discussion of the statutory changes in H.B. 153, see the Legislative Service Commission's Bill Analysis.

Items on which the Executive, House, and Senate are in agreement are **not shown*

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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***	**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***	**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) 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.	(1) Same as the Executive.	(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) 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.	(2) Same as the Executive.	(2) Same as the Executive, but specifies that the surety bond guidelines are to be established by DAS rule.
(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 prior to the establishment of the guaranteed maximum price or in the amount of the guaranteed maximum price.	(3) Same as the Executive.	(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
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.		
(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.
(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	(12) Same as the Executive.	(12) Same as the Executive, but the increased threshold only applies to state agencies and state institutions of higher

Executive	As Passed by the House	As Passed by the Senate
state projects; exempts contracts with CMARs and D/B firms from this requirement.		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.**
DASCD39 Judicial Liability Program and the Office of Risk Management		
		R.C. ***9.82, 9.823***
No provision.	No provision.	Allows the Risk Management Reserve Fund to be used for the payment of any liability claim that is filed against the state rather than only liability claims that are filed in the Court of Claims.
No provision.	No provision.	Includes the Supreme Court, the courts of appeals, the courts of common pleas and any division of courts of common pleas, municipal courts, and county courts in the Office of Risk Management's definition of "state," for purposes of the Judicial Liability Program.
		Fiscal effect: Potential increase in payouts from the Risk Management Reserve Fund (Fund 1300).

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***
(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.	(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.	(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.
(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.	(2) No provision.	(2) Same as the Executive.
(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.

Executive	As Passed by the House	As Passed by the Senate
(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.
(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.

Executive	As Passed by the House	As Passed by the Senate
(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.
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.	**Fiscal effect: DAS could incur some costs for preparing the report required under the bill.**	**Fiscal effect: Same as the Executive.**

DASCD42 OAKS Capital Project Reporting Requirements

		R.C. ***123.101***
No provision.	No provision.	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.
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).

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: The provision may increase administrative costs for DAS related to processing the required reports. There may also be an minimal administrative cost for the Attorney General to produce the report on mediation and litigation costs.
DASCD34 Changes to Civil Service Test Law		
R.C. ***124.09, 124.23, 124.231, 124.25, 124.26, 124.27, 124.31, Section 815.20***	**R.C.** ***124.09, 124.23, 124.231, 124.25, 124.26, 124.27, 124.31, Section 815.20***	**R.C.** ***124.09, 124.23, 124.231, 124.25, 124.26, 124.27, 124.31, Section 815.20***
(1) Allows DAS to delegate civil service testing authority to a designee.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Allows an appointing authority to fill positions without competitive examination, provided sufficient justification exists; requires DAS to establish standards of sufficient justification.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Requires DAS to post notices on its website for a minimum of one week for every examination to be conducted for positions in the classified civil service instead of posting notices in conspicuous places such as court houses, city halls, and in the office of DAS as under current law.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Requires DAS to prescribe by rule the notification method that is to be used by an appointing authority to notify DAS that a position in the state classified civil service is to filled.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Provides for special examinations to be administered to legally blind and legally deaf persons who are applying for any position in the classified civil service, as opposed to only original appointments under current law. Eliminates DAS express authority to administer equitable programs for the employment of legally blind persons and legally deaf persons.	(5) Same as the Executive.	(5) Same as the Executive.
(6) Removes veteran priority when a veteran and a nonveteran candidate receive the same score on a civil service examination; makes the time of filling of a candidate's application the sole deciding factor in such	(6) No provision.	(6) Replaces the Executive provision with a provision that specifies that a veteran is entitled to preference in original appointment to any such competitive position in the civil service of the state and its civil divisions over all other

Executive	As Passed by the House	As Passed by the Senate
situations.		persons who are eligible and who are standing on the relevant eligible list with a rating equal to that of the person qualifying for the veteran's preference.
(7) Modifies the bonus a veteran receives on civil service examination from 20% of the person's total score to 20% or an equivalent weight.	(7) Same as the Executive.	(7) No provision.
(8) Removes seniority priority when two candidates receive the same score on a promotional civil service examination.	(8) Same as the Executive.	(8) Same as the Executive.
(9) Eliminates the requirement that merit for promotions be determined by examination and by seniority. Instead, requires promotions to be made on the basis of merit and by conduct and capacity in office.	(9) Same as the Executive.	(9) Same as the Executive.
(10) Requires an appointing authority to make an appointment for an open position in the classified civil service from the top 25% of a list of eligible candidates, unless there are fewer than 10 candidates, in which case any candidate may be chosen. Current law requires that appointments be made from a list of 10 candidates certified by DAS, beginning at the top of the list and moving down.	(10) Same as the Executive.	(10) Same as the Executive.
(11) Permits an eligible list to be used to fill positions up to one year after the closing of the position, as opposed to between one and two years under current law.	(11) Same as the Executive.	(11) Same as the Executive.
(12) Eliminates DAS authority to consolidate two or more eligible lists.	(12) Same as the Executive.	(12) Same as the Executive.
(13) Requires an appointing authority, upon dismissing a probationary employee, to communicate to the Director that fact instead of the reason for which the probationary employee was dismissed under current law.	(14) Same as the Executive.	(13) Same as the Executive.
Fiscal effect: Allows DAS to delegate civil service testing to individual agencies, which are already performing most of these duties. Changes in other areas could also reduce administrative costs by a small amount.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DASCD6 **Job Classification Plans and Appointment Incentive Programs**		
R.C. ***124.14, 124.141, and 124.15***		**R.C.** ***124.14, 124.141, and 124.15***
Eliminates the requirement that the Director of Administrative Services establish a job classification plan and make job classification plan changes "by rule."	No provision.	Same as the Executive.
Eliminates the requirement that the Director follow the rule-making requirements of the Administrative Procedure Act (Chapter 119.) to establish experimental classification plans; to establish, modify, or rescind a classification plan for county agencies; and to establish an appointment incentive program.	No provision.	Same as the Executive.
Fiscal effect: Providing DAS with the authority to make changes to job classification plans without having to go through the Chapter 119. rulemaking process could reduce administrative expenses for DAS and allow it to make such changes more quickly.		**Fiscal effect: Same as the Executive.**
DASCD37 **Drug Procurement for the Ohio Pharmacy Service Center**		
	R.C. ***125.024, 5119.16***	**R.C.** ***125.024, 5119.16***
No provision.	Requires the Department of Administrative Services (DAS) to select a single vendor from which to procure all drugs that are stocked by the Ohio Pharmacy Service Center that the Department of Mental Health (DMH) operates.	Replaces the House provision with a requirement that DAS contract with a vendor if DAS determines that a vendor is able to provide drugs and services currently provided by the Ohio Pharmacy Service Center in a manner that achieves greater operational efficiencies and savings to the state than those that could be achieved if the Center provides the goods and services itself.
No provision.	Requires DAS to develop a process to be used in issuing a request for proposals (RFP), receiving responses to the RFP, and evaluating the responses on a competitive basis before selecting a single vendor. Requires DAS to issue the initial RFP not later than 60 days after the bill's effective date and each subsequent RFP at least 90, but not more than	Same as the House, but (1) removes the requirement that the RFP be for the purpose of selecting a single vendor, and (2) the timeframes for issuing subsequent RFPs.

Executive	As Passed by the House	As Passed by the Senate
	120, days before a drug procurement contract terminates.	
No provision.	No provision.	Requires DAS to adopt rules for implementation, including rules specifying the duration of a contract and a process for issuing subsequent RFPs, receiving responses to RFPs, and evaluating the responses on a competitive basis.
DASCD8 State Public Notice Web Site		
R.C. ***125.182***	**R.C.** ***125.182***	**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.	Same as the Executive.	Same as the Executive.
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.	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 House.
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.	Same as the Executive.	Same as the Executive.
Requires the Office of Information Technology to bear the expense of maintaining the public notice web site domain name.	Same as the Executive.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DASCD5 Transfers for the OAKS Support Organization Fund		
R.C. ***126.12, 126.24***	**R.C.** ***126.12, 126.24***	**R.C.** ***126.12, 126.24***
Permits transfers of statewide indirect costs of debt service paid for the enterprise resource planning system (referred to as the Ohio Administrative Knowledge System - OAKS) to the OAKS Support Organization Fund (Fund 5EB0). Allows Fund 5EB0 to be used for system development and upgrades, in addition to operating costs as specified under current law.	Same as the Executive.	Same as the Executive, but also permits disbursements made from funds other than the GRF for an agency's indirect costs to be transferred to the GRF according to the cost recovery established in the statewide indirect cost allocation plan.
Changes the funding sources of the OAKS Support Organization Fund to (1) transfers from statewide indirect costs attributable to debt service paid for the system, and (2) agency payroll charge revenues.	Same as the Executive.	Same as the Executive.
Fiscal effect: Authorizes additional charges to be made to state agencies through the State-Wide Cost Allocation Plan (SWICAP) for debt service payments made from the GRF for OAKS. These payments will be deposited into GSF Fund 5EB0, along with OAKS payroll assessments already charged to state agencies, and be used to pay for development and upgrade costs for the OAKS system. These costs will be paid for through GSF Fund 5EB0 appropriation item, 100656, OAKS Updates and Developments.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, but also clarifies that that the Director of OBM can include functions supported by non-GRF funds in the annual SWCAP recovery process approved by federal audit.**
DASCD32 Ohio Professionals Licensing System		
R.C. ***207.30.20***	**R.C.** ***207.30.20***	**R.C.** ***207.30.20***
Creates the Ohio Professionals Licensing System Fund (Fund 5JQ0) in the state treasury.	Same as the Executive.	Same as the Executive.
Requires that SSR Fund 5JQ0 appropriation item 100658, Ohio Professionals Licensing System, be used to make payments from the fund to purchase the equipment,	Same as the Executive.	Same as the Executive, but adds the Casino Control Commission to the list of state agencies that are authorized to use the Ohio Professional Licensing System.

Executive	As Passed by the House	As Passed by the Senate
products, and services necessary to develop and maintain a replacement automated licensing system for the professional licensing boards.		
Authorizes the Director of Budget and Management to transfer up to $2,670,000 in cash from the Occupational Licensing and Regulatory Fund (Fund 4K90) and up to $330,000 from the Medical Board Operating Fund (Fund 5C60) to Fund 5JQ0 during the FY 2012-FY2013 biennium.	Same as the Executive.	Same as the Executive, but authorizes transfers up to a total of $3,000,000 from Fund 4K90 and Fund 5C60 instead of up to $2,670,000 from Fund 4K90 and $330,000 from Fund 5C60 and also authorizes cash transfers from the Casino Control Commission - Operating Fund (Fund 5HS0) if the Commission elects to use the system.
Authorizes the Department of Administrative Services to establish charges for recovering the costs of ongoing maintenance of the system.	Same as the Executive.	Same as the Executive, but adds the Casino Control Commission to the list of state agencies that may subsequently be charged for the development and maintenance thereof.
Fiscal effect: This appropriation is to be used for the development and implementation of a licensing system to replace the current eLicensing system used by the state's occupational and professional licensing boards. Ongoing operating costs will be funded by assessments charged to the boards and commissions using the Ohio professionals Licensing System.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, but also allows the Casino Control Commission to be included in the system.**
DASCD18 Equal Opportunity Certification Programs		
Section: ***207.10.60***	**Section:** ***207.10.60***	**Section:** ***207.10.60***
Requires that GRF appropriation item 100439, Equal Opportunity Certification Programs, be used to pay annual maintenance costs associated with the equal employment opportunity project tracking software.	Same as the Executive, but clarifies that the appropriation is to be used to pay for the costs associated with the project tracking software that were formerly paid from GRF appropriation item 100423, EEO Project Tracking Software.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DASCD21 Central Service Agency Fund		
Section: ***207.10.90***	**Section:** ***207.10.90***	**Section:** ***207.10.90***
Requires that GSF Fund 1150 appropriation item 100632, Central Service Agency, be used to purchase equipment, products, and services that are needed to maintain existing automated applications for the professional licensing boards and to support board licensing functions during the FY 2012-FY 2013 biennium until these functions are replaced by the Ohio Professionals Licensing System. Authorizes DAS to establish charges for recovering the costs of carrying out these functions.	Same as the Executive.	Same as the Executive, but also allows the appropriation item to be used for these purposes for the Casino Control Commission if the Commission elects to use these automated applications for its licensing functions.
DASCD40 Cash Transfers from the Building Management Fund to the State Architect's Fund		
		Section: ***207.20.93***
No provision.	No provision.	Authorizes the Director of Budget and Management, at the request of the Director of Administrative Services, to transfer up to $2,000,00 from the Building Management Fund (Fund 1320) to the State Architect's Fund (Fund 1310). Authorizes the Director of Budget and Management, upon the request of the Director of Administrative Services, to transfer cash to reimburse Fund 1320, with applicable interest, should sufficient amounts be available in Fund 1310.

Executive	As Passed by the House	As Passed by the Senate
DASCD41 **Transfer of Building and Management Functions from OBA to DAS**		
		Section: ***515.40***
No provision.	No provision.	Transfers the building and facility operations and management functions of the Ohio Building Authority (OBA) under Chapter 152. of the Revised Code to DAS, effective January 1, 2012. Authorizes OBA to meet after the effective date of the section to assist in facilitating an orderly transition relating to the transfer of the building and facility operation and management functions.
No provision.	No provision.	Allows employees of OBA who may be transferred to DAS to do so, to the extent possible, with no loss of service credit. Specifies that, not later than August 1, 2011, OBA employees designated as building and facility operation and management staff shall be eligible to participate in group health plans offered to state employees under sections 124.81 or 124.82 of the Revised Code.
No provision.	No provision.	Requires the Director of Budget and Management, upon the request of the Director of Administrative Services, to make the budget changes necessary to accommodate the transfer and reorganization of programs under this provision.
		Fiscal effect: DAS will incur new costs for assuming the functions transferred from OBA.
DASCD36 **Temporary Assignment of Exempt Employee to Duties of Higher Classification**		
	Section: ***701.30***	**Section:** ***701.30***
No provision.	Permits agencies to assign exempt employees, with their written consent, to duties of a higher classification for up to two years. Entitles exempt employees temporarily so assigned to compensation at a rate commensurate with the duties of the higher classification.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: Although the effect on payroll costs is unclear, the provison gives employers more flexibility to assign employees duties as needed.	
DASCD43 State Government Reorganization Plan		
		Section: ***701.60***
No provision.	No provision.	Requires DAS, within 30 days of the effective date of this section, to begin developing recommendations for a state government reorganization plan focused on increased efficiencies in the operation of state government and a reduced number of state agencies. Requires DAS to submit the recommendations to the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate not later than January 1, 2012. **Fiscal effect: DAS could incur some cost for preparing the recommendations, depending on the scope of the study.**

Executive	As Passed by the House	As Passed by the Senate
AGECD11 Ohio Long-Term Care Consumer Guide Fees		
R.C. ***173.48, 173.47***	**R.C.** ***173.48, 173.47***	**R.C.** ***173.48, 173.47***
Allows ODA to charge certain long-term care facilities annual fees to be used for the publication of the Ohio Long-Term Care Consumer Guide.	Same as the Executive.	Same as the Executive.
Increases the annual fee that may be charged to nursing homes from $400 to $650.	Same as the Executive.	No provision.
Fiscal effect: Gain in revenue of $240,500 in each fiscal year to be deposited into SSR Fund 5K90, Long-Term Care Consumer Guide.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: None. ODA currently charges fees for this activity.**
AGECD1 Long-Term Care		
Section: ***209.20***	**Section:** ***209.20***	**Section:** ***209.20***
Requires ODA to provide long-term care consultations to assist individuals in planning for long-term health care needs.	Same as the Executive.	Same as the Executive.
Requires ODA to adopt rules governing the nonwaiver funded PASSPORT and Assisted Living programs, including client eligibility.	No provision.	No provision.
Requires ODA to administer PASSPORT, Choices, Assisted Living, and PACE as delegated in an interagency agreement with ODJFS. Allows GRF appropriation item 490423, Long Term Care Budget - State, and FED Fund 3C40 appropriation item 490623, Long Term Care Budget, to be used for administrative costs associated with operating the programs.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
AGRCD3 Weights and Measures Fees		
R.C. ***1327.46, 1327.47, 1327.48, 1327.49, 1327.501, 1327.51, 1327.511, 1327.52, 1327.53, 1327.54, 1327.55, 1327.56, 1327.57, 1327.571, 1327.58, 1327.59, 1327.60, 1327.61, 1327.62, 1327.65, 1327.70, 1327.99***	**R.C.** ***1327.46, 1327.47, 1327.48, 1327.49, 1327.501, 1327.51, 1327.511, 1327.52, 1327.53, 1327.54, 1327.55, 1327.56, 1327.57, 1327.571, 1327.58, 1327.59, 1327.60, 1327.61, 1327.62, 1327.65, 1327.70, 1327.99***	**R.C.** ***1327.46, 1327.47, 1327.48, 1327.49, 1327.501, 1327.51, 1327.511, 1327.52, 1327.53, 1327.54, 1327.55, 1327.56, 1327.57, 1327.571, 1327.58, 1327.59, 1327.60, 1327.61, 1327.62, 1327.65, 1327.70, 1327.99***
Establishes a new permit program in the Division of Weights and Measures that requires permits for operating a commercially used weighing and measuring device that is a livestock scale, vehicle scale, railway scale, vehicle tank meter, bulk rack meter, or LPG meter.	Same as the Executive.	Same as the Executive, but limits the permit program established in the bill to devices that provide the final quantity and final cost of a transaction.
Defines "commercially used weighing and measuring device" to mean a device described in the National Institute of Standards and Technology Handbook 44 and any other weighing and measuring device designated by rules adopted under the Weights and Measures Law and specifies that such a device includes, but is not limited to, a (1) livestock scale, (2) vehicle scale, (3) railway scale, (4) vehicle tank meter, (5) bulk rack meter, and (6) LPG meter. Defines these six devices.	Same as the Executive.	Same as the Executive.
Establishes a $75 permit application and $75 permit renewal fee for each of the above six devices, and requires the Director of Agriculture to establish procedures governing the issuance or denial of permits as well as any late fees or penalties.	Same as the Executive.	Same as the Executive.
Requires all money collected through the payment of these permit fees or penalties to be deposited into the renamed Metrology and Scale Certification and Device Permitting Fund (Fund 5H20), and adds oversight of the device permitting program to the purposes for which money in the Fund may be used (current uses include oversight of the metrology laboratory and type evaluation programs).	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Alters the specified provisions of the Weights and Measures Program that trigger a civil or criminal penalty.	Same as the Executive.	Same as the Executive.
Fiscal effect: Increase of approximately $450,000 in permit fee revenue deposited into Fund 5H20	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Limiting the devices to be regulated under the permit program could reduce the fee income anticipated in the Executive version.**
AGRCD8 Auctioneer Study Commission		
		Section: ***747.30***
No provision.	No provision.	Creates the 13-member Auctioneer Study Commission to examine the scope of practices for the auctioneer profession and to make recommendations to the General Assembly regarding those practices. Specifies the individuals to be appointed to the Commission. Requires the Commission to report its findings and recommendations to the Governor and the leadership of the General Assembly by January 1, 2012, at which time it ceases to exist.
		Fiscal effect: Minimal increase in administrative costs to produce the report.

Executive	As Passed by the House	As Passed by the Senate
ADACD2 Elevation of Medicaid Alcohol and Drug Addiction Services		
R.C. ***3793.04, 3793.21, 4511.191, 5111.911, 5111.913***	**R.C.** ***3793.04, 3793.21, 4511.191, 5111.911, 5111.913***	**R.C.** ***3793.04, 3793.21, 4511.191, 5111.911 to 5111.913, Section 215.20***
Requires that funds appropriated to ODADAS for community alcohol and drug addiction services that are transferred to ODJFS for the Medicaid program be excluded from the funds that ODADAS allocates and distributes to community behavioral health boards for such services.	Same as the Executive.	Same as the Executive.
Specifies that community behavioral health boards are responsible, until July 1, 2012, for paying the nonfederal share of costs incurred under a component of the Medicaid program that ODADAS administers and requires the boards to use funds allocated and distributed to them by ODADAS to make the payments. Makes ODJFS responsible for the nonfederal share of such Medicaid costs effective July 1, 2012.	Same as the Executive.	Replaces the Executive provision with a provision under which ODJFS's responsibility for paying the nonfederal share becomes effective in FY 2012 and provides that the boards are not required to use any funds other than the funds allocated to them from new GRF line item 038501, Medicaid Match, and the federal reimbursement boards receive, to pay for costs incurred under a component of the Medicaid program that ODADAS administers during FY 2012.
Requires that the portion of the fee persons pay to have a driver's or commercial driver's license or permit reinstated that is credited to the Statewide Treatment and Prevention Fund be used for purposes identified in ODADAS's comprehensive statewide alcohol and drug addiction services plan rather than to pay the costs of indigent driver treatment and intervention programs.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Requires ODADAS to enter into an agreement with each board regarding the issue of paying for community alcohol and drug addiction Medicaid services provided before July 1, 2011, for which the claims are submitted on or after that date.
No provision.	No provision.	Provides for a board to receive the federal financial participation received for community alcohol and drug addiction Medicaid services provided before July 1, 2011, if the board paid for the services.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: In FY 2012, ODADAS will allocate the nonfederal share of Medicaid covered addiction treatment services to community behavioral health boards from GRF appropriation item 038401, Treatment Services ($24 million) and SSR Fund 4750, appropriation item 038621, Statewide Treatment and Prevention Services ($7 million). In FY 2013, ODJFS will pay most of the nonfederal share of Medicaid covered addiction treatment services ($26.2 million) from GRF appropriation item 600525, Health Care/Medicaid. In addition, ODADAS will transfer $7.0 million for the nonfederal share of Medicaid covered addiction treatment services from SSR Fund 4750, Statewide Treatment and Prevention Services, to ODJFS. Total funding for alcohol and drug addiction Medicaid services, all funds, is $100.2 million in FY 2012 and $115.1 million in FY 2013.	Fiscal effect: Same as the Executive.	Fiscal effect: In FY 2012, the bill requires ODADAS to allocate to boards the nonfederal share of community addiction Medicaid costs from new GRF line item 038501, Medicaid Match, and provides that boards are not required to use any funds other than the funds allocated to them from that line item and the federal reimbursement boards receive for those services to pay for Medicaid.

Executive	As Passed by the House	As Passed by the Senate
ARTCD1 Federal Support		
		Section: ***219.10***
No provision.	No provision.	Specifies that FED Fund 3140 appropriation item 370601, Federal Support, be used by the Council for subsidies only, and not for its administrative costs, unless the Council is required to use funds for administrative costs under conditions of the federal grant.

Executive	As Passed by the House	As Passed by the Senate
AGOCD12 Collection of Political Subdivision Debts		
		R.C. *131.02*
No provision.	No provision.	Authorizes a political subdivision to certify a receivable to the Attorney General for collection when the receivable becomes 45 days past due if the Attorney General authorizes such certification. **Fiscal effect: This provision may make it easier for certain political subdivisions to recover past due receivables. Existing law permits the Attorney General to retain a portion of the recoveries for administrative use.**
AGOCD11 Application of Unclaimed Funds to Claims Certified to the Attorney General for Collection		
		R.C. *131.024*
No provision.	No provision.	Authorizes the Attorney General to request information from the Director of Commerce to file a claim to recover unclaimed funds for amounts owed by persons who owe a claim to the state that has been certified to the Attorney General for collection. **Fiscal effect: This provision may improve the ability of the Attorney General to collect debts owed the state.**
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.

Executive	As Passed by the House	As Passed by the Senate
(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.
AGOCD13 Lemon Law		
		R.C. *1345.73*
No provision.	No provision.	Extends the period of time applicable to providing a reasonable number of repair attempts before a consumer has the option of a replacement vehicle or a refund under Ohio's Lemon Law to include any period of time during which the vehicle could not be reasonably repaired due to war, invasion, civil unrest, strike, fire, flood, or natural disaster, and requires the manufacturer to arrange for the use of a vehicle for the consumer if such an extension of time is necessary.
		Fiscal effect: None.

Executive	As Passed by the House	As Passed by the Senate
AGOCD10	**Award of a Gasoline Purchase Card for Playing a Skill Based Amusement Machine**	
		R.C. ***2915.01***
No provision.	No provision.	Allows a gasoline purchase card with a value not exceeding $10 to be awarded as a prize for playing a skill-based amusement machine even if the machine is not located at a place where gasoline may be legally distributed to the public or if the card is not redeemable at the location of, or at the time of playing, the machine. **Fiscal effect: None.**

Executive	As Passed by the House	As Passed by the Senate
BRBCD1 Issuing Licenses to Convicted Felons		
	R.C. *4709.13*	
No provision.	Allows a person convicted of a felony to obtain a barber license if the person was convicted of the felony before applying for a license. **Fiscal effect: Could potentially allow for a small number of new licenses to be issued that otherwise would not have been.**	No provision.

Executive	As Passed by the House	As Passed by the Senate
OBMCD31 **Legislative Approval of Certificates of Participation**		
		R.C. ***126.10***
No provision.	No provision.	Prohibits the state from entering into or obtaining a certificate of participation or any similar debt instrument without the express approval of the General Assembly.
OBMCD32 **Office of Internal Audit Changes**		
		R.C. ***126.45, 126.46***
(1) No provision.	(1) No provision.	(1) Makes the Ohio Board of Regents a state agency subject to internal audit.
(2) No provision.	(2) No provision.	(2) Requires that all members of the State Audit Committee be external to the management structure of state government and that all member terms begin on July 1st, and end three years later on June 30th. Repeals the requirement that the Governor's appointee be a person who is external to the management structure associated with preparing financial statements of state government.
(3) No provision.	(3) No provision.	(3) Alters the terms of currently serving committee members.
(4) No provision.	(4) No provision.	(4) Requires a member to continue to serve past the end of the member's term until a successor is appointed.
		Fiscal effect: By subjecting the Ohio Board of Regents to internal audits, the workload and costs of the Office of Internal Audit are likely to increase. The Office's costs, which are paid out of the Accounting and Budgeting Fund (Fund 1050), are funded mainly by a portion of the payroll check-off as well as direct charges to the agencies involved.

Executive	As Passed by the House	As Passed by the Senate
OBMCD33 State Agency Travel Expense Control		
		R.C. ***126.503***
No provision.	No provision.	Adds to the current requirements for state agencies to control nonessential travel expenses by requiring state agency employees to use the state-contracted, preferred rental vehicle provider for all vehicle rentals over 100 miles. Excludes statewide elected officials, the General Assembly, legislative agencies, courts and judicial agencies, as well as state institutions of higher education from this requirement. **Fiscal effect: Potential decrease in travel expenses across the state to the extent the state-contracted, preferred provider is used more often.**
OBMCD4 Public Services Provided by Private, Local, or Regional Entities		
R.C. ***126.60, 126.601 to 126.605***	**R.C.** ***126.60, 126.601 to 126.605; Section 105.10***	**R.C.** ***126.60, 126.601 to 126.605; Section 105.10***
(1) Allows the Director of OBM and the authorized representative of a responsible state agency to enter into contracts for the provision of public services with private sector entities and local or regional public entities, or any group or combination thereof, including by generating additional resources in support of those public services and related projects.	(1) Same as the Executive, but limits the public services that can be outsourced by the Director of OBM to "highway services," which is defined as the operation or maintenance of any highway in this state, the construction of which was funded by proceeds from state revenue bonds that are primarily repaid from non-gas tax revenues derived from the operation of the highway (practically, this limits the application of these provisions to the Ohio Turnpike).	(1) Replaces the House provision with provisions that (a) authorize the Director of OBM and the Director of Transportation to make recommendations to the General Assembly concerning outsourcing turnpike projects and (b) specify that the outsourcing provisions of the bill do not authorize and must not be construed to authorize the sale, lease, operation under a contract with a private sector entity, other disposition of a turnpike project, or other transfer of authority over a turnpike project until the General Assembly approves the consideration of proposals therefore by enactment of legislation that may include the specific terms and conditions of the sale, lease, or operation that the proposals for the turnpike project must contain.
(2) Specifies that the Director of Transportation is the authorized representative of the Ohio Turnpike Commission and is authorized to exercise all powers of the Ohio Turnpike Commission for the purposes of entering into a contract for the provision of public services.	(2) Replaces the Executive provision with a provision that authorizes the Director of Transportation to exercise all powers of the Ohio Turnpike Commission for the purposes of entering into a contract for "highway services."	(2) Same as the House, but specifies that the Director of Transportation may exercise the powers of the Ohio Turnpike Commission upon enactment of legislation that may include the specific terms and conditions of the sale, lease, or operation that proposals for the turnpike project

Executive	As Passed by the House	As Passed by the Senate
		must contain.
(3) Requires the Director of OBM to publish notice of its intent to enter into a contract for public services and any related project before a contract is entered into. Requires the notice to include a general description of the public service to be provided, the qualifications or proposals being sought, and a statement informing interested parties of the opportunity to submit their qualifications or proposals, or both. Requires the notice to be published 30 days prior to the deadline for submitting qualifications or proposals.	(3) Same as the Executive, but the provisions now only apply to contracts for the provision of "highway services."	(3) Same as the House, but clarifies that the Director of OBM must publish such notice pursuant to the legislation enacted by the General Assembly specified in (1) above.
(4) Specifies the actions the Director of OBM and the responsible state agency must or may take, depending on the circumstances and discretion required to be exercised, in evaluating qualifications and proposals for the provision of public services.	(4) Same as the Executive, but replaces "responsible state agency" with the Department of Transportation and makes the provisions apply only to contracts for the provision of "highway services."	(4) Same as the House.
(5) Specifies that any contract entered into for the provision of public services may contain terms, as deemed appropriate by the Director of OBM, in consultation with the responsible state agency, including the duration of the contract, which is not to exceed 75 years, rates or fees for the public services to be provided, standards for the public services to be provided, required financial assurances, financial and other data reporting requirements, reasons and procedures for termination of the contract, and so forth.	(5) Same as the Executive, but replaces "responsible state agency" with the Department of Transportation and makes the provisions apply only to contracts for the provision of "highway services."	(5) Same as the House.
(6) Prohibits the Prevailing Wage Law from applying to any project and the Public Employee Collective Bargaining Law from applying to any employees working at or on a project to provide public services.	(6) Same as the Executive, but the provisions now only apply to contracts for the provision of "highway services."	(6) Same as the House, but removes the provision exempting a highway services project from the Prevailing Wage Law.
(7) No provision.	(7) No provision.	(7) Authorizes the Director of OBM to provide compensation for the preparation of a responsive proposal from unsuccessful bidders for a proposal to lease the Turnpike and to establish policies or procedures to determine the amount of compensation to be provided for each project and the method of evaluating the value of the preliminary proposal submitted. Specifies that the compensation may not exceed the value of the proposal.

Executive	As Passed by the House	As Passed by the Senate
(8) Requires the Controlling Board to approve any invitation for qualifications or for proposals and any related contracts negotiated to provide public services, which approval may be by pre-approval of specified terms of the contract. Allows the Controlling Board to approve any transfer of moneys and funds necessary to support the public service.	(8) Same as the Executive, but makes the provisions apply only to contracts for the provision of "highway services."	(8) Replaces the House provision with a provision that permits the Director of OBM, with prior approval of the Controlling Board, to enter into a contract negotiated to provide highway services (unchanged from the House version is the Controlling Board's authority to approve any transfer of moneys and funds necessary to support the highway services).
(9) No provision.	(9) Requires all money received by the Director of OBM pursuant to a contract for highway services to be deposited into the Highway Services Fund, which is created. Requires the fund to retain any interest it earns.	(9) Same as the House.
(10) Exempts any project or part thereof owned by the state pursuant to any contract for the provision of public services from taxation or assessments if, in the absence of the contract, the project would otherwise be exempt from taxation and assessments levied by the state and its political subdivisions. Exempts from taxation levied by the state and its political subdivisions the gross receipts and income of an entity providing public services for a project owned by the state pursuant to a contract.	(10) Same as the Executive, but the provisions now only apply to contracts for the provision of "highway services."	(10) Same as the House.
(11) Permits the Director of OBM, in consultation with the responsible state agency, to retain or contract for the services of commercial appraisers, engineers, investment bankers, financial advisors, accounting experts, and other consultants, independent contractors or providers of professional services as are necessary in the judgment of the Director to effectuate a contract for the provision of public services.	(11) Same as the Executive, but replaces "responsible state agency" with the Department of Transportation and makes the provisions apply only to contracts for the provision of "highway services."	(11) Same as the House.
(12) No provision.	(12) Sunsets these provisions on June 30, 2013.	(12) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Uncertain. Provides the authority for the state to enter into agreements to privatize assets or services. Specific fiscal effects would depend on the negotiated terms of each contract.	**Fiscal effect: Same as the Executive, but would only apply to an agreement concerning the Ohio Turnpike.**	**Fiscal effect: Same as the House, but requires further legislative approval before proposals to lease or sell the Ohio Turnpike may be considered. Also, payment of compensation to unsuccessful bidders, if used, would increase the state's costs for the transaction, the amount of which would depend on the policies and procedures established in regard to such payments. However, such compensation may also lead to increased competition and higher quality proposals.**
OBMCD34 Liquor Enterprise Transaction		
		Section: *229.10*
(1) No provision.	(1) No provision.	(1) Requires GRF appropriation item 042423, Liquor Enterprise Transaction, to be used by the Director of OBM, without the need for any other approval, to retain or contract for the services of commercial appraisers, underwriters, investment bankers, and financial advisers, as are necessary in the Director's judgment to commence negotiation of the liquor enterprise transfer agreement authorized in the bill.
(2) No provision.	(2) No provision.	(2) Requires any amounts expended from appropriation item 042423 to be reimbursed from the proceeds of the enterprise acquisition project transaction.
(3) No provision.	(3) No provision.	(3) Permits the Director of OBM, in consultation with the Director of Commerce, to negotiate an initial agreement with JobsOhio and requires this initial agreement to be executed by the Directors of OBM and Commerce upon its completion.

Executive	As Passed by the House	As Passed by the Senate
OBMCD30 Pension Shift Replacement		
	Section: ***229.10***	**Section:** ***503.93***
No provision.	Requires the Director of OBM to use GRF appropriation item 042422, Pension Shift Replacement, to help state agencies fully fund the employer's share of public retirement system contributions for state employees who are paid directly by warrant of the Director of OBM.	No provision.
No provision.	Permits the Director of OBM to authorize additional expenditures from various non-GRF appropriation items in order to fully fund the employer's share of public retirement system contributions for state employees who are paid directly by warrant of the Director of OBM. Appropriates any such additional expenditures authorized by the Director of OBM.	Same as the House, but also permits the Director of OBM to authorize additional expenditures from various GRF appropriation items in order to fully fund the employer's share of public retirement system contributions for state employees who are paid directly by warrant of the Director of OBM and appropriates any such GRF expenditures authorized.
OBMCD18 Cash Transfers to the General Revenue Fund from Non-GRF Funds		
Section: ***512.30***	**Section:** ***512.30***	**Section:** ***512.30***
Permits the Director of OBM to transfer up to $60 million in cash over the FY 2012-FY 2013 biennium from non-GRF funds that are not constitutionally restricted to the GRF in order to ensure that available GRF receipts and balances are sufficient to support GRF appropriations in each fiscal year.	Same as the Executive.	Same as the Executive, but also prohibits the Director of OBM from making transfers to the GRF from a non-GRF fund if more than 30% of the total fund value consists of cash from donations.

Executive	As Passed by the House	As Passed by the Senate
OBMCD1 FY 2011 GRF Ending Balance		
Section: ***512.40***	**Section:** ***512.40***	**Section:** ***512.40***
Requires the OBM Director to transfer cash into the Disaster Services Fund (Fund 5E20) and the Teacher Incentive Program Fund (Fund 5KG0) from the FY 2011 surplus GRF revenue that would otherwise be transferred to the Budget Stabilization Fund (Fund 7013) or the Income Tax Reduction Fund (Fund 4R80). Specifies that half the amount of the FY 2011 surplus GRF revenue be transferred to Fund 5E20 and the other half to Fund 5KG0.	Same as the Executive, except caps the amount of the transfer to each of Funds 5E20 and 5KG0 at $25,000,000.	Same as the House, but removes the transfer of half of the FY 2011 GRF surplus, up to $25,000,000, to the Teacher Incentive Program Fund (Fund 5KG0).

Executive	As Passed by the House	As Passed by the Senate
CSRCD3 **Capitol Square Review and Advisory Board as Legislative Agency**		
No provision.	**R.C.** ***105.41*** Specifies that the Capitol Square Review and Advisory Board is part of the legislative branch of government.	**R.C.** ***105.41*** Same as the House, but adds that employees of the Board are in the unclassified service and serve at the pleasure of the Board. Further specifies that employees currently subject to a collective bargaining agreement will remain under that agreement until it expires, at which point the agreement will not be renewed and those employees will become unclassified employees who serve at the pleasure of the Board, and as such, would be exempt from collective bargaining.
CSRCD2 **DAS Office of Information Technology Oversight**		
No provision.	**R.C.** ***125.021, 125.18*** Exempts the Capitol Square Review and Advisory Board from the Department of Administrative Services' (DAS) authority to contract for telephone, telecommunication, and computer services, functions that are overseen by the DAS Office of Information Technology.	**R.C.** ***125.021, 125.18*** Same as the House.
CSRCD4 **Boiler Replacement Project**		
No provision.	**Sections:** ***231.10, 501.10*** Requires $100,000 in each fiscal year from Fund 2080 appropriation item 874601, Underground Parking Garage Operations, to be used as debt service payments to the Ohio Building Authority for the boiler replacement project appropriated in Fund 7026 appropriation item C87416, Statehouse Boiler Replacement.	**Sections:** ***231.10, 501.10*** No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Appropriates $900,000 in FY 2012 from the Administrative Building Fund (Fund 7026) to capital appropriation item C87416, Statehouse Boiler Replacement.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
CACCD3 **Chair of Permanent Joint Committee on Gaming**		
		R.C. ***3772.032***
No provision.	No provision.	Requires that the chairperson of the Joint Committee on Gaming and Wagering be from the opposite house of the chairperson of the Joint Committee on Agency Rule Review, rather than from the opposite party.
		Fiscal effect: None.
CACCD2 **Creation of a Problem Gambling Hotline**		
	R.C. ***3772.062***	**R.C.** ***3772.062***
No provision.	Requires the Ohio Casino Control Commission, in conjunction with the Department of Alcohol and Drug Addiction Services, to establish, operate, and publicize an in-state hotline Ohio residents may call at any time to obtain problem gambling information. Specifies that moneys in the Problem Casino Gambling and Addictions Fund be used to fund the hotline.	Same as the House, except requires the Commission to operate in conjunction with the State Lottery Commission as well as the Department of Alcohol and Drug Addiction Services.
	Fiscal effect: Requires that moneys from the Problem Casino Gambling and Addictions Fund (Fund 5JL0) fund a gambling hotline. Fund 5JL0 is to receive two per cent of the tax on gross casino revenues.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
COMCD25 Construction Compliance		
		R.C. ***126.021, Section 515.50***
No provision.	No provision.	Transfers the Construction Compliance Section of the Equal Employment Opportunity Office of the Department of Administrative Services (DAS) and all of its functions, together with its assets and liabilities, from within DAS to within the Department of Commerce. **Fiscal effect: Redirects GRF funding of $920,000 per year for the Construction Compliance Section from DAS line item 102321, Construction Compliance, to COM line item 800401, Construction Compliance.**
COMCD20 Assessments for Video Service Providers		
	R.C. ***1332.24***	**R.C.** ***1332.24***
No provision.	Requires assessments for video service providers, imposed by the Director of Commerce, to be deposited into the Video Service Authorization Fund (Fund 5X60) rather than the Division of Administration Fund (Fund 1630). **Fiscal effect: Provides ongoing adequate funding to support appropriations for the video service regulation program from Fund 5X60.**	Same as the House. **Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
COMCD5 Waiver of Certain Securities Investment License, Renewal, and Notice Filing Fees		
R.C. ***1707.17***	**R.C.** ***1707.17***	**R.C.** ***1707.17***
Permits the Division of Securities to waive, in part or in whole, certain license, renewal, and notice filing fees for dealers, salespersons, investment advisers, investment adviser representatives, state retirement system investment officers, or Bureau of Workers' Compensation chief investment officers involved in securities investment if the waiver is in the public interest and protects securities investors.	Same as the Executive.	Same as the Executive, but limits the application of the fee waiver provision to circumstances in which the applicable individuals subject to a fee would be required to pay an additional fee in the same calendar year as a result of certain changes in the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 requiring them to be subject to state regulation rather than federal regulation.
Fiscal effect: Minimal loss in revenue to the Division of Securities Fund (Fund 5500). This provision, though it applies to a broad range of circumstances, provides the Division the flexibility to waive fees in circumstances where a registrant would be forced to pay a double fee, for example. One such circumstance results from a provision in the federal Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. Effective July 21, 2011, that act requires states to be the primary regulator of investment advisers having up to $100 million in assets under management. Currently, states regulate investment advisers with up to $30 million in assets under management and the Securities and Exchange Commission (SEC) regulates entities above that threshold. As a result of the federal law, some investment advisers will be switching from regulation by the SEC to regulation by the state and thus must pay a filing fee of $100. According to COM, investment adviser firms switching to Ohio regulation already had to pay a $100 filing fee at the beginning of this year even though they were regulated by the SEC. This provision allows the additional filing fee for firms switching regulators to be waived.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, though the potential loss in revenue may be smaller as a result of the more narrow circumstances in which a fee could be waived.**

Executive	As Passed by the House	As Passed by the Senate
COMCD6 Increase in Credit Union Share Guaranty Corporation Annual Fee		
R.C. ***1761.04***	**R.C.** ***1761.04***	**R.C.** ***1761.04***
Increases the maximum annual fee placed on credit union share guaranty corporations from $5,000 to $50,000 (unchanged is the basis for the fee, which is 0.5% of a corporation's guarantee fund as shown by the corporation's last annual financial report).	Same as the Executive, but reduces the maximum annual fee to $25,000.	Same as the House.
Fiscal effect: Gain in revenue to the Credit Unions Fund (Fund 5520) of up to $45,000 per year. Currently, there is only one credit union share guaranty corporation operating in Ohio, American Share Insurance (ASI). Increasing the maximum fee that may be charged is intended to make a credit union share guarantee corporation's assessment more comparable to what credit unions of similar size and complexity pay to the Division of Financial Institutions.	**Fiscal effect: Same as the Executive, but reduces the gain in revenue to Fund 5520 by up to $25,000 per year.**	**Fiscal effect: Same as the House.**

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 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.	(5) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(6) No provision.	(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.
(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.

Executive	As Passed by the House	As Passed by the Senate
(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.
(17) No provision.	(17) No provision.	(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.

Executive	As Passed by the House	As Passed by the Senate
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.	**Fiscal effect: Same as the Executive.**	**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).**
COMCD24 Alcohol Content of Beer		
		R.C. *4301.01*
No provision.	No provision.	Increases the legally permitted alcohol content of beer from 12% to 18% of alcohol by volume. **Fiscal effect: Minimal gain in revenue to the GRF from the alcoholic beverage and sales taxes if the provision leads to an increase in sales from specialty beers that have higher alcohol contents.**
COMCD26 Spirituous Liquor Samples		
		R.C. *4301.17, 4301.62*
No provision.	No provision.	Authorizes spirituous liquor agency stores to sell spirituous liquor tasting samples in accordance with rules adopted by the Division of Liquor Control, and exempts consumption of such spirituous liquor from the Open Container Law. **Fiscal effect: Potential minimal gain in revenue to the GRF from the liquor gallonage and sales taxes if the provision leads to increased sales of spirituous liquor.**

Executive	As Passed by the House	As Passed by the Senate
COMCD23	**Sale of Beer for Personal Consumption by A-1 Permit Holder**	
	R.C. ***4303.02***	**R.C.** ***4303.02***
No provision.	Allows an A-1 liquor permit holder (a manufacturer of beer, ale, stout, and other malt liquors) to sell beer and beer products at retail, by the individual drink in a glass or from a container, for consumption on the premises of the permit holder.	Same as the House, but clarifies that the permit holder only may sell beer manufactured on the premises.
	Fiscal effect: Minimal. There are currently around 60 A-1 permit holders across the state.	**Fiscal effect: Same as the House.**
COMCD22	**Issuance of F-9 Liquor Permits to Certain City Parks**	
	R.C. ***4303.209, 4301.62***	**R.C.** ***4303.209, 4301.62***
(1) No provision.	(1) Allows an F-9 liquor permit authorizing the sale of beer or intoxicating liquor by the individual drink to be issued to a nonprofit corporation that operates a city park or provides or manages entertainment for a nonprofit corporation that operates a city park.	(1) Same as the House.
(2) No provision.	(2) Specifies that the permit may be issued only in a park that is located in a county with a population of between 1.1 million and 1.2 million on the amendment's effective date.	(2) Same as the House.
(3) No provision.	(3) Allows the Division of Liquor Control to issue separate F-9 permits to a nonprofit corporation that operates a city park and a nonprofit corporation that provides or manages entertainment programming for the city park that are effective during the same time period, but specifies that the permit privileges may be exercised by only one of the permit holders at specific events and requires the other permit holder to certify to the Division that it will not use its permit privileges during that specific event.	(3) Same as the House.
(4) No provision.	(4) Requires the premises on which an F-9 permit will be used to be clearly defined and sufficiently restricted to allow proper supervision of the permit's use by state and local law	(4) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	enforcement officers and limits sales under an F-9 permit to the same hours permitted under a D-3 permit (until 1 a.m.).	
(5) No provision.	(5) Specifies that the fee for an F-9 permit is $1,700 and that an F-9 permit is effective for up to nine months. Prohibits an F-9 permit holder from transferring or renewing the permit, but allows an F-9 permit holder to apply for a new F-9 permit at any time. Requires the permit holder to notify in advance the Division of Liquor Control, the Department of Public Safety, and certain local law enforcement officers about the events at which beer or intoxicating liquor will be sold.	(5) Same as the House.
(6) No provision.	(6) Specifies that an application for the issuance of an F-9 permit is subject to existing local notice and hearing requirements.	(6) Same as the House.
(7) No provision.	(7) Allows a person to have in the person's possession on an F-9 liquor permit premises an opened or unopened container of beer or intoxicating liquor that was not purchased from the holder of the F-9 permit if certain conditions are met.	(7) Same as the House.
	Fiscal effect: Potential minimal gain in revenue to the Undivided Liquor Permit Fund (Fund 7066), which would subsequently be distributed to the GRF (45%), the local taxing district where the permit was issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Alcohol and Drug Addiction Services (20%). The provision applies to Columbus Commons in downtown Columbus.	**Fiscal effect: Same as the House.**

COMCD9 **Transfer of Spirituous Liquor Distribution System to Jobs Ohio**

R.C. ***4313.02, 4313.01, 4301.12***	**R.C.** ***4313.02, 4313.01, 4301.12; Section 801.30***	**R.C.** ***4313.02, 4313.01, 4301.12; Section 801.30***
(1) Authorizes the state to transfer to JobsOhio all or a portion of the enterprise acquisition project for a transfer price payable by JobsOhio to the state, and requires any such transfer to be treated as an absolute conveyance and true sale of the interest in the enterprise acquisition project.	(1) Same as the Executive.	(1) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(2) Prohibits the characterization of any such transfer as a true sale and absolute conveyance from being negated or adversely affected by (a) the acquisition or retention by the state of a residual interest in the enterprise acquisition project, (b) the participation of any state officer or employee as a member or officer of, or provision of staff support to, JobsOhio, (c) any responsibility an officer or employee of the state may have to collect amounts to be received by JobsOhio from the enterprise acquisition project, or the retention of the state of any legal title to or interest in any portion of the enterprise acquisition project for the purpose of these collection activities, or (d) any characterization of JobsOhio or obligations of JobsOhio under accounting, taxation, or securities regulations, or (e) any other reason whatsoever.	(2) Same as the Executive.	(2) Replaces the Executive provision with a provision that prohibits the characterization of any such transfer as a true sale and absolute conveyance from being negated or adversely affected by (a) the acquisition or retention by the state of a residual or reversionary interest in the enterprise acquisition project, (b) the participation of any state officer or employee as a member or officer of JobsOhio or any subsidiary of JobsOhio, (c) any regulatory responsibility of an officer or employee of the state, including the authority to collect amounts to be received in connection therewith, or (d) the retention of the state of any legal title to or interest in any portion of the enterprise acquisition project for the purpose of regulatory activities.
(3) Defines the "enterprise acquisition project" as all or any portion of the capital or other assets of the Liquor Control Commission or the Division of Liquor Control (DOLC), including inventory, real property rights, equipment, furnishings, the spirituous liquor distribution system, the monetary management system, warehouses, contract rights, rights to take assignment of contracts and related receipts and revenues, accounts receivable, the exclusive right to manage and control spirituous liquor distribution and sales in the state and to sell spirituous liquor in the state, and the assets and liabilities of the existing Facilities Establishment Fund.	(3) Same as the Executive, but (a) removes from the definition all or any portion of the capital or other assets of the Liquor Control Commission, (b) adds that the enterprise acquisition project means the capital or other assets of the spirituous liquor distribution and merchandising operations of DOLC, and (c) specifies that the spirituous liquor distribution system includes transportation.	(3) Same as the House.
(4) Defines "spirituous liquor profits" as all receipts of the state representing the gross profit on the sale of spirituous liquor, as referred to in R.C. 4301.10(B)(4), after paying all costs and expenses of JobsOhio and DOLC and providing an adequate working capital reserve for JobsOhio and DOLC, but excluding the liquor gallonage tax, as it was in effect on May 2, 1980, to be paid into the state treasury.	(4) Replaces the Executive provision with a provision providing that "spirituous liquor profits" means all receipts representing the gross profit on the sale of spirituous liquor, as referred to in R.C. 4301.10(B)(4), less the costs, expenses, and working capital provided for therein, but excluding the liquor gallonage tax, as it was in effect on May 2, 1980, to be paid into the state treasury. Specifies that from and after the initial transfer of the enterprise acquisition project to JobsOhio and until the project is transferred back to the state, the reference in R.C. 4301.10(B)(4) to all costs	(4) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	and expenses of and an adequate working capital reserve for DOLC is to be considered of or for JobsOhio.	
(5) Requires any transfer of the enterprise acquisition project that is a lease or grant of a franchise to be for a term not to exceed 25 years or that is an assignment and sale, conveyance, or other transfer to contain a provision that the state has the option to purchase back or have conveyed or transferred back to it the enterprise acquisition project no later than 25 years after the original transfer was authorized.	(5) Same as the Executive, but specifies that any transfer must contain a provision that the state has the option to have the enterprise acquisition project conveyed or transferred back to it at no cost.	(5) Same as the House.
(6) Specifies that any real or personal property of JobsOhio that is acquired, leased, or subleased under the bill and the purchase and sale of that property must be exempt from value added, sales, use, and franchise taxes and to zoning, planning, and building regulations and fees to the same extent and in the same manner as if title to that property was in the name of DOLC. In addition, exempts all income of JobsOhio from taxation in Ohio to the same extent and in the same manner as if received by the Division.	(6) Replaces the Executive provision with provisions that (a) continue the exemption from real property taxes or assessments for all or any portion of the enterprise acquisition project that would be exempt from such taxes or assessments in the absence of a transfer of the enterprise acquisition project to JobsOhio, (b) exempts the gross receipts and income of JobsOhio derived from the enterprise acquisition project from taxation by the state and political subdivisions, including, but not limited to, municipal income taxes, the sales tax, use tax, and the commercial activities tax, and (c) exempts any transfer of the enterprise acquisition project from the state to JobsOhio from sales and use taxes.	(6) Same as the House.
(7) States that the proceeds of any transfer may be expended as provided in the transfer agreement for any one or more of the following purposes: (a) Funding, payment, or defeasance of outstanding bonds secured by a pledge of spirituous liquor profits, (b) deposit into the GRF, (c) deposit into certain specified funds used by the Department of Development, and (d) conveyance to JobsOhio for the purposes for which it was created.	(7) Same as the Executive, but clarifies that the transfer proceeds may be used to fund, pay, or defease outstanding bonds secured by pledged liquor profits as those profits are defined in R.C. 151.40.	(7) Same as the House.
(8) Permits the state to covenant, pledge, and agree in the transfer agreement, with and for the benefit of JobsOhio, that it will maintain statutory authority for the enterprise acquisition project and the revenues of the enterprise acquisition project and not otherwise materially impair any obligations supported by a pledge of revenues of the	(8) Same as the Executive.	(8) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
enterprise acquisition project.		
(9) Allows the Governor, Director of Development, Director of Commerce, and the Director of OBM to take any action and execute any documents, including transfer agreements, necessary to effect the transfer and the acceptance of the transfer of the enterprise acquisition project.	(9) Same as the Executive, but adds that these individuals may take any action and execute any documents without need for any other approval.	(9) Replaces the House provision with a provision that permits the Director of OBM, in consultation with the Director of Commerce, to, without need for any other approval, negotiate terms of any documents, including the transfer agreement, necessary to effect the transfer and the acceptance of the transfer of the enterprise acquisition project and requires the Director of Commerce to execute the transfer agreement on behalf of the state.
(10) Permits the Director of OBM, Director of Commerce, and Director of Development, without need for any other approval, to retain or contract for the services of commercial appraisers, underwriters, investment bankers, and financial advisors, as are necessary in their judgment to effect the transfer agreement.	(10) Same as the Executive.	(10) Same as the Executive, but authorizes only the Director of OBM to carry out these functions.
(11) No provision.	(11) Permits the Director of OBM to create any funds or accounts, within or without the state treasury, as are needed for the transactions and activities authorized to transfer the enterprise acquisition project to JobsOhio.	(11) Same as the House.
(12) Permits the transfer agreement to authorize JobsOhio to sell, lease, release, or otherwise dispose of real and personal property or interests therein, or a combination thereof, acquired by JobsOhio and no longer needed for the purposes of R.C. 4313 or of JobsOhio and permits JobsOhio to grant such easements and other interests and rights in, over, under, or across all or a portion of the enterprise acquisition project as will not interfere with its use of such property. Specifies that such sale, lease, release, disposition, or grant to be made without competitive bidding and in such manner and for such consideration as Jobs Ohio in its judgment deems appropriate.	(12) Same as the Executive, but adds that JobsOhio may sell, lease, release, or otherwise dispose of such real and personal property acquired by it and no longer needed for the purposes of the enterprise acquisition project (in addition to the purposes of R.C. 4313 and JobsOhio, as in the Introduced version).	(12) Replaces the House provision with a provision that permits the transfer agreement to authorize JobsOhio, in the ordinary course of doing business, to convey, lease, release, or otherwise dispose of any regular inventory or tangible personal property.
(13) No provision.	(13) Subject to specified provisions, states that ownership of the interest in the enterprise acquisition project that is transferred to JobsOhio must be maintained in JobsOhio or a nonprofit entity the sole member of which is JobsOhio until the enterprise acquisition project is transferred back to the	(13) Same as the House, but removes language specifying that this provision is subject to the specified provisions.

Executive	As Passed by the House	As Passed by the Senate
	state.	
(14) Permits the transfer agreement to authorize JobsOhio to fix, alter, and collect rentals and other charges for the use and occupancy of all or any portion of the enterprise acquisition project, to lease all or a portion of the enterprise acquisition project to others, including a contract with, or the granting of an option to, the state or the lessee to purchase the enterprise acquisition project for such price as JobsOhio, in its sole discretion, determines to be appropriate, or for a price determined in accordance with the terms of the transfer agreement after retirement or redemption, or provision therefor, of all obligations supported by a pledge of spirituous liquor profits.	(14) Same as the Executive, but requires the transfer agreement to include a contract with, or the granting of an option to, the state to have the enterprise acquisition project, as it then exists, transferred back to it without charge in accordance with the terms of the transfer agreement after retirement or redemption of all obligations supported by a pledge of spirituous liquor profits.	(14) Same as the House, but clarifies that JobsOhio may lease any portion of the enterprise acquisition project to the state, rather than to others.
(15) Permits JobsOhio, the Director of OBM, the Director of Commerce, and the Director of Development, without the need for any other approval, to enter into a contract, which may be part of the transfer agreement, establishing the terms and conditions for the assignment of certain duties to, and the provision of advice, services, and other assistance by, DOLC with respect to the operation of the enterprise acquisition project, including providing for the necessary staffing and payment by JobsOhio of appropriate compensation to DOLC.	(15) Same as the Executive, but further clarifies that JobsOhio, the Director of OBM, the Director of Commerce, and the Director of Development may, without need for any other approval, enter into a contract for the continuing operation by DOLC of spirituous liquor distribution and merchandising subject to standards for performance provided in that contract that may relate to the bill's provisions governing the transfer agreement and the impairment of obligations supported by pledged revenues.	(15) Same as the House, but (a) requires, rather than permits, JobsOhio, the Director of OBM, and the Director of Commerce to enter into such a contract, (b) requires the contract to be subject to approval by the Controlling Board, (c) removes the Director of Development as a party to the contract, and (d) requires, rather than permits, the contract to establish other terms and conditions for the assignment of duties to, and the provision of advice, services, and other assistance by, DOLC, including providing for the necessary staffing and payment by JobsOhio of appropriate compensation to DOLC for the performance of such duties.
(16) No provision.	(16) States that the provisions of, and activities under, any contract for the continuing operation by DOLC of spirituous liquor distribution and merchandising are subject to the requirements of current law regarding the following powers and duties of DOLC: (a) controlling the traffic in beer and intoxicating liquor in the state, including the manufacturing, importation, and sale of beer and intoxicating liquor, (b) operating, managing, and controlling a system of state liquor stores for the sale of spirituous liquor, (c) determining the locations of all state liquor stores and manufacturing, distributing, and bottling plants required in connection with those stores, (d) fixing the wholesale and retail prices of spirituous liquor sold by DOLC, and (e) allocating the	(16) Replaces the House provision with a provision that requires DOLC to manage and actively supervise the activities required or authorized under current law regarding the powers and duties of DOLC, as those powers exist on the effective date of the bill's provisions governing the transfer, including controlling the traffic in beer and intoxicating liquor in Ohio and fixing the wholesale and retail prices at which the various classes, varieties, and brands of spirituous liquor are sold.

Executive	As Passed by the House	As Passed by the Senate
	equitable distribution of state liquor stores and agency stores in the state.	
(17) No provision.	(17) Requires the transfer agreement between the state and JobsOhio to include a requirement that JobsOhio pay for the operations of DOLC with regard to DOLC's spirituous liquor merchandising operations and requires the payments from JobsOhio to be deposited into the state treasury to the credit of the Liquor Control Fund (Fund 7043).	(17) Same as the House.
(18) No provision.	(18) No provision.	(18) Requires the transaction and transfer to comply with all applicable provisions of the Ohio Constitution.
(19) Authorizes revenue resulting from any contracts with the Department of Commerce pertaining to responsibilities and operations described in the Liquor Control Law to be credited to the Liquor Control Fund (Fund 7043). Allows the Director of OBM to transfer money from the GRF to Fund 7043 if the Director determines that the amount in Fund 7043 is insufficient.	(19) Same as the Executive.	(19) Same as the Executive.
(20) No provision.	(20) States that the revenue estimates for FY 2012 assume receipt of $500 million in cash from JobsOhio pursuant to the transfer of the enterprise acquisition project.	(20) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: The Governor's proposal envisions the transaction yielding at least $1.2 billion, though the final amount will depend on the terms of the transfer agreement. The transfer fee to the state would be funded through the issuance of revenue bonds by JobsOhio. Of the transfer proceeds, $700 million will be needed to pay off outstanding bonds backed by liquor profits. In addition, $500 million will be provided to the GRF to compensate the state for the loss of liquor profits. In addition, the agreement may also provide for annuity payments to the state beginning in FY 2014. The transfer agreement is expected to occur on or around January 1, 2012. As a result of the agreement, no FY 2013 appropriations have been provided to purchase spirituous liquor merchandise for resale or to pay the debt service on bonds backed by liquor profits.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

COMCD28 **Real Estate Brokers Law Revisions**

		R.C. ***4735.01, 4735.02, 4735.03, 4735.05, 4735.052, 4735.06, 4735.07, 4735.09, 4735.10, 4735.13, 4735.14, 4735.141, 4735.142, 4735.15, 4735.16, 4735.17, 4735.18, 4735.181, 4735.182, 4735.19, 4735.20, 4735.21, 4735.211, 4735.32, 4735.55, 4735.58, 4735.59, 4735.62, 4735.68, 4735.71, and 4735.74***
No provision.	No provision.	Makes a variety of changes to the Real Estate Brokers Law, including the following:
(1) No provision.	(1) No provision.	(1) Limits or changes the exclusion of persons from the definitions of "real estate broker," "real estate salesperson," "foreign real estate dealer," and "foreign real estate salesperson."

Executive	As Passed by the House	As Passed by the Senate
(2) No provision.	(2) No provision.	(2) Limits members of the Ohio Real Estate Commission from holding office for more than two consecutive full terms.
(3) No provision.	(3) No provision.	(3) Requires the Superintendent of Real Estate to appoint a hearing examiner for proceedings involving disciplinary actions under the civil penalty section of the Real Estate Brokers Law.
(4) No provision.	(4) No provision.	(4) Makes various changes to the enforcement process regarding licensed real estate brokers and salespersons and unlicensed persons.
(5) No provision.	(5) No provision.	(5) Requires any civil penalties collected for operating as a real estate broker or salesperson without a license to be deposited into the Real Estate Operating Fund (Fund 5490) instead of the Real Estate Recovery Fund (Fund 5480).
(6) No provision.	(6) No provision.	(6) Permits, instead of requires, the Director of Commerce to pay excess funds from the Real Estate Operating Fund (Fund 5490) to the Real Estate Education and Research Fund (Fund 5470).
(7) No provision.	(7) No provision.	(7) Eliminates the option for a real estate broker or salesperson license application fee to be partially refundable and makes nonrefundable the fees for reactivation or transfer of a license.
(8) No provision.	(8) No provision.	(8) Changes the procedures regarding check or draft instruments used to pay fees that are returned unpaid, including the imposition in additional circumstances of a $100 penalty fee for checks received with non-sufficient funds.
(9) No provision.	(9) No provision.	(9) Increases the maximum size of a loan that may be advanced from the Real Estate Education and Research Fund (Fund 5470) from $800 to $2,000.
(10) No provision.	(10) No provision.	(10) Clarifies when the initial year of a licensing period commences and ends for most licenses for the purposes of license renewal.

Executive	As Passed by the House	As Passed by the Senate
(11) No provision.	(11) No provision.	(11) Changes certain educational requirements for real estate brokers and salespersons, including the nature of the classroom instruction that may be used to fulfill the ten hours of instruction required.
(12) No provision.	(12) No provision.	(12) Requires a licensee to notify the Superintendent of Real Estate in writing, within 15 days, for certain categories of misconduct, including being the subject of an order revoking or permanently surrendering any professional license, certificate, or registration issued by certain public entities.
(13) No provision.	(13) No provision.	(13) Permits the Ohio Real Estate Commission to commence an investigation and take disciplinary action that relates to unlicensed persons and entities, in addition to licensees.
(14) No provision.	(14) No provision.	(14) Makes certain changes with regard to advertising by real estate brokers or salespersons.
(15) No provision.	(15) No provision.	(15) Makes various other changes to the regulation of real estate brokers, salespersons, and so forth as well as to the administration and enforcement of Chapter 4735. of the Revised Code.
		Fiscal effect: Provides greater flexibility and efficiency for the Division of Real Estate and Professional Licensing to carry out its duties by removing or lengthening various time limitations in addressing complaints and by making various other updates to the Real Estate Brokers Law. Provides additional means to bolster the fund balance of the Real Estate Operating Fund (Fund 5490) through various provisions.

Executive	As Passed by the House	As Passed by the Senate
COMCD29 Residential Construction Advisory Committee Membership		
		R.C. ***4740.14, Section 747.40***
No provision.	No provision.	Requires the terms of the members of the Residential Construction Advisory Committee to be staggered so that three members serve until June 30, 2012, three members serve until June 30, 2013, and three members serve until June 30, 2014. Specifies that, after the expiration of these appointments, all successive terms are to last for the three year period specified in continuing law. **Fiscal effect: None.**
COMCD12 Unclaimed Funds Transfers		
Section: ***243.10***	**Section:** ***243.10***	**Section:** ***243.10***
Requires the Director of Commerce to transfer up to $70 million of unclaimed funds to the GRF prior to June 30, 2012 and up to another $85 million of unclaimed funds to the GRF prior to June 30, 2013.	Same as the Executive, but increases the amount transferred to $115 million and $100 million, respectively.	Same as the House.
COMCD13 Fire Department Grants		
Section: ***243.10***	**Section:** ***243.10***	**Section:** ***243.10***
(1) Earmarks up to $1,647,140 each year from SSR Fund 5460 appropriation item 800639, Fire Department Grants, for grants to volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships.	(1) Same as the Executive.	(1) Same as the Executive, but adds private fire companies to the list of entities eligible for the grants.

Executive	As Passed by the House	As Passed by the Senate
(2) Requires the grants to be used to purchase firefighting or rescue equipment or gear or similar items, to provide full or partial reimbursement for the documented costs of firefighter training, or, at the discretion of the State Fire Marshal, to cover fire department costs for providing fire protection services in the grant recipient's jurisdiction.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Limits grant awards for firefighting or rescue equipment or gear or fire department costs of providing fire protection services to $15,000 per fiscal year, or up to $25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded, and to $15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training, which could be in addition to any grant funds awarded for equipment or fire protection services.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Requires the State Fire Marshal to determine the total amounts to be allocated for each eligible purpose.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Requires the State Fire Marshal to administer the grant program in accordance with rules adopted as part of the State Fire Code, which may further define eligible entities and establish criteria for the awarding and expenditure of grant funds.	(5) Same as the Executive.	(5) Same as the Executive.
(6) Permits any appropriations in excess of the amount allocated for the grants to be used to administer the grant program.	(6) Same as the Executive.	(6) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
COMCD21 Cash Transfer to Video Service Authorization Fund		
	Section: ***243.10***	**Section:** ***243.10***
No provision.	Requires the Director of OBM, upon the request of the Director of Commerce, to transfer up to $340,000 in cash in each fiscal year from the Division of Administration Fund (Fund 1630) to the Video Service Authorization Fund (Fund 5X60).	Same as the House.
COMCD18 Liquor Control Fund Transfers		
Section: ***243.10***	**Section:** ***243.10***	**Section:** ***243.10***
Authorizes the Director of OBM to transfer up to $10,600,000 in FY 2012 and up to $21,400,000 in FY 2013 from the GRF to the Liquor Control Fund (Fund 7043).	Same as the Executive, but decreases the amount of the FY 2012 transfer to up to $7,390,407 and decreases the amount of the FY 2013 transfer to up to $15,582,085.	Same as the Executive, but increases the maximum amount of the FY 2013 transfer to $21,800,000.
Specifies that the amounts transferred are to support the operations of the Department of Commerce, Liquor Control Commission, and the Department of Public Safety in carrying out the Liquor Control Law (Chapter 4301. of the Revised Code).	Same as the Executive, but specifies that the portion of funding for the Department of Commerce is for the Division of Liquor Control's liquor permitting and compliance functions.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
OCCCD2 **Prohibition of OCC Advocacy Against Competitive Markets**		
	R.C. ***4911.02***	**R.C.** ***4911.02***
No provision.	Prohibits the Consumers' Counsel from advocating or promoting positions contrary to the development of competitive markets in Ohio, including any position contrary to natural gas retail auctions, merchant-function exit, or state policies pertaining to competitive natural gas markets.	Replaces the House provision with a provision that requires the Consumers' Counsel to follow current state policies that involve supporting retail natural gas competition.
	Fiscal effect: None	**Fiscal effect: None.**
OCCCD1 **Prohibition of OCC Call Center**		
	R.C. ***4911.021, 4927.17, 4928.10, 4929.22***	**R.C.** ***4911.021, 4927.17, 4928.10, 4929.22***
No provision.	Prohibits the Office of Consumers' Counsel (OCC) from operating a call center for consumer complaints, and requires such calls to be forwarded to the Public Utilities Commission.	Same as the House.
No provision.	Removes requirements that utilities include OCC's contact information on customer bills and notices.	No provision.
	Fiscal effect: Reduces expenditures within GSF Fund 5F50 appropriation item 053601 by an amount between $700,000 and $900,000.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
CEBCD10 **Controlling Board Approval of State Agency Purchases**		
		R.C. ***127.162***
No provision.	No provision.	Permits the Controlling Board to approve a state agency purchase if the agency provides a detailed explanation to the Board of its competitive selection or evaluation and selection process, and also if the agency substantially complied with one of the following: sealed bidding, sealed proposal, reverse auction, or evaluation and selection of professional design services requirements.
		Fiscal effect: None.
CEBCD9 **Controlling Board Emergency Purposes Fund**		
		R.C. ***127.19, Section 512.40***
(1) No provision.	(1) No provision.	(1) Creates the Controlling Board Emergency Purposes Fund (Fund 5KM0) in the state treasury, consisting of transfers from the General Revenue Fund and any other funds appropriated by the General Assembly.
(2) No provision.	(2) No provision.	(2) Permits moneys in Fund 5KM0 to be used to provide disaster and emergency aid to state agencies and political subdivisions or for other purposes approved by the Controlling Board.
(3) No provision.	(3) No provision.	(3) Transfers up to $20,000,000 cash from the FY 2011 GRF ending balance to Fund 5KM0.
		Fiscal effect: Increases the amount available for emergency purposes by up to $10,000,000 over the biennium.

Executive	As Passed by the House	As Passed by the Senate
CEBCD2 **Disaster Services Fund Transfers to the Emergency Purposes/Contingencies Appropriation Line Item**		
Section: ***247.10***	**Section:** ***247.10***	
Permits the Controlling Board, at the request of any state agency or the Director of Budget and Management, to transfer all or part of the appropriation in GRF appropriation item 911401, Emergency Purposes/Contingencies, for the purpose of providing disaster and emergency situation aid to state agencies and political subdivisions in the event of disasters and emergency situations or for the other purposes noted in Section 247.10 of the bill.	Same as the Executive.	No provision.
CEBCD4 **Disaster Assistance**		
Section: ***247.10***	**Section:** ***247.10***	
(1) Permits the Department of Public Safety to request, and the Controlling Board to approve, transfers from GRF appropriation item 911401, Emergency Purposes/Contingencies, to appropriation items used by the Department to provide funding for assistance to political subdivisions and individuals made necessary by natural disasters or emergencies.	(1) Same as the Executive.	(1) No provision.
(2) Permits such transfers to be requested and approved prior to or following the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.	(2) Same as the Executive.	(2) No provision.

Executive	As Passed by the House	As Passed by the Senate
CEBCD6 Southern Ohio Correctional Facility Cost		
Section: ***247.10***	**Section:** ***247.10***	
Permits the Department of Public Safety's Division of Criminal Justice Services and the Public Defender Commission to request, upon approval of the Director of Budget and Management, additional funds from the GRF appropriation item 911401, Emergency Purposes/Contingencies, for costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility.	Same as the Executive.	No provision.

Executive	As Passed by the House	As Passed by the Senate
DEVCD47 Sporting Event Incentives		
	R.C. ***122.121***	**R.C.** ***122.121***
No provision.	Delays the date on or after which awards may be made under the Department of Development's Sports Incentive Grant Program from July 1, 2011 to July 1, 2013.	Same as the House.
	Fiscal effect: None. The program would not have begun until FY 2012 under current law.	**Fiscal effect: Same as the House.**
DEVCD49 JobsOhio Corporation Changes		
		R.C. ***187.01, 187.02, 187.03, 187.09, 187.13, Sections 605.10, 605.11, 812.20, and 812.30***
No provision.	No provision.	Removes the current requirement that the Governor serve as a member and chairperson of the JobsOhio Board of Directors and instead requires the Governor to appoint all nine members and designate one of those members as the chairperson.
No provision.	No provision.	Requires JobsOhio to comply with Ohio's Nonprofit Corporation Law unless it is specifically exempted from a particular provision of that law.
No provision.	No provision.	Requires any claim regarding JobsOhio, except for constitutional claims otherwise within the original jurisdiction of the Supreme Court or Court of Appeals, to be brought before the Franklin County Court of Common Pleas within 90 days of the provision's effective date. Further requires any claim alleging the unconstitutionality of any action taken by JobsOhio to be brought before the Franklin County Court of Common Pleas within 60 days of the action. Requires the Franklin County Court of Common Pleas and the Court of Appeals to give calendar priority to constitutional challenges to JobsOhio actions or its authorizing legislation.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Prohibits any business from using "JobsOhio" or "Jobs Ohio" as part of its name without the written consent of the JobsOhio Corporation.
No provision.	No provision.	Removes the current authority for the Governor to specify other types of experience that would qualify an individual for appointment to the JobsOhio Board of Directors as alternatives to the types of experience specifically required by the statute.
No provision.	No provision.	Specifies that the $1,000,000 appropriation from GRF appropriation item 195527, JobsOhio, may be used for purposes including, but not limited to, the costs of the incorporation and formation of the corporation, and specifies that any unexpended and unencumbered balance of the appropriation remaining at the end of FY 2011 is appropriated for FY 2012. **Fiscal effect: Potential minimal increase in costs to the Franklin County Court of Common Pleas and the Court of Appeals to handle certain claims against JobsOhio. In addition, allows for any unexpended and unencumbered portion of the $1,000,000 GRF appropriation for JobsOhio start-up costs to be carried forward into FY 2012.**
DEVCD15 Governor's Office of Appalachia		
Section: ***261.10.50***	**Section:** ***261.10.50***	**Section:** ***261.10.50***
Authorizes GRF appropriation item 195416, Governor's Office of Appalachia, to be used for the administrative costs of planning and liaison activities for the office, to provide financial assistance for projects in Ohio's Appalachian counties, and to match federal funds from the Appalachian Regional Commission.	Same as the Executive, but also states the intent of the General Assembly to appropriate for FY 2013 the same amount that is appropriated in FY 2012 for GRF appropriation items 195501, Appalachian Local Development Districts ($391,482), and 195502, Appalachian Regional Commission Dues ($195,000).	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DEVCD18 Global Markets		
Section: ***261.10.80***	**Section:** ***261.10.80***	**Section:** ***261.10.80***
Requires GRF appropriation item 195432, Global Markets, to be used to administer Ohio's foreign trade and investment programs, including operations of Ohio's out-of-state trade and investment offices, to fund the Global Markets Division, and to assist Ohio manufacturers, agricultural producers, and service providers with exports and attracting foreign direct investment.	Same as the Executive, but earmarks $100,000 in FY 2012 from the appropriation item for the Negev Foundation as part of the Ohio-Israel Initiative.	Same as the Executive.
DEVCD20 Economic Development Projects		
Section: ***261.20.10***	**Section:** ***261.20.10***	**Section:** ***261.20.10***
Authorizes GRF appropriation item 195528, Economic Development Projects, to be used for the purposes of Chapter 122. of the Revised Code in anticipation of the evaluation of the powers, functions, and duties of the Department of Development as prescribed in Section 187.05 of the Revised Code, in preparation for the transition of certain functions to JobsOhio. States the intent of the General Assembly that appropriations to this line item be reallocated upon the completion of the evaluation.	Same as the Executive, but earmarks $100,000 from the appropriation item in FY 2013 for the Negev Foundation as part of the Ohio-Israel Initiative.	Same as the Executive.
DEVCD6 Ohio Incumbent Workforce Training Vouchers		
Section: ***261.20.90***	**Section:** ***261.20.90***	**Section:** ***261.20.90***
Requires the transfer of $20,000,000 in FY 2012 and $30,000,000 in FY 2013 from the Economic Development Programs Fund (Fund 5JC0) used by the Board of Regents to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) used by the Department of Development.	Same as the Executive.	Same as the Executive, but reduces the transferred amount to $6,000,000 in FY 2012 and $16,000,000 in FY 2013.

Executive	As Passed by the House	As Passed by the Senate
Requires up to $20,000,000 in FY 2012 and up to $30,000,000 in FY 2013 from SSR Fund 5HR0 line item 195526, Ohio Incumbent Workforce Job Training, to support the Ohio Incumbent Workforce Job Training Program. Permits the Director of Development and the Chief Investment Officer of JobsOhio to enter into an agreement to run the program under the contract between the two entities, and specifies that the agreement may include a provision allowing for the transfer, loan, or grant of funds from line item 195526 to JobsOhio to provide training for incumbent workers.	Same as the Executive.	Same as the Executive, but decreases the required amount to up to $6,000,000 in FY 2012 and up to $16,000,000 in FY 2013.
Requires any agreement between the Director and the Chief Investment Officer to contain guidelines that (1) require a maximum voucher amount of $6,000 per year, (2) allow an eligible employer to apply on behalf of an employee, (3) allow employees to apply with their employer's pre-approval, and (4) require that the training costs paid by an employer or employee not be less than 33% of the total eligible training costs.	Same as the Executive.	Same as the Executive, but specifies that the Ohio Incumbent Workforce Training Voucher Program must conform to the prescribed guidelines regardless of any agreement between the Director of Development and the Chief Investment Officer of JobsOhio.
Fiscal effect: Sets aside $50 million over the biennium in casino license fee revenues for incumbent workforce training.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Sets aside $22 million, rather than $50 million, in casino revenues over the biennium for incumbent workforce training vouchers.**

Executive	As Passed by the House	As Passed by the Senate
DEVCD50 Defense Development Assistance		
		Section: ***261.20.90***
No provision.	No provision.	Requires the Director of Budget and Management to transfer $10,000,000 in each fiscal year from the Economic Development Projects Fund (Fund 5JC0) to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) and appropriates these amounts in Fund 5HR0 appropriation item 195622, Defense Development Assistance. Earmarks the appropriation item for specified job creation and economic development purposes related to Department of Defense facilities in Ohio, and requires these amounts to be used in conjunction with private or Department of Defense funding.
DEVCD30 Advanced Energy Fund		
Section: ***261.30.10***	**Section:** ***261.30.10***	**Section:** ***261.30.10***
Requires SSR Fund 5M50 appropriation item 195660, Advanced Energy Programs, to be used for financial assistance for eligible advanced energy projects for residential, commercial, and industrial businesses; local governments; educational institutions; nonprofits; and agriculture customers; and to pay for the program's administrative costs.	Same as the Executive.	Same as the Executive, but also requires the Director of Budget and Management to transfer $750,000 in cash in each fiscal year from the Advanced Energy Fund (Fund 5M50) to the Alternative Fuel Transportation Grant Fund (Fund 5CG0).

Executive	As Passed by the House	As Passed by the Senate
DEVCD48 Diesel Emissions Reduction Grant Program		
	Section: ***512.90***	**Section:** ***512.90***
No provision.	Requires the Director of Development to administer the Diesel Emissions Reduction Grant Program, which is established in the Highway Operating Fund (Fund 7002), and to solicit, evaluate, score, and select projects submitted by public and private entities for the federal Congestion Mitigation and Air Quality (CMAQ) Program, and requires the Director of Transportation to process Federal Highway Administration-approved projects as recommended by the Director of Development.	Same as the House, but requires the Director of Environmental Protection, rather than the Director of Development, to administer the program and recommend projects.
No provision.	Requires the directors of Development, Transportation, and Environmental Protection to develop guidance for funding projects under the program.	Same as the House.
No provision.	Allows Diesel Emissions Reduction Grant Program funds to be used to purchase hybrid and alternative fuel vehicles under CMAQ Program guidance.	Same as the House.
No provision.	Requires public entities to be reimbursed for eligible costs from the Department of Transportation and requires private entities to be reimbursed for eligible costs from cash transferred from the Department of Transportation to the Diesel Emissions Reduction Grant Fund (Fund 3BD0) used by the Department of Development.	Same as the House, but changes the fund from the Diesel Emissions Reduction Grant Fund (Fund 3BD0) in the Department of Development to the Diesel Emissions Reduction Fund (Fund 3FH0) in the Environmental Protection Agency.
No provision.	Establishes Fund 3BD0 appropriation item 195697, Diesel Emissions Reduction Grants, with an appropriation of $10,000,000 in each fiscal year. Specifies that any unencumbered and unexpended balance remaining at the end of FY 2012 is appropriated for the same purpose in FY 2013.	Same as the House, but changes the appropriation item to Fund 3FH0 appropriation item 715693, Diesel Emission Reduction Grants, in the Environmental Protection Agency.

Executive	As Passed by the House	As Passed by the Senate
DDDCD33 County Board Fees for Home and Community-Based Services		
		R.C. *5123.0412, Section 309.30.15*
No provision.	No provision.	Revises current law governing fees that a county DD board pays for home and community-based services provided under a Medicaid waiver program administered by ODODD as follows:
No provision.	No provision.	(1) Reduces the fee from 1.5% to 1.0% of the total value of all Medicaid-paid claims;
No provision.	No provision.	(2) Provides for all of the money raised by the fees to be deposited into SSR Fund 5S20 used by ODODD rather than having a portion of the money deposited into SSR Fund 5S30 used by ODJFS;
No provision.	No provision.	(3) Provides that SSR Fund 5S30 ceases to exist when ODJFS expends the amount appropriated from the Fund;
No provision.	No provision.	(4) Eliminates ODJFS' duties regarding the fees;
No provision.	No provision.	(5) Maintains allowable uses of SSR Fund 5S20 except for additional duties identified by ODODD.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: Loss of revenue to the state of about $6.6 million in FY 2012 and $7.5 million in FY 2013, based on estimates of revenue of $19.8 million in FY 2012 and $22.6 million in FY 2013 from this fee. As the fee is paid by county DD boards, there is a corresponding cost savings to the boards. Most of the loss in state revenue affects ODJFS, which would experience a loss of revenue of about $5.9 million in FY 2012 and $6.8 million in FY 2013, based on the current interagency agreement that allocates 30% of total fee revenue to ODJFS. ODODD would experience a loss of revenue of about $660,000 in FY 2012 and $752,000 in FY 2013. There is also a loss of federal Medicaid revenue received as reimbursement for Medicaid administrative expenditures. The federal government reimburses states 50% for most administrative expenditures.
DDDCD26 Additional Purposes for Appropriated Funds		
R.C. ***5123.0418, 5123.352, Repealed: R.C. 5126.19***	**R.C.** ***5123.0418, 5123.352, Repealed: R.C. 5126.19***	**R.C.** ***5123.0418, 5123.352, Repealed: R.C. 5126.19***
Specifies additional purposes for which the ODODD Director may use funds appropriated to ODODD including specified services to assist persons with MR/DD remain in the community and avoid institutionalization, emergency respite services, and staff training. Requires money in the Community Developmental Disabilities Trust Fund to be used for the purposes described above.	Same as the Executive, but, with regard to respite care services, specifies that the funds may be used for any respite care services, rather than only emergency respite care services provided under a county DD board's family support services program.	Same as the House.
Permits the ODODD Director to establish priorities for using funds appropriated to ODODD.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD30 **County Developmental Disabilities Board Meetings**		
	R.C. ***5126.029***	**R.C.** ***5126.029***
No provision.	Reduces from ten to eight the number of times a county DD board that shares a superintendent or other administrative staff with one or more other county boards is to meet each year following its annual organizational meeting.	Same as the the House.
	Fiscal effect: Minimal decrease in costs to the affected county DD boards.	**Fiscal effect: Same as the House.**
DDDCD25 **County Boards' Waiting Lists**		
R.C. ***5126.042, 5111.872, 5126.054, 5126.08, 5126.41***	**R.C.** ***5126.042, 5111.872, 5126.054, 5126.08, 5126.41***	**R.C.** ***5126.042, 5111.872, 5126.054, 5126.08, 5126.41***
Eliminates most of the statutory requirements governing the waiting lists that county DD boards establish for services, leaving the requirements to be established in rules adopted by the ODODD Director.	Same as the Executive.	Replaces the Executive provisions with provisions that establish requirements for waiting lists for non-Medicaid programs and services and different requirements for waiting lists for Medicaid-funded home and community-based services.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DDDCD31 **County DD Boards' Enrollment Responsibilities for Medicaid Waivers**		
	R.C. ***5126.0512, 5123.0413, 5126.0510***	**R.C.** ***5126.0512, 5123.0413, 5126.0510***
No provision.	Requires a county DD board to ensure that at least a certain number of individuals are enrolled in any, rather than each, of ODODD's waiver programs.	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD28 Innovative Pilot Projects		
R.C. ***5123.0420***	**R.C.** ***5123.0420***	**Section:** ***263.20.80***
Permits the ODODD Director to authorize innovative pilot projects that are likely to assist in promoting the objectives of state law governing ODODD and county DD boards.	Same as the Executive.	Same as the Executive, but moves the provision to a temporary law section and limits the Director's authority to authorize pilot projects to FY 2012 and FY 2013.
No provision.	No provision.	Requires the ODODD Director, before authorizing a pilot project, to consult with entities interested in the issue of developmental disabilities, including the Ohio Provider Resource Association, the Ohio Association of County Boards of Developmental Disabilities, and the ARC of Ohio.
Requires the ODODD Director to specify the period of time for which a pilot project is to be implemented and that the period of time specified include a reasonable period for an evaluation of the pilot project's effectiveness.	Same as the Executive.	No provision.
Fiscal effect: Potential minimal increase in costs.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DDDCD32 Remote Attendance Pilot Program		
		Section: ***263.20.90***
No provision.	No provision.	Authorizes the Ohio Developmental Disabilities Council to establish a pilot program to allow Council members to remotely attend meetings by teleconference or video conference. Permits the pilot program to be operated until five years after the bill's earliest effective date. Requires the Council to submit a report to the General Assembly containing certain information to assist in determining whether legislation establishing remote attendance by teleconference or video conference for the meetings of other public bodies would be beneficial.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: Potential increase in costs to the Ohio DD Council to establish the pilot program; potential decrease in travel expenses for council members if pilot program is established.

Executive	As Passed by the House	As Passed by the Senate
CDRCD1 **Repeal of Dispute Resolution and Conflict Management Law**		
R.C. ***179.01, 179.02, 179.03, 179.04 (All Repealed)***		
(1) Repeals the Dispute Resolution and Conflict Management Law.	(1) No provision.	(1) No provision.
(2) Abolishes the 12-member Ohio Commission on Dispute Resolution and Conflict Management and terminates the positions of Executive Director and personnel of the Commission.	(2) No provision.	(2) No provision.
(3) Abolishes the Dispute Resolution and Conflict Management Commission Gifts, Grants, and Reimbursements Fund in the state treasury.	(3) No provision.	(3) No provision.
Fiscal effect: Under the executive proposed budget, all funding for the Commission's operation has been eliminated.		

Executive	As Passed by the House	As Passed by the Senate
School Funding		
EDUCD79 Funding for Traditional School Districts		
R.C. ***3306., (Repealed or renumbered), Section 267.30.50***	**R.C.** ***3306., (Repealed or renumbered), Sections 267.30.50, 267.30.53***	**R.C.** ***3306., (Repealed or renumbered), Sections 267.30.50, 267.30.53***
Repeals the current formula for funding traditional school districts, commonly called the Evidence-Based Model (EBM).	Same as the Executive.	Same as the Executive.
Establishes a method of allocating state funding for school districts in FY 2012 and FY 2013 as follows:	Same as the Executive, but adds supplemental funding as described below.	Same as the House, but revises supplemental funding as described below.
Recalculates average daily membership (ADM) for FY 2011 by basing it on the FY 2011 October count for all districts, instead of on the FY 2010 October count for most districts and the FY 2011 October count for districts with an ADM increase from FY 2010 to FY 2011 of more than 2%.	Same as the Executive.	Same as the Executive.
Calculates each district's FY 2011 state aid per pupil as the district's actual state aid allocation in FY 2011 divided by the district's recalculated FY 2011 ADM.	Same as the Executive.	Same as the Executive.
Calculates each district's FY 2011 charge-off valuation per pupil as the district's FY 2011 charge-off valuation divided by the district's recalculated FY 2011 ADM.	Same as the Executive.	Same as the Executive.
Calculates each district's charge-off valuation index as the district's FY 2011 charge-off valuation per pupil divided by the state median FY 2011 charge-off valuation per pupil.	Same as the Executive.	Same as the Executive.
Requires ODE to calculate a statewide per pupil adjustment in each fiscal year so that statewide funding does not exceed the appropriation for that year.	Same as the Executive.	Same as the Executive.
Calculates each district's adjustment amount for each fiscal year as the statewide per pupil adjustment for that fiscal year multiplied by the district's charge-off valuation index and the district's current year ADM.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Calculates each district's funding allocation in each fiscal year as the district's FY 2011 state aid per pupil multiplied by the district's current year ADM minus the district's current year adjustment amount.	Same as the Executive.	Same as the Executive.
No provision.	Provides supplemental funding in FY 2012 to guarantee that no district's funding decreases more than 20% from the portion of its FY 2011 funding that was supported through state funds (versus with federal stimulus funds). Provides supplemental funding in FY 2013 to guarantee that none of the districts that received supplemental funding in FY 2012 receive less than their FY 2012 funding including the supplement.	Replaces the House provision with a provision that provides supplemental funding in FY 2012 and FY 2013 to guarantee each district receives at least the amount of the portion of its FY 2011 funding that was supported through state funds (versus with federal stimulus funds).
Specifies that the amount of state funding allocated in each fiscal year for special education and related services and for career-technical education for each district be equal to the amounts allocated for those purposes in FY 2011.	Same as the Executive.	Same as the Executive.
No provision.	Specifies that the amount of state funding allocated in each fiscal year for services to gifted students for each district be equal to the amounts allocated for gifted units and gifted identification in FY 2009.	Same as the House.
Requires ODE to indicate each district's allocation for special education and related services and career-technical education on the form used to calculate each district's total funding allocation.	Same as the Executive, but adds the allocation for gifted services.	Same as the House.
Requires each district to spend its allocation for career-technical education on career-technical education expenses and requires ODE to monitor this spending.	Same as the Executive, but requires ODE to "monitor and enforce" spending of the gifted allocation as well as the career-technical allocation.	Same as the House.
No provision.	Permits ODE to reallocate the unexpended amount of a school district's state funding allocation for career-technical education, if the district informs ODE it is unable to spend the full allocation on approved expenses. Requires ODE to first allocate the funds to districts within the original district's career-technical planning district that have growth in career-technical enrollment and then to other districts based on their growth in career-technical enrollment.	Same as the House, but specifies that the funding for any district affected by a reallocation of funding originally allocated for career-technical education have its total operating funding adjusted by an amount equal to the amount of the reallocated funds.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: The bill appropriates approximately $6.18 billion in FY 2012 and $6.24 billion in FY 2013 for this funding. This amount is about $336.8 million (approximately $195 per pupil) lower in FY 2012 and $273.8 million (approximately $158 per pupil) lower in FY 2013 than the estimated funding in FY 2011. Application of the charge-off valuation index results in higher wealth districts receiving larger per pupil reductions compared to FY 2011 than lower wealth districts.	**Fiscal effect: The bill appropriates approximately $6.22 billion in FY 2012 and $6.28 billion in FY 2013 for this funding. This amount is about $296.8 million (approximately $172 per pupil) lower in FY 2012 and $233.8 million (approximately $135 per pupil) lower in FY 2013 than the estimated funding in FY 2011. Application of the charge-off valuation index results in higher wealth districts receiving larger per pupil reductions compared to FY 2011 than lower wealth districts. The supplement limits the percentage reduction.**	**Fiscal effect: The bill appropriates approximately $6.27 billion in FY 2012 and $6.31 billion in FY 2013 for this funding. This amount is about $246.4 million (approximately $142 per pupil) lower in FY 2012 and $199.4 million (approximately $115 per pupil) lower in FY 2013 than the estimated funding in FY 2011. Application of the charge-off valuation index results in higher wealth districts receiving larger per pupil reductions compared to FY 2011 than lower wealth districts. The supplement limits the reduction to the portion of funding in FY 2011 supported by federal stimulus.**

EDUCD51 School Funding

R.C. *3317., various other sections of law*	R.C. *3317., various other sections of law*	R.C. *3317., various other sections of law*
Retains the special education funding weights and categories used in the EBM, but does not use them for funding in FY 2012 or FY 2013	Same as the Executive.	Same as the Executive, but uses the new categories (but not the new weights) for special education weighted funding for community schools.
Retains the current formula for transportation funding but suspends it for FY 2012 and FY 2013.	Same as the Executive.	Same as the Executive.
Discontinues the practice of using the prior year's October student count unless the current year's October count is 2% greater and, instead requires use of the current-year count to derive a district's formula ADM, but continues to count each kindergarten student as one FTE.	Same as the Executive.	Same as the Executive.
Sets the formula amount at $5,653 for transfer payments for students attending community schools, STEM schools, and other districts through open enrollment, and colleges and universities through the Post-Secondary Enrollment Options Program.	Same as the Executive.	Same as the Executive.
Maintains the per pupil base funding supplements for community school and STEM school funding at the FY 2009 level.	Same as the Executive.	Same as the Executive, but clarifies that when computing the supplements, the FY 2009 formula amount of $5,732 be used.

Executive	As Passed by the House	As Passed by the Senate
Retains the FY 2009 per pupil level of payments to community schools and STEM schools for special education, career-technical education, poverty-based assistance, and parity aid.	Same as the Executive.	Same as the Executive, but for special education funding. Specifies that special education funding be based on disability categories used for school district funding after FY 2009, but weights used in FY 2009.
No provision.	Requires ODE to pay community schools for serving children with disabilities regardless of whether a child enrolls in a community school after the federal reporting date of December 1.	No provision.
Specifies that payments for excess special education cost from resident districts to other districts providing those services be computed using the FY 2009 formula amount ($5,732) and special education weights.	Same as the Executive.	Same as the Executive.
Specifies that state payments for catastrophic special education costs be computed using the FY 2009 special education weights and categories.	Same as the Executive.	Same as the Executive.
Eliminates the requirement that ODE submit an annual report to OBM on the amount of local, state, and federal pass-through special education funds allocated for each school district.	Same as the Executive.	Same as the Executive.
Eliminates the requirement that ODE submit an annual report to the Governor and the General Assembly on the amount of weighted career-technical education funding spent by each school district.	Same as the Executive.	Same as the Executive.
Reduces from three to one the number of school funding reports that ODE annually must submit to the Controlling Board and removes the requirement that no school funding payments be distributed without approval of the Controlling Board.	Same as the Executive, but reinstates the requirement that no school funding payments be distributed without approval of the Controlling Board.	Same as the House.
Limits operating payments to an island district to the lesser of actual cost or the district's fiscal year 2011 amount multiplied by 93%. Specifies that if the district did not receive any funding in FY 2011, it may not receive funding in either FY 2012 or FY 2013.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Reduces the amount deducted from school districts' state aid accounts for each Educational Choice scholarship from $5,200 to the actual amount of the scholarship (which is the lesser of tuition actually charged or $4,250 for grades K to 8 or $5,000 for grades 9 to 12).	Same as the Executive.	Same as the Executive.
Fiscal effect: Transfers from school district state funding allocations to community schools, STEM schools, and other districts under open enrollment are $50 less per pupil in FY 2012 and FY 2013 than in FY 2011. Deductions from school district state funding allocations for Ed Choice scholarships are at least $950 less per scholarship student in grades K to 8 and $200 less per scholarship student in grades 9 to 12.	**Fiscal effect: Same as the Executive, but may increase transfers from school district state funding allocations to community schools if more community school special education students are counted.**	**Fiscal effect: Same as the Executive.**

EDUCD80 Utility Property Tax Replacement Payments

R.C. ***5727.84, 5727.85, 5727.86, Section 757.20***	**R.C.** ***5727.84, 5727.85, 5727.86, Section 757.20***	**R.C.** ***5727.84, 5727.85, 5727.86, Section 757.20***
Accelerates the phase-out of fixed-rate public utility property tax loss reimbursements for most school districts and JVSDs based on each district's reliance on the reimbursements as measured by the district's public utility direct reimbursement as a percentage of its total resources (total state and local operating revenue) as defined in the bill.	Same as the Executive for FY 2012 and FY 2013, but eliminates the phase-out in future years.	Same as the House.
Specifies that beginning in FY 2012, reimbursements are to be phased out so that each district's reliance on the reimbursements falls by two percentage points per year.	Same as the Executive for FY 2012 and FY 2013, but eliminates the phase-out in future years after 4% of total resources has been phased out in the FY 2012-FY 2013 biennium.	Same as the House.
Beginning in FY 2012, phases out reimbursements for nonoperating fixed rate levies by 25% per year.	Same as the Executive for FY 2012 and FY 2013, but eliminates the phase-out in future years after 50% has been phased out in the FY 2012-FY 2013 biennium.	Same as the House.
Permits a school district or JVSD to file an appeal with the Tax Commissioner contesting a levy classification or any amount used in the calculation of their total resources. Prohibits changes to the classifications or calculations after June 30, 2013.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
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.	Same as the Executive.	Same as the Executive.
States that, with respect to unvoted debt levies within the ten-mill limit, if the levy was no longer levied for debt purposes for tax year 2010 or for any tax year thereafter, payments for that levy are to be made under the new reimbursement mechanism beginning the earlier of tax year 2012 or the first tax year for which it is no longer levied for debt purposes.	Same as the Executive.	Same as the Executive.
Modifies the procedure to determine how fixed-rate levy reimbursements are calculated when a district merges with or transfers territory to another district in the same manner as for TPP reimbursements (see following).	Same as the Executive.	Same as the Executive.
Fiscal effect: See LSC's Bill Analysis for H.B. 153 for a more extensive discussion of these proposed statutory changes. The bill appropriates $34.0 million in FY 2012 and $30.0 million in FY 2013 for public utility tax reimbursements. Reimbursements are estimated to be $74.3 million in FY 2011.	**Fiscal effect: Same as the Executive for FY 2012 and FY 2013, but results in higher reimbursements in future years than under the Executive.**	**Fiscal effect: Same as the House.**

EDUCD81 Tangible Personal Property Tax Replacement Payments

R.C. ***5751.20, 5751.21-5751.23, Section 757.20***	**R.C.** ***5751.20, 5751.21-5751.23, Section 757.20***	**R.C.** ***5751.20, 5751.21-5751.23, Section 757.20***
Accelerates the phase-out of fixed rate TPP tax loss reimbursements for most school districts, based on each district's reliance on the reimbursements as measured by the district's FY 2010 TPP direct reimbursement as a percentage of the district's total resources (total state and local operating revenue) as defined in the bill.	Same as the Executive for FY 2012 and FY 2013, but eliminates the phase-out in future years.	Same as the House.
Specifies that beginning in FY 2012, reimbursements for operating levies are to be phased out so that each district's reliance on the reimbursements falls by two percentage points per year.	Same as the Executive for FY 2012 and FY 2013, but eliminates the phase-out in future years after 4% of total resources has been phased out in the FY 2012-FY 2013 biennium.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Beginning in FY 2012, phases out reimbursements for nonoperating levies by 25% per year.	Same as the Executive for FY 2012 and FY 2013, but eliminates the phase-out in future years after 50% has been phased out in the FY 2012-FY 2013 biennium.	Same as the House.
Permits a school district or JVSD to file an appeal with the Tax Commissioner contesting a levy classification or any amount used in the calculation of its total resources. Prohibits changes to the classifications or calculations after June 30, 2013.	Same as the Executive.	Same as the Executive.
Specifies that reimbursement payments be made twice per year, in May and on or before November 20, beginning in FY 2012. (Current law requires three payments per year, in May, August, and October.)	Same as the Executive.	Same as the Executive.
Modifies the procedure to determine how fixed-rate levy reimbursements are calculated when a district merges with or transfers territory to another district. Requires the recalculation of an affected district's reliance on the reimbursement in order to calculate the modified reimbursement amount.	Same as the Executive.	Same as the Executive.
Specifies that the state education aid offsets (the increase in a district's state aid due to the decrease in its taxable property value) for FY 2012 and FY 2013 equal the offset for FY 2011. Beginning in FY 2014, eliminates the transfer from the School District Property Tax Replacement Fund to the GRF to help pay for state formula aid for schools.	Same as the Executive.	Same as the Executive.
Fiscal effect: See LSC's Bill Analysis for H.B. 153 for a more extensive discussion of these proposed statutory changes. The bill appropriates $722.0 million in FY 2012 and $475.0 million in FY 2013 for TPP reimbursements. Reimbursements are estimated to be $1.04 billion in FY 2011.	**Fiscal effect: Same as the Executive for FY 2012 and FY 2013, but results in higher reimbursements in future years than under the Executive.**	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD161 Subsidy for High Performing School Districts		
		Section: ***267.30.56***
No provision.	No provision.	Directs ODE to pay an additional subsidy of $17 per student to school districts and community schools that are rated "excellent with distinction" or "excellent". **Fiscal effect: On the FY 2010 report cards, 296 school districts and 29 community schools were rated "excellent with distinction" or "excellent."**
EDUCD67 Educational Service Centers Funding		
Section: ***267.40.70***	**Section:** ***267.40.70***	**Section:** ***267.40.70***
Specifies that state funding for ESCs in FY 2012 is 90% of the funding provided in FY 2011 and that funding in FY 2013 is 70% of the funding provided in FY 2012.	Same as the Executive, but increases state funding for ESCs in FY 2013 to 85% of the funding provided in FY 2012.	Same as the House.
No provision.	Redistributes state funding for an ESC that ceases operation to remaining ESCs in proportion to each remaining ESC's average daily membership.	Same as the House.
No provision.	Provides that if two or more ESCs merge, the new ESC receives the sum of the payments calculated for the original ESCs.	Same as the House.
Fiscal effect: The bill earmarks $41.8 million in FY 2012 and $29.3 million in FY 2013 for this funding.	**Fiscal effect: Same as the Executive, but increases the earmark for FY 2013 to $35.3 million.**	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
Community Schools		
EDUCD148 Hybrid Community Schools		
		R.C. *3301.81*
No provision.	No provision.	Authorizes up to five traditional public or community schools selected by ODE to operate as hybrid schools that provide both remote, technology-based and classroom-based instruction. Specifies that to qualify, a traditional public school be operated by a challenged school district; and a community school offer classroom-based instruction at a site located in a challenged school district or an adjacent district.
No provision.	No provision.	Requires ODE to issue a request for proposals for schools that wish to operate as hybrid schools within 60 days after the provision's (90-day) effective date. Requires that ODE develop an evaluation process for the submitted proposals and select up to five qualifying schools within 180 days after issuing the request for proposals.
No provision.	No provision.	Requires ODE to conduct a study of the selected hybrid schools in the third school year after the schools begin operating as hybrid schools. Permits ODE to issue a second request for proposals and select an additional five schools to operate as hybrid schools, after completion of the study,
		Fiscal effect: Increased administrative costs for ODE related to the RFP process, the development of an evaluation, and the completion of the study of the selected schools.

Executive	As Passed by the House	As Passed by the Senate
EDUCD5 School District Property		
R.C. ***3313.411***	**R.C.** ***3313.411, 3313.41***	**R.C.** ***3313.411, 3313.41, 3314.051***
Requires a school district board to offer a right of first refusal to community schools located within the district whenever the board decides to lease out real property suitable for classroom use or other educational purposes; however, permits the board to renew any existing leases it has with other entities. Provides highest priority for leasing district property to conversion community schools sponsored by the district.	Same as the Executive.	Replaces the Executive provision with a provision that: (1) Requires district boards with real property that has been used for classroom operations since July 1, 1998, but not for two years, to offer a right of first refusal to community schools located within the district to lease the property; and (2) Requires that district boards lease property to community schools rated in the top 50% by performance index score for $1, and for fair market value to all other community schools.
No provision.	No provision.	Repeals the provision of current law that requires school districts to offer real property that has not been used for one full school year for sale to community schools (because it conflicts with the provision above, which requires school districts to lease unused property).
No provision.	Revises the current law granting community schools a right of first refusal to purchase school district real property by (1) applying it to all school district real property, not just property suitable for classroom space, (2) requiring districts to offer the property for sale by public auction, instead of at a price not higher than the property's appraised value, (3) permitting all community schools, their operators, and persons or entities in lease agreements with community schools to bid in the auction instead of giving just start-up schools located within the school district territory the right of first refusal.	No provision.
No provision.	In addition to the modifications described above, further modifies the current law requiring school districts to offer real property that has not been used for one full school year for sale to community schools by eliminating the provision that allows the district to keep the property if it adopts a resolution stating the property will be used within three years and specifying that after a year of not being used the property must be offered for sale as described above "immediately."	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Gives community schools located within a school district and their operators right of first refusal if the district decides to donate property with a value of $2,500 or less.	No provision.
No provision.	Gives community schools, their operators, and any persons or entities in lease agreements with community schools a right of action against a school district that fails to offer property as required under these provisions.	No provision.
Fiscal effect: May give community schools more opportunity to obtain space for operation.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: May provide some community schools with inexpensive leases for real property.**
EDUCD111 Permit For-Profit Community Schools		
	R.C. ***3314.01, 3314.03***	
No provision.	Permits "entities" and "groups of individuals" to form community schools.	No provision.
No provision.	Permits a community school to be established as a for-profit corporation or a limited liability corporation.	No provision.
	Fiscal effect: If the provision leads to an increase in the number of community school students, transfers of state funding from school districts will increase. Districts may also have a decrease in expenditures since the district will no longer be obligated to educate the student.	

Executive	As Passed by the House	As Passed by the Senate
EDUCD10 Restrictions on New Community Schools		
R.C. ***3314.013, 3314.014, 3314.016, 3314.017, (Repealed)***	**R.C.** ***3314.014, 3314.017, (Repealed), 3314.013, 3314.015, 3314.016, 3314.02***	**R.C.** ***3314.014, 3314.017, 3314.013 (Repealed), 3314.013, 3314.015, 3314.016, 3314.02, 3314.20, 3314.23***
Repeals sections of the community school law that place a qualified moratorium on new start-up (brick and mortar) community schools. Repeals the outright moratorium on new Internet- or computer-based community schools (e-schools), which is in place until the General Assembly adopts standards for the operation of e-schools.	Same as the Executive, but reinstates the moratorium on new e-schools until the General Assembly adopts standards for their operation, and requires the Superintendent of Public Instruction, Chancellor of the Ohio Board of Regents, and the Director of the Governor's Office of 21st Century Education jointly to develop standards for the operation of e-schools and to submit them, by July 1, 2013, to the Speaker of the House and the President of the Senate for consideration of enactment by the General Assembly.	Same as the Executive, but prohibits a new e-school from opening unless, for the three prior years, it operated in another state and performed at a level higher than academic watch, as determined by ODE. Requires the State Board to adopt rules establishing operating standards for e-schools based on national standards and grants existing e-schools three years after adoption of the standards to comply.
Specifies that if a community school is in academic watch or academic emergency on the provision's effective date, the school's sponsor may not sponsor any additional schools and the school's operator, if any, may not operate additional schools.	Replaces the Executive provision with a provision that permits an entity that is sponsoring a community school on the provision's effective date, regardless of whether that entity is subject to approval by ODE or not (includes "grandfathered" sponsors), to sponsor additional community schools only if the entity (1) is in compliance with all sponsor reporting requirements and (2) is not ranked in the lowest 10% on an annual ranking of sponsors by their composite performance index scores, which measure the academic performance of students enrolled in all community schools sponsored by the same entity.	Same as the House, but removes the language making a sponsor subject to the prohibition if it is ranked in the lowest 10% on an annual ranking of sponsors by their composite performance index scores and instead makes a sponsor subject to the prohibition if fewer than 80% of its schools are ranked in the highest 95% on a performance index score ranking of all public schools for three years, beginning with the ranking based on data for the 2009-2010 school year. Removes language applying the prohibition only to sponsors that sponsor schools on the provision's effective date, thereby including entities that become sponsors in the future.
No provision.	No provision.	Specifies that if a school enters into a contract with a sponsor prior to the sponsor becoming subject to the prohibition and the school has not opened at that time, the contract is void and the school must secure a new sponsor in order to open.
No provision.	Repeals the existing limits on the number of community schools an entity may sponsor, and allows a sponsor to sponsor up to 100 schools.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Eliminates the law that automatically reduces by one the maximum number of community schools an entity may sponsor for every one of the sponsor's schools that permanently closes.	Same as the House.
Fiscal effect: If the provision leads to an increase in the number of community school students, transfers of state funding from school districts will increase. Districts may also have a decrease in expenditures since the district will no longer be obligated to educate the student.	**Fiscal effect: Same as the Executive, but may also increase administrative costs for development of the new standards.**	**Fiscal effect: Same as the Executive.**
EDUCD94 Sponsor Discrimination		
	R.C. *3314.02*	
No provision.	Prohibits an entity that is authorized to sponsor community schools from refusing to sponsor a community school based solely on the type of school that is proposed to be established, the composition of the members of the public benefit corporation that will comprise the school, or the involvement of any for-profit entity in the public benefit corporation.	No provision.
	Fiscal effect: May make it easier for certain community schools to find sponsors.	

Executive	As Passed by the House	As Passed by the Senate
EDUCD101 Community School Operators		
	R.C. *3314.02, 3314.50*	
No provision.	Modifies the definition of an operator to include any organization or individual (in addition to any nonprofit corporation under continuing law) that provides programmatic oversight and support to a community school and retains the right to terminate its affiliation with the school for failure to meet quality standards, instead of only a nonprofit. (Under continuing law an operator may also be an organization or individual that manages the daily operations of a community school pursuant to a contract between the operator and the school's governing authority.)	No provision.
No provision.	Provides the following, if a community school contracts with an operator:	No provision.
(1) No provision.	(1) Permits the school's governing authority to delegate any or all of its rights, duties, and responsibilities to the operator,	(1) No provision.
(2) No provision.	(2) Requires the school to offer the operator the chance to renew its contract before seeking another operator, and	(2) No provision.
(3) No provision.	(3) Specifies that the operator has standing to bring a court action concerning the school's operations or the renewal, nonrenewal, or termination of the school's contract with its sponsor.	(3) No provision.
	Fiscal effect: None.	
EDUCD108 Community Schools - Governing Authorities		
	R.C. *3314.02, 3314.025 (Repealed), 3314.026*	**R.C. *3314.02***
No provision.	Sets a term limit of three years for members serving on a community school governing authority.	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Declares that no person may be deemed to have acquired a vested right in a position as a member of a community school governing authority.	No provision.
No provision.	Prohibits a governing board member, or immediate relative, from being an owner, employee, or consultant of a community school sponsor for one year after the conclusion of the member's term.	Same as the House.
No provision.	Repeals the statute that (1) limits the amount of compensation for governing authority members of start-up community schools to $125 per meeting per month, (2) requires the compensation to be paid from state funds paid to the operator, if the school has an operator, and (3) provides for allocation of the compensation among community schools if a member serves on the governing authority of more than one community school and the different governing authorities meet at the same location on the same day. Instead, authorizes start-up school governing authorities to provide for compensation of their members, provided that an individual is compensated no more than a total of $5,000 per year for all of the governing authorities on which the individual serves.	No provision.
No provision.	Requires a governing authority to give 180 days notice to operators before terminating a contract. Specifies that failure to do so results in an irrevocable agreement to continue the contract for an additional year.	No provision.
No provision.	Requires an operator to replace governing authority members as members' terms expire, until all members have been replaced or reappointed, when the operator appeals a contract termination by a governing authority and the sponsor or State Board determines that the school's progress and academic goals are satisfactorily met. (Under current law, the existing governing authority is immediately removed and the operator appoints an entirely new governing authority.)	No provision.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: May increase the compensation paid to governing authority members as well as decrease expenditures for operators if they no longer use their portion of state funds to compensate governing authority members.	**Fiscal effect: None.**
EDUCD147 ESC Sponsorship of Community Schools		
		R.C. *3314.02*
No provision.	No provision.	Permits an educational service center (ESC) to sponsor a start-up community school in any challenged school district (rather than only in a challenged school district located in a county within the ESC's territory or in a contiguous county, as in current law).
		Fiscal effect: Minimal.
EDUCD149 Community Schools Established Outside Challenged Districts		
		R.C. *3314.02*
No provision.	No provision.	Permits the establishment of a start-up community school in a school district that is not a "challenged school district" under the following conditions:
(1) No provision.	(1) No provision.	(1) The school is established as a public benefit corporation;
(2) No provision.	(2) No provision.	(2) At least 75% of the school's enrollment is children with disabilities or at least 75% of the school's enrollment is children identified as gifted; and
(3) No provision.	(3) No provision.	(3) The school district in which the school is located or ODE certifies that there is need for a school serving disabled students or a school serving gifted students in that region.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: If the provision leads to an increase in the number of community school students, transfers of state funding from school districts will increase. Districts may also have a decrease in expenditures since the district will no longer be obligated to educate the student.
EDUCD151 Location of Start-Up Community Schools		
		R.C. *3314.02*
No provision.	No provision.	Adds to the definition of "challenged school districts," where start-up community schools may be located, any district that is in the lowest 5% of districts as ranked according to performance index score. **Fiscal effect: Minimal.**
EDUCD145 New Community School Sponsoring Entity		
		R.C. *3314.0210*
No provision.	No provision.	Allows an organization whose membership consists solely of entities authorized to sponsor community schools under current law to sponsor schools as an organization, upon approval by ODE. Permits an organization approved as a sponsor to do the following:
(1) No provision.	(1) No provision.	(1) Assume sponsorship of a community school sponsored by a member of the organization, either by (a) entering into a sponsorship contract with the school upon the expiration of its contract with the sponsoring member or (b) taking over sponsorship before the contract expires with the consent of the school's governing authority and the governing body of the member;
(2) No provision.	(2) No provision.	(2) Sponsor a new conversion community school, if the school district or ESC whose building would be converted is a member of the organization and approves the conversion; and

Executive	As Passed by the House	As Passed by the Senate
(3) No provision.	(3) No provision.	(3) Sponsor a new start-up community school.
No provision.	No provision.	Requires the organization to comply with the Community School Law in the same manner as any other sponsor.
		Fiscal effect: None.
EDUCD143 Community School Monitoring		
		R.C. *3314.023*
No provision.	No provision.	Repeals the requirement of current law that a community school sponsor have a representative located within 50 miles of each school it sponsors.
No provision.	No provision.	Requires a representative of a community school sponsor to meet monthly with the governing authority or treasurer of the school to review financial and enrollment records. (Current law requires meetings with the governing authority once every two months to review financial records only.)
No provision.	No provision.	Requires the State Board to adopt rules defining what constitutes "financial records" not later than 180 days after the (90-day) effective date of the provision.
		Fiscal effect: Minimal
EDUCD92 Establishment of Community Schools Without Sponsors		
	R.C. *3314.029*	
No provision.	Allows (1) a person, group of individuals, or entity to apply to ODE for authorization to establish a community school to be operated without a sponsor or (2) the governing authority of an existing community school, upon expiration or termination of its contract with the school's sponsor, to apply for authorization to continue to operate the school without a sponsor.	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Requires ODE to approve each application, unless ODE determines, within 30 days after receiving the application, that it does not meet the application requirements, and specifies that if the applicant does not correct the problems with the application and ODE denies the application, the applicant may appeal the decision to the common pleas court under the Administrative Procedures Act.	No provision.
No provision.	Requires ODE to enter into a contract with the governing authority of each community school authorized under these provisions, the initial term of which may be up to 15 years.	No provision.
No provision.	Prohibits the contract from requiring the community school's governing authority to make any payments to ODE.	No provision.
No provision.	Requires the community school to file with the Superintendent of Public Instruction either (1) a surety bond for $1 million or (2) a guarantee of $1 million issued by an entity with a certified net worth of at least $5 million.	No provision.
No provision.	Permits ODE to take any action that a sponsor may take under the Community School Law to enforce the school's compliance with the law and the terms of it's contract with ODE.	No provision.
No provision.	Permits a community school that has a sponsor to merge with a community school authorized to operate without a sponsor, and terminates the sponsored school's contract with its sponsor on the date of the merger.	No provision.
No provision.	Specifies that the moratorium on the establishment of new e-schools (ORC 3314.013) applies to new community schools established under this provision. **Fiscal effect: If the provision leads to an increase in the number of community school students, transfers of state funding from school districts will increase. Districts may also have a decrease in expenditures since the district will no longer be obligated to educate the student.**	No provision.

Executive	As Passed by the House	As Passed by the Senate
EDUCD103 Renewal of Sponsorship Contract		
	R.C. *3314.03*	
No provision.	Specifies that the renewal of the contract between a community school and its sponsor is subject to the approval of the school's operator.	No provision.
	Fiscal effect: None.	
EDUCD109 E-school Student Immunization Requirement		
	R.C. *3314.03*	
No provision.	Exempts e-schools from student immunization requirements for admission.	No provision.
	Fiscal effect: None.	
EDUCD112 Community Schools - Exemption From State Laws		
	R.C. *3314.04, 3314.03*	**R.C. *3314.04, 3314.03***
No provision.	Specifies that community schools cannot be required to comply with any law or rule that is not specified in Chapter 3314. of the Revised Code or in its contract or that does not otherwise apply to chartered nonpublic schools.	No provision.
No provision.	Exempts community schools from student body mass index (BMI) screening requirements.	Same as the House.
	Fiscal effect: May increase the flexibility of community schools.	**Fiscal effect: Minimal savings for community schools.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD97 Community School Facilities		
	R.C. *3314.05*	**R.C. *3314.05***
No provision.	Expressly permits two or more community schools to be located in the same facility.	Same as the House.
No provision.	Allows a community school to be located in multiple facilities under the same sponsorship contract and to assign students of the same grade level to multiple facilities, if (1) the facilities are all located in the same county and (2) the school enters into and maintains a contract with an operator to manage the school.	Same as the House.
No provision.	Requires ODE, in the case of a community school with multiple facilities, to assign a separate internal retrieval number (IRN) to the school and to each facility. (An IRN is a unique number used by ODE to identify various education-related entities, including community schools.)	No provision.
	Fiscal effect: Minimal increase in administrative burden for ODE.	**Fiscal effect: None.**
EDUCD96 Termination of Sponsor Contract with School		
	R.C. *3314.07*	**R.C. *3314.07***
No provision.	Requires a community school sponsor to give the school notice of its intent to terminate or not renew the school's contract no later than 180 days (rather than 90 days, as in current law) prior to the termination or nonrenewal.	Replaces the House provision, with a provision that requires a sponsor to give the school notice of its intent to terminate or not renew the school's contract by March 1 of the year in which the sponsor intends to terminate or take actions not to renew the contract
No provision.	No provision.	Requires that an informal hearing, if requested by the school, be held within 14 days of the request, instead of 70 days as under current law.
No provision.	No provision.	Requires that the sponsor issue a written notice of its decision within 14 days of the informal hearing, instead of "promptly following" the hearing as under current law.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Requires that appeal of a sponsor's decision to terminate a community school's contract be filed with the State Board of Education within 14 days following receipt of the sponsor's written decision to terminate the contract. Requires the State Board to conduct a hearing and issue a decision within 60 days of receipt of the notice of appeal.
No provision.	No provision.	Specifies that the termination of a school's contract is effective on the earlier of the date of the notice of termination (instead of 90 days following that date as under current law) or, upon appeal to the State Board, the date set by the State Board (as under current law).
No provision.	No provision.	Specifies that if a sponsor terminates a community school's contract, the school must close at the end of the current school year.
No provision.	Repeals the prohibition in current law against a sponsor and community school entering into a successor contract if the sponsor terminates, or does not renew, the original contract.	No provision.
No provision.	No provision.	Grants sponsors and their officers, directors, and employees civil immunity for any action authorized by the Community School Law or the sponsorship contract that is taken to fulfill the sponsor's responsibility to oversee and monitor a community school.
	Fiscal effect: None.	**Fiscal effect: None.**
EDUCD126 Community School Enrollment		
	R.C. *3314.08*	
No provision.	Specifies that, for state funding purposes, a community school student is considered automatically re-enrolled the following school year until the student's enrollment is formally terminated.	No provision.
	Fiscal effect: Minimal.	

Executive	As Passed by the House	As Passed by the Senate
EDUCD105 **Use of State Funding to Pay Taxes**		
	R.C. ***3314.082, (Repealed)***	**R.C.** ***3314.082, (Repealed)***
No provision.	Repeals language stating the intent of the General Assembly that no state funds paid to a community school be used to pay taxes owed by the school.	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**
EDUCD89 **Collective Bargaining at Community Schools**		
	R.C. ***3314.10, 3319.17, 4117.01, 4117.03, 4417.06, Repealed: 3314.402***	**R.C.** ***3314.10, 3319.17***
No provision.	Prohibits employees of community school governing authorities from collectively bargaining, but allows collective bargaining agreements that cover these employees on the provision's effective date (immediate) to expire according to their own terms.	No provision.
No provision.	Allows reductions in force with respect to teachers returning after a leave of absence due to being employed at a conversion community school to occur only in accordance with the administrative personnel suspension policy specified in continuing law instead of the teacher restoration policy, which is amended by the bill.	Same as the House, but the teacher restoration policy is not amended by the bill.
	Fiscal effect: Potential effect on employee salaries and benefits at community schools, depending on policies adopted by the schools.	**Fiscal effect: Minimal.**
EDUCD102 **Community School Employees**		
	R.C. ***3314.10***	
No provision.	Permits a community school's teaching and nonteaching personnel to be employed by the school's operator.	No provision.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: None.	
EDUCD104 Sponsor Assurances		
	R.C. ***3314.19***	
No provision.	Extends the annual deadline in current law for the sponsor of a community school to provide assurances to ODE about the school's preparedness for operation, from ten business days prior to the school's opening to five calendar days prior to opening.	No provision.
	Fiscal effect: None.	
EDUCD115 Special Education Personnel at Community Schools		
	R.C. ***3314.19***	
No provision.	Specifies that, in the special education plan included in the annual report to a school's sponsor, the school's capacity to serve its students with disabilities be measured on an "instructional-period basis."	No provision.
	Fiscal effect: None.	
EDUCD133 Computers Supplied by E-Schools		
	R.C. ***3314.22***	
No provision.	Eliminates the provision of current law entitling each student enrolled in an e-school to a computer and, instead, entitles the household of a student enrolled in an e-school to at least one computer, and if at least three students enrolled in an e-school reside in the same household, entitles the household to at least one additional computer.	No provision.
	Fiscal effect: May reduce the expenditures of e-schools if the number of computers purchased and provided by e-schools is reduced.	

Executive	As Passed by the House	As Passed by the Senate
EDUCD110 E-school Student Removal Deadline		
	R.C. *3314.26*	
No provision.	Specifies an end of the school year deadline for e-schools to withdraw students who have failed to participate in the spring administration of required assessments for two consecutive years.	No provision.
	Fiscal effect: Minimal.	
EDUCD91 Automatic Closure of Community Schools		
	R.C. *3314.35*	**R.C. *3314.35***
No provision.	Beginning July 1, 2011, revises the performance criteria that trigger automatic closure of a community school, by requiring schools that do not offer a grade higher than 3, and schools that offer any of grades 10 to 12, to close after being in academic emergency for two of the three most recent school years (rather than three of the four most recent school years, as in current law).	Same as the House.
	Fiscal effect: Minimal.	**Fiscal effect: Same as the House.**
EDUCD113 Tuition Free Education for Individuals Aged 22 to 29 Enrolled in Community School Dropout Prevention and Recovery Programs		
	R.C. *3314.38, 3323.25*	
No provision.	Permits a person age 22 to 29, who does not have a high school diploma or a certificate of high school equivalence, to enroll free of tuition for two additional years of instruction at a community school in the school's dropout prevention and recovery program.	No provision.
No provision.	Requires the State Board to adopt rules prescribing standards and requirements for services to students with disabilities ages 22 to 29 enrolled in a community school under this provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Permits a community school to receive state funds attributable to students ages 22 to 29 who are eligible to attend school free of tuition under the amendment, from funds specifically appropriated for that purpose. **Fiscal effect: The bill appropriates $1.0 million in each fiscal year for payments to community schools under this provision.**	No provision.
EDUCD142 Selling of Services by Community School Sponsors		
		R.C. *3314.46*
No provision.	No provision.	Prohibits a community school sponsor or any officer, director, employee, agent, representative, subsidiary, or independent contractor of the sponsor from selling any goods or services to a school sponsored by the sponsor.
No provision.	No provision.	Specifies that if, prior to the prohibition's (90-day) effective date, any such party entered into a contract for the sale of goods or services to a community school, the party is not required to comply with the prohibition with respect to that school until the contract expires. **Fiscal effect: None.**
EDUCD99 School Property Tax Exemption		
	R.C. *5709.07*	**R.C. *5709.07***
No provision.	Removes the exception in current law on public school real property being exempt from taxation if leased or otherwise used with a view to profit.	Replaces the House provision with a provision that applies the tax exemption to real property used by a school district, STEM school, community school, ESC, or chartered nonpublic school for primary or secondary educational purposes. Specifies that the exemption does not apply to any portion of the real property not used for primary or secondary educational purposes.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: May reduce tax expenditures for some public schools and reduce property tax revenues for local governments.	**Fiscal effect: May reduce tax expenditures for some public schools and reduce property tax revenues for local governments.**
EDUCD140 New Conversion Schools		
	Section: ***267.60.20***	**Section:** ***267.60.20***
No provision.	Waives the deadlines for adoption (March 15) and signing (May 15) of contracts for new conversion community schools that open in the 2011-2012 school year, but requires that a copy of the adopted and signed contract be filed with the Superintendent of Public Instruction prior to the school's opening.	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**
Educator Provisions		
EDUCD88 Chartered Nonpublic Schools Teacher Certification		
	R.C. ***3301.071***	**R.C.** ***3301.071***
No provision.	Permits the certification of foreign language, music, religion, computer technology, and fine arts teachers for chartered nonpublic schools if the person (1) shows specialized knowledge, skills, or expertise, (2) has three or more years of teaching experience, or (3) has completed a teacher training program. (Under current law, certification to teach in a chartered nonpublic school is limited to those with bachelor's degrees.)	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD131 Exemptions for Highly Performing School Districts		
	R.C. *3302.05*	
No provision.	Prohibits the State Board from exempting excellent and effective school districts from the bill's requirements regarding teacher employment contracts, evaluations, compensation, and reductions in force. **Fiscal effect: These school districts will experience the fiscal effects of these provisions.**	No provision.
EDUCD22 Teacher Incentive Payment Program		
R.C. *3302.23, 3302.24, Section 512.40*	**R.C. *3302.23, 3302.24, Section 512.40***	
Establishes a new program to pay $50 per-student stipends to certain classroom teachers in school districts, community schools, and STEM schools for each student enrolled in classes that have achieved more than a standard year of value-added growth. Applies the program only to teachers who teach subject areas and grade levels for which data under the value-added progress dimension is available (English language arts and math teachers in grades 4 to 8). Requires teachers to divide the stipends in the case of team teaching or students who attain the requisite value-added growth in more than one subject area. Specifies that the first stipends be based on the district and school report cards issued in August of 2012 for the 2011-2012 school year.	Same as the Executive.	No provision.
Creates the Teacher Incentive Payment Program Fund, Fund 5KG0, to consist of moneys specifically appropriated for the new incentive payment program.	Same as the Executive.	No provision.
Fiscal effect: The bill directs the transfer of half the surplus GRF revenue that exists on June 30, 2011 to Fund 5KG0.	**Fiscal effect: Same as the Executive, but the transfer is limited to $25.0 million.**	

Executive	As Passed by the House	As Passed by the Senate
EDUCD11 Teacher Compensation		
R.C. *3317.14, Repealed: R.C. 3317.13, 3317.14*	**R.C. *3317.14, 3317.13, 3317.141, 3314.03, 3326.11***	
Repeals the minimum salary schedule based on training and years of service that applies to teachers employed by school districts, ESCs, and county DD boards.	Replaces the Executive provision with a provision that requires school districts, community schools, STEM schools, ESCs, and county DD boards, beginning in the 2013-2014 school year, to pay teachers according to a performance-based schedule.	No provision.
Requires each school district, ESC, and county DD board to annually adopt a teachers' salary schedule that establishes a salary range for each of the four levels of teacher licensure. Requires each district, ESC, and county DD board to determine each teacher's salary within the appropriate range based on evaluations, whether the teacher is "highly qualified" under federal law, and any other factors considered relevant.	Replaces the Executive provision with a provision that requires the schedule be based on a teacher's level of license, whether the teacher is "highly qualified" under federal law, and evaluation ratings.	No provision.
No provision.	Requires the schedule provide for annual adjustments based on evaluations.	No provision.
No provision.	Permits payment of additional compensation to teachers who agree to perform duties that the employer determines warrant additional compensation.	No provision.
Prohibits ever increasing the salary of a teacher whose salary is already higher than the maximum salary for the teacher's license, unless the teacher's salary falls below the maximum in the future.	No provision.	No provision.
Specifies that these provisions prevail over collective bargaining agreements entered into on or after the provisions' (immediate) effective date.	No provision.	No provision.
Fiscal effect: School districts, ESCs, and county DD boards may incur costs in the development and adoption of salary schedules, as well as in the process of determining each teacher's salary within the schedule.	**Fiscal effect: Same as the Executive.**	

Executive	As Passed by the House	As Passed by the Senate
EDUCD128 Teacher Contracts		
	R.C. *3319.08, 3319.11, 3314.03, 3326.11*	
No provision.	Prohibits awarding a continuing contract (tenure) to a teacher who was initially licensed after January 1, 2011.	No provision.
No provision.	Limits an employment contract with a classroom teacher entered into by a school district, community school, STEM school, or ESC on or after the provision's (90-day) effective date to a maximum of three years, and specifies that any subsequent contracts must be for terms of two to five years. **Fiscal effect: May give school's and ESCs more flexibility in terminating teacher employment.**	No provision.
EDUCD129 Teacher and Principal Evaluations		
	R.C. *3319.11, 3319.111, 3319.112, 3319.02, 3314.03, 3326.11*	
No provision.	Repeals the requirement for the State Board, in consultation with the Chancellor of the Board of Regents, to establish guidelines for the evaluation of teachers and principals for optional use by school districts, and instead requires the state Superintendent, by December 31, 2011, to develop a framework for the evaluation of teachers.	No provision.
No provision.	Requires the Superintendent (1) to develop standards and criteria for teacher and principal evaluations that distinguish between four levels of performance: "highly effective," "effective," "needs improvement," and "unsatisfactory" and (2) to designate a standard of student academic growth that must be met to achieve each of the ratings.	No provision.
No provision.	Specifies that the framework require each evaluation to consider: (1) quality of instructional practice, (2) communication and professionalism, and (3) parent and student satisfaction.	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Directs each school district, community school, STEM school, and ESC, by July 1, 2012, to adopt a teacher evaluation policy that utilizes the framework and that specifies the relative weight of each factor in (1) to (3) above and how each of those factors will be assessed. Requires the policy be approved by the Superintendent.	No provision.
No provision.	Requires at least 50% of each teacher evaluation be based on student academic growth for students assigned to the teacher during the three most recent school years, except that if less than three years of data is available, permits the portion of the evaluation based on student performance to be reduced to 40%.	No provision.
No provision.	Requires student academic growth to be measured by value-added data derived from the state achievement assessments when applicable and by other assessments selected by the employer when not applicable.	No provision.
No provision.	Requires the employer's teacher evaluation system to (1) use multiple measures of teacher's skills and students' progress, (2) be aligned with the Educator Standards Board's standards for teachers, (3) provide statements of expectation for professional performance, (4) require observation of the teacher on at least two occasions for at least 30 minutes each time, (5) assign ratings in accordance with the state Superintendent's standards and criteria, and (6) require the teacher to be given a written report of the evaluation results, including specific recommendations for improvements.	No provision.
No provision.	Requires employers to evaluate each teacher annually.	No provision.
No provision.	Requires employers to use teacher evaluations to inform decisions about compensation, nonrenewal, termination, reductions in force, and professional development.	No provision.
No provision.	Specifies that if a teacher receives a rating of "unsatisfactory" for two consecutive years or two of three consecutive years, a rating of "needs improvement" for three consecutive years, or a combination of ratings of "needs	No provision.

Executive	As Passed by the House	As Passed by the Senate
	improvement" and "unsatisfactory" for three consecutive years, the teacher loses a continuing contract if the teacher has one.	
No provision.	Requires employers to submit aggregate teacher and principal evaluation results to ODE.	No provision.
No provision.	Grants civil immunity to the board of education (or other governing body), its members, and evaluators for conducting evaluations in accordance with the adopted policy.	No provision.
No provision.	Specifies that the requirements regarding the teacher evaluation policy override any conflicting provisions of a collective bargaining agreement entered into on or after the provision's (90-day) effective date.	No provision.
No provision.	Requires each school district's and ESC's evaluation procedures for principals (required under current law) to be based on principles comparable to the teacher evaluation policy, but tailored to the duties and responsibilities of principals.	No provision.
No provision.	Requires the district or ESC to consider a principal's evaluations in decisions about compensation, termination, reductions in force, and professional development.	No provision.
	Fiscal effect: Potential increase in administrative costs for the state Superintendent to develop an evaluation framework. Potential increase in costs for public schools to adopt and implement evaluation policies.	
EDUCD130 Teacher Assignments		
	R.C. *3319.113*	
No provision.	Prohibits a school district superintendent from assigning a teacher to a school without the mutual consent of the teacher and the school principal, if the teacher received a rating of "needs improvement" or "unsatisfactory" on the teacher's most recent evaluation.	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Permits a school district to place the teacher on unpaid leave if the teacher is unable to secure a mutual consent assignment, and allows the district to terminate the teacher's contract after one year on unpaid leave without an assignment. **Fiscal effect: May increase the administrative burden of school principals and superintendents during the teacher assignment process.**	No provision.
EDUCD7 Teacher and Administrator Termination		
R.C. *3319.16, 5126.23, Repealed: 3319.161*	**R.C. *3319.16, 5126.23, Repealed: 3319.161***	
Eliminates the option for a teacher, administrator, treasurer, internal auditor, or superintendent employed by a school district or ESC to request that a hearing on the matter of the employee's termination be held before a referee, rather than the board of education or ESC governing board.	Same as the Executive.	No provision.
Prohibits the employee from both appealing the board's termination decision to the common pleas court and invoking the grievance procedure in any collective bargaining agreement covering the employee Instead, requires the employee to choose just one of those processes for an appeal.	Same as the Executive.	No provision.
Eliminates the prohibition against holding a termination hearing during summer vacation without the teacher's consent.	Same as the Executive.	No provision.
No provision.	Requires the State Board to adopt rules defining "good and just cause" for purposes of teacher terminations.	No provision.
No provision.	Specifies that "good and just cause" includes, but is not limited to, (1) immorality, (2) a conviction or finding of guilt for an offense involving moral turpitude or for theft in office, having an unlawful interest in a public contract, soliciting or accepting improper compensation, or dereliction of duty, (3) incompetency, (4) gross insubordination, (5) willful neglect of	No provision.

Executive	As Passed by the House	As Passed by the Senate
	duty, or (6) an evaluation rating of "unsatisfactory" for two consecutive years or two of three consecutive years, a rating of "needs improvement" for three consecutive years, or a combination of ratings of "needs improvement" and "unsatisfactory" for three consecutive years.	
No provision.	Permits a school district or ESC to terminate a teacher without "good and just cause" if the teacher is in the first year of employment and has a one-year contract. Specifies that such a teacher is not entitled to the due process provisions of current law.	No provision.
Fiscal effect: May decrease district's administrative and litigation costs.	**Fiscal effect: Same as the Executive, and may make it even less costly for a district to terminate a teacher.**	
EDUCD6 Teacher Layoffs		
R.C. ***3319.17, 3319.18***	**R.C.** ***3319.17, 3319.18, 3314.03, 3326.11***	
Requires school districts and ESCs to consider quality of performance as the principal factor in determining the order of teacher layoffs.	Replaces the Executive provision with a provision that requires school districts, community schools, STEM schools, and ESCs to lay off teachers in order of their evaluation ratings, starting with teachers who receive "unsatisfactory" ratings first.	No provision.
Requires a teacher's quality of performance to be measured by (1) the type of educator license held by the teacher, (2) whether the teacher is "highly qualified" under federal law, (3) evaluations of the teacher, and (4) any other criteria established by the district or ESC.	No provision.	No provision.
Permits a district or ESC to consider seniority in determining the order of layoffs only after considering the factors listed above.	Replaces the Executive provision with a provision that prohibits giving preference in retention based on seniority.	No provision.
Specifies that these provisions prevail over conflicting provisions of a collective bargaining agreement entered into on or after the provision's effective date.	Same as the Executive.	No provision.
Eliminates the requirement that, in rehiring tenured teachers when positions become available, the order of rehiring be based on seniority.	Same as the Executive.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Since, under current law, teachers with less seniority are paid less than those with more seniority, changing the order of teacher layoffs may result in districts laying off higher cost teachers, enabling them to obtain larger decreases in expenditures with fewer lay offs.	**Fiscal effect: Same as the Executive.**	
EDUCD165 Professional Career-Technical Teaching License		
		R.C. *3319.229*
No provision.	No provision.	Requires the rules currently required to be adopted by the State Board pertaining to the issuance and renewal of professional career-technical teaching licenses, to include requirements relating to life experience, professional certification and practical ability.
No provision.	No provision.	Prohibits the State Board from requiring the completion of a degree applicable to the career field, classroom teaching, or an area of licensure for the issuances or renewal of a professional career-technical teaching license.
		Fiscal effect: None, however, this provision nullifies a current State Board rule requiring the completion of a degree before the second renewal of the license.
EDUCD82 Alternative Resident Educator License		
R.C. *3319.26*	**R.C. *3319.26***	**R.C. *3319.26***
Changes the qualifications for obtaining and holding an alternative resident educator license in the following ways:	Same as the Executive.	Same as the Executive, but makes the following changes:
(1) Eliminates the requirement that applicants complete an intensive pedagogical training institute in the principles and practices of teaching and that ODE and the Board of Regents establish such an institute;	(1) Same as the Executive.	(1) Replaces the Executive provision with a provision that permits an applicant to complete either the intensive pedagogical training institute or a summer training institute operated by a nonprofit organization and approved by the Chancellor of the Board of Regents.

Executive	As Passed by the House	As Passed by the Senate
(2) Prohibits the State Board from requiring applicants to have a major in the teaching area;	(2) Same as the Executive.	(2) Same as the Executive.
(3) Allows license holders to satisfy continuing education requirements with professional development provided as part of a teacher preparation program that is operated by a nonprofit organization and approved by the Chancellor of the Board of Regents.	(3) Same as the Executive.	(3) Same as the Executive.
Requires the Chancellor to approve any teacher preparation program that requires participants to have a bachelor's degree, have a cumulative undergraduate GPA of 2.5 or higher, and complete a summer training institute.	Same as the Executive.	Same as the Executive.
(4) No provision.	(4) No provision.	(4) Makes the license valid for grades kindergarten through 12 (except for intervention specialists, the license is valid for grades 4-12 under current law).
Fiscal effect: Decrease in expenditures for ODE and the Board of Regents for no longer being required to establish the intensive pedagogical training institute. Minimal increase in administrative costs for the Board of Regents in approving teacher preparation programs.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Minimal increase in administrative costs for the Board of Regents in approving teacher preparation programs.**
EDUCD155 Teach for America Particpant Licensure		
		R.C. *3319.26, 3319.227*
No provision.	No provision.	Prohibits the State Board of Education from establishing additional licensure qualifications for participants in the Teach for America program beyond those enacted in Sub. H.B. 21 of the 129th General Assembly (which requires a bachelor's degree, a cumulative undergraduate GPA of 2.5 or better, passing an exam in the subject to be taught, and successfully completing the Teach for America summer training institute).
No provision.	No provision.	Specifies that Teach for America participants are ineligible for alternative resident educator licenses.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: None.
EDUCD15 Retesting Teachers		
R.C. ***3319.58***	**R.C.** ***3319.58***	**R.C.** ***3319.58***
Requires ODE annually to rank order all city, exempted village, and local school districts into percentiles according to performance index score.	Same as the Executive, but changes the rank order to school buildings, rather than districts, and expands the requirement to community schools and STEM schools.	Same as the House.
Requires each district in the lowest 10 percentiles to require its core subject area teachers to retake any written tests prescribed by the State Board for licensure in the teacher's subject area and grade level. ("Core subject areas" are: reading and English language arts, math, science, foreign language, government, economics, fine arts, history, and geography, as defined by state and federal law for determining "highly qualified teacher" status.)	Same as the Executive, but changes the requirement to buildings, rather than districts, in the lowest 10 percentiles and expands the requirement to community schools and STEM schools.	Same as the House, but specifies that a teacher who retakes an exam and provides proof of passing the exam to the teacher's employer is not required to retake the exam again for three years, even if the teacher's building remains ranked in the lowest 10% of public schools.
Permits a district board to use the results of the required retesting to develop or revise teachers' professional development plans or to decide whether or not to continue employing the teacher. Specifies that no decision to terminate or not to renew a teacher's employment contract may be made solely on the basis of the results of a teacher's examination until and unless the teacher has not attained a passing score on the same required examination for at least three consecutive administrations of that exam.	Same as the Executive, but additionally permits community school governing authorities and STEM school governing bodies to use the results of the required retesting to develop or revise professional development plans or to decide whether or not to continue employing the teacher.	Same as the House.
No provision.	No provision.	Specifies that the teacher is not responsible for the cost of the exam.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Presumably, the schools and school districts will be responsible for the costs of the exams.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD98 Gifted Education Coordinators		
	R.C. *3324.08*	
No provision.	Allows a school principal or any other employee assigned to a school also to serve as a school district's gifted education coordinator if qualified to do so. **Fiscal effect: May decrease a school district's gifted education coordinator associated expenses.**	No provision.
EDUCD160 Teacher Preparation Program Graduates		
		R.C. *3333.0411*
No provision.	No provision.	Requires the Chancellor of the Board of Regents to annually report aggregate academic growth data for students assigned to graduates of teacher preparation programs teaching English language arts or mathematics in any grade four through eight in a public school.
No provision.	No provision.	Requires the Chancellor to aggregate the data by graduating class for each teacher preparation program, except that if a class has ten or fewer graduates, requires the Chancellor to report the data for a three year period. **Fiscal effect: Increase in administrative costs for the Board of Regents.**
Scholarship Programs		
EDUCD9 Educational Choice Scholarships		
R.C. *3310.02, 3310.03, Section 733.10*	**R.C. *3310.02, 3310.03, Section 733.10***	**R.C. *3310.02, 3310.03, Section 733.10***
Increases the number of Educational Choice scholarships from 14,000 to 30,000 for the 2011-2012 school year and 60,000 for the 2012-2013 school year and thereafter.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Adds, as a new eligibility category for Ed Choice Scholarships, students who attend a district-operated school that, for at least two of the three preceding years, ranked in the lowest 10% of all school buildings by performance index score (and was not rated excellent or effective in the third year). Qualifies kindergartners and community school students who otherwise would be assigned to such a building, and students attending a nonqualifying district school who would move to such a school in the next year.	Same as the Executive.	Same as the Executive, but clarifies that the new category consist of the lowest 10% of school district buildings, instead of the lowest 10% of school buildings. Requires ODE to post a list of such buildings on its website each school year prior to the 2015-2016 school year.
Assigns lower priority to students in the new category than students qualifying under the existing Ed Choice criteria, if the number of applications exceeds the number of available scholarships.	Same as the Executive.	Same as the Executive.
Requires ODE to hold a second, 60-day application period for the 2011-2012 school year to award the newly authorized scholarships.	Same as the Executive.	Same as the Executive, but reduces the length of the second application period to 45 days.
Fiscal effect: ODE may realize an increase in administrative costs related to the additional 60-day application period. School districts may realize a decrease in revenues as cost of the scholarship is deducted from the districts' state aid allocations. District may also realize a decrease in expenditures related to no longer being obligated to educate the scholarship students.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

EDUCD141 Jon Peterson Special Needs Scholarship Program

		R.C. ***3310.52, 3310.51,3310.521-3310.64,3323.052, Sections 267.60.30,267.60.31***
No provision.	No provision.	Establishes the Jon Peterson Special Needs Scholarship Program to provide scholarships to special education students in grades kindergarten through 12 to attend alternative public or private special education programs.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Sets the scholarship amount as the least of (1) the fees charged by the alternative public or private provider, (2) the sum of the FY 2009 formula amount plus base funding supplements and the formula amount multiplied by a special education weight categorized by the child's identified disability, or (3) $20,000.
No provision.	No provision.	Deducts the scholarship amount from each participating student's resident district's state aid (school districts count resident students participating in the program in their formula and special education ADM).
No provision.	No provision.	Requires a school district to provide transportation for a student attending an alternative public or private provider in the same manner as for a special education student attending a nonpublic special education program.
No provision.	No provision.	Limits the number of scholarships awarded to not more than 5% of the number of identified special education students residing in the state in the previous year.
No provision.	No provision.	Requires ODE to develop a document comparing rights under state and federal special education law and rights under the Program, and requires school districts to distribute the document to all parents of special education students.
No provision.	No provision.	Directs the State Board to adopt rules for the Program to be in effect no later than 120 days after the bill's effective date.
No provision.	No provision.	Requires ODE to conduct an evaluation of the Program by December 31, 2014.
		Fiscal effect: Reduces a school district's state aid by the scholarship amounts of resident students participating in the Jon Peterson Special Needs Scholarship Program. Increases ODE's administrative expenditures for development and distribution of a rights document, operation of the scholarship program, and evaluation of the program.

Executive	As Passed by the House	As Passed by the Senate
EDUCD119 Cleveland Scholarship Pilot Program		
	R.C. ***3313.975, 3313.978***	**R.C.** ***3313.975, 3313.978***
No provision.	Removes the requirement that, in order to receive a Cleveland Scholarship for high school, the student must previously have received a scholarship at some time during grades K to 8.	Same as the House.
	Fiscal effect: May increase the number of scholarships awarded subject to the appropriation for the program.	**Fiscal effect: Same as the House.**
EDUCD118 Cleveland Scholarship Program Amounts		
	R.C. ***3313.978***	**R.C.** ***3313.976, 3313.978, 3313.979***
No provision.	Increases the scholarship amounts under the Cleveland Scholarship Program as follows:	Same as the House.
(1) No provision.	(1) For K-8 students, $4,250 in fiscal year 2012 and thereafter, up from $3,450 as under current law;	(1) Same as the House.
(2) No provision.	(2) For 9-12 students, $5,000 in fiscal year 2012 and thereafter, up from $3,450 as under current law.	(2) Same as the House.
No provision.	No provision.	Eliminates the income-based reduction required by current law for scholarships under the Cleveland Scholarship Program. (Currently, each scholarship award is reduced by either 10% or 25%, depending upon the student's family income, with the balance of the award to be paid by a political subdivision, a private entity, or an individual.)
	Fiscal effect: The total cost of the program is restricted by the amount of the appropriation. The bill provides $24.4 million for the program in each fiscal year. This is an increase of $5.0 million over the Executive appropriation.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
Other Education Provisions		
EDUCD168 Debt Limits for School Districts with Special Needs		
		R.C. *133.06*
No provision.	No provision.	Modifies current law exempting certain school districts with special needs for permanent improvements from the ordinary debt limit of 9% of a district's tax valuation, by:
(1) No provision.	(1) No provision.	(1) Changing the standard by which the state Superintendent certifies a special needs district to a demonstration that the district's potential average growth in valuation during the next five years will be 1.5%, rather than 3% as under current law;
(2) No provision.	(2) No provision.	(2) Permitting a special needs district certified by the state Superintendent to incur debt equal to the greater of: (a) 12%, instead of 9% as under current law, of the sum of its tax valuation plus the product of the tax valuation times the percentage by which the tax valuation has increased over the 60-month period prior to an election on the issuance of securities; or (b) 12%, instead of 9% as under current law, of the sum of its tax valuation plus the product of the tax valuation times the percentage the state Superintendent projects the district's tax valuation will increase during the next ten years.
No provision.	No provision.	Eliminates the requirement that a district applying for special needs certification submit to the state Superintendent a history and projection of the growth of the district's student population. (Retains the requirement that a district submit a history and projection of tax valuation growth, its projected needs for permanent improvements, and an estimate of the cost of those needs.)
No provision.	No provision.	Adds the cost of "nonrequired" locally funded initiatives (in an amount of up to 50% of the district's project cost) to the list of improvements that a district may incur debt in excess of the ordinary 9% of tax valuation limit if it is participating in

Executive	As Passed by the House	As Passed by the Senate
		a state-assisted classroom facilities project. (Current law permits a district participating in such a project to exceed the ordinary debt limit to raise funds necessary to pay the district's share of the project, the site for the project, and "required" locally funded initiatives. The School Facilities Commission may require districts to pay the entire amount for certain items that do not meet the Commission's specifications but are closely associated with the state-assisted portion of the entire project.) **Fiscal effect: May allow districts more flexibility in funding permanent improvement projects.**
EDUCD132 Testing of Students with Disabilities		
	R.C. *3301.0711*	**R.C. *3301.0711***
No provision.	Requires the individualized education program developed for a disabled student to specify the manner in which the student will participate in the state achievement assessments. **Fiscal effect: None.**	Same as the House. **Fiscal effect: Same as the House.**
EDUCD163 Public Records Status of Elementary Achievement Assessments		
		R.C. *3301.0711*
No provision.	No provision.	Specifies that the achievement assessments administered in grades three through eight in the 2011-2012 school year and later are not public records. (Under current law, at least 40% of the questions on each assessment used to compute a student's score are public records, but questions needed for reuse on a future assessment are not public records.) **Fiscal effect: None.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD121 Statewide Academic Standards and Assessments		
	R.C. ***3301.079, 3301.0710, 3301.0712***	**R.C.** ***3301.079, 3301.0710, 3301.0712***
No provision.	Removes the requirement that the State Board of Education's statewide academic standards specify the development of skill sets as they relate to creativity and innovation, critical thinking and problem solving, communication and collaboration, and skill sets that promote personal management, productivity and accountability, and leadership and responsibility.	Same as the House.
No provision.	Removes "other skills necessary in the twenty-first century" as an area to be measured by the statewide assessment program.	Same as the House.
No provision.	Removes the senior project from the high school graduation requirements as a component of the college and work ready assessments.	Same as the House.
No provision.	Eliminates the development of a composite score system for the college and work ready assessments system.	Same as the House.
No provision.	No provision.	Modifies current guidelines for a nationally standardized test to be part of the new high school graduation regimen by requiring that it measure "college and career readiness" rather than "competencies in science, mathematics, and English language arts."
No provision.	No provision.	Directs the Superintendent of Public Instruction and the Chancellor of the Board of Regents, when selecting end-of-course exams as part of the assessment system for high school graduation, to choose multiple assessments, including nationally recognized subject area assessments, that public and chartered nonpublic schools may use.
No provision.	No provision.	Requires the State Board to adopt statewide academic standards "periodically," rather than at least once every five years as under current law.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Changes the terminology from "computer literacy" to "technology" as one of the subjects for which standards and model curricula must be adopted.
	Fiscal effect: Potential decrease in ODE administrative costs.	**Fiscal effect: Same as the House.**
EDUCD159 Department of Education Organization		
		R.C. *3301.82, (Repealed), Repealed: R.C. 3314.11,3314.111, 3319.62*
No provision.	No provision.	Eliminates permanent law requiring ODE to establish the State Office of Community Schools, the State Office of School Options, and the State Office of Educator Standards within the Center for the Teaching Profession, and permitting ODE to establish the Center for Creativity and Innovation. Reallocates the responsibilities of those offices to ODE in general.
		Fiscal effect: Eliminates future ODE administrative costs associated with these offices that otherwise may have been incurred.
EDUCD4 Parent Petitions for School Reforms		
R.C. *3302.042*	**R.C. *3302.042***	**R.C. *3302.042, 3302.21***
Requires ODE annually to rank all district-operated schools in order according to their performance index scores.	Same as the Executive.	Same as the Executive.
Specifies that when a school has been ranked in the lowest 5% for three or more consecutive years and the parents of at least 50% of the school's students petition to implement one of the following reforms, the district must implement that reform in the next school year:	Same as the Executive, but designates the provision as a pilot project limited to schools operated by the Columbus City School District.	Same as the House.
(1) reopen the school as a community school,	(1) Same as the Executive.	(1) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(2) replace at least 70% of the school's personnel who are related to the poor academic performance, or retain up to but no more than 30% of the staff,	(2) Same as the Executive.	(2) Same as the Executive.
(3) contract with a regular public school district, or a nonprofit or for-profit entity to operate the school,	(3) Same as the Executive.	(3) Same as the Executive.
(4) turn operation of the school over to ODE, or	(4) Same as the Executive.	(4) Same as the Executive.
(5) any other restructuring of the school that makes fundamental reforms in staffing or governance.	(5) Same as the Executive.	(5) Same as the Executive.
Prohibits the school district from implementing the requested reform if:	Same as the Executive.	Same as the Executive.
(1) The district board of education determines that the request is for reasons other than improving student academic achievement or student safety,	(1) Same as the Executive.	(1) Same as the Executive.
(2) The Superintendent of Public Instruction determines that the request does not comply with ODE's Model of Differentiated Accountability,	(2) Same as the Executive.	(2) Same as the Executive.
(3) The petitioners have requested ODE to take over the school's operation and ODE has not agreed, or	(3) Same as the Executive.	(3) Same as the Executive.
(4) The district has held a public hearing on the matter and issued a statement explaining why it cannot implement the requested reform and agreeing to implement another of the reforms, and both the Superintendent and State Board of Education have approved the alternative reforms.	(4) Same as the Executive.	(4) Same as the Executive.
No provision.	Directs ODE to annually evaluate the pilot program and submit a report to the General Assembly beginning not later than six months after the first parent petition has been resolved.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Implementation of one of the reform plans would likely increase administrative costs for the affected school district.	**Fiscal effect: Same as the Executive, but may also increase ODE administrative expenses to evaluate the program and report annually to the General Assembly.**	**Fiscal effect: Same as the House.**

EDUCD17 Restructuring of District-Operated Schools

R.C. ***3302.12***	**R.C.** ***3302.12***	**R.C.** ***3302.12, 3302.21***
Requires the Superintendent of Public Instruction to rank all district-operated schools annually according to their performance index scores. In the case of schools to which the performance index score does not apply, requires the Superintendent to develop another measure of student performance to enable inclusion in the rankings.	Same as the Executive.	Same as the Executive.
Specifies that if a school is ranked in the lowest 5% statewide for three consecutive years and is in academic watch or academic emergency, the district board of education must either:	Same as the Executive.	Same as the Executive.
(1) Close the school and reassign the students to other buildings;	(1) Same as the Executive.	(1) Same as the Executive.
(2) Contract with a regular public school district, or nonprofit or for-profit entity with a demonstrated record of effectiveness to operate the school;	(2) Same as the Executive.	(2) Same as the Executive.
(3) Replace the school's principal and teaching staff, exempt the school from board rules regarding curriculum and instruction upon request of the new principal, and provide funding for each student in the school at least equal to the per pupil amount of all district revenues; or	(3) Same as the Executive.	(3) Same as the Executive, but specifies that the per-pupil funding that the district must maintain is based on the district's state and local revenues (as opposed to all revenues, which include federal revenues).
(4) Reopen the school as a conversion community school.	(4) Same as the Executive.	(4) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Increase in administrative costs for ODE to develop another measure of student performance for schools to which the performance index score does not apply. Potential increase in expenditures for school districts to adopt one of the specified actions.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

EDUCD8 Classroom Expenditure and Student Performance Data

R.C. ***3302.20***	**R.C.** ***3302.20, 3302.25***	**R.C.** ***3302.20, 3302.25***
Requires ODE to develop, by January 1, 2012, and the State Board of Education to adopt, by July 1, 2012, standards for determining the amount of school district, community school, and STEM school annual operating expenditures for classroom instruction and the amount for nonclassroom purposes.	Same as the Executive, but requires ODE to distinguish between brick-and-mortar community schools and e-schools.	Same as the House.
Requires ODE to use those standards and existing data to:	Same as the Executive, but requires ODE to distinguish between brick-and-mortar community schools and e-schools.	Same as the House.
(1) determine the percentage of each district's, community school's, or STEM school's total operating budget that is spent for classroom instruction for each fiscal year, beginning with FY 2008,	Same as the Executive, but requires ODE to distinguish between brick-and-mortar community schools and e-schools.	Same as the House.
(2) categorize districts and schools primarily by size,	Same as the Executive, but requires ODE to distinguish between brick-and-mortar community schools and e-schools.	Same as the House.
(3) rank districts and schools within each category according to percentage of operating expenditures for classroom instruction, and	Same as the Executive, but requires ODE to distinguish between brick-and-mortar community schools and e-schools.	Same as the House.
(4) report on ODE's website and on district and school report cards the percentages and ranking for each district or school, for each category, and for all districts and schools combined.	Same as the Executive, but requires ODE to distinguish between brick-and-mortar community schools and e-schools.	Same as the House.
Requires ODE to denote, within the classroom expenditure rankings, districts and schools that are among the lowest 20% statewide in total operating expenditures per pupil or	Same as the Executive, but requires ODE to distinguish between brick-and-mortar community schools and e-schools.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
among the highest 20% statewide on the academic performance index.		
No provision.	Requires ODE to report annually to each school district its ratio of instructional operating expenditures to administrative operating expenditures, per pupil amount of instructional operating expenditures, per pupil amount of administrative operating expenditures, percentage of operating expenditures attributable to school district funds, and the statewide average for each of these items.	Same as the House.
No provision.	Requires each school district to publish the report from ODE on its web site and in another fashion.	Same as the House.
Fiscal effect: Likely increase in ODE's administrative costs for development of standards and for reporting.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

EDUCD13 Performance and Expenditure Reports

R.C. ***3302.21***	**R.C.** ***3302.21***	**R.C.** ***3302.21***
Requires ODE, annually, to rank order each school district, community school, and STEM school according to:	Same as the Executive.	Same as the Executive.
(1) performance index score,	(1) Same as the Executive.	(1) Same as the Executive, but also consolidates the bill's provisions requiring the ranking of school buildings by performance index score into this provision.
(2) student performance growth from year to year (as measured by either the value-added progress dimension where available or, for grades or subjects for which it is not available, some other indicator designated by the Superintendent of Public Instruction),	(2) Same as the Executive.	(2) Same as the Executive.
(3) career-technical performance measures as required under federal law,	(3) Same as the Executive.	(3) Same as the Executive.
(4) current operating expenditures per pupil, and	(4) Same as the Executive.	(4) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(5) percentage of total current operating expenditures spent for classroom instruction.	(5) Same as the Executive.	(5) Same as the Executive.
(6) No provision.	(6) No provision.	(6) performance of students identified as gifted.
Requires ODE to issue an annual report for each school district, community school, and STEM school indicating its ranking on each of these measures.	Same as the Executive.	Same as the Executive, but requires that the report be issued by September 1 of each year.
Requires that, if a school district is a vocational education planning district or lead (vocational education) district, its ranking and report under (3) above include the performance of all of the career technical students served by the district (including those from other districts).	Same as the Executive.	Same as the Executive.
Fiscal effect: Potential increase in ODE's administrative costs for development of a yearly progress measure and production of the report.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

EDUCD14 Governor's School Recognition Program

R.C. ***3302.22***	**R.C.** ***3302.22***	**R.C.** ***3302.22***
Creates the Governor's Effective and Efficient School program to annually recognize the top 10% of all public (school district, community, JVSD, and STEM schools) and chartered nonpublic schools based on student performance and cost effectiveness. Directs ODE to establish criteria for the program.	Same as the Executive.	Same as the Executive, but eliminates chartered nonpublic schools form the program.
Specifies that the state performance indicators, report cards, or any other statewide or national assessment or student performance recognition program ODE selects be included in determining student performance.	Same as the Executive.	Same as the Executive, but adds the school's performance index score ranking as one of the indicators of student performance.
Fiscal effect: Likely increase in administrative costs for ODE for the development of the program.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD122 Mulitple-Track Curriculum Pilot Project		
	R.C. *3302.30*	**R.C. *3302.30***
No provision.	Requires the Superintendent of Public Instruction to establish a pilot project in Columbiana County under which one or more school districts offer a multiple-track high school curriculum, with at least three distinct career tracks, including a college preparatory track and a career-technical track. Prohibits any district from being required to participate.	Same as the House.
No provision.	Allows the different career tracks to be offered at different campuses.	Same as the House.
No provision.	Directs ODE to provide technical assistance in developing the curriculum tracks.	Same as the House.
No provision.	Directs the Superintendent to apply for private and other non-state funds, and allows the use of other available state funds, to support the pilot project.	Same as the House, but authorizes the postponement of the pilot project if nonstate funds cannot be obtained or the Superintendent determines insufficient funds are available.
No provision.	Requires participating school districts to report data and results to the Superintendent. Directs the Superintendent to submit a report to the General Assembly not later than December 31st of the third school year in which the pilot project is operating.	Same as the House.
	Fiscal effect: Increase in administrative costs for ODE for technical assistance and reporting.	**Fiscal effect: Same as the House, however grants flexibility to postpone the pilot project if sufficient funds are not available.**
EDUCD106 Harmon Commission		
	R.C. *3306.51, 3306.52 - 3306.59 (All Repealed)*	**R.C. *3306.51, 3306.52 - 3306.59 (All Repealed)***
No provision.	Repeals the Harmon Commission, which was tasked with the approval of applications designating and awarding grants to classrooms as "creative learning environments."	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: None. The Commission was never funded.	Fiscal effect: Same as the House.

EDUCD20 School District Agreements with Educational Service Centers

R.C. *3311.05, 3313.843, 3311.845, 3319.19, 3311.059 (Repealed)*	R.C. *3311.05, 3313.843, 3311.845, 3319.19, 3311.059 (Repealed)*	R.C. *3311.05, 3313.843, 3311.845, 3319.19, 3311.059 (Repealed)*
Requires every school district with an average daily membership of 16,000 or less to enter into an agreement with an ESC for services.	Same as the Executive, but changes the basis for determining whether a school district is required to enter into an agreement with an ESC from its "average daily membership" to its "total student count".	Same as the House.
Permits, but does not require, every school district with an average daily membership greater than 16,000 to enter into an agreement with an ESC for services.	Same as the Executive, but changes "average daily membership" to "total student count".	Same as the House.
Permits a district to terminate its agreement with its current ESC by notifying the ESC governing board by January 1 of the year of the termination. Specifies that the termination is effective on June 30.	Same as the Executive, but permits a district to terminate its agreement with its current ESC by notifying the ESC governing board by January 1, 2012, or by January 1 of any odd-numbered year thereafter.	Same as the House.
If the aggregate student count of the districts that plan to terminate agreements with their current ESC makes up at least 30% of the ESC's "service center ADM" for funding purposes, requires the district or districts to notify all other districts that receive services from the ESC. Permits any of the other districts to notify the ESC governing board, by May 31, that the district is terminating its agreement effective June 30.	No provision.	No provision.
Repeals the current authority of a "local" school district to leave the territory of its current ESC subject to both approval of the State Board and referendum by petition of the district's voters, and limited to no more frequently than once every five years.	Same as the Executive.	Same as the Executive.
Requires the governing boards of ESCs affected by the termination of a service center agreement or the making of a new agreement by a "local" school district to take the necessary steps for the election of new members and for re-organization of the governing boards to reflect the change of	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
the territories of those ESCs caused by the termination or new agreement. (Under current law, not affected here, the territory of an ESC from which its governing board is elected is the territory of the "local" school districts that it serves.)		
Fiscal effect: Permitting school districts to terminate agreements annually may increase administrative costs related to elections and re-organization of ESC governing boards.	**Fiscal effect: Same as the Executive, but limits school districts to terminating agreements biennially.**	**Fiscal effect: Same as the House.**
EDUCD123 Educational Service Center Dissolution		
	R.C. *3311.0510*	**R.C. *3311.0510***
No provision.	Provides the following if all of the local school districts that make up the territory of an ESC sever from that ESC:	Same as the House.
(1) No provision.	(1) Specifies that the ESC governing board is abolished and the ESC is dissolved,	Same as the House.
(2) No provision.	(2) Requires the Superintendent of Public Instruction to provide for the equitable distribution of the assets, property, debts, and obligations of the ESC among the school districts that made up the territory of, or contracted with, the ESC, and to appoint an individual to administer the dissolution of the ESC,	Same as the House.
(3) No provision.	(3) Permits the costs incurred by ODE in dissolving the ESC to be charged against the assets of the ESC and any amount in excess of the assets to be charged equitably to the school districts that made up the territory of, or contracted with, the ESC,	Same as the House.
(4) No provision.	(4) Requires the Auditor of State to perform a final audit of the ESC, and	Same as the House.
(5) No provision.	(5) Requires the public records of the ESC be transferred to the school districts that received services from the ESC or, for those not relating to a particular school district, to the Ohio Historical Society.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: Increase in administrative costs for ODE, however such costs are to be covered by the assets of the dissolving ESC.	**Fiscal effect: Same as the House.**
EDUCD158 **Educational Service Center Governing Board Organization**		
		R.C. ***3311.054, 3311.056, Section 733.30***
No provision.	No provision.	Permits an ESC governing board to appoint an executive committee, rather than the board, to organize its electoral territory into subdistricts when two or more ESCs merge into one larger ESC.
No provision.	No provision.	Permits an ESC to delay reorganizing its electoral subdistricts until July 1, 2012, rather than within 90 days of the official results of the federal decennial census as required under current law.
No provision.	No provision.	Permits an ESC governing board, which is elected from and by the voters of the local school districts in the ESC's territory, to appoint additional members representative of the city and exempted village school districts with service agreements with the ESC.
		Fiscal effect: None.
EDUCD146 **Interscholastic Athletic Participation**		
		R.C. ***3313.538***
No provision.	No provision.	Prohibits disqualification of a student from interscholastic athletics solely because the student's parents do not reside in Ohio, if the student attends school in Ohio and lives in Ohio with a grandparent, uncle, aunt, or sibling who has temporary or legal custody or guardianship of the student.
No provision.	No provision.	Prohibits any school district, school, interscholastic conference, or organization that regulates interscholastic conferences or events from having a conflicting rule.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: None.
EDUCD166 **Homeschooled Student Participation in District Activities**		
		R.C. ***3313.539***
No provision.	No provision.	Requires school districts to allow homeschooled students, who fulfill the same nonacademic and financial requirements as any other participant and specified academic requirements, to participate in extracurricular activities at the school district-operated school to which the student would otherwise be assigned. **Fiscal effect: Minimal.**
EDUCD154 **High School Credit Flexibility**		
		R.C. ***3313.603***
No provision.	No provision.	Exempts chartered nonpublic schools from the requirement that high schools comply with a State Board of Education credit flexibility plan. **Fiscal effect: None.**
EDUCD164 **Fees for Career-Technical Education Materials**		
		R.C. ***3313.642***
No provision.	No provision.	Permits school districts to charge fees to students eligible for free lunch for tools, equipment, and materials that are necessary for workforce-readiness training and that may be retained by the student after course completion. **Fiscal effect: Decreases school districts costs for providing such materials to low-income students.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD152 School District Tuition - Obsolete Reference		
		R.C. *3313.65*
No provision.	No provision.	Replaces an obsolete reference to the Ohio Sailors' and Soldiers' Home in school district tuition law with the Ohio Veterans' Home.
		Fiscal effect: None.
EDUCD135 School District Lease of Space to Higher Education Institutions		
	R.C. *3313.75*	**R.C. *3313.75***
No provision.	Specifically states that school districts may rent or lease facilities to public or nonpublic institutions of higher education to be used to provide evening and summer classes. (Current law permits districts to authorize other groups and entities to use their facilities, for a reasonable fee, as long as that use does not interfere with the districts' operation of schools.)	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**
EDUCD144 Sale of Milk in Schools		
		R.C. *3313.816*
No provision.	No provision.	Repeals provisions restricting the calorie and fat levels of milk sold a la carte in public and chartered nonpublic schools.
No provision.	No provision.	Repeals a provision requiring that, in public and chartered nonpublic schools, at least 50% of the a la carte beverages available for sale through a school food service program, vending machines, or a school store must be water or other beverages that contain no more than 10 calories per 8 ounces.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: None. The current state law may conflict with federal regulations governing the federal school lunch program, which prohibit participating schools from restricting the sale of milk.
EDUCD120 Calamity Days - Make-up via Internet and Blizzard Bags		
	R.C. ***3313.88, 3326.11***	**R.C.** ***3313.88, 3326.11***
No provision.	Authorizes school districts, chartered nonpublic schools, community schools, and STEM schools to submit to ODE prior to August 1 of each school year a plan to make up a maximum of three calamity days (or the equivalent of three days for community schools) through lessons posted online on the school's web site or web portal.	Same as the House.
No provision.	Requires ODE to permit a school to implement the plan provided the plan meets certain requirements.	Same as the House.
No provision.	Requires a school district to obtain the written consent of its teachers' union to implement the plan.	Same as the House.
No provision.	Authorizes schools to include in the plan distribution of "blizzard bags," which are paper lesson plans distributed to students that correspond with lessons posted on the school's web portal or web site.	Same as the House.
	Fiscal effect: ODE may incur minimal administrative costs to review school plans for making up excess calamity days online. Schools will have more flexibility in determining how to make up excess calamity days.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD156 Intra-District Open Enrollment		
		R.C. *3313.97*
No provision.	No provision.	Permits a school district to grant a student permanent permission to transfer to a school outside of the student's attendance area, so that the student need not reapply annually. **Fiscal effect: None.**
EDUCD137 Fiscal Emergency School Districts		
	R.C. *3316.21*	**R.C. *3316.21, 3316.20***
No provision.	Requires the Auditor of State to notify the Superintendent of Public Instruction if the Auditor determines that the financial recovery plan of a school district declared to be in fiscal emergency cannot be expected to correct and eliminate fiscal emergency conditions within five fiscal years.	Same as the House.
No provision.	Requires the Superintendent to develop an operations plan for the district and submit the plan to the State Board for approval within 90 days of the notification by the Auditor.	Same as the House.
No provision.	Directs the State Board to suspend the charter of the district and take over its operation upon approval of the operations plan until such time as an acceptable financial recovery plan has been submitted.	Same as the House.
No provision.	No provision.	Grants a school district four fiscal years or, upon the approval of the Director of Budget and Management and the Superintendent of Public Instruction, ten fiscal years to reimburse the state for a payment from the School District Solvency Assistance Fund (instead of two fiscal years as under current law).

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: May increase administrative costs for ODE to create operations plans and operate districts.	**Fiscal effect: Same as the House, but also potentially decreases the revolving balance of the School District Solvency Assistance Fund as the length of time for districts to reimburse the state is extended.**
EDUCD139 Auxiliary Services for Chartered Nonpublic Schools		
	R.C. *3317.06*	**R.C. *3317.06***
No provision.	Makes the following changes to the list of items that school districts may purchase or lease with auxiliary services funds (GRF appropriation item 200511, Auxiliary Services) for loan to chartered nonpublic schools:	Same as the House, but makes the following change:
(1) No provision.	(1) Specifies that an electronic textbook is a book or book substitute accessed through a computer or other electronic medium or through an Internet-based provider of course content, or any other material that contributes to learning through electronic means.	(1) Same as the House.
(2) No provision.	(2) Adds computer application software designed to assist students in performing single or multiple related tasks, device management software, and learning management software.	(2) Same as the House.
(3) No provision.	(3) Specifies that computer hardware and related equipment includes desktop computers and workstations; laptops, tablets, and other mobile devices; and related operating systems and accessories.	(3) Same as the House.
(4) No provision.	(4) Removes prerecorded video laserdiscs, compact discs, and video cassette cartridges.	(4) Same as the House.
(5) No provision.	(5) No provision.	(5) Adds the purchase and maintenance of life-saving equipment.
	Fiscal effect: Potentially allows school districts to purchase a wider array of items for loan to chartered nonpublic schools.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD83 Approval to Take GED		
	R.C. *3317.617*	
No provision.	Requires a person age 16 to 18 who is applying to take the General Educational Development (GED) tests to obtain approval from the superintendent of the school district in which the person was last enrolled or, if the person was last enrolled in a community school or STEM school, from the school principal.	No provision.
No provision.	Specifies that, for the purpose of calculating graduation rates for the school district report cards, a person who obtains approval to take the GED must be counted as a dropout from the district in which the person was last enrolled.	No provision.
No provision.	Permits ODE to require a person under 18 to also obtain approval to take the GED from the person's parent or a court official, as in current State Board rules.	No provision.
	Fiscal effect: None.	
EDUCD150 Privatization of School District Transportation Services		
		R.C. *3319.0810*
No provision.	No provision.	Permits local and exempted village school districts to terminate transportation employees for reasons of economy and efficiency and contract with an independent agent if the following conditions are satisfied:
(1) No provision.	(1) No provision.	(1) Any collective bargaining agreement covering employees to be terminated has expired or will expire within 60 days, or the agreement permits termination for reasons of economy and efficiency,
(2) No provision.	(2) No provision.	(2) Employees whose positions are terminated are permitted to fill any vacancy within the district for which the employees are qualified,

Executive	As Passed by the House	As Passed by the Senate
(3) No provision.	(3) No provision.	(3) Employees whose positions are terminated are permitted to fill their former positions if they are reinstated within one year,
(4) No provision.	(4) No provision.	(4) Employees whose positions are terminated are permitted to appeal,
(5) No provision.	(5) No provision.	(5) The independent agent is required to consider hiring terminated employees for similar positions, and
(6) No provision.	(6) No provision.	(6) The independent agent is required to recognize any employee organization, for the purposes of collective bargaining, that represented employees at the time of termination.
		Fiscal effect: May give local and exempted village school districts greater flexibility in transportation expenses.
EDUCD136 Board of Education Employee Sick Leave		
	R.C. *3319.141*	
No provision.	Exempts from the current law requiring 15 days of sick leave be provided to each person employed by any board of education the following: (1) substitutes, (2) adult education instructors who work the full-time equivalent of less than 120 days per school year, and (3) persons employed on an as-needed, seasonal, or intermittent basis.	No provision.
No provision.	Requires that sick leave for employees who render regular part-time, per diem, or hourly service be granted at a rate of 4.6 hours of sick leave for 80 hours of service.	No provision.
	Fiscal effect: May decrease costs for boards of education.	

Executive	As Passed by the House	As Passed by the Senate
EDUCD86 **Superintendent for the State School for the Blind and State School for the Deaf**		
	R.C. ***3325.01***	
No provision.	Permits the State Board of Education to appoint one person to serve as the Superintendent of both the State School for the Deaf and the State School for the Blind. **Fiscal effect: May reduce personnel costs if only one Superintendent is appointed to serve both schools.**	No provision.
EDUCD114 **College-Preparatory Boarding Schools**		
	R.C. ***3328.01, 3318.60, 3328.02 - 3328.04, 3328.11 - 3328.15, 3328.17 - 3328.19, 3328.191, 3328.192, 3328.193, 3328.20 - 3328.26, 3328.41, 3328.45, 3328.50, 3328.99***	**R.C.** ***3328.01, 3318.60, 3328.02 - 3328.04, 3328.11 - 3328.15, 3328.17 - 3328.19, 3328.191, 3328.192, 3328.193, 3328.20 - 3328.26, 3328.31-3328.36, 3328.41, 3328.45, 3328.50, 3328.99, 3317.03***
No provision.	Authorizes the establishment of college-preparatory boarding schools, which are classified as public schools, operated by an approved private nonprofit corporation, and open to certain qualifying students.	Same as the House.
No provision.	Provides that a student qualifies to attend a college-preparatory boarding school if the student resides in a participating school district, is at risk of academic failure, is from a family whose income is at or below 200% of the federal poverty guidelines, and meets at least two other criteria involving the student's academic performance, behavior history, disability status, or family status.	Same as the House.
No provision.	Provides that a college-preparatory boarding school may only admit up to 80 students and offer grade 5 or 6 in its first year of operation. Permits a school to offer other grades in later years, but restricts the total amount of students attending the school to no more than 400.	Same as the House, but limits a college-preparatory boarding school to offering only grade 6 in its first year of operation.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Requires the State Board to issue a request for proposals from private nonprofit corporations interested in operating a college-preparatory boarding school and to enter into a contract with each approved operator.	Same as the House.
No provision.	Requires that a college-preparatory boarding school be governed by a board of trustees consisting of up to 25 members, with five members appointed by the Governor, with the advice and consent of the Senate, and the rest appointed through the school's bylaws.	Same as the House.
No provision.	Requires ODE to issue an annual report card for each college-preparatory boarding school that includes data regarding the academic performance of the school's students. Requires, for each student enrolled in the school, ODE to combine data regarding the academic performance of that student with comparable data from the student's resident school district for the purpose of calculating the performance of the district as a whole on the report card.	Same as the House.
No provision.	Allows the State Board to close a college-preparatory boarding school if the school violates a provision of the authorizing law or a provision of the contract between the school and the State Board.	Same as the House.
No provision.	Establishes a College-Preparatory Boarding School Facilities Program, through which SFC may assist a college-preparatory boarding school in the acquisition of classroom facilities. Requires that the "lease payments" made by the boards of trustees be deposited into the Common Schools Capital Facilities Bond Service Fund. Requires the school to secure at least $20.0 million in private funds toward the acquisition of the facilities to participate in the program. States that only private funds may be used for the acquisition of residential and other non-classroom facilities.	Same as the House.
No provision.	No provision.	Requires ODE to deduct, from the state aid of a college-preparatory boarding school student's resident district, an amount equal to 85% of the per pupil operating expenditure of that district (including state and local revenues).

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Requires ODE to pay to each college-preparatory boarding school, for each enrolled student, the amount deducted from the students resident district plus a state payment of a "per-pupil boarding amount."
No provision.	No provision.	Sets the "per-pupil boarding amount" at $25,000 during a college-preparatory boarding school's first fiscal year of operation, with adjustments for inflation in following fiscal years.
No provision.	No provision.	Allows for reductions to the "per-pupil boarding amount" if the college-preparatory boarding school receives funds from the federal government or other outside sources.
	Fiscal effect: Although the bill specifies that these schools are to be public, it does not provide a funding mechanism for the operation of the schools, so it is unclear what the fiscal effect will be.	**Fiscal effect: State "per-pupil boarding amount" payments could be as much as $2.0 million for each school in its first year of operation and as much as $10.0 million for each school in following fiscal years (plus inflation). Deductions from state aid to school districts may increase and districts may also realize a decrease in expenditures since the district will no longer be obligated to educate the student.**
EDUCD21 Educational Service Centers		
R.C. ***3329.08, 3331.01***	**R.C.** ***3329.08, 3331.01, 3317.031***	**R.C.** ***3329.08, 3331.01, 3317.031***
Removes the requirement that local school districts adopt their textbooks or electronic textbooks from lists provided by ESCs.	Same as the Executive.	Same as the Executive.
Removes permissive language that allows the superintendent of an ESC to be the designee of a superintendent of a local school district within the ESC's service territory in issuing age and schooling certificates.	Same as the Executive.	Same as the Executive.
No provision.	Eliminates the requirement that ESCs maintain membership records of pupils attending local school districts.	Same as the House.
Fiscal effect: Minimal.	**Fiscal effect: May decrease ESC administrative costs.**	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD153 **School District Levy for a Cultural Center**		
		R.C. ***5705.21***
No provision.	No provision.	Requires the ballot for a school district seeking to levy a property tax for a cultural center to state that it is for the purpose of operating the cultural center.
		Fiscal effect: None.
EDUCD134 **School District Expenditure Certification**		
	R.C. ***5705.412***	**R.C.** ***5705.412***
No provision.	Authorizes a school district to enter into a contract exceeding the lesser of $500,000 or 1% of total revenue for the current fiscal year without certification indicating adequate revenue to cover the contract, as required under current law, if an alternative certification is made indicating that the contract (1) is a multi-year contract for materials, equipment, or nonpayroll services essential to the education program of the district, and (2) provides savings compared to a single year contract, allowing the district to reduce the deficit it is currently facing in future years.	Same as the House.
	Fiscal effect: May decrease costs for school districts with the ability to enter multi-year contracts.	**Fiscal effect: Same as the House.**
EDUCD167 **Tax Increment Financing Protections for Joint Vocational School Districts**		
		R.C. ***5709.40, 5709.41, 5709.42, 5709.73, 5709.78***
No provision.	No provision.	Extends certain notice and veto rights for a JVSD that would forgo tax revenue as the result of a township, county, or municipal corporation tax increment financing property tax exemption. (Currently these rights are available only to city, local, and exempted village school districts.)

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: May allow JVSDs to retain tax revenue that would have been forgone under a tax increment financing property tax exemption.
EDUCD68 Private Treatment Facility Project		
Section: ***267.40.80***	**Section:** ***267.40.80***	**Section:** ***267.40.80***
Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment centers are enrolled in an approved educational program in or near the facility.	Same as the Executive.	Same as the Executive.
Lists the participating residential treatment centers as (1) private residential treatment facilities that have contracted with the Department of Youth Services to provide services and which are paid through appropriation item 470401, RECLAIM Ohio, (2) Abraxas, in Shelby, (3) Paint Creek, in Bainbridge, (4) Act One, in Rogers, and (5) F.I.R.S.T., in Mansfield.	Same as the Executive, but removes Act One from the list of participating centers.	Same as the House.
Requires that the school district responsible for tuition for a residential child pay the tuition to the provider for the educational programs. Prohibits a district from including the youth in the district's average daily membership (ADM). Requires that ODE track the utilization of funds and monitor the program for educational accountability.	Same as the Executive.	Same as the Executive.
Fiscal effect: In addition to the tuition payment, the bill earmarks $1.0 million in each fiscal year for the Private Treatment Facility Project.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
EDUCD78 Educational Shared Services Model		
Section: ***267.50.90***	**Section:** ***267.50.90***	**Section:** ***267.50.90***
Requires that the Governor's Director of 21st Century Education develop a plan for the integration and consolidation of the publicly supported regional shared services organizations serving Ohio's public and chartered nonpublic schools, including education technology centers, information technology centers, area media centers, Ohio's statewide system of support, the education regional service system, regional advisory boards, ad regional staff from ODE providing direct support to school districts. Specifies that the plan include recommendations for implementation beginning July 1, 2012.	Same as the Executive.	Same as the Executive, but specifically includes educational service centers as educational support organizations to be integrated into the regional shared service center system. Also requires the development of a plan to encourage communities and school districts to create regional P-16 councils with recommendations for implementation beginning July 1, 2012.
Requires that the Director, by January 1, 2012, submit recommendations for implementation of the plan to the Governor and the General Assembly.	Same as the Executive.	Same as the Executive, but includes the plan to encourage regional P-16 councils in the recommendations for implementation to be submitted.
No provision.	Requires that the Director conduct a shared services survey of Ohio's school districts, community schools, STEM schools, chartered nonpublic schools, joint vocational school districts, and other educational service providers and local political subdivisions.	Same as the House
Fiscal effect: Increased administrative costs for the Governor's office for preparation of the plan.	**Fiscal effect: Same as the Executive, but with additional costs to conduct the shared services survey.**	**Fiscal effect: Same as the House, but with additional costs to develop the P-16 plan.**
EDUCD95 Textbook Set-Aside Moneys		
	Section: ***267.60.10***	**Section:** ***267.60.10***
No provision.	Permits a school district board of education to transfer any unencumbered moneys remaining in the district's textbook and instructional materials fund on July 1, 2011 to the district's general fund.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: Gives school districts greater flexibility for the use of funds previously set aside for textbooks and instructional materials.	**Fiscal effect: Same as the House.**

Appropriation Language

EDUCD32 Ohio Educational Computer Network

Section: ***267.10.60***	**Section:** ***267.10.60***	**Section:** ***267.10.60***
Specifies that GRF appropriation item 200426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance in support of the P-16 State Education Technology Plan. Makes the following earmarks:	Same as the Executive, but makes the following changes in the earmarks:	Same as the House.
(1) Up to $10,705,569 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Up to $1,440,000 in each fiscal year for the Union Catalog and InfOhio Network.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Up to $5,220,000 in each fiscal year to subsidize the activities of designated information technology centers.	(3) Same as the Executive.	(3) Same as the Executive.
Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems.	Replaces the Executive provision with a provision that specifies that the remainder of the appropriation be used to support the College of Education and Human Ecology at the Ohio State University in its work reviewing course content for the distance learning clearinghouse.	Same as the House.

EDUCD45 Educator Preparation

Section: ***267.20.40***	**Section:** ***267.20.40***	**Section:** ***267.20.40***
Specifies the following for GRF appropriation item 200448, Educator Preparation:	Same as the Executive, but makes the following changes:	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(1) No provision.	(1) Earmarks up to $150,000 in each fiscal year for ODE to monitor and support Ohio's State System of Support under federal law.	(1) Same as the House.
(2) Permits the appropriation to be used by ODE to support the Educator Standards Board as it develops standards for educator training and standards for teacher and other school leadership positions.	(2) Same as the Executive, but removes the reference to developing standards.	(2) Same as the House.
(3) Permits the appropriation to be used by ODE to develop alternative preparation programs for school leaders and to coordinate a career ladder for teachers.	(3) No provision.	(3) No provision.
(4) No provision.	(4) Permits the appropriation to be used for the implementation of education reforms.	(4) Same as the House.

EDUCD47 Pupil Transportation

Section: *267.20.70*	Section: *267.20.70*	Section: *267.20.70*
Makes the following earmarks to GRF appropriation item 200502, Pupil Transportation:	Same as the Executive, but makes the following changes to the earmarks:	Same as the House, but makes the following changes:
(1) Up to $838,930 in each fiscal year for training school bus drivers.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Up to $60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county DD boards.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Up to $650,000 in each fiscal year to partially reimburse school districts for costs of providing transportation services to nontraditional schools when those schools are open on a day the school district is not scheduled to be open.	(3) Same as the Executive.	(3) Same as the Executive.
(4) No provision.	(4) Up to $5,000,000 in each fiscal year to reimburse school districts for students transported by means other than school bus service.	(4) Same as the House, but clarifies that the earmark is for reimbursements to school districts that make payments to parents in lieu of transportation.

Executive	As Passed by the House	As Passed by the Senate
(5) Specifies that the remainder of the appropriation be used for foundation funding.	(5) Same as the Executive.	(5) Same as the Executive.

EDUCD53 Career-Technical Education Enhancements

Section: ***267.30.30***	**Section:** ***267.30.30***	**Section:** ***267.30.30***
Makes the following earmarks to GRF appropriation item 200545, Career-Technical Education Enhancements:	Same as the Executive.	Same as the Executive.
(1) Up to $2,563,568 in each fiscal year to fund units at secondary career-technical education at institutions.	(1) Same as the Executive.	(1) Same as the Executive, but requires grant-based rather than unit-based funding.
(2) Up to $2,838,281 in each fiscal year to fund competitive expansion grants to tech prep consortia.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Up to $3,100,850 in each fiscal year to support existing High Schools That Work (HSTW) sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Up to $300,000 in each fiscal year to fund the Agriculture 5th Quarter Project.	(4) Same as the Executive.	(4) Same as the Executive.

EDUCD54 Foundation Funding

Section: ***267.30.40***	**Section:** ***267.30.40***	**Section:** ***267.30.40***
Makes the following earmarks to GRF appropriation item 200550, Foundation Funding:	Same as the Executive, but makes the following changes in the earmarks:	Same as the House, but makes the following changes in the earmarks:
(1) No provision.	(1) No provision.	(1) Up to $250,000 in each fiscal year to fund a shared services pilot project involving at least two ESCs.
(2) Up to $425,000 in each fiscal year to help defray the cost of educating children who are placed in a private institution, school, or residential treatment center by the order of an	(2) Same as the Executive.	(2) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Ohio court.		
(3) Up to $8,100,000 in each fiscal year to fund gifted education units at educational service centers (ESCs). Specifies that each ESC that received gifted education funding for the prior fiscal year receive the same amount for the current fiscal year, unless the ESC notifies ODE in writing that it will no longer be providing services or will be providing fewer services than it provided in the prior fiscal year. Requires, for these cases, ODE to deduct the funding received by the ESC for the prior fiscal year from the ESC's allocation for the current fiscal year and redistribute the deducted funds to other ESCs through the unit-based funding methodology in place prior to FY 2010.	(3) Same as the Executive, but changes the way funding is distributed. Specifies that funding be distributed to ESCs through the unit-based methodology in place in FY 2009. Also, requires any remaining funds be distributed to school districts for identification of gifted students.	(3) Same as the House, but specifies that the earmark is not nullified by the bill's general prohibition against the payment of gifted units.
(4) Up to $10,000,000 in each fiscal year to provide additional state aid to school districts, joint vocational school districts, and community schools for the special education catastrophic cost supplement. Permits the Controlling Board to increase the amount if requested.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Up to $2,000,000 in each fiscal year for Youth Services tuition payments.	(5) Same as the Executive.	(5) Same as the Executive.
(6) Up to $41,760,000 in FY 2012 and up to $29,323,000 in FY 2013 to fund the state reimbursement of ESCs.	(6) Same as the Executive, but increases to $35,323,000 in FY 2013.	(6) Same as the House.
(7) Up to $3,545,752 in each fiscal year to be distributed to ESCs for School Improvement Initiatives.	(7) Same as the Executive.	(7) Same as the Executive.
(8) Up to $1,000,000 in each fiscal year for the private treatment facility project.	(8) Same as the Executive.	(8) Same as the Executive.
(9) Up to $7,522,860 in each fiscal year to support the Cleveland school choice program.	(9) Same as the Executive, but increases to $12,522,860 in each fiscal year.	(9) Same as the House.
(10) Earmarks up to $11,901,887 in each fiscal year of the foundation program funds credited to the Cleveland Municipal School District for the Cleveland school choice program. Earmarks of that amount, up to $1,000,000 in	(10) Same as the Executive	(10) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
each fiscal year for the district to provide tutorial assistance.		
(11) An amount to fund joint vocational school districts (JVSDs).	(11) Same as the Executive	(11) Same as the Executive.
(12) No provision.	(12) An amount for supplemental school district funding in each fiscal year.	(12) Same as the House.
(13) No provision.	(13) No provision.	(13) An amount for a subsidy for high performing school districts and community schools.
Specifies that GRF appropriation items 200502, Pupil Transportation, 200540, Special Education Enhancements, and 200550, Foundation Funding, other than specific set-asides, are to fund state formula aid obligations. Provides that ODE seek Controlling Board approval to transfer funds among these items, or other GRF appropriation items in which there are excess appropriation, in order to meet these obligations.	Same as the Executive.	Same as the Executive.
EDUCD127 Community School Dropout Programs		
	Section: ***267.40.20***	
No provision.	Requires the transfer of $1.0 million in each fiscal year from the Economic Development Programs Fund (5JC0) used by the Board of Regents to the Community School Dropout Programs Fund (Fund 5KK0) to be used to provide funds to community school dropout prevention and recovery programs attributable to enrolled students aged 22 to 29.	No provision.

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 employee contribution rates to 12% (from 10%).	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
HPRS - Reduces employer contribution rates to 24.5% (from 26.5%) and increases employee contribution rates to 12% (from 10%). **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.**	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
EPACD5 Automobile Emissions Testing Program (E-Check)		
R.C. ***3704.14, Section 279.10***	**R.C.** ***3704.14, Section 279.10***	**R.C.** ***3704.14, Section 279.10***
(1) Authorizes the extension of the motor vehicle inspection and maintenance program (E-Check) in counties where the program is federally mandated through June 30, 2014. Allows the Director of Environmental Protection to request the Director of Administrative Services to extend the current contract to conduct E-Check with the contractor that currently operates the program. Upon receiving the request, requires the Director of Administrative Services to extend the current contract for a period not to exceed 12 months beginning on July 1, 2011. Prior to the expiration of the contract extension, allows the Director of Environmental Protection to request the Director of Administrative Services to enter into a contract with a vendor to operate E-Check in each county where it is federally mandated through June 30, 2014.	(1) Replaces the Executive provision with a provision that does the following: (A) Permits the Director of EPA to extend the existing contract for a "centralized" program for up to 12 months beginning on July 1, 2011 in the seven counties in which the program is operating on the effective date of this amendment. (B) Authorizes the Director of EPA to request the Director of DAS, subsequent to the expiration of the centralized program contract, to enter into a contract to implement a decentralized program, through June 30, 2017, in each county where the program is federally mandated and requires such a program to achieve substantially similar instead of at least the same ozone precursor reductions as achieved under the existing centralized program. And (C) Makes various changes to the requirements applicable to the contract to operate a decentralized program, including: (a) requires the program utilize established local businesses by authorizing existing auto repair facilities to operate as licensed inspection and waiver testing facilities; (b) requires the tailpipe emission analyzer utilized for emissions testing be BAR-97 certified; (c) requires the contractor to supply proven technology for on-board diagnostic testing equipment to all inspection facilities; and (d) eliminates a current law requirement that the contractor notify each owner of a motor vehicle that is required to be inspected the program's requirements.	(1) Same as the House, but makes the following changes: (A) Same as the House, but removes the House provision that authorizes the E-Check contract to ne extended only in the seven counties in which the program is operating on the effective date of this amendment. (It maintains the current requirement that the program be implemented in counties where the program is federally mandated.) (B) Same as the House, but requires the program to achieve at least the same emission reductions as achieved under the existing contract and requires instead of authorizes the Director of EPA to request the Director of DAS to enter into a contract for a decentralized program. (C)(a) Replaces the House provision with a provision that requires the contractor to utilize established local businesses, auto repair facilities, or leased properties to operate state-approved inspection and maintenance testing facilities. (C)(b) No provision. (C)(c) No Provision. (C)(d) No provision. (It maintains the current law's program notification requirement for the contractor.) (C)(e) Requires the contractor to comply with testing methodology and supply certain required equipment approved by the Director of EPA. (D) Repeals a current law provision that prohibits the implementation of a motor vehicle and maintenance program in any county in which it is not otherwise authorized or in any county beyond June 30, 2012 (2017 in the bill), without the approval of the General Assembly
(2) Permits the Director of Budget and Management to transfer up to $13,029,952 in FY 2012 and up to $13,242,762 in cash from the GRF to the Auto Emissions	(2) Same as the Executive.	(2) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Test Fund (Fund 5BY0) for the operation and oversight of the auto emissions testing program.		
Fiscal effect: This program is a requirement that was developed as part of the federally approved State Implementation Plan (SIP) and compliance with the federal Clean Air Act so as to avoid the loss of federal grant money and possible sanctions. These sanctions include requiring offsets from facilities building in nonattainment areas and the loss of federal highway funds.	**Fiscal effect: It is unclear as to whether the Ohio EPA's costs for the operation and oversight of a decentralized program will be more or less than those associated with the existing centralized program.**	**Fiscal effect: Same as the House.**

EPACD9 Hazardous Waste Facility Management Fund

R.C. ***3734.18, 3734.19, 3734.20, 3734.21, 3734.22, 3734.23,3734.24,3734.25,3734.26, 3734.27***	**R.C.** ***3734.18, 3734.19, 3734.20, 3734.21, 3734.22, 3734.23,3734.24,3734.25,3734.26, 3734.27***	**R.C.** ***3734.18, 3734.19, 3734.20, 3734.21, 3734.22, 3734.23,3734.24,3734.25,3734.26, 3734.27***
(1) Eliminates the requirement that the Director of Environmental Protection deposit hazardous waste disposal and treatment fees into minority banks as defined in state law.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Eliminates the requirement for the Ohio EPA to seek approval of the Controlling Board to make expenditures from the Hazardous Waste Facility Management Fund (Fund 5030) that are not for repayment of and interest on any loan made by the Ohio Water Development Authority.	(2) No provision.	(2) No provision.
(3) Eliminates the requirement for the Ohio EPA to seek approval of the Controlling Board to make expenditures from Fund 5030 that are for the administration of the hazardous waste program on annual basis.	(3) No provision.	(3) No provision.
(4) Allows the Ohio EPA to make expenditures, without Controlling Board's approval, from Fund 5030 for additional specific uses established in the bill.	(4) Replaces the Executive provision with a provision that subjects expenditures for the additional specific uses of Fund 5030 to Controlling Board's approval.	(4) Same as the House.
(5) Authorizes the Director of Environmental Protection to use money in Fund 5030 specifically for the investigation and cleanup of contaminated properties and for grants for the cleanup of such properties.	(5) Same as the Executive.	(5) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(6) Requires the Director, in making grants from Fund 5030, to consider each application and establish priorities for awarding grants from the fund, which must be based on the feasibility, cost, and public benefits of restoring the land and the availability of other financial assistance for the restoration.	(6) Same as the Executive.	(6) Same as the Executive.
Fiscal effect: None, as these provisions largely clarify the purposes for which money in the fund may be used. With regard to provision (1), the Director does not have the authority to select banks for the deposit of state money. That authority lies with the Board of Deposit under R.C. Chapter 135.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

EPACD11 Extension of Solid Waste Transfer and Disposal Fee

R.C. ***3734.57, 1515.14, 3745.015***	**R.C.** ***3734.57, 1515.14, 3745.015***	**R.C.** ***3734.57, 1515.14, 3745.015***
Extends from June 30, 2012, to June 30, 2014, the expiration date of the following fees on the transfer or disposal of solid wastes:		
(1) $1 per ton the proceeds of which must be divided equally between the Hazardous Waste Facility Management Fund (Fund 5030) and the Hazardous Waste Clean-Up Fund (Fund 5050), which are used for purposes of Ohio's hazardous waste management program;	(1) Same as the Executive.	(1) Same as the Executive.
(2) $1 per ton the proceeds of which must be credited to the Solid Waste Fund (Fund 4K30), which is used for the solid and infectious waste and construction and demolition debris management programs; and	(2) Same as the Executive.	(2) Same as the Executive.
(3) $2.50 per ton the proceeds of which must be credited to the Environmental Protection Fund (Fund 5BC0), which is used for administering and enforcing environmental protection programs.	(3) Same as the Executive.	(3) Same as the Executive.
(4) No provision.	(4) Extends for one year, through June 30, 2013, the $0.25 per-ton fee on the transfer or disposal of solid wastes, the proceeds of which are credited to the Soil and Water Conservation District Assistance Fund (Fund 5BV0).	(4) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: The fee extensions preserve annual revenues totaling: $6.3 million for Fund 5030, $6.3 million for Fund 5050, $12.7 million for Fund 4K30, and $31.7 million for Fund 5BC0. The Executive budget allows the $0.25 per-ton fee on the transfer or disposal of solid wastes, the proceeds of which are credited to the Soil and Water Conservation District Assistance Fund (Fund 5BV0), to expire effective June 30, 2012 as under current law. This provision will result in a loss of $3.1 million annually for Fund 5BV0 beginning in FY 2013.	**Fiscal effect: Same as the Executive, except the one-year extension of the $0.25 per ton fee deposited to the credit of Fund 5BV0 will preserve annual revenues totaling $3.1 million.**	**Fiscal effect: Same as the House.**

EPACD25 Solid Waste Management District Fee Exemptions

		R.C. ***3734.577***
No provision.	No provision.	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. **Fiscal effect: This provision could result in certain local jurisdictions paying solid waste fees from which they may currently be exempted, the annual magnitude of which for any given local jurisdiction is uncertain.**

Executive	As Passed by the House	As Passed by the Senate
ETHCD2 Financial Disclosure Statement Filing Fees		
R.C. *102.02*	**R.C. *102.02***	
Increases, beginning in calendar year 2011, financial disclosure statement filing fees by $10, $20, $30, or $35, with the amount of the increase depending upon the office held by the filer.	Same as the Executive.	No provision.
Fiscal effect: Gain in revenues to the Ohio Ethics Commission Fund (Fund 4M60) of approximately $166,000 annually.	**Fiscal effect: Same as the Executive.**	
ETHCD4 Financial Disclosure Statement Late Fees		
R.C. *102.02*	**R.C. *102.02***	
Increases, beginning in calendar year 2011, the penalty on public officials and employees who file a late financial disclosure statement from $10 a day, with a maximum penalty of $250, to $20 a day, with a maximum penalty of $500.	Same as the Executive.	No provision.
Fiscal effect: Potential gain in revenues to the Ohio Ethics Commission Fund (Fund 4M60) of up to $117,000 or more annually, depending on the number of filers who file their disclosure statements late.	**Fiscal effect: Same as the Executive.**	

Executive	As Passed by the House	As Passed by the Senate
GOVCD4 **Publication of General Assembly Apportionment**		
	R.C. ***107.09***	**R.C.** ***107.09***
No provision.	Modifies the specific requirement that the Governor publish the General Assembly apportionment for four weeks in newspapers in Cincinnati, Cleveland, and Columbus, by allowing the Governor to instead publish the apportionment one time in its entirety in those newspapers and a second time in abbreviated form as long as the abbreviated form meets several requirements including a provision where the notice is posted in its entirety on the newspapers' websites.	Same as the House.
	Fiscal effect: Minimal savings.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
DOHCD21 Medical Home and Health Home		
	R.C. ***185.03, 3701.032***	**R.C.** ***185.03, 3701.032***
No provision.	Adds a representative of the Ohio Council for Home Care and Hospice to the Patient Centered Medical Home Education Advisory Group.	Same as the House.
No provision.	Permits the ODH Director to adopt rules that define what constitutes a health home for the purpose of any entity authorized to provide care coordination services.	Same as the House.
	Fiscal effect: Potential minimal increase in costs for administration and rule promulgation.	**Fiscal effect: Same as the House.**
DOHCD14 BCMH Rebates for Drugs and Nutritional Formulas		
R.C. ***3701.021, 3701.023***	**R.C.** ***3701.021, 3701.023***	**R.C.** ***3701.021, 3701.023***
Authorizes ODH to establish a rebate program for its Bureau for Children with Medical Handicaps (BCMH) program that would require a manufacturer of a drug or nutritional formula to enter into a rebate agreement as a condition of having the drug or nutritional formula covered by programs administered under BCMH.	Same as the Executive, but provides that the program may be a rebate or a discount program.	Replaces the House provision with a provision that allows ODH to establish a discount program only, under which a manufacturer is permitted to enter into an agreement with ODH to provide a discount on the price of a drug or nutritional formula distributed to participants of programs administered by BCMH.
No provision.	No provision.	Allows a manufacturer and ODH to discuss a donation of drugs, nutritional formulas, or money to ODH in lieu of establishing a discount program.
Fiscal effect: Gain of rebates.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Potential savings related to discounts. Potential gain of donations to ODH if a discount program is not established.**

Executive	As Passed by the House	As Passed by the Senate
DOHCD18 Abstinence Education - Title V Funds		
	R.C. *3701.0211*	**R.C. *3701.0211***
No provision.	Requires the ODH Director to annually apply for federal Title V funds each year funds are made available for abstinence education.	Same as the House.
	Fiscal effect: Potential gain of federal Title V funds. Potential minimal increase in administrative costs.	**Fiscal effect: Same as the House.**
DOHCD16 Help Me Grow		
R.C. *3701.61*	**R.C. *3701.61***	**R.C. *3701.61***
Specifies that besides encouraging prenatal and well-baby care, the Help Me Grow Program's purpose is to also provide parenting education to promote the comprehensive health and development of children and to provide early intervention services pursuant to federal law.	Same as the Executive, but instead specifies that the program's purpose is also to provide family-centered parenting education, services, and support that acknowledge and support the vital role of families in ensuring the well-being of children and that promote the optimal social, emotional, cognitive, intellectual, and physical development of children.	Same as the Executive.
Provides that home visiting services are provided to eligible families with a pregnant woman or an infant or toddler under age three (rather than newborn infants and their families as is currently the practice). Eliminates a requirement that a request for home visiting services be made by a parent of an eligible infant before the services can be provided.	Same as the Executive, but refers to "family-centered" instead of "home-visiting" services and specifies that families with incomes below 200% of the federal poverty guidelines and with a pregnant woman or an infant or toddler under age two (rather than three as in the Executive version) are eligible for home visiting services. Includes provisions, not in the Executive version, that require ODH to obtain written consent before providing any Help Me Grow services and specifies that participation in home visiting services is voluntary.	Same as the Executive.
Permits the ODH Director to enter into interagency agreements with state agencies to implement Help Me Grow and distribute funds through contracts, grants, or subsidies to entities providing services and eliminates a requirement that the distribution of subsidies to counties is a program	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
requirement. Requires ODH to establish a system of payment to program providers to the extent funds are available.		
No provision.	Requires providers of home visiting services to deliver services using the "parents as teachers home visiting model" and authorizes the ODH Director to select other home visiting models.	No provision.
No provision.	Requires providers of home visiting services, as a condition of receiving payment for the services, to report to the ODH Director data on program performance indicators, including the risk indicators of low birth weight and pre-term births.	Same as the House.
No provision.	Requires the ODH Director to prepare an annual report on the data received from the home visiting services providers.	Same as the House.
Specifies that families currently enrolled in the At-Risk Program will remain eligible for services until December 31, 2013, or until the child reaches three years of age.	Same as the Executive.	Same as the Executive.
Specifies certain rules regarding eligibility for services, eligibility for providers of services, complaint procedures, and criteria for payment, that must be adopted to implement the Help Me Grow Program.	Same as the Executive, but does the following: (1) eliminates a requirement that the ODH Director adopt rules regarding eligibility requirements for providers of home visiting services and standards and procedures for the provision of home visiting services; (2) adds a requirement that rules address the program performance indicators on which data must be reported by home visiting services providers, to the extent possible, be consistent with federal reporting requirements for federally funded home visiting services; and (3) adds a requirement that rules specify the format in which reports must be submitted and the time frames.	Same as the House, but restores the Executive requirement that the ODH Director adopt rules regarding eligibility requirements for providers of home visiting services and standards and procedures for the provision of home visiting services.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Some of the provisions are updating the law dealing with the program to align with recent program changes, so there will be little to no fiscal impact. However, the provision that permits the ODH Director to enter into interagency agreements with state agencies to implement the program and distribute funds was requested to make necessary changes that could allow ODH to collect some Medicaid reimbursements for certain activities conducted under Help Me Grow. Additionally, may impact who at the community level receives the money to provide services depending on what changes are made in the contracting arrangements with the provider agencies.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DOHCD17 Clinical Laboratory Services Providers		
	R.C. *3701.94, 3701.941, and 3702.31*	
No provision.	Prohibits a clinical laboratory services provider from inducing physicians or group practices to refer patients in exchange for remuneration and to split fees.	No provision.
No provision.	Prohibits, generally, a clinical laboratory services provider from placing laboratory personnel in physician or group practice offices.	No provision.
No provision.	Requires the ODH Director to impose a civil fine of not less than $1,000 and not more than $10,000 for each day a clinical laboratory services provider violates prohibitions listed above. **Fiscal effect: Potential gain in fine revenues to SSR Fund 5B50, Quality Monitoring and Inspection Fund.**	No provision.

Executive	As Passed by the House	As Passed by the Senate
DOHCD22 Nursing Homes Operated by Religious Orders		
	R.C. *3702.59*	**R.C. *3702.59***
No provision.	Provides, in the case of a nursing home authorized to provide care only to religious order members according to the terms of its certificate of need, that the home may also provide care to family members of the home's residents.	Same as the House.
No provision.	Provides that long-term care beds in these nursing homes may not be relocated to another long-term care facility.	Same as the House.
	Fiscal effect: Possible increase in costs if these facilities and individuals qualify for Medicaid.	**Fiscal effect: Same as the House.**
DOHCD15 Vital Statistics Fees - Portion Transferred to State Office		
R.C. *3705.24*	**R.C. *3705.24***	**R.C. *3705.24***
Reduces to $3 (from $4) the portion of the $12 minimum base fee for a certified copy of a vital record or certification of birth that must be transferred from a local board of health to the State Office of Vital Statistics and used to support public health systems.	Same as the Executive.	No provision.
No provision.	No provision.	Requires $1 of each $4 portion of the minimum $12 base fee for a certified copy of a vital record or certification of birth collected by a local board of health to be distributed to boards of health using the same formula as currently used for the distribution of state subsidies to health districts.
No provision.	No provision.	Requires a local registrar of vital statistics (who is not a salaried employee of a city or general health district) to transfer $4 of each minimum base fee collected for a certified copy of a vital record or certification of birth to the State Office of Vital Statistics.
No provision.	No provision.	Requires the entire $4 portion transferred by a local registrar be used to support public health systems.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Revenue loss of approximately $1 million to SSR Fund 4700, General Operations. Revenue gain of approximately $1 million to local boards of health.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Potential gain in revenue for local boards of health relating to the $1 fee that is distributed to them. Potential gain in revenue for ODH if local registrars are not currently transferring these moneys.**

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

		R.C. ***3717.01***
No provision.	No provision.	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.**

DOHCD23 Skilled Nursing Care in Residential Care Facilities

	R.C. ***3721.011, 3721.04***	**R.C.** ***3721.011, 3721.04***
No provision.	Revises the law that permits a residential care facility to admit or retain a hospice patient who requires skilled nursing care for more than 120 days in a 12-month period as follows: (1) Permits the facility to admit or retain any individual who requires such skilled nursing care if the facility enters into a written agreement with (a) the individual or individual's sponsor, (b) the individual's personal physician, (c) the provider of the care (except when the individual's physician oversees the care), and (d) a hospice care program (if the individual is a hospice patient); (2) Requires the agreement to include a provision specifying that the individual's personal physician has determined that the skilled nursing care the individual needs is routine. **Fiscal effect: Potential savings if the individual is diverted from a higher cost setting.**	Same as the House. **Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
DOHCD27	**Investigations of Complaints Against Nursing Homes and Residential Care Facilities**	
		R.C. ***3721.031, 1347.08, and 3721.99***
No provision.	No provision.	Requires the ODH Director to conduct an initial investigation of a complaint against a nursing home or residential care facility as a desk audit and, if pursuant to the desk audit, the Director determines sufficient cause exists for an on-site examination, requires the Director to continue the investigation with an on-site examination. **Fiscal effect: Potential decrease in travel costs related to investigations.**
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***		**R.C.** ***3733.21, 3701.83, 3709.09, 3709.092, 3733.22 - 3733.30 (All Repealed), and 3733.99; and Section 737.15***
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.	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 adopted by that board of health.	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
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 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.	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
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.**
DOHCD26 Pneumococcal Conjugate Vaccines		
		Section: ***291.20***
No provision.	No provision.	Earmarks $2.5 million in GRF appropriation item 440418, Immunizations, in FY 2013 to be used for the purchase of pneumococcal conjugate vaccines.
DOHCD3 Help Me Grow		
Section: ***291.20***	**Section:** ***291.20***	**Section:** ***291.20***
Requires that GRF appropriation item 440459, Help Me Grow, be used to distribute subsidies to counties to implement the Help Me Grow Program. Allows the appropriation to be used in conjunction with Early Intervention funding from the ODODD and in conjunction with other early childhood funds and services to promote the optimal development of young children and family-centered programs and services that acknowledge and support the social, emotional, cognitive, intellectual, and physical development of children and the vital role of families in ensuring the wellbeing and success of children. Requires ODH to enter into an interagency agreement with ODE, ODODD, ODJFS, and ODMH to ensure that all early childhood programs and initiatives are coordinated and school-linked.	Same as the Executive.	Same as the Executive, but instead of requiring the line item to be used to distribute subsidies to counties to implement the program, the line item is required to be used to implement the program. Requires funds to be distributed to counties through contracts, grants, or subsidies in accordance with section 3701.61 of the Revised Code.
Requires a home-visiting program selected by a county Family and Children First Council to meet certain eligibility guidelines to receive funding under GRF appropriation item	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
440459, Help Me Grow.		
Specifies that GRF appropriation item 440459, Help Me Grow, may also be used for the Developmental Autism and Screening Program.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Requires ODH in FY 2012 to distribute funds for home visiting through a subsidy agreement that allows the county Family and Children First Council discretion to use a percentage of those funds for Part C services. Allows the Council to use up to 100% of the funds allocated for the first quarter of FY 2012, with decreasing percentages for the remaining quarters in FY 2012, for Part C services.
DOHCD20 Federally Qualified Health Centers		
	Section: ***291.20***	**Section:** ***291.20***
No provision.	Specifies that tobacco funds previously disbursed under subsidy agreements between ODH and the Ohio Association of Community Health Centers are to be available to federally qualified health centers in the same manner as those funds in GRF appropriation item 440465, Federally Qualified Health Centers.	Same as the House.
DOHCD9 Nursing Facility Technical Assistance Program		
Section: ***291.20***	**Section:** ***291.20***	**Section:** ***291.20***
Permits, on July 1, 2009, or as soon as possible thereafter, the OBM Director to transfer cash from the Resident Protection Fund (Fund 4E30), which is used by ODJFS, to the Nursing Facility Technical Assistance Program Fund (Fund 5L10), which is used by ODH. Requires the transferred cash to be used for the Nursing Facility Technical Assistance Program. Requires the transfer to be up to $698,595 in each fiscal year.	Same as the Executive, but changes the date to July 1, 2011.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
DOHCD10 Early Intervention Workgroup		
Section: ***291.30***	**Section:** ***291.30***	**Section:** ***291.30***
Requires ODH to convene a workgroup to develop recommendations for eligibility criteria for early intervention services to be provided pursuant to Part C of the Individuals with Disability Education Act. Requires the recommendations to be based on available funds and national data related to the identification of infants and toddlers who have developmental delays or are most at risk for developmental delays and would benefit from these early intervention services.	Same as the Executive.	Same as the Executive.
Specifies the membership of the workgroup and states that it is required to be facilitated by ODH.	Same as the Executive, but adds a representative of ODJFS as a member.	Same as the House, but adds a representative of the Ohio Developmental Disabilities Council and a representatitve of the County Commissioners Association of Ohio as members.
Specifies that the last date that the workgroup can submit recommendations is October 1, 2011. Allows the ODH Director to accept the recommendations, if submitted, in whole or in part.	Same as the Executive.	Same as the Executive, but requires ODH to convene the workgroup by July 15, 2011 and requires the recommendations be submitted no later than October 1, 2011.
Specifies that if the workgroup does not submit recommendations, the ODH Director is required to implement eligibility criteria based on available funds and, at most, may include the following: (1) children who demonstrate a developmental delay at or exceeding 2.0 standard deviations below the mean in one or more areas of development; (2) children who have a medical diagnosis that falls into one or more categories outlined by the bill; (3) children who, based on clinical opinion, are not eligible under either of the previous categories, except that the child is permitted to receive services for no more than 180 days.	Same as the Executive, but adds children who are at risk of a delay in their social, emotional, or cognitive development to the eligibility criteria.	No provision.
Specifies that the workgroup ceases to exist on October 1, 2011.	Same as the Executive.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: The bill does not specify whether non-state employee members of the workgroup are to receive reimbursement for necessary and actual expenses. If they do, there could be negligible increases in costs.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

DOHCD19 Certificate of Need for New Nursing Home

	Section: ***291.40***	**Section:** ***291.40***
No provision.	Requires the ODH Director to accept a certificate of need application for the establishment, development, and construction of a new nursing home under the following conditions:	Same as the House.
No provision.	(1) the application is submitted not later than 180 days after the bill's effective date;	Same as the House.
No provision.	(2) the nursing home is to be located in a county that had a population of between 30,000 and 41,000 persons in the 2000 federal census;	Same as the House.
No provision.	(3) the nursing home is to be located on a campus that has been in operation for at least 12 years;	Same as the House.
No provision.	(4) at least one existing residential care facility with at least 25 residents and at least one existing independent living dwelling for seniors with at least 75 residents are located on the same campus; and	Same as the House.
No provision.	(5) the nursing home is to have not more than 30 beds, all of which are to be transferred from an existing nursing home in Ohio and are proposed to be licensed as nursing home beds.	Same as the House.
	Fiscal effect: Offsetting revenue and expenditures. Potential gain in revenue from the application that would be deposited into SSR Fund 4710, Certificate of Need. Subsequent increase in administrative costs relating to review and other tasks associated with the application.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
DOHCD24 **Exemption from Certificate of Need Requirement**		
		Section: ***291.50***
No provision.	No provision.	Permits a county home to obtain Medicaid or Medicare certification for existing beds without obtaining a certificate of need if (1) the county home is located in a county that has a bed need shortage, (2) no county that borders that county has a bed need excess or bed need shortage, and (3) the number of the county home's existing beds for which Medicaid or Medicare certification is sought does not exceed the bed need shortage quantity of the county in which the county home is located and the county home obtains Medicaid or Medicare certification for the existing beds not later than December 31, 2013. **Fiscal effect: Potential increase in Medicaid costs if existing beds become Medicaid certified. Potential loss of CON application revenue; however, potential reduction in administrative costs for ODH related to CON administrative activities.**

Executive	As Passed by the House	As Passed by the Senate
OHSCD3 State Historical Grants		
	Section: ***297.10***	**Section:** ***297.10***
No provision.	Earmarks $195,285 in each fiscal year from GRF appropriation item 360508, State Historical Grants, for the Cincinnati Museum Center.	Same as the House.
No provision.	Earmarks $195,285 in each fiscal year from GRF appropriation item 360508, State Historical Grants, for the Western Reserve Historical Society.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
REPCD2 Caucus Meetings During Legislative Committee Meetings		
	R.C. *101.15*	
(1) No provision.	(1) Requires the chairperson of a committee to recess a meeting of the committee to enable members of the committee who are members of the same political party to hold a caucus meeting to discuss matters referred to or under consideration by the committee.	(1) No provision.
(2) No provision.	(2) Specifies that a caucus meeting is neither a public meeting nor open to the public, unless the caucus determines otherwise.	(2) No provision.
(3) No provision.	(3) Specifies that it is not in order for the committee to take up or dispose of any matter during a recess for the purpose of a caucus meeting.	(3) No provision.
	Fiscal effect: None.	

Executive	As Passed by the House	As Passed by the Senate
HFACD1 Ohio Housing Study Committee		
	Section: ***701.40***	**Section:** ***701.40***
No provision.	Creates the Ohio Housing Study Committee for the purpose of reviewing the policies, programs, and partnerships of the Ohio Housing Finance Agency (OHFA). Requires the Committee to (1) perform a comprehensive review of Chapter 175. of the Revised Code, (2) review OHFA's relationships with its for-profit and non-profit partners, (3) review OHFA's leadership and the economic impact of its Single-Family Mortgage Revenue Bond Program, (4) review OHFA's Qualified Allocation Plan development process and underlying policy, (5) create a quantitative report measuring the economic benefits of OHFA's single-family and multi-family programs over the last ten years, and (6) evaluate the possible efficiencies of combining existing Department of Development housing programs with OHFA. Authorizes the Director of Commerce to include other relevant areas of study as necessary.	Same as the House, but requires review of OHFA's relationships generally, rather than just with its for-profit and non-profit partners; specifies that the study of economic impact is to include the measurable economic impact of all OHFA programs, rather than just the Single-Family Mortgage Revenue Bond Program; and specifies that the Committee's chairperson, rather than the Director of Commerce, may include other relevant areas of study as necessary.
No provision.	Requires the Committee to consist of the Director of Commerce, who is the chair, and two members of the General Assembly, to be appointed by the Speaker of the House and the President of the Senate, respectively.	Changes the membership of the Committee to include the Auditor of State or the Auditor's designee; the Director of Commerce or the Director's designee; the Director of Development or the Director's designee; and four members of the General Assembly, two from each chamber; and specifies that the chairperson is to be determined by the Governor, the Speaker of the House, and the President of the Senate.
No provision.	Requires the Committee to provide a report of its findings to the Governor, the Speaker of the House, and the President of the Senate on or before January 1, 2012.	Same as the House, but extends the deadline for submitting the report to March 31, 2012 and expands the required content of the report to include financial, policy, or legislative recommendations.
No provision.	No provision.	Requires reasonable expenses of the Committee to be paid from Ohio Housing Finance Agency funds, and authorizes the use of such funds to contract with the Auditor of State for services related to the Committee's responsibilities, including

Executive	As Passed by the House	As Passed by the Senate
		financial and performance audits. Further authorizes the Auditor of State to contract with an independent auditor, authorizes the Committee to contract with other outside entities for services related to its responsibilities, and caps the amount that may be spent on services of the Auditor, an independent auditor, or other entities at $200,000.
No provision.	No provision.	Prohibits any entity contracting with the Committee for services rendered from having a financial or vested interest in OHFA, its affiliates, or its non-profit partners. **Fiscal effect: Requires OHFA to pay for the Committee's reasonable expenses, but restricts the amount of OHFA funds the Committee may allocate for contracts with the Auditor of State and other entities to $200,000.**

Executive	As Passed by the House	As Passed by the Senate
INSCD8 Wellness Programs Offered by Insurers		
		R.C. *3901.56*
No provision.	No provision.	Allows health and life insurers, including public employee benefit plans, to offer wellness or health improvement programs that include rewards and incentives to encourage or reward participation. **Fiscal effect: Potential increase in administrative costs for government employers to provide health insurance coverage to employees and their dependents; any increase would be permissive in the case of self-insured governments, like the state. Insurers would be unlikely to undertake the cost unless they anticipated reduced health care claims costs to result.**
INSCD5 Insurers Supervision, Rehabilitation, and Liquidation Act		
	R.C. *3903.301, 3903.01 and Section 803.60*	**R.C. *3903.301, 3903.01 and Section 803.60***
(1) No provision.	(1) Protects specified rights related to "netting agreements" and "qualified financial contracts" in the context of insurance company rehabilitations or liquidations. Measures damages as of the date of an insurer's termination, liquidation, acceleration, or close out of a netting agreement or qualified financial contract. Requires the claim for damages be actual direct compensatory damages. Requires any net or settlement amount that a nondefaulting party owes to an insurer be given to the receiver for the insurer upon termination of a netting agreement or qualified financial contract.	(1) Same as the House.
(2) No provision.	(2) Requires a receiver to notify any person who is a party to a transferred agreement or contract and to do either of the following concerning transfers of a netting agreement or qualified financial contract entered into between an insurer and a counterparty or affiliate of the counterparty:	(2) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	- Transfer to one party, other than an insurer, all netting agreements and qualified financial contracts. - Transfer none of the netting agreements or qualified financial contracts.	
(3) No provision.	(3) Prohibits, generally, a receiver from avoiding certain transfers of money or other property that are made before the commencement of a formal delinquency proceeding but allows a receiver to avoid certain fraudulent transfers.	(3) Same as the House.
(4) No provision.	(4) Requires a receiver to disaffirm or repudiate either all or none of the netting agreements and qualified financial contracts between the insurer and a counterparty (or any affiliate of the counterparty).	(4) Same as the House.
(5) No provision.	(5) Specifies when a claim must be considered as if it had arisen before the filing date of the petition for liquidation or the petition for conservation or rehabilitation.	(5) Same as the House.
(6) No provision.	(6) Specifies that all rights of a counterparty under Ohio's Rehabilitation and Liquidation Law apply to netting agreements and qualified financial contracts entered into on behalf of the general account or specified separate accounts.	(6) Same as the House.
(7) No provision.	(7) Specifies that the above provisions do not apply to the affiliates of an insurer that is the subject of a formal delinquency proceeding and the provisions apply only to formal delinquency proceedings that commence on or after the effective date of the act.	(7) Same as the House.
	Fiscal effect: None. Makes changes to laws governing the activities of the Office of the Ohio Insurance Liquidator, which manages liquidation related to Ohio-based insurance companies. The Office is technically a private trustee's office overseen by the Franklin County Court of Common Pleas, rather than an operation of state government, and is funded by a share of the estate left by a liquidated insurance company.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
INSCD6 **Most Favored Nation Clauses in Health Care Contracts**		
	R.C. ***3963.11, Section 630.10***	**R.C.** ***3963.11, Section 630.10***
No provision.	Prohibits all health care contracts entered into or offered to a health care provider from including a most favored nation clause. Removes language that had originally provided for a three year moratorium on most favored nation clauses in health care contracts. Specifies that contracts in effect prior to June 25, 2008, are permitted to retain a most favored nation clause for the duration of the existing contract, unless that contract is amended, extended, or renewed.	Same as the House.
	Fiscal effect: A "most favored nation" clause in a health care contract generally requires a health care provider to charge an insurer rates for providing health care services that are not higher than the provider charges any other insurer. Such clauses therefore may affect rates that insurers pay for health care services. This provision may therefore increase or decrease state and local government expenditures to provide health benefits to employees.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
General		
JFSCD20 Recovering Excess Payments to Counties		
R.C. *5101.244*	**R.C. *5101.244***	**R.C. *5101.244***
Permits ODJFS to take either or both of the following actions to collect an excess grant, allocation, advance, reimbursement, or cash draw made to a county entity performing family services duties: (1) require the county to enter into an agreement to repay the amount of the excess plus, at ODJFS's discretion, interest and (2) certify a claim to the Attorney General for collection.	Same as the Executive.	Same as the Executive, but removes the authority of ODJFS to require a county entity to enter into a repayment agreement, and instead authorizes ODJFS to enter into such an agreement with the county entity.
Specifies that the actions authorized by the bill may be taken in addition to or instead of the actions authorized by current law regarding the recovery of excess payments by adjusting, offsetting, withholding, or reducing other amounts to be paid to the county entity.	Same as the Executive.	Same as the Executive.
Fiscal effect: Gain in revenue if ODJFS recovers excess payments.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
Child Care		
JFSCD112 Child Care Provider Licensing		
	R.C. *5104.01, 5104.011, 5104.38*	**R.C. *5104.01, 5104.011, 5104.012, 5104.013, 5104.03, 5104.04, 5104.05, 5104.38, and 5104.99***
No provision.	Eliminates the requirements that the ODJFS Director adopt rules to be used for checking the references of child day-care center and type A family cay-care home license applicants and potential employees.	Same as the House.
No provision.	Eliminates laws that (1) require a child day-care center administrator to prepare and distribute an annual roster of all parents, guardians, or custodians (2) permit the administrator to prepare and distribute a telephone contact list for distribution.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Replaces a provision of current law that requires the ODJFS Director to recommend standards to the Governor and General Assembly regarding sanctions to be imposed on persons violating the law governing child care with a provision that permits the Director to adopt rules regarding the sanctions and specifies when the Director is to impose the sanctions.	Same as the House, but removes a provision that would have specified sanctions that could be imposed for a child care violation constituting serious risk noncompliance when the violation does not result in harm or death to a child, and adds a requirement for the ODJFS Director to make a dispute resolution process available for implementing sanctions.
No provision.	Eliminates the requirement that the ODJFS Director consider the number of available child-care staff members when determining license capacity for child day-care centers or type A family day-care homes.	Same as the House.
No provision.	Makes optional the existing requirement that the ODJFS Director, when adopting rules for procedures for screening children and employees, include requirements for physical examinations and immunizations.	Same as the House.
No provision.	Eliminates the requirement that the ODJFS Director adopt rules regarding procedures for renewing a day-care center or type A home license not provided for under the Administrative Procedure Act and regarding the corresponding renewal license application fees.	Same as the House, but also eliminates the requirement to renew every two years a license for a child day-care center or type A family day-care home, and repeals statutes related to the renewal process.
No provision.	Permits a child day-care center administrator to meet existing employment standards by showing the ODJFS Director evidence that the administrator holds a designation as an "early childhood professional level three" under the Step Up To Quality Program.	Same as the House.
No provision.	Specifies that an administrator employed or designated as such on or after the bill's effective date may provide an administrator's credential as an alternative to existing employment standards that must be met after the date of employment or designation but that the administrator must meet this standard, or the existing employment standards, within one year of employment or designation, rather than six years.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Increases to 2 hours, from 1.5 hours, the number of hours during a 24-hour day that the maximum number of toddlers or preschool children per child-care staff member may be double the amount established under current law.	Same as the House.
No provision.	Requires the ODJFS Director to adopt rules establishing incentives for persons and entities that are licensed or certified and have a history of substantial compliance with licensure or certification standards.	No provision.
No provision.	No provision.	Permits the ODJFS Director to provide copies of child care licensure requirements in either paper or electronic form.
No provision.	No provision.	Prohibits the ODJFS Director from issuing a license for a day-care center or Type A home if the owner's application for a license has been denied within five years.
No provision.	No provision.	Extends the period for which a provisional license for a day-care center or type A home is valid from six to twelve months.
No provision.	No provision.	Extends the waiting period under which a day-care center or type A home must wait after having a license revoked before applying for another license from two to five years.
	Fiscal effect: Potential minimal decrease in administrative costs to ODJFS.	**Fiscal effect: Same as the House, but there could be a greater decrease in costs.**
JFSCD116 **Educational Requirements for Child Day-Care Center Staff**		
	R.C. ***5104.011***	**R.C.** ***5104.011***
No provision.	Exempts students who (1) are home schooled during their last year of instruction or (2) graduated from a charter school, from the current educational requirements for employment at a child day-care center.	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD111	**Child Day-Care Centers and Type A Family Day-Care Homes Licensure Enforcement**	
	R.C. ***5104.04***	**R.C.** ***5104.04***
No provision.	Eliminates ODJFS's duty to notify a child day-care center or type A family day-care home that it is out of compliance with the laws governing centers and homes.	Same as the House.
No provision.	Eliminates ODJFS's express authority to commence a license revocation action against a child day-care center or type A family home for failing to correct a compliance violation.	Same as the House.
	Fiscal effect: Potential decrease in administrative costs.	**Fiscal effect: Same as the House.**
JFSCD114	**Publication of Type B Family Day-Care Home Guide**	
	R.C. ***5104.13***	**R.C.** ***5104.13***
No provision.	Permits ODJFS to publish a guide on certification of type B family day-care homes either electronically or otherwise and eliminates the requirement to distribute multiple copies of the guide to county departments of job and family services.	Same as the House.
	Fiscal effect: Potential decrease in administrative costs.	**Fiscal effect: Same as the House.**
JFSCD113	**Publicly Funded Child Care Incentives**	
	R.C. ***5104.30***	**R.C.** ***5104.30***
No provision.	Requires the ODJFS Director to establish enhanced reimbursement ceilings for providers of publicly funded child care who participate in the Step Up To Quality Program and maintain quality ratings.	Same as the House.
No provision.	Requires the ODJFS Director to weigh any reduction in reimbursement ceilings more heavily against child day-care centers that do not participate in the program or do not maintain quality ratings.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: None. ODJFS currently provides additional reimbursements to providers that participate in Step Up to Quality (SUTQ) or that achieve other accreditations in accordance with rules. Weighing reimbursement reductions to providers that do not participate in SUTQ would not affect overall expenditures for publicly funded child care.	**Fiscal effect: Same as the House.**
JFSCD103 Hourly Reimbursement for Type B Child Care Providers		
	R.C. *5104.32*	
No provision.	Requires each contract with a certified Type B day-care provider to specify that the provider will be paid according to an hourly reimbursement rate when day care is provided for 0.1 to 9.9 hours per week.	No provision.
No provision.	Requires, for the purpose of the rate, that a part-time week be considered 10 to 24.9 hours of day care.	No provision.
	Fiscal effect: Overall decrease in expenditures to Type B day care centers for publicly funded child care payments. Currently, hourly reimbursements are paid to Type B providers up to 6.9 hours per week and part-time rates are paid from 7 to 24.9 hours per week. For providers in most counties, the hourly rate received for the additional three hours would amount to less than if the provider received the set part-time rate. Thresholds for hourly, part-time, and full-time rates paid to child care providers are currently established in rules.	

Executive	As Passed by the House	As Passed by the Senate
JFSCD132 **Publicly Funded Child Care Providers**		
No provision.	No provision.	**R.C.** ***5104.34*** Prohibits an eligible caretaker parent from receiving publicly funded child care from more than one provider without prior approval from the county department of job and family services based on good cause. **Fiscal effect: Potential decrease in expenditures for publicly funded child care. Expenditures could decrease if children that currently receive services from two providers receiving part-time rates would receive services from one provider receiving a full-time rate. A full-time rate (paid for over 25 hours/week) is generally less than the sum of two part-time rates (paid for 7 to 24 hours/week). In current rule, a child may not have more than two part-time providers and no more than one full-time provider.**
JFSCD104 **Reinstatement of Eligibility**		
No provision.	**R.C.** ***5104.38*** Permits the ODJFS Director to adopt rules specifying exceptions to the eligibility requirements for a family that previously received publicly funded child care but whose eligibility was terminated and is seeking reinstatement. **Fiscal effect: Potential increase in expenditures for publicly funded child care if the Director adopts rules allowing reinstatement. Potential minimal increase in costs to adopt rules.**	**R.C.** ***5104.38*** Same as the House. **Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD131 **Child Care Swipe Card Pilot Program Fraud**		
		Section: ***309.40.70***
No provision.	No provision.	Provides that fraudulent reporting of enrollment or attendance data by child care providers or parents participating in a swipe card program implemented by ODJFS is grounds for license or certification revocation or loss of eligibility for publicly funded child care. **Fiscal effect: Potential decrease in expenditures for publicly funded child care.**
Child Support Enforcement		
JFSCD105 **License Suspension Procedures for Defaulting Child Support Obligors**		
	R.C. ***3123.44, 3123.45, 3123.55, 3123.56, 3123.58, 3123.59, 3123.591, 3123.63, 4506.071, 4507.111, 4705.021, Repealed: 3123.52, 3123.61, 3123.612, 3123.613, 3123.614***	**R.C.** ***3123.44, 3123.45, 3123.55, 3123.56, 3123.58, 3123.59, 3123.591, 3123.63, 4506.071, 4507.111, 4705.021, Repealed: 3123.52, 3123.61, 3123.612, 3123.613, 3123.614***
No provision.	Prohibits a child support enforcement agency (CSEA) from sending a notice to an occupational or professional licensing board, the Bureau of Motor Vehicles (BMV), or the Division of Wildlife regarding child support default unless: (1) at least 90 days have elapsed since the final and enforceable determination of default, and (2) the obligor has not paid at least 50% of the arrearage by means other than state or federal tax intercept.	Same as the House.
No provision.	Changes current law that requires a CSEA to remove license restrictions if an obligor is complying with a withholding or deduction notice or other appropriate order by (1) removing a requirement that the obligor must be in compliance with the notice or order, (2) removing a reference to orders other than withholding or deduction notices, and (3) requiring the obligor to present evidence of current employment or an account in a financial institution.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Repeals a provision that requires a CSEA to remove license restrictions if a new child support order has been issued or the child support order that was in default has been modified and the obligor is complying with new or modified order.	Same as the House.
No provision.	Requires a CSEA to remove license restrictions if the obligor demonstrates an inability to work due to circumstances beyond the obligor's control.	Same as the House.
No provision.	Permits a CSEA to direct the Registrar of Motor Vehicles to eliminate from the abstract maintained by the BMV any reference to the suspension of an individual's license due to child support default.	Same as the House.
	Fiscal effect: Minimal.	**Fiscal effect: Same as the House.**

Child Welfare and Adoption

JFSCD11 Differential Response

R.C. ***2151.011, 2151.412, 2151.421, 2151.424, 2151.429, 2152.72, and Section 309.50.10***	**R.C.** ***2151.011, 2151.412, 2151.421, 2151.424, 2151.429, 2152.72, and Section 309.50.10***	**R.C.** ***2151.011, 2151.412, 2151.421, 2151.424, 2151.429, 2152.72, and Section 309.50.10***
Requires a public children services agency, in accordance with rules that ODJFS is required to adopt, to prepare and maintain a case plan or family service plan for any child the agency is providing in-home services pursuant to a family assessment response.	Same as the Executive, but changes the term "family assessment response" to "alternative response."	Same as the House.
Requires a court to journalize a case plan for unruly or delinquent children subject to protective supervision.	No provision.	No provision.
Allows a public children services agency to use a "family assessment response" or "investigative assessment response" to a report of child abuse or neglect.	Same as the Executive, but changes the terms "family assessment response" and "investigative assessment response" to "alternative response" and "traditional response," respectively.	Same as the House.
Requires that in all cases the public children services agency use the response that stresses the safety of the child and to the extent possible builds on the strengths of the family through collaborative efforts between the agency and the family.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Requires ODJFS to plan the statewide expansion of the Ohio Alternative Response Pilot Program on a county by county basis, through a schedule determined by ODJFS. Specifies that the program will be known as "differential response." Authorizes ODJFS to adopt rules to carry out this provision.	Same as the Executive.	Same as the Executive.
Fiscal effect: Potential decrease in costs over time.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
JFSCD123 Children's Trust Fund Soliciting Donations And Public-Private Partnerships		
		R.C. *3109.16*
No provision.	No provision.	Specifies that the Children's Trust Fund Board is authorized to solicit and accept gifts, money, and other donations from any public or private source.
No provision.	No provision.	Permits the Board to develop private-public partnerships to support the mission of the Children's Trust Fund.
		Fiscal effect: Potential increase in revenue if the Board is able to solicit additional funds.
JFSCD115 Children's Trust Fund Allocation to Children's Crisis Care Facilities		
	R.C. *3109.17*	
No provision.	Requires the Children's Trust Fund Board to allocate funds to children's crisis care facilities that have been approved by the Board, and requires that any funds allocated to a children's crisis care facility be subtracted from the amount allocated to the child abuse and child neglect prevention advisory board that serves the county or multicounty district in which the facility is located.	No provision.
	Fiscal effect: Redirects a portion of funding from child abuse and child neglect prevention advisory boards to children's crisis care facilities.	

Executive	As Passed by the House	As Passed by the Senate
JFSCD17 Transfer of Money from Public Assistance Fund to Children Services Fund		
R.C. ***5705.14***	**R.C.** ***5705.14***	**R.C.** ***5705.14***
Authorizes the transfer of money from the Public Assistance Fund to the Children Services Fund as long as the money may be spent for the purposes of the Children Services Fund.	Same as the Executive.	Same as the Executive, but also permits the transfer of money to a county child support enforcement administrative fund, as long as the money may be spent for the purposes of that fund.
Fiscal effect: Revenue gain to Children Services Fund if transfer is made.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, plus potential revenue gains to county child support enforcement administrative funds, if transfer is made.**
JFSCD129 Children And Family Services Activities		
		Section: ***309.50.33***
No provision.	No provision.	Requires SSR appropriation item 600609, Children and Family Services Activities, be used to expend miscellaneous foundation funds and grants to support children and family services activities.
Title IV-A Temporary Assistance for Needy Families		
JFSCD126 Ohio Commission on Fatherhood		
		R.C. ***5101.342***
No provision.	No provision.	Requires the Ohio Commission on Fatherhood to collaborate with the ODJFS Director to establish outcomes and annual measures for fatherhood-related programs and initiatives and to report the results with its existing annual report that is submitted to the President and Minority Leader of the Senate, Speaker and Minority Leader of the House of Representatives, Governor, and Chief Justice of the Supreme Court. **Fiscal effect: Minimal increase in costs.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD10 Child Support Collections/TANF MOE		
Section: ***309.40.40***	**Section:** ***309.40.40***	**Sections:** ***309.40.40, 309.10***
Requires that GSF Fund 4A80 appropriation item 600658, Child Support Collections, be used by ODJFS to meet the TANF maintenance of effort (MOE) requirements. Specifies that once the state is assured that it will meet the MOE requirements, ODJFS may use the funds from the appropriation item to support public assistance activities.	Same as the Executive.	Same as the Executive, but changes the name of the appropriation item to "Public Assistance Activities."
Fiscal effect: Persons receiving child support and OWF cash assistance are required to assign ODJFS to receive their child support payments to cover part of their cash assistance benefits. These funds are deposited into GSF Fund 4A80 and expended through appropriation item 600658. ODJFS plans to use $34 million in each fiscal year to meet the state's TANF MOE requirements.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
JFSCD127 TANF Block Grant		
		Sections: ***309.40.50, 309.40.60, 309.40.63***
No provision.	No provision.	Makes the following earmarks of FED Fund 3V60 appropriation item 600689, TANF Block Grant:
No provision.	No provision.	(1) $2 million in each fiscal year for the Independent Living Initiative.
No provision.	No provision.	(2) $1.2 million in each fiscal year for the Kinship Permanency Incentive Program.
No provision.	No provision.	(3) $1 million in each fiscal year for the Ohio Commission on Fatherhood.

Executive	As Passed by the House	As Passed by the Senate
Medicaid		
JFSCD117 **Nursing Facility Capacity Council**		
	R.C. ***309.30.73***	**R.C.** ***309.30.73***
No provision.	Creates the Nursing Facility Capacity Council to study current and future nursing facility capacity in Ohio and to recommend actions for addressing any excess capacity that is identified.	Same as the House.
No provision.	Requires the Council to issue a written report by June 30, 2012, after which the Council is terminated.	Same as the House.
	Fiscal effect: Members are to serve without compensation, except to the extent that serving on the Council is considered part of the member's regular duties of employment. Minimal increase in administrative costs to state agencies represented on the Council related to the issuance of the report.	**Fiscal effect: Same as the House.**
JFSCD63 **Nursing Home and Hospital Long-Term Care Unit Franchise Permit Fees**		
R.C. ***3721.50, 3721.51, 3721.56 (Repealed), 3721.561 (Renumbered 3721.56), 3721.58, 3721.56, 3769.08, 3769.20, and 3769.26; Section 512.80***	**R.C.** ***3721.50, 3721.51, 3721.56 (Repealed), 3721.561 (Renumbered 3721.56), 3721.58, 3721.56, 3769.08, 3769.20, and 3769.26; Section 512.80***	**R.C.** ***3721.50, 3721.51, 3721.56 (Repealed), 3721.561 (Renumbered 3721.56), 3721.58, 3721.56, 3769.08, 3769.20, and 3769.26; Section 512.80***
Sets the base rate for the franchise permit fee charged nursing homes and hospital long-term care units at $11.38 for FY 2012 and $11.60 for FY 2013 and thereafter.	Same as the Executive.	Same as the Executive.
Provides for the percentage that is used in determining whether the franchise permit fee must be reduced in order for the fee to comply with federal restrictions to change in accordance with the federal restrictions.	Same as the Executive, but revises the definition of "indirect guarantee percentage" (which is the percentage used in determining whether the franchise permit fee on nursing homes and hospital long-term care units must be reduced to comply with federal restrictions) by providing that the percentage applies to a "class of providers" rather than a "taxpayer."	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Abolishes the Home- and Community-Based Services for the Aged Fund (Fund 4J50).	Same as the Executive.	Same as the Executive.
Renames the Nursing Facility Stabilization Fund (Fund 5R20) the Nursing Home Franchise Permit Fee Fund (Fund 5R20).	Same as the Executive.	Same as the Executive.
Provides for all money raised by the franchise permit fee and associated penalties to be deposited into Fund 5R20, provides for the money in the fund to be used to make Medicaid payments to providers of home and community-based services as well as providers of NF services, and permits the money in the fund to also be used for the RSS Program.	Same as the Executive.	Same as the Executive.
Abolishes the PASSPORT Fund.	Same as the Executive.	Same as the Executive.
Provides for the money raised by horse-racing-related taxes that is currently deposited into the PASSPORT Fund (Fund 4U90) to be instead deposited into Fund 5R20 but continues to require that the money be used for the PASSPORT Program.	Same as the Executive.	Same as the Executive.
Transfers any cash balances to the Nursing Home Franchise Permit Fee Fund (Fund 5R20), used by ODJFS. Additionally, cancels any existing encumbrances against appropriation item 490602, PASSPORT Fund, and reestablishes them against appropriation item 600613, Nursing Facility Bed Assessments. Appropriates any reestablished encumbrance amounts.	Same as the Executive.	Same as the Executive.
Fiscal effect: Estimated $14.6 million reduction in franchise fee revenue in FY 2012. (Assuming the rate changes from $11.95 in FY 2011 to $11.38 in FY 2012.) Estimated $13.8 million reduction in franchise fee revenue in FY 2013. (Assuming the rate changes from $11.95 to $11.60 in FY 2013.)	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD133 **School-Based Health Centers as CHIP Providers**		
		R.C. ***5101.50, 5101.504, 5101.5110, 5101.5111, 5101.5210***
No provision.	No provision.	Provides that health assistance services that the Children's Health Insurance Program covers may be furnished through school-based health centers. **Fiscal effect: Potential gain in federal reimbursement to school-based health centers.**
JFSCD34 **Reduction of Complexity in Medicaid Eligibility Determination Processes**		
R.C. ***5111.0123***	**R.C.** ***5111.0123***	**R.C.** ***5111.0123***
Permits ODJFS, on receipt of any necessary federal approval, to reduce the complexity of the eligibility determination processes for the Medicaid Program caused by the different income and resource standards for the numerous Medicaid eligibility categories.	Same as the Executive.	Same as the Executive, but requires ODJFS, on receipt of any necessary federal approval, to reduce the complexity of the eligibility determination processes.
Fiscal effect: No impact for the current biennium. Potential administrative savings beyond the current biennium.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
JFSCD108 **Presumptive Eligibility for Pregnant Women and Children**		
	R.C. ***5111.0124, 5111.013, 5111.0125***	**R.C.** ***5111.0124, 5111.013, 5111.0125***
No provision.	Requires the ODJFS Director to amend the state Medicaid plan to implement a federal option under which ambulatory prenatal care is made available to pregnant women during presumptive eligibility periods.	Same as the House.
No provision.	Requires the ODJFS Director to retain in the state Medicaid plan a federal option under which medical assistance is made available to children during presumptive eligibility periods.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Permits children's hospitals and federally-qualified health centers that are eligible to be qualified providers or entities under federal law to serve as qualified providers or entities for purposes of the presumptive eligibility for pregnant women and children options.	Same as the House, but (1) requires the Director of ODJFS, not later than 90 days after the effective date of the provisions, to have in place all systems that are necessary to enable a children's hospital and federally-qualified health center to serve as a qualified provider or entity for purposes of the options if the hospital or center is eligible to be a qualified provider or entity under federal law and requests to serve as a qualified provider or entity and (2) requires the Director, after the Director determines that the systems are functioning properly, to permit any other provider or entity to serve as a qualified provider or entity for purposes of the options if the provider or entity is eligible to be a qualified provider or entity under federal law and requests to serve as a qualified provider or entity.
	Fiscal effect: Potential increase in costs for any necessary changes to Information Technology systems in order to implement this provision. Potential increase in Medicaid costs and gain of federal Medicaid reimbursement if pregnant women become Medicaid eligible sooner.	**Fiscal effect: Same as the House.**

JFSCD56 Maximum Medicaid Reimbursement Rate

R.C. ***5111.021***	**R.C.** ***5111.021***	**R.C.** ***5111.021, Sections 309.30.31, 309.30.32***
Prohibits the Medicaid reimbursement rate to a hospital, NF, or ICF/MR from exceeding limits established in federal Medicaid regulations and eliminates authority for the Medicaid reimbursement rate to a provider not described above to exceed the authorized Medicare reimbursement limit for the same service.	Same as the Executive.	Same as the Executive, but (1) requires, in FY 2012, the Medicaid Program to pay for dialysis services provided to a person eligible for both Medicaid and Medicare an amount equal to any Medicare copayment that applies to the service and (2) permits, in FY 2013, the Medicaid Program to adjust payment rates for dialysis services to achieve not more than $9 million in state savings.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Estimated savings of $1 million ($373,000 state share) in FY 2012 and $2 million ($743,000 state share) in FY 2013 related to physician payment codes. Potential savings related to other providers excluding hospitals, NF, and ICF/MR.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, but savings for FY 2012 would be less.**

JFSCD57 Medicaid Rates for Aide and Nursing Services

R.C. *5111.0213*	R.C. *5111.0213*	R.C. *5111.0213*
Requires ODJFS to reduce, not later than October 1, 2011, the Medicaid program's first-hour-unit price for aide and nursing services in a manner that reflects, at a minimum, labor market data that shows the non-Medicaid reimbursement rates for such or similar services.	Same as the Executive.	Same as the Executive, but requires ODJFS, effective October 1, 2011, to (1) reduce the first-hour-unit price it pays for aide services to 97% of the June 30, 2011 price and for nursing services to 95% of the June 30, 2011 price and (2) pay independent providers of aide and nursing services 80% of the price paid providers that are not independent providers.
Requires ODJFS to strive to adjust the Medicaid reimbursement rates paid on and after July 1, 2012, for aide and nursing services provided as home care and requires that the adjustment reflect, at a minimum, labor market data, education and licensure status, home health agency and non-agency provider status, and length of service visit.	Same as the Executive.	No provision.
Fiscal effect: Estimated savings of $15 million ($5.4 million state share) in FY 2012 and $20 million ($7.2 million) in FY 2013.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, but potential smaller savings.**

JFSCD50 Medicaid Electronic Health Record Incentive Payment Program

R.C. *5111.0215, 309.35.20*	R.C. *5111.0215, 309.35.20*	R.C. *5111.0215, 309.35.20*
Authorizes ODJFS to establish an incentive payment program, as authorized by federal law, to encourage the use of electronic health record technology by certain Medicaid providers.	Same as the Executive, but allows the ODJFS Director to adopt rules for the electronic health records incentive program under the Administrative Procedure Act (R.C. Chapter 119.) rather than an existing statute that authorizes rulemaking for only the amount, scope, and duration of Medicaid services.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Specifies procedures for appealing ODJFS's determination regarding the amount or denial of an incentive payment.	Same as the Executive.	Same as the Executive.
Permits ODJFS to seek Controlling Board approval to make expenditures from the Balancing Incentive Payments Program Fund.	Same as the Executive.	Same as the Executive.
Fiscal effect: $411.7 million in FY 2012 and $416.4 million (all federal funds).	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

JFSCD121 Physician Assistants and Medicaid Claim Submissions

		R.C. *5111.053*
No provision.	No provision.	Requires ODJFS to establish a process by which a physician assistant may enter into a Medicaid provider agreement. Authorizes a Medicaid claim for a physician assistant's service to be submitted either by (1) the physician assistant or another person the physician assistant designates or (2) the physician, group practice, clinic, or other health care facility that employs or contracts with the physician assistant. Specifies that a Medicaid claim may be submitted by a physician assistant or the physician assistant's designee only if the physician assistant has a valid Medicaid provider agreement and the provider number is included on the claim. **Fiscal effect: Some additional administrative costs for ODJFS. Potential fiscal impact as a result of increase in access to care.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD137 **Pediatric Claims Review and Quality Assurance Functions**		
		R.C. ***5111.054, 127.16***
No provision.	No provision.	Permits ODJFS, if it chooses to outsource the performance of pediatric Medicaid claims review and analysis, quality assurance functions associated with pediatric Medicaid claims, or both, to enter into a contract with any qualified person, including the "Ohio Children's Hospital Solutions for Patient Safety" (OCHSPS) to perform the service or services. Defines "OCHSPS" as a private, not-for-profit corporation which (1) was formed for the purpose of improving pediatric patient care in Ohio, (2) performs the functions of a peer review committee, and (3) consists of specified children's hospitals in Ohio. If ODJFS enters into a contract with OCHSPS, specifies that OCHSPS is a "public entity" only for purposes of a provision of law that authorizes a public entity that performs a function on behalf of ODJFS to request the Department to seek federal financial participation for the costs incurred by the entity in performing the service or services covered by the contract. Requires ODJFS, if it enters into a contract with OCHSPS, to seek federal financial participation for the costs incurred by OCHSPS in performing the contracted services. **Fiscal effect: None.**
JFSCD53 **Application Fees for Medicaid Provider Agreements**		
R.C. ***5111.063, 5111.06, and 5111.94; Section 309.37.10***	**R.C.** ***5111.063, 5111.06, and 5111.94; Section 309.37.10***	**R.C.** ***5111.063, 5111.06, and 5111.94; Section 309.37.10***
Requires ODJFS to charge an application fee to a provider seeking to enter into or renew a Medicaid provider agreement unless the provider is exempt under a federal regulation.	Same as the Executive, but requires ODJFS to adopt rules for fees in accordance with the Administrative Procedure Act (R.C. Chapter 119.), rather than through ODJFS's general rulemaking authority regarding reimbursement for Medicaid services.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Provides for the amount of the fee to be set in rules but prohibits the fee from exceeding the amount that is necessary to pay for the expense of implementing provider screening requirements established by federal regulations.	Same as the Executive.	Same as the Executive.
Requires that the fees be deposited into the Health Care Services Administration Fund. Specifies that if receipts credited to the fund exceed the amounts appropriated from the fund, the ODJFS Director may seek Controlling Board approval to increase the appropriations in appropriation item 600654, Health Care Services Administration.	Same as the Executive.	Same as the Executive.
Fiscal effect: Offsetting revenue and expenditures.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

JFSCD41 Medicaid Managed Care for the Aged, Blind, or Disabled

R.C. ***5111.16***	**R.C.** ***5111.16***	**R.C.** ***5111.16, Section 309.30.53***
Authorizes ODJFS, if any necessary federal Medicaid waiver is granted, to designate aged, blind, or disabled Medicaid recipients who are individuals under age 21, NF residents, recipients of Medicaid waiver home and community-based services, and individuals dually eligible for Medicaid and Medicare as those who are permitted or required to participate in the Medicaid managed care system.	Same as the Executive.	Same as the Executive, but in FY 2012 and FY 2013 prohibits ODJFS from including in the Medicaid managed care sytem indviduals eligible for services under the program for medically handicapped children who have certain medical conditions.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD42 Pediatric Accountable Care Organizations		
R.C. ***5111.161***	**R.C.** ***5111.161, 309.30.33***	**R.C.** ***5111.161, 309.30.33***
Permits ODJFS to provide for care management services to be available to aged, blind, or disabled children included in the Medicaid managed care system by doing either or both of the following: (1) entering into contracts with pediatric care organizations or (2) requiring Medicaid MCOs to enter into subcontracts with entities to provide the care management services.	Same as the Executive.	Same as the Executive, but requires ODJFS to provide for care management services to be available to aged, blind, or disabled children included in the Medicaid managed care system by doing both of the following: (1) entering into a contract with a children's care network to serve as a pediatric accountable care organization and (2) requiring that a Medicaid MCO subcontract with a children's care network to provide care coordination services and care management services if the network notifies ODJFS of its intention to provide the services.
Permits ODJFS to contract with a pediatric accountable care organization that is qualified to enter into the contract.	No provision.	Same as the Executive, but requires ODJFS to directly contract with a children's care network that is qualified to contract with ODJFS as a pediatric accountable care organization.
No provision.	No provision.	Requires a children's care network that notifies ODJFS of its intention to provide care coordination services or care management services under a subcontract with an MCO to include in the notification an identification of the counties in which the network seeks to provide the services and provides that a network may provide services only in counties in which the network is located.
Requires ODJFS to adopt rules as necessary to implement this provision, including rules regarding the qualifications of pediatric accountable care organizations.	No provision.	Same as the Executive, but does not require that the rules establish qualifications that a pediatric accountable care organization must meet to subcontract with a Medicaid MCO to provide care management services.
Provides that if ODJFS does not adopt the rules to implement this provision on or before July 1, 2012, all of the following apply until the rules are adopted: (1) each Medicaid MCO must subcontract with a pediatric accountable care organization the MCO selects to provide care management services, (2) the pediatric accountable care organization must accept from the Medicaid MCO, as	Same as the Executive, but does not require ODJFS to reduce Medicaid MCO's payments for administrative expenses.	Same as the House, but requires ODJFS to specify that one of the following applies until ODJFS adopts the rules: (1) each Medicaid MCO must subcontract with a children's care network to provide care coordination services if the network notifies ODJFS and to pay the network an amount equal to the average cost to the Medicaid MCO for providing case management services, plus an amount equal to the

Executive	As Passed by the House	As Passed by the Senate
payment in full for providing the care management services, the same amount that ODJFS would reimburse a provider for care management services provided to a Medicaid recipient under the fee-for-service system, and (3) ODJFS must reduce by 1% the rate it pays the Medicaid MCO as payment for administrative expenses.		statewide average administrative percentage paid to Medicaid MCOs as a component of their capitation payment associated with that service or (2) each Medicaid MCO must subcontract with a children's care network to provide care management services if the network notifies ODJFS.
No provision.	Provides that in FY 2012 and FY 2013, ODJFS is permitted to reduce by 1% the rate it pays for administrative expenses to Medicaid managed care organizations.	No provision.
No provision.	Prohibits a Medicaid MCO that receives a 1% reduction in its reimbursement rate for administrative expenses from passing the cost of the reduction onto any hospital under contract with the organization.	No provision.
Fiscal effect: Estimated net cost of $87 million over the biennium. (Cost of $375 million and savings of $288 million.) Estimated tax revenue of $24.4 million in FY 2013.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

JFSCD43 Medicaid Managed Care Reimbursement Rate for Non-Contracting Hospitals

R.C. ***5111.162***	**R.C.** ***5111.162***	
Modifies a provision of existing law specifying that a hospital not under contract with a Medicaid MCO must provide services to Medicaid recipients enrolled in the organization and accept from the organization, as payment in full, the amount that would have been paid under the fee-for-service reimbursement system.	Same as the Executive.	No provision.
Extends the modified provision to any health care provider, including physicians, that is employed, owned, leased, managed, or otherwise controlled by a hospital system.	Same as the Executive.	No provision.
Fiscal effect: Estimated to save $31.1 million ($11.2 million state share) in FY 2012 and $88.5 million ($31.7 million state share) in FY 2013. Estimated loss in tax revenue (excluding local) of $2 million in FY 2012 and $5.8 million in FY 2013.	**Fiscal effect: Same as the Executive.**	

Executive	As Passed by the House	As Passed by the Senate
JFSCD46 **Medicaid Managed Care Performance Payment Program**		
R.C. ***5111.179, Section 309.30.40***	**R.C.** ***5111.179, Section 309.30.40***	**R.C.** ***5111.179, Section 309.30.40***
Requires ODJFS to establish a Medicaid Managed Care Performance Payment Program to make payments to MCOs that meet performance standards established by ODJFS.	Same as the Executive, but requires ODJFS to use the Healthcare Effectiveness Data and Information Set and Quality Measurement Tool in establishing performance standards. Prohibits ODJFS from making or ceasing a performance payment based on a standard that has been included in a managed care organization's contract for less than six months.	Same as the House.
Requires ODJFS to withhold a percentage amount established by ODJFS, from each premium payment made to a MCO and requires the OBM Director to make quarterly transfers of amounts to the bill's Managed Care Performance Payment Fund.	Same as the Executive, but prohibits ODJFS from withholding an amount that equals, in total, more than 1% of all premium payments made to Medicaid managed care organizations.	Same as the House.
Requires the ODJFS Director to certify, at the beginning of each quarter, to the OBM Director the amount withheld for purposes of the program. Requires the OBM Director, upon receiving certification, to transfer cash in the amount certified from the GRF to the Managed Care Performance Payment Fund. Appropriates the transferred cash and reduces appropriation item 600525, Health Care/Medicaid, by the amount of the transfer.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
JFSCD74 **New Medicaid Reimbursement Formula for ICF/MR Services**		
R.C. ***5111.225, 5111.224; Sections 309.30.80, 309.33.10***	**R.C.** ***Section 309.30.80***	**R.C.** ***Section 309.30.80***
Requires ODJFS and ODODD to work together to establish a new formula for determining Medicaid reimbursement rates for ICF/MR services.	Replaces the Executive provision with a provision that requires ODJFS and ODODD to conduct a study regarding Medicaid reimbursement rates for ICF/MR services and other ICF/MR issues.	Same as the House, but limits the study to the issue of Medicaid reimbursement rates for ICF/MR services.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Requires ODJFS and ODODD, at the same time they conduct the study to work with the Governor's Office of Health Transformation and persons interested in the issue of ICF/MR services to develop recommendations regarding various ICF/MR issues.	Same as the House.
Requires ODJFS and ODODD, as part of the process in establishing the new reimbursement formula for ICFs/MR, to immediately convene an advisory group to evaluate and recommend changes to the existing formula.	No provision.	No provision.
Prohibits the new reimbursement formula for ICFs/MR from being implemented before July 1, 2012.	No provision.	No provision.
Fiscal effect: Potential minimal costs associated with the advisory group.	**Fiscal effect: Minimal costs associated with the study.**	**Fiscal effect: Same as the House.**

JFSCD5 **ICF/MR and Waiver Services Transferred to Department of Developmental Disabilities**

R.C. *5111.226, 5111.211, 5111.871-5111.873, 5123.01, 5126.01; Section 309.33.20*	R.C. *5111.871, 5111.872, 5111.873, 5123.01, 5126.01; Sections 309.30.80, 309.33.20*	R.C. *5111.226, 5111.211, 5111.871-5111.873, 5123.01, 5126.01; Section 309.33.20*
Requires ODJFS to contract with ODODD for ODODD to assume ODJFS's powers and duties regarding the Medicaid program's coverage of ICF/MR services.	Replaces the Executive provision with a provision that requires ODJFS and ODODD to conduct a study on the issue of transferring the powers and duties regarding ICF/MR services from ODJFS to ODODD and prohibits such a transfer for occurring unless a state law is enacted that expressly authorizes the transfer.	Same as the Executive.
Requires ODJFS to contract with ODODD for ODODD to administer the Transitions Developmental Disabilities Medicaid Waiver.	Same as the Executive.	Same as the Executive.
Provides that current law regarding home and community-based services provided under Medicaid waiver programs that ODODD administers applies to the Transitions Developmental Disabilities Medicaid Waiver program only to the extent, if any, provided in the contract.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Requires the OBM Director to establish line items for use by ODODD for purposes regarding the Medicaid Program's coverage of ICF/MR services and the Transitions Developmental Disabilities Waiver. Requires ODODD to certify to the OBM Director and the ODJFS Director the appropriation amounts, in FY 2012 and FY 2013, necessary for ODODD to fulfill its obligations regarding the new powers and duties without duplicating administration or services that remain with ODJFS. Requires ODJFS to certify to the OBM Director that there is an equal reduction in ODJFS's administration and services as is being certified by ODODD.	Same as the Executive, but applies only to the Transitions Developmental Disabilities Waiver.	Same as the Executive.
Once all certifications have been submitted and approved by the OBM Director, appropriates in the amounts approved by the OBM Director the appropriation items established. Specifies that the appropriations to ODODD in each fiscal year are not to exceed the aggregate amount of expenditures that ODJFS made in FY 2011 for ICF/MR services, services provided under the Transitions Developmental Disabilities Waiver, and related administrative costs. Reduces appropriation item 600525, Health Care/Medicaid, by the corresponding state and federal share of the amounts appropriated in accordance with this provision to ODODD in each fiscal year.	Same as the Executive, but applies only to expenditures for services provided under the Transitions Developmental Disabilities Waiver and related administrative expenses.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Minimal costs associated with the study.**	**Fiscal effect: Same as the Executive.**

JFSCD66 Centers of Excellence

R.C. ***5111.259, 5111.258***	**R.C.** ***5111.259, 5111.258***	**R.C.** ***5111.259, 5111.258***
Permits the ODJFS Director to seek a federal waiver to create the Centers of Excellence Program, the purpose of which is to increase the efficiency and quality of NF services provided to Medicaid recipients with complex NF service needs.	Same as the Executive, but provides for the ODJFS Director to seek federal approval for the program without specifying that the approval is to be sought in the form of a waiver.	Same as the House.
Permits the ODJFS Director to adopt rules governing the Centers of Excellence Program, including rules that establish a method of determining the Medicaid reimbursement rates	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
for NFs serving Medicaid recipients participating in the program.		
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
JFSCD76 NF and ICF/MR Audits and Fines		
R.C. ***5111.261, 5111.263, 5111.27, 5111.271, and 5111.28***	**R.C.** ***5111.261, 5111.263, 5111.27, 5111.271, and 5111.28***	**R.C.** ***5111.261, 5111.263, 5111.27, 5111.271, and 5111.28***
Prohibits a NF or ICF/MR from amending a Medicaid cost report if ODJFS has notified the facility that an audit of the cost report or a cost report for a subsequent cost reporting period is to be conducted, but permits the facility to provide ODJFS information that affects the costs included in the cost report.	Same as the Executive.	Same as the Executive.
Provides that ODJFS is permitted, rather than required, to base a determination of whether to conduct an audit of the Medicaid cost report of a NF or ICF/MR on the facility's prior performance.	Same as the Executive.	Same as the Executive.
Requires ODJFS to revise certain requirements included in its manual for field audits.	Same as the Executive.	Same as the Executive.
Requires ODJFS to fine a NF if an audit report regarding a Medicaid cost report includes (1) adverse findings that exceed 3% of the total amount of Medicaid-reimbursable costs reported in the cost report or (2) adverse findings that exceed 20% of Medicaid-reimbursable costs for a particular cost center reported in the cost report.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
JFSCD75 Medicaid Payments to Reserve Beds in Long-Term Care Facilities		
R.C. ***5111.33***	**R.C.** ***5111.33***	**R.C.** ***5111.331, 5111.20, 5111.22, 5111.221, 5111.222, 5111.224, 5111.232, 5111.25, 5111.251, 5111.254, 5111.255, 5111.258, 5111.259, 5111.262, 5111.27, 5111.29, 5111.291, 5111.33***
Specifies that the maximum period for which Medicaid payments may be made to reserve a bed in a NF is not to exceed 30 days in CY 2011 and 15 days in CY 2012 and thereafter.	Same as the Executive.	Same as the Executive.
Specifies that the maximum period for which Medicaid payments may be made to reserve a bed in an ICF/MR for any calendar year is not to exceed the number of days specified in ODJFS rules.	Same as the Executive.	No provision.
Provides that the Medicaid reimbursement rate to reserve a bed in a NF for a day in calendar 2011, is not to exceed 50% of the NF's regular per diem rate for that day and, for a day in CY 2012 and thereafter, is not to exceed 25% of the NF's regular per diem rate for that day.	Same as the Executive.	Same as the Executive.
Provides that the Medicaid reimbursement rate to reserve a bed in an ICF/MR, for a day in any calendar year, is to be a percentage specified in ODJFS rules of the ICF/MR's regular per diem rate for that day.	Same as the Executive.	No provision.
Fiscal effect: Estimated to save $3.2 million ($1.1 million state share) in FY 2012 and $13.1 million ($4.7 million state share) in FY 2013.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD68 NF Fiscal Emergency		
R.C. ***5111.511, 5111.35, 5111.52, 5111.54, and 5111.62***		
Permits ODJFS, if it determines that a NF is experiencing or is likely to experience a serious financial loss or failure that jeopardizes or is likely to jeopardize the health, safety, and welfare of its residents, to (1) appoint, subject to the provider's consent, a temporary fiscal emergency manager or (2) apply to a common pleas court for a temporary restraining order, preliminary injunction, appointment of a temporary fiscal emergency manager, or other injunctive or equitable relief. **Fiscal effect: None.**	No provision.	No provision.
JFSCD107 Ohio Cancer Incidence Surveillance System		
	R.C. ***5111.83***	
No provision.	Requires the ODJFS Director to apply for approval to claim federal financial participation for the administrative costs that the Department of Health and the Arthur G. James and Richard J. Solove Research Institute of the Ohio State University incurs in analyzing and evaluating cancer reports under the Ohio Cancer Incidence Surveillance System and the effects of cancer on Medicaid recipients and other low-income populations. **Fiscal effect: Potential gain of federal Medicaid reimbursement if approved by the federal government.**	No provision.

Executive	As Passed by the House	As Passed by the Senate
JFSCD84 **Ohio Home Care and Ohio Transitions II Aging Carve-Out Programs Codified**		
R.C. ***5111.861, 5111.862, and 5111.88***	**R.C.** ***5111.861, 5111.862, and 5111.88***	**R.C.** ***5111.861, 5111.862, and 5111.88***
Codifies the Ohio Home Care and Ohio Transitions II Aging Carve-Out programs.	Same as the Executive.	Same as the Executive, but establishes a Home First component for the Ohio Home Care Program.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Potential savings if individuals are diverted from a nursing facility placement to the Ohio Home Care Program.**
JFSCD86 **Unified Long-Term Services and Support Medicaid Waiver Program**		
R.C. ***5111.863, 173.40, 173.401, 173.403, 5111.861 (Repealed and new enactment), 5111.862, 5111.89, 5111.894, and Section 309.33.30***	**R.C.** ***5111.863, 173.40, 173.401, 173.403, 5111.861 (Repealed and new enactment), 5111.862, 5111.89, 5111.894, and Section 309.33.30***	**R.C.** ***5111.863, 173.40, 173.401, 173.403, 5111.861 (Repealed and new enactment), 5111.862, 5111.89, 5111.894, and Section 309.33.30***
Eliminates a requirement that ODJFS seek federal approval to obtain a federal Medicaid waiver to consolidate the PASSPORT, Choices, and Assisted Living programs into one Medicaid waiver program.	Same as the Executive.	Same as the Executive.
Requires ODJFS, working with ODA, to seek federal approval for a unified long-term services and support Medicaid waiver program to provide home and community-based services to eligible individuals of any age who require the level of care provided by NFs.	Same as the Executive.	Same as the Executive, but establishes a Home First component for the unified long-term services and support program.
Requires ODJFS and ODA to work together to determine, on an individual program basis, whether an ODJFS or ODA Medicaid waiver program (PASSPORT, Choices, Assisted Living, Ohio Home Care, and Ohio Transitions II Aging Carve-Out) should continue to operate as separate Medicaid waiver programs or be terminated if the unified long-term services and support Medicaid waiver program is created and it covers all individuals who qualify for the programs to be terminated.	Same as the Executive, but does not include the requirement that ODJFS and ODA, when determining whether an ODJFS or ODA Medicaid waiver program should be terminated if a unified long-term services and support Medicaid waiver program is created, consider whether the new waiver program covers all individuals who qualify for the program to be terminated.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Provides that all rules, standards, guidelines, or orders issued by ODJFS or ODA before an ODJFS or ODA Medicaid waiver program is terminated remain in full force and effect on and after the termination for the purpose of concluding the program's operations.	Same as the Executive, but provides that all applicable statutes also remain in full force and effect.	Same as the House.
Permits ODJFS and ODA to adopt rules to implement administrative issues related to the termination of ODJFS and ODA Medicaid waiver programs.	Same as the Executive, but provides for the rules to be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119.).	Same as the House.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Potential savings if individuals are diverted from a nursing facility placement.**

JFSCD29 ODJFS to Pay Medicaid Claims for Community Behavioral Health Services

R.C. *5111.912, 5111.023, 5111.913, Sections 120.10 to 120.12*	R.C. *5111.912, 5111.023, 5111.913, Section 337.30.30*	R.C. *5111.912, 5111.023, 5111.913, Section 337.30.30*
Makes ODJFS, rather than ODMH, ODADAS, and community behavioral health boards, responsible for paying the nonfederal share of Medicaid payments to providers of services under components of the Medicaid program that ODMH currently administers, effective on July 1, 2012.	Same as the Executive, but (1) removes the delayed effective date for the part of the provision regarding mental health services and (2) requires community behavioral health boards to pay for the mental health services provided during FY 2012 using funds ODMH allocates to the boards and federal matching funds.	Same as the House.
Fiscal effect: In FY 2013, when financial responsibility for community behavioral health Medicaid services shifts to ODJFS from ODMH and ODADAS, $189.7 million (nonfederal share) in line item 600525, Health Care/Medicaid will go toward providing behavioral health Medicaid services. In addition, ODADAS will transfer $7.0 million for the nonfederal share of Medicaid covered addiction treatment services from SSR Fund 4750, Statewide Treatment and Prevention Services, to ODJFS. In FY 2013, total funding for community behavioral health Medicaid services, all funds, is $571.2 million; of that amount, $456.1 million is for mental health and $115.1 million is for alcohol and drug addiction.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD69 ICF/MR Franchise Permit Fee		
R.C. ***5112.30, 5112.31, 5112.37, 5112.371, and 5112.39***	**R.C.** ***5112.30, 5112.31, 5112.37, 5112.371, and 5112.39***	**R.C.** ***5112.30, 5112.31, 5112.37, 5112.371, and 5112.39***
Sets the rate for the franchise permit fee charged ICFs/MR at $17.99 for FY 2012 and $18.32 for FY 2013 and thereafter.	Same as the Executive.	Same as the Executive.
Provides for the percentage that is used in determining whether the franchise permit fee must be reduced in order for the fee to comply with federal restrictions to change in accordance with the federal restrictions.	Same as the Executive, but revises the definition of "indirect guarantee percentage (which is the percentage used in determining whether the franchise permit fee on ICFs/MR must be reduced to comply with federal restrictions) by providing that the percentage applies to a "class of providers" rather than a "taxpayer."	Same as the House.
Specifies that 81.77% of the money raised by the franchise permit fee and associated penalties for FY 2012, and 82.2% of such money raised for FY 2013 and thereafter, is to be deposited into the Home and Community-Based Services for the Mentally Retarded and Developmentally Disabled Fund (Fund 4K10).	Same as the Executive.	Same as the Executive.
Continues to provide for the money raised by the franchise permit fee and associated penalties that is not deposited into Fund 4K10 to be deposited into the Ohio Department of Developmental Disabilities (ODODD) Operating and Services Fund (Fund 5GE0).	Same as the Executive.	Same as the Executive.
Fiscal effect: Estimated $7.3 million increase in franchise fee revenue in FY 2012. (Assuming the rate changes from $13.55 in FY 2011 to $17.99 in FY 2012.) Estimated $10.3 million increase in franchise fee revenue in FY 2013. (Assuming the rate changes from $13.55 to $18.32 in FY 2013.)	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD96 Unified Long Term Care		
Section: ***309.30.20***	**Section:** ***309.30.20***	**Section:** ***309.30.20***
Permits GRF appropriation item 600525, Health Care/Medicaid, to be used to:	Same as the Executive.	Same as the Executive.
(1) Provide the preadmission screening and resident review (PASRR), which includes screening, assessments, and determinations.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Assess and provide long-term care consultations to clients regardless of Medicaid eligibility.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Provide nonwaiver funded PASSPORT and assisted living services to persons who the state department has determined to be eligible to participate in the nonwaiver funded PASSPORT and assisted living programs, who applied for but have not yet been determined to be financially eligible to participate in the Medicaid waiver component of the PASSPORT Home Care Program or Assisted Living Program by a county department of job and family services, and to persons who are not eligible for Medicaid but were enrolled in the PASSPORT Program prior to July 1, 1990.	(3) Same as the Executive, but also allows PACE services to be provided to persons who are determined eligible to participate in the program and have applied for, but have not yet been determined to be financially eligible.	(3) Same as the Executive.
Requires GRF appropriation item 600525, Health Care/Medicaid, to be used to:	Same as the Executive.	Same as the Executive.
(1) Provide the required state match for federal Medicaid funds supporting the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Provide the federal matching share of program costs determined by ODJFS to be eligible for Medicaid reimbursement for the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program.	(2) Same as the Executive.	(2) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(3) No provision.	(3) Requires $13,904,338 in FY 2012 and $27,894,003 in FY 2013 to be used to provide supplemental funding to the PASSPORT Program.	(3) Same as the House, but increases the earmark amount to $27,808,676 in FY 2012 and $55,788,006 in FY 2013.
JFSCD138 Hattie Larlham Community Living		
		Section: ***309.30.23***
No provision.	No provision.	Earmarks $62,500 in each fiscal year in appropriation item 600625, Health Care/ Medicaid, for Hattie Larlham Community Living.
JFSCD47 Reduction of Medicaid Expenditures for Fiscal Years 2012 and 2013		
Section: ***309.30.30***	**Section:** ***309.30.30***	**Section:** ***309.30.30***
Requires the ODJFS Director to implement, for FY 2012 and FY 2013, purchasing strategies that result with Medicaid expenditures being at least 2% less than Medicaid expenditures for FY 2011.	Same as the Executive, but specifies that the ODJFS Director is to implement rate reductions, in addition to purchasing strategies, that result in payment rates, instead of expenditures, being at least 2% less than the FY 2011 payment rates.	Same as the House.
Excludes NF and ICF/MR services from the purchasing strategies.	Same as the Executive, but requires the ODJFS Director to determine which services (other than NF and ICF/MR services) are subject to the purchasing strategies and rate reductions.	Same as the House, but requires the inclusion of hospital inpatient and outpatient services.
Requires the ODJFS Director, in implementing the purchasing strategies, to consider (1) modernizing hospital inpatient and outpatient reimbursement methodologies and (2) establishing selective contracting and prior authorization requirements for types of medical assistance the Director identifies.	Same as the Executive, but applies to rate reductions also.	Same as the House, but requires the ODJFS Director, rather than to consider such action, to (1) modernize hospital inpatient and outpatient reimbursement methodologies notwithstanding the bill's provision that requires the Director to continue the June 30, 2011 Medicaid rates for such services and (2) establish selective contracting and prior authorization requirements.
Requries the ODJFS Director, when considering modifying hospital inpatient and outpatient reimbursement methodologies, to consider (1) modifying the inpatient hospital capital reimbursement methodology, (2)	Same as the Executive.	Same as the Executive, but requires the ODJFS Director, when modernizing hospital inpatient and outpatient reimbursement methodologies, to (1) modify the inpatient hospital capital reimbursement methodology, (2) establish

Executive	As Passed by the House	As Passed by the Senate
implementing relative weights for diagnosis-related groups (DRGs) or establishing new DRGs, and (3) implementing other changes the Director considers appropriate.		new DRGs in a cost neutral manner (3) modify the measures used to determine whether a claim for a hospital inpatient or outpatient service qualifies for a cost outlier payment, and (4) implement other changes the Director considers appropriate.
No provision.	Requires the ODJFS Director, when implementing purchasing strategies and rate reductions that reduce administrative rate payments made to Medicaid managed care organizations, to ensure that no Medicaid managed care organization passes the administrative rate payment reductions onto providers under contract with the organization.	No provision.
JFSCD134 **Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program**		
		Section: ***309.30.33***
No provision.	No provision.	Permits ODJFS to continue and modify the existing Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program to provide supplemental Medicaid payments to hospitals for providing Medicaid-covered inpatient and outpatient services to Medicaid recipients.
No provision.	No provision.	Earmarks up to $432,432,725 (state and federal) in FY 2012 and $415,162,388 (state and federal) in FY 2013 to be used for the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program.
JFSCD135 **Medicaid Managed Care Hospital Incentive Payment Program**		
		Section: ***309.30.33***
No provision.	No provision.	Requires ODJFS to apply for federal approval of an amendment to the state Medicaid plan under which Medicaid MCOs are provided funds to increase payments to hospitals under contract with the organizations.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Specifies that funds are not to be provided under the program unless the capitation rates paid to Medicaid MCOs remain actuarially sound.
No provision.	No provision.	Prohibits ODJFS from implementing the program in a manner that reduces either (1) the amounts Medicaid MCOs would have otherwise received or (2) the amounts hospitals would have received from the Hospital Assessment Fund.
No provision.	No provision.	Requires Medicaid managed care organizations and hospitals, if the program does not achieve $22 million in state savings, to pay the state the difference between the amount saved and $22 million. ODJFS may waive the requirement if spending for the Medicaid Program in FY 2013 is less than the amount that is budgeted for that fiscal year.
No provision.	No provision.	Earmarks up to $162,000,000 (state and federal) in each fiscal year to be used for the program.

JFSCD136 **Authorization of Additional Medicaid Expenditures**

		Section: ***309.30.33***
No provision.	No provision.	Permits the Director of OBM to authorize additional expenditures from appropriation items 600623, Health Care Federal, 600525, Health Care/Medicaid, and 600656, Medicaid-Hospital, in order to implement the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program, the Medicaid Managed Care Hospital Incentive Payment Program, and the bill's provision that requires the ODJFS to continue paying hospitals the June 30, 2011 rate. Appropriates amounts authorized.

Executive	As Passed by the House	As Passed by the Senate
JFSCD109 **Continuation of Medicaid Rates for Hospital Inpatient and Outpatient Services**		
	Section: ***309.30.35***	**Section:** ***309.30.35***
No provision.	Requires the ODJFS Director to maintain, for FY 2012 and FY 2013, the reimbursement rates established by H.B. 1 of the 128th General Assembly for Medicaid-covered hospital inpatient and outpatient services that are paid under the Medicaid Program's prospective payment system notwithstanding the bill's provision that requires the Director to implement purchasing strategies and rate reductions for Medicaid services.	Same as the House, but does not provide for the Director to continue paying the rates nothwithstanding the bill's provision that requires the Director to implement the purchasing strategies and rate reductions.
No provision.	No provision.	Earmarks up to $176,021,111 (state and federal) in FY 2012 and $195,158,394 (state and federal) in FY 2013 to be used for maintaining hospital rates at the amount paid in FY 2010 and FY 2011.
	Fiscal effect: The Executive budget included the assumption that the 5% hospital rate increase would be extended into FY 2012 and FY 2013. Estimated cost of $176 million ($63.3 million state share) in FY 2012 and $195 million ($70 million state share) in FY 2013.	**Fiscal effect: Same as the House.**
JFSCD139 **Additional Medicaid Payments to Children's Hospitals**		
		Sections: ***309.30.38, 309.30.33***
No provision.	No provision.	Requires, for FY 2012 and FY 2013, the ODJFS Director to make additional Medicaid payments to children's hospitals for inpatient services under a program modeled after the program that was created for FY 2006 and FY 2007 under the budget act for those years.
No provision.	No provision.	Provides for all of the following to be used to make the additional Medicaid payments: (1) In each of the fiscal years, $6 million from appropriation item 600537, Children's Hospital, and the corresponding federal match; (2) In FY 2012, $4.4 million of the money in the Hospital Assessment

Executive	As Passed by the House	As Passed by the Senate
		Fund and the corresponding federal match; and (3) In FY 2013, $4 million of the money in the Hospital Assessment Fund and the corresponding federal match.
No provision.	No provision.	Provides that nothing in the bill's provision regarding the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program and the Medicaid Managed Care Hospital Incentive Payment Program reduces the additional Medicaid payments to be made to children's hospitals.

JFSCD38 Care Coordination for Families and Children Pending Managed Care Enrollment

Section: *309.30.50*	Section: *309.30.50*	Section: *309.30.50*
Requires ODJFS and the Department of Health (ODH) to work together on the issue of achieving efficiencies in the delivery of medical assistance provided under Medicaid to families and children.	Same as the Executive.	Same as the Executive.
Requires ODJFS and ODH to develop a proposal for coordinating medical assistance provided to families and children under Medicaid while they wait to be enrolled in Medicaid managed care.	Same as the Executive.	Same as the Executive.
Permits ODJFS to seek federal approval to authorize payment for Medicaid-reimbursable targeted case management services that are provided in connection with ODH's Help Me Grow program.	Same as the Executive, but also permits ODJFS to seek federal approval to authorize payment for Help Me Grow Program services.	Same as the House.
Requires ODJFS to certify to the Director of OBM the state and federal share of the amount ODJFS has expended each quarter for services under this section. Requires the Director of OBM, on receipt of each quarterly certification, to decrease appropriation from appropriation item 440459, Help Me Grow, used by ODH, an amount equal to the state share of the certified expenditures and increase appropriation item 600525, Health Care/Medicaid, used by ODJFS, by an equal amount and adjust the federal share accordingly.	Same as the Executive.	Same as the Executive, but specifies that the transfers that occur from GRF appropriation item 440459, Help Me Grow, used by ODH, to GRF appropriation item 600525, Health Care/Medicaid, used by ODJFS, relating to Medicaid-reimbursable targeted case management services are intended for the purpose of drawing down federal Medicaid reimbursement and not for the purpose of reducing funding for the Help Me Grow Program.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Potential savings and potential gain of federal Medicaid reimbursement.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

JFSCD72 FY 2012 Medicaid Reimbursement Rates for ICFs/MR

Section: ***309.30.90***	**Section:** ***309.30.90***	**Section:** ***309.30.90***
Requires ODJFS, if the mean total per diem Medicaid reimbursement rate for all ICFs/MR in Ohio for fiscal year 2012 exceeds $279.81, to reduce (1) the total per diem rate for each continuing ICF/MR by a percentage that is equal to the percentage by which the mean total per diem rate exceeds $279.81 and (2) the rate otherwise calculated for a new ICF/MR by the same percentage that the rate for a continuing ICF/MR is reduced.	Same as the Executive.	Replaces the Executive provision with a provision that (1) requires ODJFS to determine modified rates and capped rates for existing ICFs/MR, and (2) provides for an existing ICF/MR to be paid a rate that is the average of its modified and capped rates unless the mean of such rates for all existing ICFs/MR is other than $279.81, in which case the ICF/MR's rate is to be adjusted by a percentage that equals the percentage by which the mean rate is greater or less than $279.81.
Fiscal effect: Estimated savings of $5.5 million ($2 million state share) in FY 2012.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, but with potential smaller savings.**

JFSCD73 FY 2013 Medicaid Reimbursement Rates for ICFs/MR

Section: ***309.33.10***	**Section:** ***309.33.10***	**Section:** ***309.33.10***
Requires ODJFS, if the mean total per diem rate for all ICFs/MR in Ohio for fiscal year 2013 exceeds $280.14, to reduce (1) the total per diem rate for each continuing ICF/MR by a percentage that is equal to the percentage by which the mean total per diem rate exceeds $280.14 and (2) the rate otherwise calculated for a new ICF/MR by the same percentage that the rate for a continuing ICF/MR is reduced.	Same as the Executive.	Replaces the Executive provision with a provision that (1) requires ODJFS to determine modified rates for existing ICFs/MR, and (2) provides for an ICF/MR to be paid its modified rate unless the mean of such rates for all existing ICFs/MR is other than $280.14, in which case the ICF/MR's modified rate is to be adjusted by a percentage that equals the percentage by which the mean modified rate is greater or less than $280.14.
Fiscal effect: Estimated savings of $5.3 million ($1.9 million state share) in FY 2013.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, but potential smaller savings.**

Executive	As Passed by the House	As Passed by the Senate
JFSCD48 **Medicaid Quality Improvement Initiatives for Children**		
Section: ***309.33.40***	**Section:** ***309.33.40***	**Section:** ***309.33.40***
Permits ODJFS, ODH, and ODMH in conjunction with the Governor's Office of Health Transformation, to seek assistance from, and work with, the Best Evidence for Advancing Child Health in Ohio Now (BEACON) Council and hospital and other provider groups to identify specific targets and initiatives to reduce the cost, and improve the quality, of medical assistance provided under Medicaid to children.	Same as the Executive, but removes the BEACON Council from the entities that the agencies are to seek assistance from and to work with.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
JFSCD27 **Expansion and Evaluation of PACE**		
Section: ***309.33.50***	**Section:** ***309.33.50***	**Section:** ***309.33.50***
Requires the ODA Director to contract with Miami University's Scripps Gerontology Center for an evaluation of the PACE Program.	Same as the Executive, but also requires the Center to collaborate with the ODA Director and PACE providers and to take into account the PACE Program's unique features.	Same as the Executive.
Allows the ODA Director, in consultation with the ODJFS Director, to expand the PACE Program to regions of Ohio beyond those currently served if the following apply:	Same as the Executive.	Same as the Executive.
(1) Funding is available;	(1) Same as the Executive.	(1) Same as the Executive.
(2) The directors mutually determine based on the result of the evaluation that the program is a cost effective alternative to nursing home care; and	(2) Same as the Executive.	(2) Same as the Executive.
(3) The U.S. Centers for Medicare and Medicaid Services agrees to share any savings to the Medicare program, as a result of the expansion, with Ohio.	(3) No provision.	(3) Same as the Executive.
No provision.	Requires the ODA and ODJFS Directors to use their best efforts to achieve an arrangement with the U.S. Centers for Medicare and Medicaid Services to share any savings to the	No provision.

Executive	As Passed by the House	As Passed by the Senate
	Medicare Program resulting from the expansion of PACE with the state.	
Specifies that if the PACE Program is expanded, the ODA Director is not allowed to decrease the number of residents of Cuyahoga and Hamilton counties and parts of Butler, Clermont, and Warren counties who are participating in the program below the number of residents of those counties and parts of counties who were enrolled in the program on July 1, 2008.	Same as the Executive, but changes "residents of" to "individuals in," "participating" and "enrolled" to "participants," and the date referenced from July 1, 2008 to July 1, 2011.	Same as the House.
Fiscal effect: Estimated cost of $200,000 in FY 2012 in ODA's budget for the evaluation of PACE.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
JFSCD128 HealthCare Compliance Appropriation		
		Section: ***309.35.73***
No provision.	No provision.	Allows appropriation item 600625, Healthcare Compliance, to be used for expenses incurred in implementation or operation of Health Home programs and for the creation, modification, or replacement of any federally funded Medicaid healthcare systems in FY 2012 and FY 2013.
JFSCD44 Medicaid Managed Care Coverage of Prescription Drugs		
Section: ***309.37.50***	**Sections:** ***309.37.50, 5111.172***	**Sections:** ***309.37.50, 5111.172***
Requires ODJFS, not later than October 1, 2011, to enter into new contracts or amend existing contracts with health insuring corporations to require them to include coverage of prescription drugs under the Medicaid managed care system.	Same as the Executive, but specifies in permanent law (in place of an uncodified provision of the bill) that the coverage of prescription drugs for Medicaid managed care participants must be provided through the health insuring corporations (HICs) in which they are enrolled.	Same as the House.
No provision.	Prohibits HICs participating in Medicaid managed care from imposing prior authorization requirements for mental health drugs that are antidepressants or antipsychotics, with the following conditions: (1) the drugs must be in standard tablet or capsule form, but allows antipsychotics to also be in a long-acting injectable form; and (2) the drugs must be	Same as the House, but provides that a drug may also be prescribed by a psychiatrist practicing at a certified community mental health agency.

Executive	As Passed by the House	As Passed by the Senate
	prescribed by a psychiatrist credentialed by the HICs.	
No provision.	Prohibits HICs participating in Medicaid managed care from imposing prior authorization requirements if the recipient was being treated with antidepressants or antipsychotics or the drug was prescribed by any other health professional who was treating a Medicaid recipient immediately before Medicaid managed care resumes coverage of prescription drugs, but only for a 120-day period.	Same as the House.
No provision.	No provision.	Requires, under the bill's Medicaid managed care drug coverage requirements, that Medicaid managed care organizations maintain coverage for all drugs for a 90-day period without using drug utilization or management techniques that are more stringent for a Medicaid recipient than before the recipient's coverage is transferred to the managed care system.
Fiscal effect: Estimated cost of $97 million ($34.9 million state share) in FY 2012 and $16.7 million ($6.1 million state share) in FY 2013. Estimated gain in tax revenue (excluding local) of $61.6 million in FY 2012 and $91 million in FY 2013.	**Fiscal effect: The executive budget assumes a change in prior authorization requirements as part of the carve-in of the prescription drug benefit into Medicaid managed care. According to ODJFS, the provisions will increase costs by millions of dollars.**	**Fiscal effect: Same as the House, but would likely increase costs further by maintaining coverage for all drugs for individuals in Medicaid managed care for a 90-day period without using drug utilization or management techniques that are more stringent than those in place under fee-for-service.**
JFSCD122 Residential State Supplement Program		
		Section: ***390.35.33***
No provision.	No provision.	Transfers $2.8 million cash from the GRF to the Nursing Home Franchise Permit Fee Fund (Fund 5R20) to be used for the Residential State Supplement Program.

Executive	As Passed by the House	As Passed by the Senate
Social Services		
JFSCD130 Military Injury Relief Fund		
		R.C. *5101.98*
No provision.	No provision.	Provides that an individual injured while in active service as a member of the armed forces of the United States while serving in Operation New Dawn (the current name for the United States military operation in Iraq) is eligible for Military Injury Relief Fund grants. **Fiscal effect: None.**
Unemployment Compensation		
JFSCD120 Seasonal Unemployment		
	R.C. *4141.33*	**R.C. *4141.33***
No provision.	Repeals current law that allows individuals with seasonal employment with two or more seasonal employers or both seasonal and nonseasonal employers to receive unemployment benefits.	No provision.
No provision.	Prohibits an individual who performs services that substantially consist of services performed in seasonal employment from being paid benefits for those services for any week in the period between two successive seasonal periods if the individual performed those services in the first of the seasonal periods and there is reasonable assurance that the individual will perform those services in the later of the seasonal periods.	Same as the House, but removes reference to services that "substantially consist" of seasonal employment and provides that the provision is effective October 30, 2011.
No provision.	Requires the ODJFS Director to adopt rules to implement this provision.	Same as the House.
	Fiscal effect: Potential decrease in expenditures from the state's Unemployment Compensation Trust Fund.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
JCRCD4 **Adverse Impact on Businesses Rule Review Process**		
		R.C. ***119.032, Section 803.70***
No provision.	No provision.	Requires agencies that are reviewing rules under the Cyclical Review of Rules Act (R.C. 119.032) to determine whether a rule has an adverse impact on businesses to review the rule as if it were a draft rule that must be reviewed under laws that define what an adverse impact on business means and that require the use of a business impact analysis instrument to evaluate the rule. **Fiscal effect: Potential minimal annual increase for certain state agencies to review existing rules for their adverse impact on business.**
JCRCD5 **Applicability of S.B. 2's New Business Rule Review Process**		
		Sections: ***610.30, 610.31***
No provision.	No provision.	Provides that the new business rule review process established by Am. S.B. 2 of the 129th G.A. does not apply to a proposed rule that was pending on January 1, 2011. **Fiscal effect: Possibly saves certain state agencies, including the Joint Committee on Agency Rule Review, time and effort that might otherwise have expended in their analysis and review of proposed rules that were pending as of January 1, 2011.**

Executive	As Passed by the House	As Passed by the Senate
JSCCD13 **Official Reports by Clerk of the Supreme Court**		
	R.C. ***149.01***	**R.C.** ***149.01***
No provision.	Eliminates the duty of the Clerk of the Supreme Court to file annual reports of the transactions and proceedings of the Court with the Governor, the Secretary of State, and the State Library. **Fiscal effect: None, as the Supreme Court does not currently file such reports.**	Same as the House.
JSCCD14 **Criminal Sentencing Commission**		
		R.C. ***181.21, 181.22, 181.23, 181.24, 181.25, 181.26, 2953.08***
No provision.	No provision.	Eliminates the Ohio Sentencing Commission. **Fiscal effect: Eliminates GRF appropriation item 005401, Criminal Sentencing Council, and moves the related appropriation of $206,770 in each fiscal year to GRF appropriation item 005321, Operating Expenses - Judiciary/Supreme Court.**
JSCCD18 **Qualifications of Judges**		
		R.C. ***1901.06, 1907.13, 2301.01, 2501.02, 2503.01***
No provision.	No provision.	Revises the "experience" criterion for holding judicial office: (1) by removing the requirement that the prior legal practice that satisfies the criterion has been in Ohio, and (2) by requiring that at least two of the six or more years of prior legal practice or prior service as a judge needed to satisfy the criterion has been in Ohio. **Fiscal effect: None.**

Executive	As Passed by the House	As Passed by the Senate
JSCCD19	**Mayor's Court -- Jurisdiction in Ordinance Cases and Traffic Violations**	
		R.C. ***1905.01***
No provision.	No provision.	Increases from 100 to 150 the population that a municipal corporation other than Georgetown in Brown County, Mount Gilead in Morrow County, or Batavia in Clermont County must have in order to establish a mayor's court. **Fiscal effect: Any non-exempted municipal corporation currently operating a mayor's court that is unable to meet the new population requirement would lose the revenues and expenditures associated with the operation of the court and a neighboring municipal court or county court would assume the workload and collected any related revenues (fines, fees, and costs). That shift in court revenues and expenditures could easily exceed minimal annually in certain local jurisdictions.**
JSCCD11	**Changes Regarding Court Reporters; Electronic Records; Transcripts**	
R.C. ***2101.08, 2301.18, 2301.19 (Repealed), 2301.20 - 2301.26, 2501.16, 2501.17, 2743.09, 1509.36, 1571.14, 2301.03, 2319.27, 2939.11, 3745.05***	**R.C.** ***2101.08, 2301.18, 2301.19 (Repealed), 2301.20 - 2301.26, 2501.16, 2501.17, 2743.09, 1509.36, 1571.14, 2301.03, 2319.27, 2939.11, 3745.05***	
(1) Changes the designation under current law of "stenographic reporter" or "shorthand reporter" as appointed by the court of common pleas, a probate judge, a court of appeals, or the Clerk of the Court of Claims simply to "reporter."	(1) Same as the Executive.	(1) No provision.
(2) Repeals the section authorizing the appointment of assistant shorthand reporters by a court of common pleas, relocates some of the provisions in the repealed section to the section pertaining to the appointment of reporters by the court of common pleas, and changes the designation to	(2) Same as the Executive.	(2) No provision.

Executive	As Passed by the House	As Passed by the Senate
"assistant reporters."		
(3) Requires all civil and criminal actions in the court of common pleas to be recorded, requires the reporter to take accurate notes of or electronically record oral testimony, and applies existing law requirements for the filing and preservation of notes to the filing and preservation of the electronic records.	(3) Same as the Executive.	(3) No provision.
(4) Requires a reporter to provide transcripts of an electronic recording upon request by the court or either party to the action under the same procedure as the furnishing of transcripts of notes and provides that copies of transcripts be provided at cost and electronic copies be provided free of charge.	(4) Same as the Executive.	(4) No provision.
(5) Requires that transcripts requested by an indigent defendant in a criminal case be paid from the county treasury and taxed and collected as costs.	(5) Same as the Executive.	(5) No provision.
(6) Permits the official reporter of the county or a designated reporter to electronically record testimony before a grand jury under the same procedure as the taking of notes.	(6) Same as the Executive.	(6) No provision.
(7) Changes the references from "official court shorthand reporter" to "official court reporter" for purposes of certain provisions governing appeals to the Oil and Gas Commission, the Director of Natural Resources, and the Environmental Review Appeals Commission and provides for the provision of an electronic record or stenographic record (current law) of the evidence upon a party's request.	(7) Same as the Executive.	(7) No provision.
Fiscal effect: Largely codifies current or best practices in many of the state's courts, and will generally have no more than a minimal effect on any given court's revenues and expenditures.	**Fiscal effect: Same as the Executive.**	

Executive	As Passed by the House	As Passed by the Senate
LECCD1 Ohio Lake Erie Commission Members		
		R.C. *1506.21*
No provision.	No provision.	Adds five members appointed by the Governor to the Ohio Lake Erie Commission, specifies that the five new members serve at the pleasure of the Governor, and specifies that six members of the Commission constitute a quorum rather than three members as in current law. **Fiscal effect: None.**

Executive	As Passed by the House	As Passed by the Senate
LRSCD2 **Legal Rights Service Transition to Nonprofit Entity**		
R.C. ***5123.60, 5123.601, 3721.16, 5111.709, 5119.221, 5122.01, 5122.27, 5122.271, 5122.31, 5122.32, 5123.35, 5123.61, 5123.64, 5123.86, 5123.99, Section 319.20, Repealed: R.C. 5123.602 - 5123.605***	**R.C.** ***5123.60, 5123.601, 3721.16, 5111.709, 5119.221, 5122.01, 5122.02, 5122.27, 5122.271, 5122.29, 5122.31, 5122.32, 5123.092, 5123.19, 5123.191, 5123.35, 5123.61, 5123.63, 5123.64, 5123.69, 5123.701, 5123.86, 5123.99, 5126.33, Sections 319.20, 812.10, Repealed: R.C. 5123.602 - 5123.605***	**R.C.** ***5123.60, 5123.601, 3721.16, 5111.709, 5119.221, 5122.01, 5122.02, 5122.27, 5122.271, 5122.29, 5122.31, 5122.32, 5123.092, 5123.19, 5123.191, 5123.35, 5123.61, 5123.63, 5123.64, 5123.69, 5123.701, 5123.86, 5123.99, 5126.33, Sections 319.20, 812.10, Repealed: R.C. 5123.602 - 5123.605***
Requires, not later than December 31, 2011, establishment of a nonprofit protection and advocacy system and client assistance program for people with disabilities, and permits the Ohio Legal Rights Service (OLRS) to subcontract with the nonprofit entity to perform any functions that OLRS is permitted or required to perform.	Same as the Executive.	Same as the Executive.
Requires, not later than September 30, 2012, the Governor to designate the nonprofit entity as Ohio's protection and advocacy system and client assistance program for people with disabilities.	Same as the Executive.	Same as the Executive.
Defines the nonprofit protection and advocacy system as a legal rights service.	Provides that the nonprofit entity is to be known as the Ohio Protection and Advocacy System.	Same as the House.
Provides that any function of OLRS commenced prior to October 1, 2012, must be completed by the nonprofit entity.	Same as the Executive.	Same as the Executive.
Abolishes on October 1, 2012, OLRS, the Legal Rights Service Commission, and the Ombudsperson Section of OLRS.	Same as the Executive.	Same as the Executive.
Eliminates all related statutory provisions, except for extending the following to the nonprofit entity: (1) the same access to records, (2) the same confidential status of records that are received, (3) the same subpoena powers and (4) the same notification requirements.	Same as the Executive but removes references to the advocacy system in certain notification processes.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Removes the authority for the advocacy system to petition courts of common pleas to determine whether application by a parent or guardian for voluntary admission or continued hospitalization of a minor or person with a mental illness is in that person's best interest, while maintaining authority for other parties to petition the court to make the determination.	Same as the House.
No provision.	Removes authority in existing law for the advocacy system to file complaints with ODODD alleging statute or rule violations related to residential facilities.	Same as the House.
No provision.	Removes the authority for the advocacy system to petition courts of common pleas to determine whether application by a parent or guardian for voluntary admission or admission for short-term care of a minor or person with a mental retardation is in that person's best interest (under current law, only OLRS is specified as having authority to make such a petition).	Same as the House.
No provision.	Removes authority for the advocacy system to request ODODD petition a court to appoint a receiver to take possession of and operate a residential facility as well as the requirement that a court order ODODD to notify the advocacy system that such a petition has been filed.	Same as the House.
Specifies that OLRS employees are not considered public employees for the purposes of participating in the Ohio Public Employees Retirement System.	No provision.	No provision.
No provision.	Removes a provision in existing law that specifies the administrator of the advocacy system as a voting member of the Medicaid Buy-In Advisory Council.	Same as the House.
Allows GRF appropriation items 054321, Support Services, and 054401, Ombudsman, to be used to support the costs of transitioning OLRS into a nonprofit entity.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
LRSCD4 Requirements for Class Action Lawsuits		
		R.C. ***5123.60, 5123.602***
No provision.	No provision.	Establishes the following requirements for class action lawsuits brought by the existing advocacy system and the nonprofit entity to be designated by the Governor on October 1, 2012:
No provision.	No provision.	(1) Requires the class represented in any class action lawsuit brought by the advocacy system to include only persons who are mentally ill, mentally retarded, or developmentally disabled;
No provision.	No provision.	(2) Requires that the compensation that may be awarded in a class action lawsuit pursued by the advocacy system for the work of the advocacy system's attorneys or attorneys employed by another agency or political subdivision of the state be limited to the actual hourly rate of pay for that legal work.
		Fiscal effect: Potential loss of revenue if awarded compensation is less than what is currently awarded.

Executive	As Passed by the House	As Passed by the Senate
JLECD1 JLEC Purchasing or Leasing of Office Space		
		R.C. ***123.01***
No provision.	No provision.	Provides that purchases or leases for, and the custody and repair of, office space used for the purposes of JLEC are not subject to the control and jurisdiction of DAS.
No provision.	No provision.	Authorizes JLEC to enter into a contract with DAS, upon JLEC's request, under which DAS agrees to perform any services requested by JLEC that DAS currently has authority to perform related to buildings of state agencies under DAS jurisdiction.
		Fiscal effect: May give JLEC additional flexibility in obtaining and maintaining office space.

Executive	As Passed by the House	As Passed by the Senate
LSCCD1 Legislative Task Force on Redistricting		
	Section: ***323.10***	**Section:** ***323.10***
No provision.	Reappropriates an amount equal to the unexpended, unencumbered portion of GRF appropriation item 035407, Legislative Task Force on Redistricting, at the end of FY 2011 for the same purpose in FY 2012.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
LOTCD1 **State Lottery Commission Rule-making Procedures**		
R.C. ***3770.03, 111.15***		
Requires the State Lottery Commission to adopt non-instant game rules in the same manner as instant game rules in that all game rules are to be adopted under the abbreviated rule-making procedure and are not subject to legislative review and invalidation. **Fiscal effect: None.**	No provision.	No provision.
LOTCD8 **Lottery Notice Information**		
	R.C. ***3770.03, 3770.031***	
No provision.	Adds to the list of topics for rules promulgated by the State Lottery Commission a requirement that certain notices appear on a lottery ticket, including one that must appear if the word "education" is used in any advertising for a statewide lottery, which must include information on the percentage that lottery profits contribute to all education funding in Ohio. Requires this notice to appear on any television advertising for the Ohio Lottery and on the first page of the web site for the Ohio Lottery. **Fiscal effect: Potential increase in ticket printing costs, which would be paid from the State Lottery Fund (Fund 7044).**	No provision.

Executive	As Passed by the House	As Passed by the Senate
LOTCD2 Alternative to Surety Bonding for Lottery Sales Agents		
R.C. *3770.05*	**R.C. *3770.05***	
Authorizes the Director of the Ohio Lottery Commission, with the Commission's approval to adopt an alternative program or policy for a lottery sales agent license applicant to establish financial responsibility, in lieu of obtaining a surety bond or making a dedicated account deposit. Allows lottery sales agents to participate in the new program or policy with the Director's approval.	Same as the Executive.	No provision.
Fiscal effect: The financial responsibility program is intended to protect the Lottery Commission against an agent's failure to make prompt and accurate payments for lottery ticket sales, against lost or stolen tickets, and against damaged equipment issued to the agent. This provision specifies that the alternative program or policy must protect the interests of the State Lottery. There should be no fiscal effect from this provision.	**Fiscal effect: Same as the Executive.**	
LOTCD3 Application and Renewal Fees		
R.C. *3770.05*	**R.C. *3770.05***	**R.C. *3770.05***
Eliminates the requirement that lottery sales agent license application fees, the license renewal fee, and administrative fees charged by the State Lottery Commission be approved by the Controlling Board.	No provision.	No provision.
Authorizes the State Lottery Commission to charge an applicant fees for a lottery sales agent license, rather than a fee, but makes it permissive for the Commission to charge those fees or to charge license renewal fees.	Same as the Executive.	Same as the Executive.
Fiscal effect: Potential minimal loss.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
LOTCD10	**Conversion of the State Lottery to a Privately-Managed Lottery**	
		Section: ***737.40***
(1) No provision.	(1) No provision.	(1) Requires the Director of Budget and Management to compare and analyze alternatives in order to convert the State Lottery from a state-run entity to a commercially-run enterprise.
(2) No provision.	(2) No provision.	(2) Requires the Director to develop a competitive selection process for the selection of an entity or entities to operate and manage the State Lottery and permits the Director to hire qualified, appropriate experts to assist in the selection process. Requires the request for proposals to include a provision that the proceeds payable to the bidder are subject to all ordinary taxes.
(3) No provision.	(3) No provision.	(3) Requires the Director to report to the General Assembly, by December 15, 2011, the Director's proposal for the operation and management of the State Lottery.
(4) No provision.	(4) No provision.	(4) Requires the Director to propose a request for proposals process to the General Assembly, by January 15, 2012, that outlines the appropriate terms and conditions for the operation and management of the State Lottery.
(5) No provision.	(5) No provision.	(5) Allows the General Assembly, within 90 days of receipt of the Director's proposal, to approve or reject the terms and conditions outlined in the request for proposals by Joint Resolution initiated in the Senate, and permits the Director to move forward with the request for proposals if the General Assembly does not act during this 90-day period.
		Fiscal effect: Securing the services of qualified advisors for comparing various alternatives in the conversion of the State Lottery to a privately-managed enterprise would increase state expenditures in FY 2012. The amendment does not provide a source of funding for the increased expenditures.

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.
(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	(6) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	of a health district.	
(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 first refusal for those contracts.	(11) Same as the House.
(12) No provision.	(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.

Executive	As Passed by the House	As Passed by the Senate
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
DMHCD26 Attorney General Representing Officers and Employees		
R.C. ***109.36, Section 812.10***	**R.C.** ***109.36, Section 812.10***	**R.C.** ***109.36, Section 812.10***
Provides for the Attorney General, effective July 1, 2012, to represent in civil actions persons who, pursuant to an agreement with ODMH, render medical, nursing, dental, podiatric, optometric, physical therapeutic, psychiatric, or psychological services to patients in an institution ODMH operates.	Same as the Executive, but removes the delayed effective date.	Same as the House.
Fiscal effect: Potential increase in costs to the Attorney General.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DMHCD37 County Withdrawal from Multi-County Board District		
R.C.		
Eliminates a requirement that a board of county commissioners submit a comprehensive plan that complies with ODMH and ODADAS rules when the board of county commissioners seeks to withdraw from participation in a multi-county community behavioral health board district.	No provision.	No provision.
Fiscal effect: None.		
DMHCD27 Restrictions on Serving on and Working for a Community Behavioral Health Board		
R.C. ***340.02***	**R.C.** ***340.02***	**R.C.** ***340.02***
Eliminates prohibitions against:	Same as the Executive.	No provision.
(1) a community behavioral health board member or employee serving as a board member of any agency with which the community behavioral health board contracts for services or facilities;	(1) Same as the Executive.	(1) No provision.

Executive	As Passed by the House	As Passed by the Senate
(2) a community behavioral health board member being an employee of an agency with which the board contracts for services or facilities;	(2) Same as the Executive.	(2) No provision.
(3) a person serving as a community behavioral health board member if the person's spouse, child, stepchild, parent, stepparent, sibling, stepsibling, grandchild, parent-in-law, child-in-law, or sibling-in-law serves as a board member of any agency with which the community behavioral health board contracts for services or facilities;	(3) Same as the Executive.	(3) No provision.
(4) a person serving as a community behavioral health board member or employee if the person's spouse, child, stepchild, parent, stepparent, sibling, stepsibling, parent-in-law, child-in-law, or sibling-in-law serves as county commissioner of a county in the board's district.	(4) No provision.	(4) No provision.
(5) No provision.	(5) a person being an employee of a board and an agency with which the board has entered into a contract for the provision of services or facilities unless the board and agency both agree in writing.	(5) No provision.
No provision.	No provision.	Provides that the prohibition against an community behavioral health board member being an employee of an agency with which the board contracts for services or facilities does not apply if the board member's employment duties with the agency consist of providing, only outside the district the community behavioral health board serves, services for which the Medicaid program pays.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DMHCD20 Community Mental Health Plans		
R.C. ***340.03, 9.03, 340.01, 340.011, 340.04, 340.05, 340.07, 340.08 (Repealed), 340.09, 340.091, 2919.271, 3923.28, 3923.30, 5119.01, 5119.06, 5119.07, 5119.22, 5119.61, 5119.611, 5119.612, 5119.63, 5119.69, 5119.70, 5122.01, 5122.231***	**R.C.** ***340.03, 5119.61***	**R.C.** ***340.03, 5119.61, Sections 812.20, 812.30***
Eliminates the requirement that a community behavioral health board annually obtain ODMH's approval of a community mental health plan as a condition of receiving state subsidies from ODMH.	No provision.	No provision.
Requires each board to implement a community mental health program for making community mental health services the board selects available in the board's district.	No provision.	No provision.
Provides that nothing in state law is to be construed to require a board of county commissioners to provide resources for community mental health services beyond the total amount of (1) state mental health subsidies allocated by ODMH and (2) funds available to the board of county commissioners that are raised by a county tax levy for community mental health services.	No provision.	No provision.
No provision.	Requires boards to develop and submit their plans annually rather than not later than six months before the conclusion of the fiscal year in which the board's current plans are scheduled to expire and eliminates current law's deadline by which ODMH must approve or disapprove of boards' plans.	Same as the House.
No provision.	Eliminates a requirement that boards include an allocation request for state and federal funds with the plans.	Same as the House.
No provision.	Permits a board and ODMH to request that a dispute regarding a plan be submitted to a third-party mediator at any time while approval remains in dispute rather than having to wait until there are 30 days remaining in the fiscal year in which the board's current plan is scheduled to expire.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	In the case of a plan that is submitted to a third-party mediator, eliminates current law's requirement that ODMH make its final determination regarding approval before the conclusion of the fiscal year in which the board's current plan is scheduled to expire.	Same as the House.
No provision.	Eliminates a provision of current law that makes a board's amendment to its plan considered to have been approved if ODMH does not approve all or part of the amendment within 30 days after the amendment is submitted to ODMH.	Same as the House.
No provision.	No provision.	Provides for provisions of the bill regarding community mental health plans to take effect July 1, 2011.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

DMHCD28 Community Behavioral Health Boards Providing Services

R.C. ***340.03, 3313.65, 3722.15, 3722.16***

Eliminates the authority of a community behavioral health board to operate a facility or provide a community mental health service under certain circumstances.	No provision.	No provision.

Fiscal effect: None.

DMHCD29 Community Behavioral Health Boards' Investigations of Complaints

R.C. ***340.03***

Provides that a community behavioral health board is responsible for investigating, or requesting another board to investigate, an allegation of abuse or neglect concerning a person who receives community mental health services or residential facility services if the person receiving the services resides in the board's district.	No provision.	No provision.
Provides that ODMH is to receive information about investigations from community behavioral health boards without having to request it.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Potential increase in costs to community behavioral health boards that do not currently have the staff capacity to investigate complaints.		
DMHCD42 Community Behavioral Health Boards' Audit Duties		
		R.C. ***340.03, 9.03, 340.033, 340.091, 5119.61, 5119.611, 5119.613, 5119.69, 5119.70, 5119.84, 5119.86; Section 337.20.60***
No provision.	No provision.	Eliminates current law provisions that require community behavioral health boards to audit all programs and services for which the boards contract and to conduct program audits. **Fiscal effect: Potential increase or decrease in costs, depending on if the audits are uncovering more fraud or misuse of funds than they cost to conduct.**
DMHCD38 Deemed Certification of Addiction Programs and Community Mental Health Agencies		
	R.C. ***3793.06, 5119.611***	**R.C.** ***3793.06, 3793.061, 5119.611, 5119.612***
No provision.	Requires state certification to be granted to an alcohol and drug addiction program or a community mental health agency if the applicant for certification holds national accreditation from the Joint Commission, the Council on Accreditation of Rehabilitation Facilities, or the Council on Accreditation.	Same as the House, but authorizes or requires the ODADAS and ODMH Directors to perform certain actions related to validating accreditation.
No provision.	Specifies that the program or agency is not subject to further evaluation for purposes of the certification.	Same as the House, but permits visits and evaluation for "cause."
	Fiscal effect: Potential reduction in administrative costs for ODMH and ODADAS to certify programs and agencies.	**Fiscal effect: Same as the House, but reduction in costs may be less.**

Executive	As Passed by the House	As Passed by the Senate
DMHCD39 **ODMH and ODADAS Documentation Submission Requirements**		
	R.C. ***3793.061, 5119.22, 5119.222, 5119.612, 5119.613, 5119.614, 5119.79, 5119.86***	**R.C.** ***3793.061, 5119.22, 5119.222, 5119.612, Section 337.30.90***
No provision.	Prohibits ODMH and ODADAS's rules regarding documentation that alcohol and drug addiction programs, residential facilities for persons with mental illness, and community mental health agencies must submit to ODMH, ODADAS, or community behavioral health boards from being more stringent than comparable federal regulations.	Replaces the House provision with a provision that requires the DMH and ODADAS Directors to perform certain actions regarding documentation, standards, and the integration of behavioral and physical health by December 31, 2011.
	Fiscal effect: Potential minimal increase in administrative costs to ODMH and ODADAS.	**Fiscal effect: Same as the House.**
DMHCD21 **Payment for Mental Health Services Provided Under Medicaid**		
R.C. ***5111.023, 5111.025, 5111.911, 5119.912, 5119.61, Sections 120.10 to 120.12***	**R.C.** ***5111.023, 340.03, 5111.025, 5111.911, 5119.912, Section 337.30.30***	**R.C.** ***5111.023, 340.03, 5111.025, 5111.911, 5119.912, Sections 337.30.30, 812.20, 812.30***
Requires that GRF appropriation item 335501, Mental Health Medicaid Match, be used by ODMH to make payments for mental health Medicaid services in FY 2012 and specifies that the appropriation must be allocated to community behavioral health boards in accordance with a distribution methodology determined by the ODMH Director.	Same as the Executive, but provides that no board is required to pay for Medicaid services with any funds other than GRF appropriation item 335501, Mental Health Medicaid Match, funds allocated to the board and federal financial participation received for those services.	Same as the House.
Specifies that all federal reimbursement for Medicaid services received by ODMH for claims filed in FY 2012 must be used by the boards as the first payment source to pay providers for claims with service dates in FY 2012.	Same as the Executive.	Same as the Executive.
Eliminates the requirement for ODMH to pay the nonfederal share of Medicaid payments to providers for services provided under a Medicaid component ODMH currently administers.	Same as the Executive.	Same as the Executive.
Requires community behavioral health boards to use their state subsidy funds from ODMH to pay the nonfederal share of Medicaid payments to providers of mental health services	Replaces the Executive provision with a provision that requires the boards to pay for Medicaid services with funds allocated to them from GRF appropriation item 335501,	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
in FY 2012.	Mental Health Medicaid Match.	
Eliminates the requirement that community behavioral health boards pay the nonfederal share of Medicaid payments to providers of mental health services effective July 1, 2012.	Same as the Executive.	Same as the Executive.
No provision.	Requires ODMH to enter into an agreement with each board regarding the issue of paying for community mental health Medicaid services provided before July 1, 2011, for which the claims are submitted on or after that date.	Same as the House.
No provision.	Provides for a board to receive the federal financial participation received for community mental health Medicaid services provided before July 1, 2011, if the board paid for the services.	Same as the House.
Eliminates, effective July 1, 2012, the requirement that the comprehensive annual plan certify the availability of sufficient unencumbered community mental health state subsidy and local funds to match federal Medicaid reimbursement funds earned by community mental health facilities agencies.	Same as the Executive, but removes the delayed effective date.	Same as the House.
No provision.	No provision.	Provides for provisions of the bill regarding payment for mental health services provided under Medicaid to take effect July 1, 2011.
Fiscal effect: The executive budget recommends funding of $186.4 million (nonfederal share) through GRF appropriation item 335501, Mental Health Medicaid Match, in FY 2012 for the "elevation" of the financial responsibility for community mental health Medicaid to the state. Total funding (all funds) for community mental health Medicaid is $532.6 million in FY 2012.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DMHCD32 Department of Mental Health's Contracts with Providers		
R.C. ***5119.013, 5119.06, 5119.18***	**R.C.** ***5119.013, 5119.06, 5119.18***	**R.C.** ***5119.013, 5119.06, 5119.18***
Authorizes the ODMH Director to contract with agencies and institutions as necessary for ODMH to carry out its duties under state law with regard to community behavioral health boards, criminal offenses against the family, criminal trials, and mentally ill persons subject to hospitalization by court order.	Same as the Executive, but provides that ODMH may also contract with other entities in addition to agencies and institutions.	Same as the House.
Exempts contracts, entered into by ODMH with agencies and institutions, from state law governing the state's purchases of services.	Same as the Executive.	Same as the Executive, but provides that only contracts for services provided to individuals with mental illness by agencies, institutions, and other entities not owned or operated by the Department are exempt.
Fiscal effect: Potential reduction in costs if ODMH is able to contract with private providers at a lower cost than providing services in state psychiatric hospitals.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DMHCD33 ODMH Community Support System		
R.C. ***5119.06***	**R.C.** ***5119.06***	**R.C.** ***5119.06***
Eliminates a requirement for ODMH to establish and support a program at the state level to promote a community support system to be available for every community behavioral health board district and requires, instead, that ODMH support, to the extent resources are available, a community support system on a district or multidistrict basis.	Same as the Executive, but requires ODMH to consult with community behavioral health boards in supporting the community support system.	Same as the House.
Eliminates a requirement that ODMH assist in identifying resources and coordinating the planning, evaluation, and delivery of services to facilitate a mentally ill person's access to public services.	Same as the Executive, but maintains the requirement for ODMH to assist in identifying resources.	Same as the House.
Permits ODMH to prioritize support for the elements of a community support system.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Provides that ODMH's responsibility for promoting and supporting a full range of mental health services that are available and accessible to all Ohio residents applies to the extent resources are available.	Same as the Executive.	Same as the Executive.
Eliminates a requirements that ODMH cooperate with community behavioral health boards when providing training on community-based mental health services to ODMH's employees who are utilized in state-operated, community-based mental health services.	No provision.	No provision.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

DMHCD34 Department of Mental Health's Medical Director

R.C. ***5119.07***		
Provides that the medical director or the medical director's designee is to advise the ODMH Director on matters relating to medical diagnosis, treatment, rehabilitation, and quality assurance.	No provision.	No provision.
Provides that the medical director's or designee's advisory role applies to all aspects of the licensure of hospitals and residential facilities, research, community mental health services, and delivery of mental health services rather than just the clinical aspects of those matters.	No provision.	No provision.
Fiscal effect: None.		

DMHCD15 Department of Mental Health Trust Fund

R.C. ***5119.18***	**R.C.** ***5119.18***	**R.C.** ***5119.18, Sections 812.20, 812.30***
Provides that ODMH is to use money in ODMH's Trust Fund to pay for expenditures ODMH incurs in performing any of its duties under state law.	Same as the Executive.	Same as the Executive, but provides for provisions of the bill regarding the ODMH Trust Fund to take effect July 1, 2011.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DMHCD35 Community Mental Health Information System		
R.C. ***5119.61***	**R.C.** ***5119.61***	**R.C.** ***5119.61, Sections 812.20, 812.30***
Provides that the requirement for the ODMH Director to develop and operate a community mental health information system or systems applies to the extent the Director determines necessary and permits the Director to contract for the operation of the system or systems.	Same as the Executive, but requires ODMH to consult with community behavioral health boards regarding the system.	Same as the House, but provides for provisions of the bill regarding the community mental health information system to take effect July 1, 2011.
Fiscal effect: Potential reduction in costs if the ODMH Director is able to contract for the operation of such a system at a lesser cost.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DMHCD19 ODMH Allocations of Subsidies		
R.C. ***5119.62, 340.011, 340.03, 340.08 (Repealed), 340.11, 5119.61, 5119.621, 5119.622, 5119.623, Section 337.20.60***	**R.C.** ***5119.62, 340.03, 340.08 (Repealed), 340.11, 5119.61, 5119.621, 5119.622, 5119.623, 5122.15, Section 337.20.60***	**R.C.** ***5119.62, 340.03, 340.08 (Repealed), 340.11, 5119.61, 5119.621, 5119.622, 5119.623, 5122.15, Sections 337.20.60, 812.20, 812.30***
Revises a requirement for ODMH to allocate to community behavioral health boards state subsidy funds by specifying that the funds to be allocated are funds appropriated to ODMH for the purpose of allocation to boards.	Same as the Executive, but specifies that the state subsidy funds that are to be allocated are the funds appropriated to ODMH for local mental health systems of care.	Same as the House.
No provision.	Requires ODMH to establish the allocation methodology after notifying and consulting with relevant constituencies.	Same as the House.
Eliminates most of the provisions applicable to the allocation of state subsidy funds, including requirements regarding whether a board elects to accept distribution of its allocation.	Same as the Executive, but maintains, in modified forms, some of the provisions applicable to the allocations.	Same as the House.
No provision.	Requires a board that elects not to accept distribution of its allocation to provide ODMH written confirmation that the board, before it conducted a public hearing, received input from certain groups and entities about the impact that the board's election will have on the mental health system in the board's district.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Permits ODMH to allocate state subsidy funds on a district or multi-district basis.	Same as the Executive.	Same as the Executive.
Eliminates a requirement that ODMH annually allocate to boards funds appropriated to ODMH for hospital personal services, hospital maintenance, and hospital equipment (other than such funds used for forensic services) and instead permits ODMH to distribute a portion of GRF appropriation item 334412, Hospital Services, to local boards in FY 2012 under certain restrictions.	Replaces the Executive provision with a provision that (1) permits ODMH annually to allocate to boards a portion of the funds appropriated to ODMH for the operation of state hospital services, (2) requires ODMH to allocate to boards a portion of GRF appropriation item 334412, Hospital Services, for fiscal years 2012 and 2013, (3) requires ODMH to consult with boards in establishing the allocation methodology, and (4) eliminates an option for a board to use a portion of the funds allocated, if ODMH approves, to purchase insurance to pay the board's costs for utilizing the services of state regional psychiatric hospitals if other funds allocated to the board are insufficient.	Same as the House.
Provides for the ODMH Risk Fund to continue to exist in the state treasury for the purpose of the bill's provision regarding ODMH's allocation to boards of state hospital funds until it is no longer needed.	Same as the Executive.	Same as the Executive.
Eliminates a requirement that ODMH provide boards additional state or federal funds for special programs or projects ODMH considers necessary but for which local funds are unavailable.	Replaces the Executive provision with a provision that provides that ODMH is to provide the additional funds at ODMH's discretion.	Same as the House.
No provision.	No provision.	Provides for the provisions of the bill regarding ODMH's allocation of subsidies to take effect July 1, 2011.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

DMHCD24 Boards Using State Funds Against Unionization

R.C. ***5119.62***

Eliminates a prohibition against community behavioral health boards using state funds to discourage employees from seeking collective bargaining representation or encouraging employees to decertify a recognized collective bargaining agent.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Unknown at this time.		
DMHCD40 ODMH Withholding Funds from Boards		
R.C. ***5119.622, 5119.61, 5119.623***	**R.C.** ***5119.622, 5119.61, 5119.623***	**R.C.** ***5119.622, 5119.61, 5119.623***
Revises ODMH's authority to withhold funds from a community behavioral health board that fails to comply with certain state laws or ODMH rules by (1) permitting rather than requiring ODMH to make the withholding, (2) specifying that the funds that are subject to withholding are funds that ODMH allocates to the board rather than unspecified state and federal funds for any program, and (3) specifying that one of the state laws that must be complied with is state law that requires boards to submit annual reports to ODMH regarding the use of their allocations rather than the state law governing the allocations.	Same as the Executive.	Same as the Executive.
Revises ODMH's authority to withhold funds from a board that denies available service on the basis of religion, race, color, creed, sex, national origin, age, disability, developmental disability, or the inability to pay by (1) permitting rather than requiring ODMH to make the withholding and (2) specifying that the funds that are subject to withholding are funds that ODMH allocates to the board rather than unspecified state and federal funds.	Same as the Executive, but removes ODMH's authority to withhold funds allocated to a board if the board denies available service on the basis of the inability to pay.	Same as the House.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DMHCD30 Residential State Supplement		
R.C. ***5119.69, 173.14, 173.35, 340.091, 2903.33, 3721.56, 3722.04, 5101.35, 5119.61, 5119.691, 5119.692, Section 337.30.50***	**R.C.** ***5119.69, 173.14, 173.35, 340.091, 2903.33, 3721.56, 3722.04, 5101.35, 5119.61, 5119.691, 5119.692, Sections 337.30.50, 337.30.75***	**R.C.** ***5119.69, 173.14, 173.35, 340.091, 2903.33, 3721.56, 3722.04, 5101.35, 5119.61, 5119.691, 5119.692, 5119.693, Sections 337.30.50, 337.30.75, 812.20, 812.30***
Transfers to ODMH from ODA the administration of the Residential State Supplement (RSS) Program.	Same as the Executive.	Same as the Executive, but provides for provisions of the bill regarding the transfer of the administration of the RSS Program to take effect July 1, 2011.

Executive	As Passed by the House	As Passed by the Senate
Transfers the certification of adult foster homes to ODMH from ODA.	Same as the Executive, but adds specifications regarding the transition period resulting from the transfer of the certification of adult foster homes from ODA to ODMH.	Same as the House, but provides for provisions of the bill regarding the transfer of the certification of adult foster homes to take effect July 1, 2011.
No provision.	No provision.	Requires criminal records checks on applicants for employment with an adult foster home in a position involving direct care to any "adult resident," rather than only those positions involving direct care to "older adults" (i.e., over age 60) as required under existing law.
Permits ODMH to use GRF appropriation item 335506, Residential State Supplement, to: (1) provide training for adult care facilities serving residents with mental illness; (2) transfer cash to SSR Fund 5R20, Nursing Home Franchise Permit Fee Fund, used by ODJFS; and (3) make benefit payments to RSS recipients. Specifies criteria to be used for the RSS Program when determining whether a resident is eligible for payment and the monthly payment amounts residents are eligible to receive.	Same as the Executive.	Same as the Executive.
No provision.	Provides that a person receiving payments under the RSS Program on the effective date of Section 337.30.50 of the bill is to be unaffected by the bill's transfer of the program from ODA to ODMH and adds specifications regarding the transition period.	Same as the House.
Requires ODMH, in implementing the RSS Program, to designate one or more entities to be responsible for providing administrative services under the program.	Same as the Executive.	Same as the Executive, but permits, rather than requires, ODMH, in implementing the RSS Program, to designate one or more entities to be responsible for providing administrative services under the program.
Fiscal effect: New GRF line item 335506, Residential State Supplement, will be used to fund the RSS Program. The bill allows ODJFS to use dollars from the Nursing Home Franchise Permit Fee Fund (Fund 5R20), which is renamed by the bill, for the RSS Program. However, it is uncertain at this time whether any transfers from this fund to support the RSS Program will take place.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DMHCD14 Adult Care Facilities		
R.C. ***5119.70, 5119.701 to 5119.88, 5119.99; Conforming changes in 109.57, 109.572, 173.14, 173.21, 173.26, 173.35, 173.36, 173.42, 340.03, 340.05, 2317.02, 2317.422, 2903.33, 3313.65, 3701.07, 3701.74, 3721.01, 3721.02, 3722.99 (Repealed), 3737.83, 3737.841, 3781.183, 3791.043, 5101.60, 5101.61, 5111.113, 5119.22, 5119.61, 5119.613, 5119.99, 5123.19, 5701.13, and 5731.39; Section 337.30.80***	**R.C.** ***5119.70, 5119.701 to 5119.88, 5119.99; Conforming changes in 109.57, 109.572, 173.14, 173.21, 173.26, 173.35, 173.36, 173.42, 340.03, 340.05, 2317.02, 2317.422, 2903.33, 3313.65, 3701.07, 3701.74, 3721.01, 3721.02, 3722.99 (Repealed), 3737.83, 3737.841, 3781.183, 3791.043, 5101.60, 5101.61, 5111.113, 5119.22, 5119.61, 5119.613, 5119.99, 5123.19, 5701.13, and 5731.39; Section 337.30.80***	**R.C.** ***5119.70, 5119.701 to 5119.88, 5119.99; Conforming changes in 109.57, 109.572, 173.14, 173.21, 173.26, 173.35, 173.36, 173.42, 340.03, 340.05, 2317.02, 2317.422, 2903.33, 3313.65, 3701.07, 3701.74, 3721.01, 3721.02, 3722.99 (Repealed), 3737.83, 3737.841, 3781.183, 3791.043, 5101.60, 5101.61, 5111.113, 5119.22, 5119.61, 5119.613, 5119.99, 5123.19, 5701.13, and 5731.39; Sections 337.30.80, 812.20, 812.30***
Transfers from ODH to ODMH responsibility for licensing adult care facilities and requires ODMH to adopt rules governing adult care facilities.	Same as the Executive, but provides that the transfer is to occur on July 1, 2011, rather than the effective date of the bill, and adds other certain specifications regarding the transfer.	Same as the House, but permits, rather than requires, ODMH to adopt rules on adult care facilities conducting criminal records checks on applicants for employment and permits, rather than requires, that the rules specify circumstances under which facilities may employ persons convicted of specified offenses but meet personal character standards set by ODMH.
No provision.	No provision.	Requires criminal records checks on applicants for employment with an adult care facility in a position involving direct care to any "adult resident," rather than only those positions involving direct care to "older adults" (i.e., over age 60) as required under existing law.
Specifies that inspections of adult care facilities may be conducted as desk audits or on-site inspections. Provides that if an inspection is conducted to investigate a violation in an adult care facility that serves residents receiving publicly funded mental health services or RSS Program payments, the bill permits the inspection to be coordinated with the appropriate community behavioral health board or RSS administrative agency.	Same as the Executive.	Same as the Executive.
Adds the right to be free from seclusion and mechanical restraint to the rights of an adult care facility resident and	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
modifies the current definition of "physical restraint."		
Removes residents' rights advocates from the list of individuals authorized to assert on behalf of adult care facility residents their statutory residents' rights. Eliminates the authority of residents' rights advocates and sponsors of residents or prospective residents to enter an adult care facility during reasonable hours.	Same as the Executive.	Same as the Executive, but also removes the ODA Director from the list of individuals authorized to assert on behalf of adult care facility residents their statutory residents' rights.
Eliminates the authority of community behavioral health board employees to enter an adult care facility at any time when facility residents are receiving services from a mental health agency under contract with that board or another board.	No provision.	No provision.
If a court grants injunctive relief for operating an adult care facility without a license, requires the facility to assist in relocating residents rather than requiring the facility to assist residents' rights advocates in relocating facility residents as is the case in current law.	Same as the Executive.	Same as the Executive.
Specifies that certain government and mental health agency employees and the ODMH Director may release resident-identifying information from the records of an adult care facility, if authorized by law to do so.	Same as the Executive.	Same as the Executive.
Specifies that a license issued by the ODH Director to an adult care facility is deemed to be a license issued by the ODMH Director if that license is current and valid when the licensing program is transferred to ODMH.	Same as the Executive.	Same as the Executive.
Fiscal effect: According to ODMH, about $1.1 million in funding has been added in each year to GRF line item 333321, Central Administration, for ODMH to license and inspect adult care facilities.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DMHCD22 **Community Behavioral Health Board Duties Regarding Hospitalization**		
R.C. ***340.03, 5119.02, 5119.021, 5122.01, 5122.02, 5122.05, 5122.12, 5122.13, 5122.14, 5122.15, 5122.21, 5122.23, 5122.25, 5122.31, 5122.36 (Repealed), Sections 812.10, 812.40***	**R.C.** ***5122.36 (Repealed)***	**R.C.** ***5122.36 (Repealed)***
Transfers, effective July 1, 2012, various duties regarding mentally ill persons subject to hospitalization by a probate court from community behavioral health boards to ODMH.	No provision.	No provision.
Repeals current law that makes the county of residence of an individual with mental illness responsible for the necessary expense of returning the individual to the individual's county of residence and regular probate court fees and expenses incident to an order of hospitalization, effective July 1, 2012.	Same as the Executive, but removes the delayed effective date.	Same as the House.
Fiscal effect: Potential decrease in costs of civil bed days utilized at state psychiatric hospitals.	**Fiscal effect: None.**	**Fiscal effect: Same as the House.**
DMHCD18 **Exchange of Confidential Health Information by ODMH-Licensed Hospitals**		
R.C. ***5122.31***	**R.C.** ***5122.31***	**R.C.** ***5122.31***
Authorizes hospitals licensed by ODMH to exchange with other health care providers a patient's psychiatric records and other pertinent information if the purpose of exchanging the confidential information is to facilitate the continuity of the patient's care.	Same as the Executive, but (1) permits the exchange of the confidential information with payers and (2) extends this authority to other ODMH hospitals, institutions, and facilities and to community mental health agencies.	Same as the House.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DMHCD25 Qualified Immunity of Facilities and Agencies		
R.C. ***5122.341***	**R.C.** ***5122.341***	**R.C.** ***5122.341***
Grants members of a board of directors and employees of a facility or agency in which ODMH places a person committed to ODMH qualified immunity for injury or damages the person suffers.	Same as the Executive, but revises the provision to reflect the revisions made to the bill's provisions that transfer various duties regarding the commitment of individuals with mental illness from community behavioral health boards to ODMH.	Same as the House.
Fiscal effect: If an injury occurs to a person at a facility or agency in which ODMH places a person committed to ODMH, reduced legal costs because of qualified immunity.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DMHCD7 Flexible Funding for Families and Children		
Section: ***337.30.10***	**Section:** ***337.30.10***	
Permits any community behavioral health board that receives allocations from ODMH through GRF appropriation item 335405, Family & Children First, in collaboration with the county family and children first council, to transfer portions of those allocations to a flexible funding pool.	Same as the Executive.	No provision.
Fiscal effect: May provide county councils with some financial flexibility to provide services to children and families.	**Fiscal effect: Same as the Executive.**	
DMHCD10 Local Mental Health Systems of Care		
Section: ***337.30.40***	**Section:** ***337.30.40***	**Section:** ***337.30.40***
Requires that GRF appropriation item 335505, Local Mental Health Systems of Care, be used by community behavioral health boards to purchase mental health services authorized by the ODMH Director.	Same as the Executive, but specifies that the services boards may purchase are those permitted under Chapter 340. of the Revised Code.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: This line item is being used to consolidate the sources of state funding for community mental health services and has been increased over FY 2011 estimated expenditures to partially offset the proposed decrease and discontinuance of other line items. Given the executive recommendation, collectively, boards will receive about $15 million less in FY 2012 than in FY 2011 to provide services for individuals not eligible for Medicaid.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

DMHCD41 Conveyance of ODMH Cuyahoga County Hospital Facility

		Section: ***753.25***
No provision.	No provision.	Authorizes the conveyance of state-owned real estate to the Board of County Hospital Trustees of The MetroHealth System, in Cuyahoga County. (ODMH plans to vacate the facility and consolidate its two Northcoast Behavioral Healthcare facilities.)
No provision.	No provision.	Requires the ODMH Director to disburse $3.4 million from capital appropriation item C58010, Campus Consolidation, to the grantee within 30 days of the conveyance.

Executive	As Passed by the House	As Passed by the Senate
DNRCD33 Distribution of Timber Sales Proceeds		
		R.C. ***1503.05, 1503.141***
No provision.	No provision.	Alters the distribution of the proceeds of timber sales so that 35% is directed to the State Forest Fund (Fund 5090) and no proceeds are directed to the GRF, rather than the current formula of 25% to Fund 5090 and 10% to the GRF.
No provision.	No provision.	Authorizes the Chief of the Division of Forestry to annually request the Director of Budget and Management to transfer to the Wildfire Suppression Fund (Fund 4M70) not more than $100,000 from the State Forest Fund (Fund 5090) rather than from the GRF as under current law. **Fiscal effect: Reduces revenues to the GRF by the amount that it otherwise would have received from timber sale proceeds (typically between $100,000 and $200,000 annually), and changes the source of funding for the Wildlife Suppression Fund (Fund 4M70) from the GRF to Fund 5090.**

Executive	As Passed by the House	As Passed by the Senate
DNRCD6 Division of Geological Survey		
R.C. ***1505.01, 1505.011, 1505.04-1505.06, 1505.09, 1505.11, 1505.99***	**R.C.** ***1505.01, 1505.011, 1505.04-1505.06, 1505.09, 1505.11, 1505.99***	**R.C.** ***1505.01, 1505.011, 1505.04-1505.06, 1505.09, 1505.11, 1505.99***
Revises the duties of the Division of Geological Survey to (1) include dolomite, aggregates, sand, gravel, oil, and natural gas in the list of materials collected and studied by the Division; (2) add environmental, health, welfare, and public safety concerns to the list of considerations for its studies and reports; (3) require the making and storing of maps, diagrams, profiles, and geologic sections to be cataloged and available in perpetuity and to add data, records, rock cores, and samples as other information that must be so cataloged and made available; (4) authorize the Division to collaborate with other state agencies, other state governments, or the federal government on geological issues, and requires such collaboration when requested by such entities; (5) permit the Division to create custom maps, data sets, or other products for government agencies, colleges and universities, and other persons; and (6) permit the Division to provide information on the geology of the state to such entities.	Same as the Executive.	Same as the Executive.
Specifies that any custom maps, data sets, or other products created by the Division for colleges and universities, governmental agencies, or other persons are intellectual property records under the Public Records Law. Requires such records for persons to be held confidential pursuant to a contract and authorizes such records for colleges and universities and governmental agencies to be held confidential pursuant to a contract.	Same as the Executive.	No provision.
Requires the Chief of the Division of Geological Survey to adopt rules that establish fee schedules for requests for (1) data from geologic records, maps, and samples that may include the costs of specialized storage, programming, labor, research, retrieval, data manipulation, and copying and mailing; and (2) custom maps, data sets, and other custom	Same as the Executive, but further requires that any revision to a fee schedule be made in rules under Chapter 119. of the Revised Code.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
products, and for providing geological information that may include the costs of labor, research, analysis, equipment, and technology. Permits the Chief to waive a fee for a student enrolled in an institution of higher education. Requires any revision to a fee schedule to be reviewed by the Ohio Geology Advisory Council and approved by the Director of Natural Resources. Requires all revenue from such fees to be deposited in the Geological Mapping Fund (Fund 5110).		
Adds geologic hazards and energy resources to the list of subjects on which reports and maps funded by the Geological Mapping Fund may be produced.	Same as the Executive.	Same as the Executive.
Requires any person who fails to comply with well log filing requirements to be fined not less than $100 and not more than $1,000 for a first offense, and not less than $1,000 but not more than $2,000 for a second and any subsequent offense.	Same as the Executive.	Same as the Executive.
Fiscal effect: Potential gain in fee and fine revenues to the Geological Mapping Fund (Fund 5110).	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

DNRCD27 Administrative and Technical Changes to the Oil and Gas Law

	R.C. ***1509.01, 1509.02-1509.022, 1509.04***	**R.C.** ***1509.01, 1509.02-1509.022, 1509.04***
No provision.	Adds oil and gas well stimulation and completion as an aspect of the Division of Oil and Gas Resources Management's statewide comprehensive plan, and specifies that the plan includes site construction and the permitting of discharges related to site construction and restoration.	Same as the House, but removes the reference to discharges so that the statewide comprehensive plan instead includes permitting related to site construction and restoration as part of the plan.
No provision.	Prohibits a new oil or gas well or tank battery from being located within 50 feet of a stream, river, watercourse, water well, pond, lake, or other body of water, but authorizes the Chief of Oil and Gas Resources Management to reduce that distance the Chief deems it necessary to reduce the impacts to the owner of the land or to protect public safety or the environment.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Allows the surface location of a new directionally drilled well to be located on a parcel that is not part of the well's drilling unit if the surface location is in compliance with setback requirements.	Same as the House.
No provision.	Expands the definition of "production operation."	Same as the House.
No provision.	Authorizes the Chief of Oil and Gas Resources Management to issue compliance notices.	Same as the House.
No provision.	No provision.	Excludes from the Division of Oil and Gas Resources Management's exclusive authority (1) any federally regulated activities for which oversight is delegated to the Environmental Protection Agency, and (2) activities regulated under certain statutes governing isolated wetlands.
	Fiscal effect: None apparent. Administrative costs for this purpose are paid from the Oil and Gas Well Fund (Fund 5180).	**Fiscal effect: Same as the House.**

DNRCD3 Absorption of Division of Natural Areas and Preserves by the Division of Parks and Recreation

R.C. ***1517.02, (1541.51), 109.71, 121.04, 145.01, 317.08, 742.63, 1501.04, 1501.45, 1506.35, 1513.02, 1517.01 (1541.50), 1517.021 (1541.52), 1517.03-1517.13 (1541.53-1541.64), 1517.21-1517.26 (1541.80-1541.85), 1518.01-1518.05 (1541.70-1541.74), 1531.131, 1531.17, 1541.99, 2935.01, 2935.03, 3714.03, 5709.09, 5747.113, Sections 512.50 and 515.10, Repealed: R.C. 1517.99, 1518.99***

Eliminates the Division of Natural Areas and Preserves and transfers all of the Division's current duties and responsibilities to the Division of Parks and Recreation.	No provision.	No provision.
Eliminates the Natural Areas and Preserves Law Enforcement Fund (Fund 5EK0) and transfers the remaining balance in that fund to the Parks and Recreation Law	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Enforcement Fund (Fund 5EM0); requires the Director of Budget and Management to cancel existing encumbrances against SSR Fund 5EK0 appropriation item 725611, Natural Areas and Preserves Law Enforcement, and re-establish them against Fund 5EM0 appropriation item 725613, Park Law Enforcement, and also appropriates the transferred amount to appropriation item 725613; and abolishes Fund 5EK0 upon completion of the transfer.		
Renames the Natural Areas and Preserves Fund (Fund 5220) the Natural Areas and Preserves and State Parks Fund, and adds acquisition of parks and recreation properties; parks and recreation projects; and maintenance, repair, and renovation of parks and recreation facilities to the list of purposes for which money in the fund may be used. **Fiscal effect: Potential consolidation of administrative costs for parks and natural areas and preserves; essentially codifies organizational changes begun in the FY 2010-FY 2011 biennium.**	No provision.	No provision.
DNRCD30 Ohio Natural Areas Council		
		R.C. ***1517.03, Section 515.23***
No provision.	No provision.	Revises the membership of the Ohio Natural Areas Council by terminating the terms of the current members and providing for the appointment of new members; requires members to be appointed by the Governor rather than the Director of Natural Resources; and establishes procedures and requirements for appointing members.
No provision.	No provision.	Requires the Council to hold at least one regular meeting every three months rather than at least one meeting per calendar year.
No provision.	No provision.	Specifies that the Council is to advise the Director of Natural Resources or the Director's designee, rather than the Chief of the Division of Natural Areas and Preserves, on the administration and preservation of natural areas and

Executive	As Passed by the House	As Passed by the Senate
		preserves, and requires the Department of Natural Resources to provide technical, legal, and administrative services to the Council. **Fiscal effect: Potential minimal increase in DNR administrative costs, either from the GRF or the Departmental Projects Fund (Fund 1550).**
DNRCD35 Changes to Exemptions for Hunting and Fishing Licenses and Permits		
		R.C. ***1533.10, 1533.11, 1533.111, 1533.32***
No provision.	No provision.	Requires a nonresident owner of land in Ohio and the owner's children and grandchildren, if applicable, to purchase a nonresident hunting license, deer or wild turkey permit, fur-taker permit, or nonresident fishing license by applying the exemptions in current law for landowners and their families only to Ohio residents.
No provision.	No provision.	Allows residents who are members of limited liability companies with three or fewer members, partners of limited liability partnerships with three or fewer total members, or trustees or beneficiaries of trusts of three or fewer total trustees and beneficiaries, as well as any children or under-18 grandchildren of the above, to hunt without a license, take deer or wild turkey without a permit, hunt or trap fur-bearing animals without a permit, and fish without a license on land owned by the limited liability company, limited liability partnership, or trust, respectively. **Fiscal effect: Potential gain to the Wildlife Fund (Fund 7015) from nonresident hunting and fishing license and permit fees, which could be partially offset by forgone fee revenues from members of limited liability companies, limited liability partnerships, and trusts who hunt or fish on company-owned, partnership-owned, or trust-owned land.**

Executive	As Passed by the House	As Passed by the Senate
DNRCD31 Wild Animal Hunting Preserves		
		R.C. ***1533.731***
No provision.	No provision.	Prohibits a wild animal hunting preserve from being located within 1,500 feet, rather than 3,000 feet, of another hunting preserve or a commercial bird shooting preserve, and requires the boundaries of a wild animal hunting preserve to be marked by signs at intervals of not more than 400 feet, rather than 200 feet as in current law.
DNRCD26 Oil and Natural Gas Drilling on State Park Land		
R.C. ***1541.03, 1541.25, 1541.26***	**R.C.** ***1541.03, 1541.25, 1541.26***	
Authorizes the Chief of the Division of Parks and Recreation, with the approval of the Director of Natural Resources, to sell, lease, or transfer minerals or mineral rights, specifically oil or natural gas, on state-owned lands administered by the Division, and to enter into contracts for drilling for oil and gas.	Same as the Executive.	No provision.
Requires money collected from oil and gas leases to be credited to the State Park Fund (Fund 5120), and requires money collected from oil and gas royalties to be credited to the Parks Mineral Royalties Trust Fund.	Same as the Executive.	No provision.
Creates the Parks Mineral Royalties Trust Fund in the custody of the Treasurer of State and in the state treasury; requires money in the Trust Fund to be used by the Division for capital improvements, maintenance, repairs, and renovations on state properties administered by the Division.	Same as the Executive, but clarifies that the Parks Mineral Royalties Trust Fund is a custodial fund that is not a part of the state treasury.	No provision.
Creates the Parks Mineral Royalties Fund in the State Treasury; specifies that the fund is to consist of investment earnings of the Parks Mineral Royalties Trust Fund and any principal transferred from the Trust Fund; and authorizes the annual transfer of up to 10% of the principal of the Trust Fund to the Parks Mineral Royalties Fund.	Same as the Executive.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Requires money in the Parks Mineral Royalties Fund to be used to facilitate capital improvements, maintenance, repairs, and renovations on state properties administered by the Division of Parks and Recreation.	Same as the Executive.	No provision.
Fiscal effect: Gain in revenues from lease payments to the State Park Fund (Fund 5120); gain in revenues from royalties to the newly created Parks Mineral Royalties Trust Fund and Parks Mineral Royalties Fund. Revenues would depend upon land valuations, royalty rates, oil and gas prices, and other factors.	**Fiscal effect: Same as the Executive.**	

DNRCD9 Transfer from the Coal Workers' Pneumoconiosis Fund to the Mine Safety Fund

R.C. ***4131.03***	**R.C.** ***4131.03***	**R.C.** ***4131.03***
Requires the Administrator of Workers' Compensation, when requested by the Director of Natural Resources, to transfer annually an amount not to exceed $3,000,000, rather than an unspecified amount as in current law, from the investment earnings of the Coal Workers' Pneumoconiosis Fund to the Mine Safety Fund (Fund 5CU0).	Same as the Executive, but authorizes an additional annual transfer of up to $1,500,000 to the Coal Mining Administration and Reclamation Reserve Fund (Fund 5260) during the biennium.	Same as the House.
Fiscal effect: Caps the annual amount that may be transferred to the Mine Safety Fund at $3,000,000.	**Fiscal effect: Same as the Executive, but authorizes an additional amount not to exceed $1,500,000 annually to be transferred to the Coal Mining Administration and Reclamation Reserve Fund (Fund 5260).**	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
DNRCD32 **Transfer of Funds for Oil and Gas Division Operations**		
		Section: ***343.40.30***
No provision.	No provision.	Authorizes the Director of Budget and Management, in consultation with the Director of Natural Resources, to transfer cash as necessary from the GRF to the Oil and Gas Well Fund (Fund 5180) to support expanded oil and gas operations in anticipation of increased regulatory work. Requires the establishment of a repayment schedule to return the transferred funds to the GRF once sufficient funds have accrued to Fund 5180 to sustain expanded operations. **Fiscal effect: Potential increase in funds transferred from the GRF to the Oil and Gas Well Fund (Fund 5180).**
DNRCD34 **Transfer for Grand Lake St. Marys Algae Mitigation**		
		Section: ***343.40.60***
No provision.	No provision.	Authorizes the transfer of $4,000,000 in cash from the Watercraft Revolving Loan Fund (Fund 5AW0) to the Waterways Safety Fund (Fund 7086) in FY 2012 for toxic algae mitigation at Grand Lake St. Marys State Park, and appropriates $4,000,000 for that purpose in FY 2012 in Fund 7086 appropriation item 725693, Grand Lake St. Marys Mitigation.
DNRCD28 **Caesar Creek Marina Project**		
	Section: ***343.40.60***	**Section:** ***501.20***
No provision.	Authorizes the transfer of up to $4,000,000 in cash from the Watercraft Revolving Loan Fund (Fund 5AW0) to the Waterways Safety Fund (Fund 7086) to support a marina project at Caesar Creek State Park.	Replaces the House provision with a capital appropriation of $4,000,000 in FY 2012 in Parks and Recreation Improvement Fund (Fund 7035) appropriation item C725S3, Caesar Creek Marina.

Executive	As Passed by the House	As Passed by the Senate
PRXCD1 Private Contracting Authority		
	R.C. *4729.021*	
(1) No provision.	(1) Authorizes the State Board of Pharmacy to enter into contracts with private entities for the furtherance of its duties and requires the Board to have a preference for contracting with Ohio-based companies.	(1) No provision.
(2) No provision.	(2) Requires any revenue received by the Board from such contracts to be deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90), and permits such revenue to be used for any purpose determined by the Board to be relevant to its duties, including the establishment and maintenance of the Ohio Automated RX Reporting System, or OARRS (a database that monitors the misuse and diversion of controlled substances and other dangerous drugs). **Fiscal effect: The Board plans to use this authority initially to contract with a private entity to assist the Board in identifying manufacturers that should be, but are not currently, licensed by the Board. The amount of additional revenue that might be generated by this or other contracts is uncertain.**	(2) No provision.
PRXCD2 Fees for Wholesale Distributors of Dangerous Drugs		
		R.C. *4729.52*
No provision.	No provision.	Increases fees charged to wholesale distributors of dangerous drugs as follows: (1) initial registration $750 (from $150), (2) renewal of registration $750 (from $150), and (3) penalty for reinstatement of registration certificate that has not been timely renewed (in addition to renewal fee) $150 (from $55).

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: Up to $900,000 or more will be generated annually for deposit into the Occupational Licensing and Regulatory Fund (Fund 4K90).

Executive	As Passed by the House	As Passed by the Senate
DPSCD58 **Acceptance of Driver's License Reinstatement Fees by Municipal and County Court Clerks**		
		R.C. ***4503.03, 4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 4510.72, 4511.191***
(1) No provision.	(1) No provision.	(1) Eliminates the authority of deputy registrars to accept driver's license reinstatement fees.
(2) No provision.	(2) No provision.	(2) Establishes a pilot program to allow clerks of municipal courts and county courts to accept driver's license reinstatement fees, and permits the Bureau of Motor Vehicles to make the program permanent and expand it should the pilot program prove effective.
		Fiscal effect: Uncertain.
DPSCD53 **Freemason License Plates**		
	R.C. ***4503.70***	**R.C.** ***4503.70***
No provision.	Requires persons who obtain Freemason license plates to be members in good standing of the Grand Lodge of Free and Accepted Masons of Ohio.	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**
DPSCD60 **Sale of a Used Motor Vehicle by a Dealer without a Certificate of Title**		
		R.C. ***4505.181***
(1) No provision.	(1) No provision.	(1) Requires that a dealer, or person acting on behalf of the dealer, possess a bill of sale for each used motor vehicle, used manufactured home, and used mobile home sold or a power of attorney, or other related documents, from the prior owner of the motor vehicle, manufactured home, and mobile home.

Executive	As Passed by the House	As Passed by the Senate
(2) No provision.	(2) No provision.	(2) Modifies the payments motor vehicle and manufactured housing dealers must make to the Title Defect Recision Fund (Fund 4Y70).
(3) No provision.	(3) No provision.	(3) Establishes the maximum time frame for retail purchasers to demand recision from the dealer, depending on the circumstances surrounding the sale.
		Fiscal effect: Uncertain.
DPSCD55 **Entirely Electronic Remedial Driving Course**		
	R.C. ***4510.037, 4510.038***	
No provision.	Allows the Director of Public Safety to approve a course of remedial driving instruction that permits students taking the course to the take the entire course electronically, rather than only 50% of the course as currently allowed.	No provision.
	Fiscal effect: None.	
DPSCD57 **Construction Equipment Auction License**		
		R.C. ***4517.01, 4517.02***
(1) No provision.	(1) No provision.	(1) Clarifies that a construction equipment auction license is required only when a person is in the business of auctioning both large construction or transportation equipment and also, incidental to that business, motor vehicles.
(2) No provision.	(2) No provision.	(2) Specifies that the new construction equipment auction license does not in any way affect the conduct of auctions by any person holding an auction-related license issued by the Department of Agriculture who is acting in compliance with licensing requirements.
(3) No provision.	(3) No provision.	(3) Modifies the definition of a "construction equipment auctioneer" so that a person may engage in the business of auctioning large construction equipment if the person has not only a valid construction equipment auction license issued by the Registrar of Motor Vehicles, but also a valid

Executive	As Passed by the House	As Passed by the Senate
		auction firm license issued by the Department of Agriculture, rather than an auctioneer's license. **Fiscal effect: None.**
DPSCD59 **Initial Motor Vehicle Dealer and Motor Vehicle Leasing Dealer License Fee**		
		R.C. ***4517.10***
No provision.	No provision.	Requires each applicant for an initial motor vehicle dealer's license or motor vehicle leasing dealer's license to pay a separate fee "equal to the last assessment" required of motor vehicle dealers ($150) for purposes of the Title Defect Recision Fund (Fund 4Y70) and requires the Registrar of Motor Vehicles to deposit the fee into that fund. **Fiscal effect: Uncertain.**
DPSCD56 **Motor Vehicle Dealers**		
	R.C. ***4517.12, 4517.04, 4517.09, 4517.24***	**R.C.** ***4517.12, 4517.04, 4517.09, 4517.24***
(1) No provision.	(1) Repeals the requirement that motor vehicle dealers applying for a license demonstrate that they will provide each customer a binding agreement ensuring that the customer has the right to have the vehicle repaired at a dealer who is licensed to sell the same line of vehicles.	(1) Same as the House.
(2) No provision.	(2) Requires that applications for licenses to sell new motor vehicles as a dealer be made biennially, as opposed to annually.	(2) Same as the House.
(3) No provision.	(3) Requires that applications for licenses to act as a new motor vehicle salesperson be made biennially, as opposed to annually.	(3) Same as the House.
(4) No provision.	(4) Repeals an exception that permits two or more motor vehicle dealers to sell manufactured or mobile homes in the same manufactured home park without having to agree to joint, several, and personal liability arising from their engaging in business at the same location.	(4) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: Allowing the Motor Vehicle Dealers Board to process license applications biennially rather than annually may reduce administrative costs.	**Fiscal effect: Same as the House.**
DPSCD54 Liquor Enforcement Appropriation		
	Section: ***610.10***	**Section:** ***610.10***
No provision.	Amends Section 205.10 of H.B. 114 of the 129th General Assembly to reduce LCF appropriation item 767321, Liquor Enforcement – Operating, by $1,447,178 in FY 2012, from $11,897,178 to $10,450,000, and by $1,297,178 in FY 2013, from $11,897,178 to $10,600,000.	Replaces the House provision with a provision that reduces LCF appropriation item 767321, Liquor Enforcement – Operating, by $897,178 in each fiscal year, from $11,897,178 to $11,000,000.

Executive	As Passed by the House	As Passed by the Senate
PUCCD4 Minority and Bilingual Community Outreach		
	R.C. ***4905.98***	
No provision.	Requires public utilities to do their best to include minority and bilingual consumer outreach. **Fiscal effect: None**	No provision.
PUCCD5 Power Siting Board Regulation Exemption		
		R.C. ***4906.01***
No provision.	No provision.	Exempts, from regulation by the Power Siting Board (namely the requirement to obtain a certificate for construction), manufacturing facilities that create byproducts that may be used in the generation of electricity as defined by the Power Siting Board. Clarifies that certain utility lines and facilities exempt from Power Siting Board regulation under current law are as defined by the Power Siting Board. **Fiscal effect: Potential decrease in expenditures from and fee revenue to the Power Siting Board Fund (Fund 5610) in the State Special Revenue Fund Group.**
PUCCD6 Community-voicemail Service Pilot Program Repeal		
		Sections: ***365.10, 620.51, 620.52, 620.53, R.C. 4927.17***
No provision.	No provision.	Repeals the Community-voicemail Service Pilot Program and the Community-voicemail Service Pilot Program Fund created by Sub. S.B. 162 of the 128th General Assembly. Requires assessments made under the program to cease and the Public Utilities Commission to refund them, without interest and within 60 days of the effective date of the section, to the local exchange carriers that paid them.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: Reduces PUCO expenditures by an amount up to $500,000 over a two year period for SSR appropriation item 870632, Community - Voicemail Service, thereby allowing a refund of assessments in a corresponding amount.
PUCCD3 **Reallocation of Funds Resulting from Reduced OCC Appropriation**		
	R.C. ***4909.15, 4928.18***	**Section:** ***749.10***
No provision.	Requires the Public Utilities Commission of Ohio (PUCO) to recalculate public utilities' rates, for utilities that do not pay the minimum Office of Consumers' Counsel (OCC) assessment, by the end of 2011 for closed rate cases, based on payments of assessments calculated in accordance with the reduced appropriation amount for the OCC contained in the bill.	Replaces the House provision with a provision that requires instead that the PUCO, by the end of 2011, determine appropriate methods for the distribution of the reduced OCC appropriation contained in the bill to the benefit of utility customers, and requires the Commission to implement the methodology in a timely manner.
	Fiscal effect: Under existing law, OCC operations are funded by assessments on regulated utilities, with the amount assessed determined by the amount appropriated to GSF item 053601. The appropriation to this line item is reduced by about $4.4 million (51%) from FY 2011 to FY 2012. This provision ensures that the reduction in the amount appropriated is returned to the customers of utilities affected by the provision, rather than being retained by the utility.	**Fiscal effect: Same as the House, except that the mechanism for refunding the amounts to utility customers is left to the PUCO to determine; also the OCC appropriation in the Senate version of the bill implies that customers should receive $7.2 million over the biennium rather than $4.4 million per year.**

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 costs of PWC or of the local government integrating and innovation committees in administering the grant program.	(5) No provision.

Executive	As Passed by the House	As Passed by the Senate
(6) No provision.	(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. **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.**	(6) No provision.

Executive	As Passed by the House	As Passed by the Senate
RACCD2 Thoroughbred Racing: Extended Times		
	R.C. *3769.07*	
No provision.	Extends to 11:00 p.m. the current exception allowing the 7:00 and 8:00 p.m. closing times for horse racing to be extended to 9:00 p.m. for any running horse-racing meeting conducted between May 15 and September 15 at a track that is located more than 25 miles from a track located in Ohio where a light harness horse-racing meeting, other than a light harness horse-racing meeting at a county fair or independent fair, is being conducted and that is located less than 25 miles from a track located outside Ohio. **Fiscal effect: None.**	No provision.
RACCD1 Racing Facility Capital Improvement Tax Reduction Extension		
	R.C. *3769.20*	**R.C. *3769.20***
No provision.	Extends to December 31, 2017, from December 31, 2014, the final date on which a horse racing permit holder is eligible to take tax reductions to recover costs incurred in a renovation, reconstruction, or remodeling project costing at least $6 million at a race track. (The taxes reduced are those paid on amounts wagered on racing.) **Fiscal effect: May reduce tax revenues to funds used by the Racing Commission and to the Ohio Fairs Fund (Fund 7083). Amounts paid to the nursing home franchise permit fee fund (Fund 5R20) in the bill, that supports the Department of Aging's PASSPORT program, are excluded from such reductions.**	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
BORCD83 Term of the Chancellor		
	R.C. ***3333.03, 121.03, Section 630.12***	**R.C.** ***3333.03, 121.03, Section 630.12***
No provision.	Changes the term of the Chancellor of the Board of Regents (BOR) from five years to the term of the appointing Governor.	Same as the House.
No provision.	Specifies that the Chancellor serves at the pleasure of the Governor, instead of permitting the Governor to remove the Chancellor only for inefficiency, dereliction of duties, ethics violations, falsification of files, or corruption.	Same as the House.
	Fiscal effect: None.	**Fiscal effect: None.**
BORCD84 In-state Tuition for Ohio High School Graduates		
	R.C. ***3333.31***	**R.C.** ***3333.31***
No provision.	Grants residency status, for purposes of in-state college tuition, to Ohio high school graduates who enroll in an institution of higher education and establish domicile in Ohio within 10 years of high school graduation, regardless of residence prior to enrollment.	Same as the House, but prohibits granting residency status to any alien unless the alien has been granted: (1) the right to reside permanently and work without restrictions in the United States, or (2) the right to reside temporarily in the United States.
	Fiscal effect: Potential increase in the number of undergraduate students eligible for State Share of Instruction (SSI) subsidy, which could result in a small decrease in the amount of subsidy funding per student.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
BORCD62 Three-year Baccalaureate Degree Statements		
R.C. ***3333.43***	**R.C.** ***3333.43***	**R.C.** ***3333.43***
Requires all state institutions of higher education that offer baccalaureate degrees to issue a statement describing a method of earning those degrees within three academic years consisting of the equivalent of two semesters each, as a condition of the Chancellor's reauthorization of those baccalaureate programs.	Same as the Executive, but removes the two-semester limit on the definition of an academic year.	Same as the House, but specifies that the three-year degree statement requirements do not apply to any baccalaureate degree program that is a cooperative education program, as defined in R.C. section 3333.71.
Permits the statements to include, but not be limited to the following methods of earning credit: (1) advanced placement; (2) international baccalaureate; (3) courses offered by other institutions or earned through the post-secondary enrollment options program; (4) courses completed during the summer session immediately preceding the three-year period if the summer courses are available to at least 95% of students who apply to enroll in such courses; and (5) foreign language proficiency exam.	Same as the Executive, but eliminates the requirement that the summer courses in (4) immediately precede the three-year period and be available to at least 95% of students.	Same as the House.
If one of the above methods requires a passing score, grade, or exam level to earn credit, requires that the statement specify the score, grade, or level.	No provision.	No provision.
Prohibits the statements from requiring students to take more than a standard course load per term.	No provision.	No provision.
Requires statements for 10% of programs by October 15, 2012, and 60% by June 30, 2014. Requires the programs with the greatest enrollments receive statements first.	Same as the Executive, but permits institutions to choose which programs receive statements first.	Same as the House.
Requires institutions to post the statements on their websites and provide them to the Department of Education for distribution to school districts.	Same as the Executive.	Same as the Executive.
Specifies that institutions do not have to include anything in their statements that would violate accreditation requirements.	Same as the Executive, but specifies that institutions do not have to "take any actions" that would violate accreditation requirements, rather than "include anything in their statements."	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Potential costs if institutions must increase course offerings in order to accommodate a student obtaining a degree in three years. Possible minimal cost to institutions for the creation of the three-year degree statements.	**Fiscal effect: Same as the Executive, but requirements are potentially easier to meet and, therefore, less costly.**	**Fiscal effect: Same as the House.**

BORCD80 Digital Learning Task Force

R.C. *3333.81, Section 371.60.80*	R.C. *3333.81, Sections 371.60.80*	R.C. *3333.81, Sections 371.60.80*
Creates the Ohio Digital Learning Task Force to develop a strategy for the expansion of digital learning that enables students to customize their education, produces cost savings, and meets the needs of Ohio's economy.	Same as the Executive.	Same as the Executive.
Specifies the members of the Task Force as the Chancellor of the Ohio Board of Regents, the Superintendent of Public Instruction, the Director of the Governor's Office of 21st Century Education, and up to six members appointed by the Governor, who represent districts in the top 5% according to the performance index that have demonstrated an ability to incorporate technology into the classroom.	Same as the Executive, but permits the Chancellor, the Superintendent, and the Director to send designees; removes the requirement that the Governor's appointees represent school districts in the top 5% of districts according to the performance index; specifies that the Governor's appointees also may represent community schools; and adds two new members - one appointed by the Speaker of the House and one appointed by the Senate President.	Same as the House.
Requires that members of the Task Force be appointed by September 30, 2011. Specifies that Task Force vacancies are to be filled in the same manner as the original appointments. Specifies that members serve without compensation.	Same as the Executive, but changes the deadline for appointment of members to 60 days after the bill's effective date.	Same as the House.
Requires the Governor to designate the chairperson of the Task Force. Specifies that meetings of the Task Force are to be held at the call of the chairperson.	Same as the Executive.	Same as the Executive.
Provides a list of issues that the task force is to make recommendations on, including: (1) free, high quality digital content and instruction; (2) professional development for teachers and principals; (3) funding strategies; (4) student assessment and accountability; (5) digital learning infrastructure; (6) mobile learning; (7) the distance learning	Same as the Executive, but eliminates (9) and adds methods for removing redundancy and inefficiency in, and providing coordination of, all digital learning programs, including the provision of free online instruction to public and nonpublic schools statewide.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
clearinghouse; (8) ways to align the resources and digital learning initiatives of state agencies and offices; (9) a request for proposals for a digital learning site, to replace the OhioLearns! Gateway; (10) methods of addressing future changes in technology and learning.		
No provision.	Requires the Task Force to (1) request information from textbook publishers about digital textbooks and digital content distribution methods, (2) examine potential cost savings and academic benefits of using digital textbooks, (3) examine potential academic benefits of utilizing digital content distribution methods, (4) examine digital content pilot programs and initiatives (5) examine any state-level initiatives to provide digital content in Ohio.	Same as the House.
Requires the Task Force to issue a report to the Governor and the General Assembly by March 1, 2012. Specifies that, upon issuance of its report, the Task Force will cease to exist.	Same as the Executive.	Same as the Executive.
Fiscal effect: Probable increase in administrative costs relating to the establishment and operations of the task force.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
BORCD87 Electronic Textbook Programs		
	R.C. ***3333.81, Section 371.60.90***	**R.C.** ***3333.81, Section 371.60.90***
No provision.	Requires the Chancellor to facilitate full implementation of digital textbook and content pilot programs planned at state institutions of higher education and to ensure that those pilot programs examine cost savings, efficiencies, and academic benefits of digital content.	Same as the House.
	Fiscal effect: Possible increase in administrative costs for BOR.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
BORCD97 **Out-of-State Tuition Surcharge Forgiveness Program**		
		R.C. ***3333.93, 3333.94***
No provision.	No provision.	Creates the Ohio Out-of-State Tuition Surcharge Forgiveness Program, which defers the out-of-state tuition surcharge for nonresident students who agree to live and work in Ohio for at least five years immediately subsequent to graduation and forgives the deferred surcharges when students honor the five-year obligation.
No provision.	No provision.	Requires the Chancellor to adopt rules to administer the program, including student eligibility; processes for application, award, accounting, and transfers; a maximum deferment amount; and conditions for deferment cancelation. Requires all applicants to file a statement of selective service status.
No provision.	No provision.	Authorizes the boards of trustees of the state institutions to limit the number of their students who may participate and to establish eligibility standards for their students.
No provision.	No provision.	Converts the amount of the out-of-state surcharge into a loan to be repaid with interest if the recipient fails to live and work in Ohio for five years, withdraws from school, or fails to meet the standards of deferment. Requires the Chancellor to determine the loan repayment period. Specifies that the Chancellor and the Attorney General collect payments on converted loans.
No provision.	No provision.	Specifies that the program is to incrementally forgive the total amount of out-of-state surcharges deferred for every year the graduate lives and works in Ohio: 10% at the end of the first year, 20% at the end of the second year, 30% at the end of the third year, 50% at the end of the fourth year, and 100% at the end of the fifth year.
No provision.	No provision.	Specifies that students who receive the deferment as an undergraduate and subsequently go directly to a graduate program at a state institution do not begin payment until

Executive	As Passed by the House	As Passed by the Senate
		after the end of their graduate study. Specifies that students remaining in Ohio after graduation have a maximum of six months to satisfy the work requirement before the loan repayment period begins. **Fiscal effect: Decrease in tuition revenues for state institutions of higher education enrolling out-of-state students. In FY 2010, approximately 47,000 nonresident students attended state institutions, paying a weighted average out-of-state surcharge of approximately $9,900. Any payment of the deferred surcharges is collected by the state.**
BORCD93 OSU Highway Transportation and Research Fund		
		R.C. ***3335.45, Section 371.70.10***
No provision.	No provision.	Eliminates the existing The Ohio State University Highway and Transportation Research Fund (Fund 6490) and requires that the cash balance in that fund be paid to The Ohio State University on July 1, 2011, or as soon as possible thereafter.
BORCD82 Student Groups and Religious Beliefs		
	R.C. ***3345.023***	**R.C.** ***3345.023***
No provision.	Prohibits any state institution of higher education from denying benefits to a religious student group based on the group's requirement that its leaders or voting members adhere to its religious beliefs or standards of conduct. **Fiscal effect: None.**	Same as the House, but eliminates the qualifier "voting." **Fiscal effect: None.**

Executive	As Passed by the House	As Passed by the Senate
BORCD65 Faculty Workload Policies		
R.C. ***3345.45, Section 733.20***		
Requires state institutions to modify their faculty workload policies or adopt policies, if they do not already have any. Requires that the workload policies include that, beginning with the 2011-2012 academic year, each full-time research and instructional faculty member must teach at least one additional course during each two-year period than the previous two-year period or, alternatively, that each academic unit increase its aggregate faculty teaching loads by the equivalent number of courses.	No provision.	No provision.
Requires the Chancellor, by December 1, 2012, to report to the Governor and the General Assembly on the efforts of state institutions of higher education to increase teaching workloads for full-time faculty, including an appendix showing courses taught by faculty during FY 2010 - FY 2012, and those planned for FY 2013.	No provision.	No provision.
Fiscal effect: It is not clear how this policy would be implemented by institutions. Potentially, fewer faculty would be needed to teach the same number of courses, resulting in lower expenditures for institutions. On the other hand, research faculty may need to substitute teaching time for research time, which may lead to a decrease in research-related revenue for the institutions, or faculty may demand increased pay for the increased teaching workload. The Board of Regents may incur minimal administrative costs in reporting to the Governor and General Assembly.		

Executive	As Passed by the House	As Passed by the Senate
BORCD92 State Institutions Leaseback Agreements		
		R.C. ***3345.54, 3345.55***
No provision.	No provision.	Authorizes state institutions of higher education and university housing commissions to enter into lease agreements with nonpublic vendors to construct and operate new or existing campus housing facilities.
No provision.	No provision.	Authorizes state institutions of higher education to enter into agreements to convey "auxiliary" facilities - such as student services buildings, dining halls, athletic facilities, health facilities, etc - to a charitable conduit entity, which will enter into a lease-leaseback arrangement with a third-party independent funding source.
		Fiscal effect: May increase financial flexibility for state institutions by allowing them to use private businesses to operate campus properties and to use charitable entities to finance auxiliary facilities.
BORCD66 Charter Universities Plan		
R.C. ***3345.81***	**R.C.** ***3345.81***	**R.C.** ***3345.81***
Requires the Chancellor to develop a plan for designating public institutions of higher education as charter universities.	Same as the Executive.	Same as the Executive.
Requires the Chancellor, in developing the plan, to study the existing financial and administrative relationships between the state and public higher education institutions, examine legal and other issues related to restructuring those relationships, and consult with the institutions' presidents. Requires each state agency and each state institution of higher education to provide the Chancellor with assistance, upon request, in conducting the study and developing the plan.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Requires that the plan specify eligibility criteria, specific areas of financial and operational authority that are subject to increased flexibility, and the nature and term of management agreements between the state and an institution.	Same as the Executive.	Same as the Executive.
Allows institutions meeting the eligibility criteria to enter into negotiations with the Governor to develop a management agreement.	No provision.	No provision.
Requires the Chancellor to submit to the General Assembly and the Governor a report of findings and recommendations for developing changes in policy, statute, and administrative rules by August 15, 2011. Specifies that it is the General Assembly's intent to take actions necessary for implementation of the plan to commence July 1, 2012.	Same as the Executive, but prohibits institutions from being designated as charter universities until the General Assembly has enacted legislation establishing a designation procedure and prohibits the Chancellor from adopting, amending, or rescinding any rules with respect to designating charter universities until legislation is enacted.	Same as the House.
Fiscal effect: Possible minimal increase in administrative expenses for the creation of the Chancellor's report and recommendations. Potential savings from increased fiscal flexibility for institutions that are eligible to enter into a management agreement.	**Fiscal effect: Same as the Executive, but no potential savings for eligible institutions unless additional legislation is enacted.**	**Fiscal effect: Same as the House.**

BORCD9 Ohio Learning Network

Section: ***371.10.70***	**Section:** ***371.10.70***	**Section:** ***371.10.70***
Requires that GRF appropriation item 235417, Ohio Learning Network, be used to support the continued implementation of the Ohio Learning Network. Requires the Ohio Learning Network to use these funds to expand access to dual enrollment opportunities for high school students, expand access to adult higher education opportunities through technology, develop and promote learning and assessment through the use of technology, provide advice on emerging learning directed technologies, and facilitate cost effectiveness through shared investments in educational technology.	Same as the Executive, but earmarks $250,000 in each fiscal year of GRF appropriation item, 235417, Ohio Learning Network, for staff support and operations of the Ohio Digital Learning Task Force.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
BORCD17 SSI - Full-Time Equivalent Enrollment and Completion		
Section: ***371.20.50***	**Section:** ***371.20.50***	**Section:** ***371.20.50***
Requires that state-assisted institutions report their enrollments to the Chancellor. Requires the Chancellor to exclude all undergraduate students who are not Ohio residents (except those under reciprocity agreements or employer contracts) in defining the number of full-time equivalent (FTE) students for the formula.	Same as the Executive.	Same as the Executive.
Requires that, in counting core subsidy entitlements for university branch and main campuses, the Chancellor only use FTE students who successfully complete a course.	Same as the Executive.	Same as the Executive.
Specifies that successful course completion FTE students with an expected family contribution (EFC) of less than 2190 or in need of remedial education are defined as "at-risk." Specifies that at-risk FTEs are to be weighted by (A) campus-specific weights determined for each curricular model, (B) campus-specific course completion indexes calculated based on the number of at-risk students during the 2009-2010 academic year, and (C) statewide at-risk course completion weights determined by the percentage of traditional students completing the course and the percentage of at-risk students completing the course.	Same as the Executive.	Same as the Executive.
Limits the number of Medical II model students repeating terms that can be included in FTE counts to no more than 5% of current year FTEs.	Same as the Executive.	Same as the Executive.
Limits the number of law school FTEs that can be counted to those that are residents of Ohio. Provides a table for the maximum number of law school FTEs that can be counted for each university with a law school.	Same as the Executive, but eliminates the table for the maximum number of law school FTEs.	No provision.
Fiscal effect: The relative number of FTEs within each sector affects the distribution of the SSI subsidy among the institutions.	**Fiscal effect: Same as the Executive, but law schools enrolling more students than the eliminated maximums may receive higher SSI distributions than otherwise.**	**Fiscal effect: Same as the House, but law schools with nonresident students may receive higher SSI distributions than otherwise.**

Executive	As Passed by the House	As Passed by the Senate
BORCD22 SSI – Medical Set-Asides		
Section: ***371.20.50***	**Section:** ***371.20.50***	**Section:** ***371.20.50***
Requires that 7.01% of the SSI appropriation for university main campuses in each year be set aside for Medical II FTEs. Requires that these funds be allocated in proportion to each campus's share of the total number of Medical II FTEs, weighted by model cost.	Same as the Executive.	Same as the Executive.
Permits the Northeastern Ohio Universities College of Medicine and Pharmacy (NEOUCOM) to use funds from the addition of 35 medical students at the NEOUCOM academic program at Cleveland State University to enable 50% or more of the medical curriculum to be based at Cleveland State and Cleveland area hospitals and clinics.	Same as the Executive, but changes the term "program" to "campus" and prohibits Cleveland State from receiving state capital appropriations for the NEOUCOM campus.	Same as the House, but changes NEOUCOM's name to Northeast Ohio Medical University, to reflect recent legislation.
Requires that 1.61% of the SSI appropriation for university main campuses in each fiscal year be set aside for Medical I FTEs. Requires that these funds be allocated in proportion to each campus's share of the total number of Medical I FTEs.	Same as the Executive.	Same as the Executive.
BORCD68 Transfer of Instructional Subsidies Between Universities		
Section: ***371.20.65***	**Section:** ***371.20.65***	**Section:** ***371.20.65***
Allows state universities to transfer SSI subsidy allocations between a university's main campus and branch campuses in order to accomplish institutional goals and objectives. Allows the Director of Budget and Management to adjust the earmarked allocations for university main campuses and university branch campuses to accommodate the transfers.	Same as the Executive, but instead of permitting the Director of Budget and Management to adjust the earmarked allocations, permits the Director to transfer appropriation allocations.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
BORCD69 Restriction on Fee Increases		
Section: ***371.20.70***	**Section:** ***371.20.70***	**Section:** ***371.20.70***
Limits the increase of fees at all state-assisted institutions to 3.5% above what was charged in the prior academic year. Specifies that the tuition increase limitations do not apply to increases required to comply with institutional covenants or certain legal mandates. Specifies that the Chancellor may modify the tuition increase limitations for exceptional circumstances with the approval of the Controlling Board.	Same as the Executive.	Same as the Executive, but changes the cap for community colleges and technical colleges to an increase of $200 over what the institution charged in the preceding academic year, instead of 3.5%.
BORCD90 Central State Speed to Scale		
	Section: ***371.30.63***	
No provision.	Requires Central State University to support the Speed to Scale Task Force and the goals of the Speed to Scale Plan, which include increasing student enrollment, student retention rates, and the proportion of in-state students. Requires the Task Force to also develop methods of enhancing Third Frontier collaborations, enhancing marketing of current academic programs, and exploring the possibility of merger, acquisition, or expansion of Central State University. Specifies how the goals of the plan are to be accomplished.	No provision.
No provision.	Requires that the Task Force meet quarterly to discuss the Plan's progress. Specifies the members of the Task Force. Requires that Central State University and the Task Force submit a status report on the Speed to Scale Plan's accountability measures each fiscal year.	No provision.

Executive	As Passed by the House	As Passed by the Senate
BORCD45 State University Clinical Teaching		
Section: ***371.40.50***	**Section:** ***371.40.50***	**Section:** ***371.40.50***
Requires the Chancellor to distribute the following GRF appropriation items: 235536, The Ohio State University Clinical Teaching; 235537, University of Cincinnati Clinical Teaching; 235538, University of Toledo Clinical Teaching; 235539, Wright State University Clinical Teaching; 235540, Ohio University Clinical Teaching; and 235541, Northeastern Ohio Universities College of Medicine Clinical Teaching.	Same as the Executive.	Same as the Executive, but changes the name of appropriation item 235541, Northeastern Ohio Universities College of Medicine Clinical Teaching, to "Northeast Ohio Medical University Clinical Teaching" to reflect recent legislation.
BORCD50 Ohio College Opportunity Grant		
Section: ***371.50.10***	**Section:** ***371.50.10***	**Section:** ***371.50.10***
Earmarks $41.0 million under GRF appropriation item 235563, Ohio College Opportunity Grant, in each fiscal year for need based financial aid awards to students of eligible private nonprofit institutions.	Same as the Executive, but specifies that institutions be 4-year.	Same as the House.
Requires that the remainder of GRF appropriation item 235563, Ohio College Opportunity Grant, be used to award need-based aid to students enrolled in eligible public institutions of higher education.	Same as the Executive, but earmarks $37.0 million in each fiscal year instead of the remainder and specifies that institutions be 4-year.	Same as the House.
No provision.	Specifies that the remainder of the appropriation be used for awards to students enrolled in eligible private for-profit institutions.	Same as the House.
Reappropriates the appropriation balance at the end of FY 2012 to be used for the same purpose in FY 2013.	Same as the Executive.	Same as the Executive.
Allows the Chancellor to create a distribution formula for FY 2012 and FY 2013 if the amounts appropriated are inadequate to provide grants to all eligible students. Requires the Chancellor to notify the Controlling Board of the distribution method. Requires that any formula be complete and established to coincide with the start of the 2011-2012	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
academic year.		
Specifies that the funds may also be used to pay for renewals or partial renewals under the Ohio Academic Scholarship Program. Specifies that, in paying for scholarships, funds are to be deducted proportionately from the sector allocations of public and private nonprofit institutions.	Same as the Executive, but adds a sector for private for-profit institutions and specifies that funds are to be deducted proportionately from all three sector allocations.	Same as the House, but specifies that sector deductions are to be made proportionally based on amounts appropriated under GRF appropriation item 235563, Ohio College Opportunity Grant, and GSF appropriation item 235667, Ohio College Opportunity Grant – Proprietary.
Prohibits the Chancellor from distributing or obligating more than the appropriation.	Same as the Executive.	Same as the Executive.
Requires the Chancellor to post award tables on the BOR website and notify students and institutions of any reductions in awards. Requires the Chancellor to submit award tables and allocations for the 2011-2012 academic year to the Controlling Board by August 31, 2011.	Same as the Executive.	Same as the Executive.
Prohibits any student from receiving an Ohio College Opportunity Grant for more than the equivalent of five academic years, less the number of semesters or quarters in which the student received an Ohio Instructional Grant.	Same as the Executive.	Same as the Executive.
No provision.	Transfers $6,000,000 in cash in each fiscal year from the Economic Development Programs Fund (Fund 5JC0) to the General Revenue Fund (GRF) to support the appropriation for Ohio College Opportunity Grants.	No provision.

BORCD53 National Guard Scholarship Program

Section: ***371.50.30***	**Section:** ***371.50.30***	**Section:** ***371.50.30***
Requires that GRF appropriation item 235599, National Guard Scholarship Program, and Fund 5BM0 appropriation item 235623, National Guard Scholarship Reserve Fund, be disbursed at the direction of the Adjutant General.	Same as the Executive.	Same as the Executive.
Authorizes cash equal to the unencumbered balance of GRF appropriation item 235599, National Guard Scholarship Programs, to be transferred to the National Guard Scholarship Reserve Fund (Fund 5BM0) for use under	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
appropriation item 235623, National Guard Scholarship Reserve Fund. Requires the Chancellor, upon the request of the Adjutant General, to seek Controlling Board approval to establish appropriations for that item.		
No provision.	No provision.	Requires the Adjutant General, in consultation with the Chancellor of the Board of Regents and the Director of Budget and Management, to determine if the amounts appropriated to GRF appropriation item 235599, National Guard Scholarship Program, are adequate to provide scholarships equal to 100% of tuition charges to all eligible applicants attending a state institution of higher education.
No provision.	No provision.	Specifies that if, in any fiscal year, appropriated amounts are inadequate, the Adjutant General is to accommodate the available funds by proportionally reducing the amount of each scholarship awarded to a student of a state institution. Requires the Adjutant General to notify each state institution of the percentage that scholarship amounts were reduced.
No provision.	No provision.	Requires each state institution to provide a matching award to each scholarship recipient in an amount equal to the amount that recipient's scholarship was reduced.
BORCD85 Co-op Internship Program		
	Section: ***371.50.63***	
No provision.	Makes the following earmarks under GSF appropriation item 235649, Co-op Internship Program:	No provision.
(1) No provision.	(1) $75,000 in each fiscal year for Ohio University's Voinovich School.	(1) No provision.
(2) No provision.	(2) $75,000 in each fiscal year for The Ohio State University's John Glenn School of Public Affairs.	(2) No provision.
(3) No provision.	(3) $75,000 in each fiscal year for the Bliss Institute of Applied Politics at the University of Akron.	(3) No provision.

Executive	As Passed by the House	As Passed by the Senate
(4) No provision.	(4) $75,000 in each fiscal year for the Center for Public Management and Regional Affairs at Miami University.	(4) No provision.
BORCD91 Ohio College Opportunity Grant - Proprietary		
		Section: ***371.50.63***
No provision.	No provision.	Specifies that GSF appropriation item 235667, Ohio College Opportunity Grant – Proprietary, is to be used by the Chancellor to award need-based financial aid to students enrolled in eligible private for-profit career colleges and schools through the Ohio College Opportunity Grant program.
No provision.	No provision.	Reappropriates the unexpended, unencumbered portion of FY 2012 appropriations under 235667, Ohio College Opportunity Grant - Proprietary, for the same purpose for FY 2013.
No provision.	No provision.	Prohibits the Chancellor from distributing or obligating an amount greater than what is appropriated under GSF appropriation item 235667, Ohio College Opportunity Grant - Proprietary.

Executive	As Passed by the House	As Passed by the Senate
BORCD99 **Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute**		
		Section: ***371.50.65***
No provision.	No provision.	Creates GSF Fund 5JC0 appropriation item 235668, Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute. Specifies that the item is to be used by the Defense/Aerospace Graduate Studies Institute to strengthen regional job training, equip Ohio's workforce with needed skills, and strengthen the research and educational linkages among Ohio's Department of Defense facilities, institutions of higher education, and available industry jobs. Requires that funds be matched by private industry partners or the Department of Defense in an aggregate amount of $2.5 million over the FY 2012-FY 2013 biennium.
BORCD71 **Shared Services**		
Section: ***371.60.30***		
Requires any state institution of higher education with total FTE enrollment under 5,000 to enter into strategic partnerships for shared services with other institutions, school districts, local government entities, or regional shared services centers.	No provision.	No provision.
Requires the strategic partnerships to be comprehensive and provides a list of services that must be included. Provides a list of additional services that must be included for co-located campuses.	No provision.	No provision.
Allows state institutions to seek a waiver from the Chancellor for one or more of the services. Requires any institution seeking a waiver to demonstrate the efficiency of its individual operation or another strategic partnership that achieves similar results. Requires the Chancellor to report an institution to the Governor and General Assembly if the institution fails to demonstrate the efficiency of its operation.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Requires each state institution to report on its strategic partnerships to the Chancellor by December 31, 2011, and annually thereafter. Requires that the reports document the amount saved through the partnerships.	No provision.	No provision.
Specifies that any institution that provides employee prescription drug benefits through the Rx Ohio Collaborative has demonstrated maximum cost savings.	No provision.	No provision.
Fiscal effect: Potential savings from the consolidation of services among institutions. Possible minimal increase in administrative expenditures for the creation of annual reports.		
BORCD96 Western Reserve Historical Society Transfer		
		Sections: ***620.40, 620.41***
No provision.	No provision.	Limits the amount of encumbrances against capital appropriation item C371A9, Western Reserve Historical Society, (used by the Cultural Facilities Commission) that are canceled and reestablished against capital appropriation item C37835, Western Reserve Historical Society, (used by Cuyahoga Community College) to $2.8 million. (H.B. 114 of the 129th GA canceled and reestablished any encumbrances remaining at the end of the fiscal year.)
BORCD98 Qualifying Alternative Retirement Plan Providers		
		Section: ***733.20***
No provision.	No provision.	Specifies that any alternative retirement plan established by a public institution of higher education prior to July 1, 2000, that is a qualified trust under federal tax law, is temporarily designated as provider for purposes of Ohio law governing alternative retirement plans. (Under existing law, the Department of Insurance is required to designate three or more entities that meet specified conditions to offer such plans to participating employees.)

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Provides that a public institution is not required to pay any retirement contributions or interest due STRS for an employee who made an election prior to July 1, 2000, from the date of the election, except for the contributions required to mitigate any negative financial impact on the State Teachers Retirement System (STRS) and interest on those contributions.
No provision.	No provision.	Requires a public institution that failed to timely file with STRS a copy of an election made prior to July 1, 2000, to file it not later than 90 days after this bill's effective date. **Fiscal effect: Potential minimal decrease in Department of Insurance administrative costs related to the alternative retirement plan designations; such costs are paid from the Department of Insurance Operating Fund (Fund 5540).**
BORCD94 Cleveland State University Land Conveyance		
		Section: ***753.27***
No provision.	No provision.	Authorizes the conveyance of the real estate formerly used as the residence for the President of Cleveland State University to a purchaser as yet to be determined. **Fiscal effect: Revenue gain for Cleveland State University, dependent on sale price. There may also be additional savings to the University for maintenance and upkeep functions on the property that will no longer need to be performed by the University.**

Executive	As Passed by the House	As Passed by the Senate
Criminal Sentencing Reforms		
DRCCD19 **Release Mechanism for Certain Prisoners Who Have Served At Least 85% of Their Prison Term**		
R.C. ***2967.19, 109.42, 2929.13, 2929.14, 2930.16, 2930.17, 2950.99, 5120.66***	**R.C.** ***109.42***	
Authorizes the Director of Rehabilitation and Correction to petition the sentencing court for the judicial release of an inmate who is serving a stated prison term of one year or more, who is eligible under specified eligibility criteria, and who has served at least 85% of his or her term remaining after becoming eligible, and requires that an inmate released under this mechanism be placed under Adult Parole Authority supervision and be under GPS monitoring in specified cases.	No provision.	No provision.
Makes related changes to the crime victim's rights pamphlet prepared by the Attorney General.	Same as the Executive.	No provision.
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		

Executive	As Passed by the House	As Passed by the Senate
DRCCD10 Threshold Amount for Increased Penalties for Theft-Related and Other Crimes		
R.C. ***926.99, 1333.99, 1707.99, 1716.99, 2909.03, 2909.11, 2913.02 - 2913.04, 2913.11, 2913.21, 2913.31, 2913.32, 2913.34, 2913.40, 2913.401, 2913.42, 2913.421, 2913.43, 2913.45 - 2913.49, 2913.51, 2913.61, 2915.05, 2917.21, 2917.31, 2917.32, 2921.13, 2921.41, 2981.07, Section 803.20***		
Increases from $500 to $1,000 the threshold amount for determining increased penalties (generally from a misdemeanor to a felony) for theft-related offenses and increases by 50% the other threshold amounts for determining increased penalties for those offenses. **Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. This package of reforms may not have an immediate effect in terms of reducing the Department of Rehabilitation and Correction's institutional operating expenses. Some savings may not be realized for several years. The net effect of these other related criminal sentencing reform provisions will, through FY 2015, reduce the need for several thousand inmate beds and result in a total savings of about $77.9 million in expenditures related to incarceration. Some of these sentencing reform provisions will shift offenders to one or more community control sanctions increasing demand on local community control sanction systems. This could in turn increase the local demand for DRC's community corrections grants funding. As a result, the annual savings in state incarceration costs will be partially offset by the need to enhance funding for its parole and community services operations.**	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
DRCCD11 Elements of Vandalism and Corrupt Activity		
R.C. ***2909.05, 2923.31, Section 803.20***		
Increases from $500 to $1,000 the threshold amount of the value of property or amount of physical harm required to commit vandalism in specified circumstances and increases by 50% the property value thresholds used in determining the penalty for the offense, and increases from $500 to $1,000 the property valuations that are used in determining whether certain criminal activity constitutes corrupt activity under the offense of engaging in a pattern of corrupt activity. **Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.**	No provision.	No provision.
DRCCD24 Workers' Compensation Fraud as Theft Offense		
R.C. ***2913.01***		
Includes workers' compensation fraud as a theft offense. **Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.**	No provision.	No provision.
DRCCD23 Prosecution of Multiple Theft, Medicaid Fraud, Workers' Compensation Fraud, and Similar Offenses		
R.C. ***2913.61, Section 803.20***		
Revises and clarifies the law regarding prosecution of multiple theft, Medicaid fraud, workers' compensation fraud, and similar offenses and the valuation of property or services involved.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		
DRCCD12 Nonsupport of Dependents		
R.C. ***2919.21***		
Provides that if "nonsupport of dependents" is based on an abandonment of or failure to support a child or a person to whom a court order requires support and is a felony, the sentencing court generally must first consider placing the offender on one or more community control sanctions.	No provision.	No provision.
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		
DRCCD21 Distinction between Crack Cocaine and Powder Cocaine in Criminal Penalties		
R.C. ***2925.03, 2925.05, 2925.11, 2925.01, 2929.01, Section 803.10***		
Eliminates the difference in criminal penalties for drug offenses involving crack cocaine and powder cocaine, provides a penalty for all such drug offenses involving any type of cocaine that generally has a severity that is between the two current penalties, and revises a penalty for possession of cocaine.	No provision.	No provision.
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		

Executive	As Passed by the House	As Passed by the Senate
DRCCD22	**Penalties for Trafficking in Marihuana or Hashish and for Possession of Marihuana or Hashish**	
R.C. ***2925.03, 2925.11, Section 803.10***		
Revises some of the penalties for trafficking in marihuana or hashish and possession of marihuana or hashish. **Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.**	No provision.	No provision.
DRCCD13	**Ranges of Possible Prison Terms for First and Third Degree Felonies**	
R.C. ***2929.14, Section 803.30***		
Adds a possible prison term of 11 years to the possible prison term range for a first degree felony and changes the possible prison term range for a third degree felony from 1, 2, 3, 4, or 5 years to 9, 12, 18, 24, or 36 months. **Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.**	No provision.	No provision.
DRCCD14	**General Community Control Requirement for Nonviolent Fourth and Fifth Degree Felonies**	
R.C. ***2929.14, Section 803.30***		
Generally requires a community control sanction as a sentence for a fourth or fifth degree felony that is not an offense of violence but authorizes a prison term if the offender possessed or controlled a firearm or caused physical harm to another person.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		
DRCCD15 Risk Reduction Sentencing		
R.C. ***2929.143, 5120.036, 2929.01, 2930.12, 5120.16, 5120.331, 5120.48***		
Allows a judge in specified circumstances to recommend risk reduction sentencing for an offender sentenced to prison for a felony, requires the Department of Rehabilitation and Correction to provide risk reduction programming and treatment for such an offender who meets specified eligibility criteria, and requires such an offender who completes such treatment or programming to be released to supervised release after serving at least 75% of the prison term.	No provision.	No provision.
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		
DRCCD16 Sentencing to a Community Corrections Program		
R.C. ***2929.15***		
Allows a court to sentence a felony offender to a "community-based corrections program" if the offender is convicted of a first, second, or third degree felony, is convicted of a fourth or fifth degree felony and found to be a high risk of reoffending or violating a term of supervision under the bill's single validated risk assessment tool, or has had one or more community residential or nonresidential sanctions revoked and is a medium or high risk under that assessment tool.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		
DRCCD17 Sentencing to a Community-Based Correctional Facility		
R.C. *2929.16*		
Specifies that a term at a community-based correctional facility is a community residential sanction if the relevant felony offender is convicted of a first or second degree felony, is convicted of a third degree felony and is a medium or high risk of reoffending or violating a term of supervision under the bill's single validated risk assessment tool, is convicted of a fourth or fifth degree felony and is a high risk under that assessment tool, or has had one or more community residential sanctions or nonresidential sanctions revoked and is a medium or high risk under that assessment tool.	No provision.	No provision.
Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		
DRCCD18 Earned Credits for Prisoners		
R.C. *2967.193*		
(1) Revises the earned credits mechanism to authorize certain eligible prisoners to earn five days of credit for each month of productive participation in a specified prison program, certain eligible prisoners imprisoned for specified, serious offenses to earn one day of credit for each month of such productive participation in a program, and any such eligible prisoner to earn days of credit for successful completion of such a program.	(1) No provision.	(1) No provision.

Executive	As Passed by the House	As Passed by the Senate
(2) Limits the aggregate days of credit a prisoner may so earn to not more than 8% of the total number of days in the prisoner's stated prison term.	(2) No provision.	(2) No provision.
(3) Eliminates days of credit for sex offender treatment programs.	(3) No provision.	(3) No provision.
(4) Makes prisoners sentenced for a sexually oriented offense on or after the bill's effective date ineligible for such credit.	(4) No provision.	(4) No provision.
Fiscal effect: These provisions are part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		
DRCCD25 Selection of Single Validated Offender Risk Assessment Tool		
R.C. ***5120.114, 2929.15, 2929.16, 2967.28, 5149.31, 5149.32, 5149.34***		
(1) Requires the Department of Rehabilitation and Correction to select a "single validated risk assessment tool" for assessing the likelihood of a person reoffending or violating a term of supervision to be used by courts, probation departments, correctional facilities, the Adult Parole Authority, and the Parole Board.	(1) No provision.	(1) No provision.
(2) Requires training and certification for all employees of those entities who will use the assessment tool.	(2) No provision.	(2) No provision.
(3) Requires each entity that uses the assessment tool to develop specified policies and protocols related to it.	(3) No provision.	(3) No provision.
Fiscal effect: These provisions are part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		

Executive	As Passed by the House	As Passed by the Senate
DRCCD29 Community Corrections Programs and Subsidies		
R.C. *5149.31, 5149.32, 5149.33, 5149.34, 5149.36*		
(1) Specifies that, in order to be eligible for a Department of Rehabilitation and Correction community corrections subsidy, counties, groups of counties, and municipalities satisfy all applicable probation department requirements, utilize the bill's single validated risk assessment tool, and deliver programming that addresses the needs of high risk offenders.	(1) No provision.	(1) No provision.
(2) Requires that the county comprehensive plan adopted by the local corrections planning board of a county that desires to receive a subsidy include a description of the offender population's assessed needs and the capacity to deliver services and programs within the county and surrounding region that address those needs.	(2) No provision.	(2) No provision.
(3) Authorizes, instead of requiring, the Department to discontinue subsidy payments to a political subdivision that receives a subsidy and that reduces, by any amount, the amount of local, nonfederal funds it expends for corrections or that uses any portion of the subsidy to make capital improvements.	(3) No provision.	(3) No provision.
Fiscal effect: These provisions are part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.		

Executive	As Passed by the House	As Passed by the Senate
DRCCD20 Parole Board Review of Cases of Elderly Parole-Eligible Inmates		
Section: ***729.10***		
Requires the Chair of the Parole Board or the Chair's designee to review the cases of all parole-eligible inmates who are 65 or older and who have had a parole consideration hearing, requires the Chair to present to the Board the cases of those offenders, and authorizes the Board to choose to rehear the offender's case for possible parole. **Fiscal effect: This provision is part of the bill's package of criminal sentencing reforms. For a complete discussion of the fiscal effects of the package of reforms, see the fiscal effects entry under DRCCD10.**	No provision.	No provision.
Other Provisions		
DRCCD9 Corrections Commissions and Medical Care Reimbursement Rate for Confined Persons		
R.C. ***307.93, 341.192***	**R.C.** ***307.93, 341.192***	**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.	(1) No provision.	(1) No provision.
(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.	(2) No provision.	(2) No provision.

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

DRCCD26 Probation Department Administrative Changes

R.C. ***2301.27, 2301.271, 2301,30***

Requires a court of common pleas to follow specified procedures when appointing a chief probation officer, requires that probation officers be trained in accordance with minimum Adult Parole Authority standards, and requires a court of common pleas to require the probation department to publish specified policies for probationer supervision and provide the Department of Rehabilitation and Correction with a monthly report of specified statistical data.	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: Under current law, local jurisdictions that receive Community Corrections Act (CCA) grants from Rehabilitation and Correction to support probation services are already required to have probation officers trained in accordance with Adult Parole Authority (APA) standards. For those local jurisdictions that do not receive any CCA grant funding, this provision will require those probation officers to have APA-approved training. Some jurisdictions will incur costs to train their probation personnel as required. The costs for any such affected local jurisdiction will depend upon the number of personnel to be trained and the cost of the training.		
DRCCD4 Felony Sentencing Law		
R.C. ***2929.14, 2929.19, 2929.41, Section 815.10***		
Reenacts provisions in the state's Felony Sentencing Law that were invalidated and severed by the Ohio Supreme Court's decision in State v. Foster (2006), and that now are, regarding some provisions, or arguably are, regarding other provisions, subject to reenactment under the U.S. Supreme Court's decision in Oregon v. Ice (2009) and the Ohio Supreme Court's decision in State v. Hodge (2010).	No provision.	No provision.
Fiscal effect: This provision will lead to a gradual reduction in the prison population. This reduction could reduce the annual incarceration costs for the Department of Rehabilitation and Correction by $15.1 million to $19.4 million over five or more years.		

Executive	As Passed by the House	As Passed by the Senate
DRCCD27 Supervision of Concurrent Supervision Offenders by a Single Court		
R.C. *2951.022*		
Establishes a mechanism for the supervision by a single entity of offenders who are not incarcerated, who are subject to supervision by multiple supervisory authorities (courts), and to whom other specified criteria apply. **Fiscal effect: This provision will relieve some courts of the responsibility of supervising certain offenders with concurrent multiple convictions. The reduction of their caseloads will produce some savings.**	No provision.	No provision.
DRCCD28 Notice of Arrest and Court Appearance of Community Control Sanction Violator		
R.C. *2951.08*		
Modifies the time at which notice must be given to the probation officer of a person serving a community control sanction if the person is arrested and the time at which the arrested person must be brought before a court. **Fiscal effect: At most, minimal annual cost for the appropriate local authority to notify probation officers of the arrest and court appearance time of persons serving a community control sanction.**	No provision.	No provision.
DRCCD35 Chemicals in Bath Salts as Schedule I Controlled Substances		
		R.C. *3719.41*
No provision.	No provision.	Adds six synthetic derivatives of cathinone that have been found in substances marketed as "bath salts" to the list of Schedule I controlled substances.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: Drug offenses related to Schedule I controlled substances are generally felonies, most of which carry either a presumption for prison or a mandatory prison term. The number of individuals that could be arrested, charged, and prosecuted in any given local jurisdiction for violating any number of drug-related offenses (i.e., possession, use, trafficking, and/or manufacturing) is uncertain. As such, the annual costs for any affected county criminal justice system (investigation, prosecution, adjudication, defense if the individual is indigent, and sanctioning) to resolve these cases or the state to incarcerate is also uncertain.
DRCCD36 Formaldehyde as a Schedule II controlled substance		
		R.C. ***3719.41, 2925.03***
No provision.	No provision.	Classifies formaldehyde as a Schedule II controlled substance. Enacts the offense of trafficking in formaldehyde and sets the penalties for violations of the offense. **Fiscal effect: Drug offenses related to Schedule II controlled substances are generally charged as felonies, with some exceptions which could result in a lesser misdemeanor charge. Most of these charges carry either a presumption for prison/jail or a mandatory prison/jail term. The number of individuals that could be arrested, charged, and prosecuted in any given local jurisdiction for violating any number of drug-related offenses (i.e., possession, use, trafficking, and/or manufacturing) is uncertain. As such, the annual costs for any affected county criminal justice system (investigation, prosecution, adjudication, defense if the individual is indigent, and sanctioning) to resolve these cases or the state to incarcerate is also uncertain.**

Executive	As Passed by the House	As Passed by the Senate
DRCCD33 Community-Based Correctional Officer Collective Bargaining		
	R.C. *4117.01*	
No provision.	Limits the ability of employees of community-based correctional facilities and district community-based correctional facilities who were subject to a collective bargaining agreement on June 1, 2005, to collectively bargain with their public employers to allow the employees to bargain only if the public employer elects to do so, similar to current law with respect to community-based correctional facility employees who were not covered by a collective bargaining agreement on that date. **Fiscal effect: The fiscal effect of this provision on the annual payroll-related expenses of certain local public employers is uncertain.**	No provision.
DRCCD7 Definition of Psychiatric Hospital		
R.C. *5120.17*	**R.C. *5120.17***	**R.C. *5120.17***
Expands the definition of a Department of Rehabilitation and Correction "psychiatric hospital" operated for the treatment of inmates to include a portion of the psychiatric hospital, and provides that a psychiatric hospital is no longer limited to those operated by Rehabilitation and Correction but also includes those operated by a contractor of the Department.	Same as the Executive, but amends the definition of "psychiatric hospital" for purposes of the law governing the transfer of an inmate to a psychiatric hospital, in regard to which facilities qualify as a psychiatric hospital and by providing that parts of a facility can meet the definition of a psychiatric hospital and provides that the Department of Rehabilitation and Correction is responsible for meeting specified ongoing provisions governing the care and treatment of inmate patients.	Same as the House.
Fiscal effect: It is unclear as to whether these changes in definition will or might generate a cost savings.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DRCCD34 Purpose of the Property Receipts Fund		
		R.C. *5120.22*
(1) No provision.	(1) No provision.	(1) Expands the purpose of the Property Receipts Fund (Fund 4830) by allowing the Division of Business Administration to enter into a lease or agreement with a state agency, political subdivision of the state, or private entity that allows the agency, political subdivision, or private entity to use property and facilities that are under the jurisdiction of the Department of Rehabilitation and Correction that are not being utilized by the Department.
(2) No provision.	(2) No provision.	(2) Requires money in Fund 4830 to be used for any expenses resulting from the sale or lease, including, but not limited to, expenses for services performed, construction, maintenance, repair, reconstruction, or demolition of the facilities or other property.
		Fiscal effect: Potential revenue gain for Fund 4830.
DRCCD8 Institutional Services Fund		
R.C. *5120.28, 5120.29*	**R.C. *5120.28, 5120.29***	**R.C. *5120.28, 5120.29***
(1) Renames the Services and Agricultural Fund (Fund 1480) the Institutional Services Fund.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Provides that any money received by the Department of Rehabilitation and Correction for "agricultural products produced" in penal and correctional institutions be deposited into the Ohio Penal Industries Manufacturing Fund (Fund 2000) instead of Fund 1480 as under current law.	(2) Replaces the Executive provision with a provision that requires any money received by the Department of Rehabilitation and Correction for "articles manufactured" in penal and correctional institutions be deposited into Fund 1480 instead of Fund 2000 as under current law.	(2) Replaces the House provision with a provision that requires any money received by the Department of Rehabilitation and Correction for agricultural products produced and articles manufactured in penal and correctional institutions be deposited into the Ohio Penal Industries Manufacturing Fund (Fund 2000).
(3) Modifies the purposes for which money in Fund 1480 and Fund 2000 may be used.	(3) Same as the Executive.	(3) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(4) No provision.	(4) Eliminates the funding source for the Ohio Penal Industries Manufacturing Fund (Fund 2000)	(4) No provision.
Fiscal effect: These provisions may produce some administrative cost savings for the Department of Rehabilitation and Correction by simplifying its accounting practices to some degree.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

DRCCD30 Probation Improvement Grant and Probation Incentive Grant

R.C. ***5149.311***		
Requires the Department of Rehabilitation and Correction to establish and administer a Probation Improvement Grant and a Probation Incentive Grant for court of common pleas probation departments that supervise felony offenders and specifies the purposes and uses of, stipulations that apply to, and controls regarding, the grants.	No provision.	No provision.
Fiscal effect: The Department will be able to absorb the cost of administering these grant programs within the normal daily cost of doing business.		

DRCCD31 Private Operation and Transfer of State Correctional Facilities to Private Owner

Sections: ***753.10, R.C. 9.06, 5120.092***	**Sections:** ***753.10, R.C. 9.06, 718.01, 5120.092, 5739.02, 5747.01, 5751.01***	**Sections:** ***753.10, R.C. 9.06, 5120.092***
(1) Expressly authorizes the Director of Rehabilitation and Correction and the Director of Administrative Services to contract with a private person or entity for the private operation of the Lake Erie Correctional Facility, the Grafton Correctional Institution, the North Coast Correctional Treatment Facility, the North Central Correctional Institution, and the vacated correctional facility previously operated by the Department of Youth Services that is adjacent to the North Central Correctional Institution and the transfer of the state's right, title, and interest in the facility and surrounding land to the private person or entity.	(1) Same as the Executive, except transfers from the Department of Youth Services to the Department of Rehabilitation and Correction jurisdiction of the correctional facility vacated by the Department of Youth Services and renames that facility as the North Central Correctional Institution Camp.	(1) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(2) Authorizes the sale of the state's right, title, and interest in the real property on which any facility identified in (1) and any surrounding land to the private person or entity privately contracted to operate and specifies provisions that must be included in the deed of sale.	(2) Same as the Executive, but removes a deed restriction prohibiting use of the sold real estate for anything other than a correctional institution, and states the approximate acreage of the land that may be sold with each of the facilities.	(2) Same as the House.
(3) Requires the proceeds of the conveyance of any of the five specified facilities be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund, which the bill creates, requires the proceeds be used to redeem or defease the outstanding portion of any state bonds issued for the facilities sold, and requires any remaining proceeds be transferred to the GRAF.	(3) Same as the Executive, but corrects language regarding the use of the proceeds of the sale of any of the specified facilities.	(3) Same as the House.
(4) Specifies that the provisions described in (1) and (2) do not restrict the Department of Rehabilitation and Correction from contracting only for the private operation and management of any facility identified in (1).	(4) Same as the Executive.	(4) Same as the Executive.
(5) Revises the authority of the Department of Rehabilitation and Correction, a county, or a municipality to contract for the private operation and management of a correctional facility by a private person or entity by repealing a 2-year limitation on the duration of an initial contract and repealing a requirement that the contractor generally must be accredited by the American Correctional Association.	(5) Same as the Executive.	(5) Same as the Executive.
(6) No provision.	(6) Permits the Director of Rehabilitation and Correction to transfer the Braille printing press and associated programs located at the Grafton Correctional Institution to another state correctional institution.	(6) Same as the House.
(7) No provision.	(7) Specifies that any of the five specified facilities transferred must be returned to the county auditor's tax list and duplicate and is subject to all real property taxes and assessments, that no exemption from real property taxation under R.C. Chapter 5709. applies to any facility sold under the provisions, and that the gross receipts and income of a contractor to whom any facility is sold under the provisions that are derived from operating the facility are exempt from gross receipts and income taxes levied by the state and its	(7) Same as the House, but eliminates the provisions that exempted the operators of the five prisons to be sold by the state to private entities from sales and use taxes, the commercial activity tax, and state and local income taxes, and clarifies that the operators are subject to those taxes.

Executive	As Passed by the House	As Passed by the Senate
	subdivisions.	
(8) No provision.	(8) No provision.	(8) Provides the state an irrevocable right of first refusal to repurchase any Department of Rehabilitation and Correction facility sold to a contractor under the bill and the real property on which it is situated, and a similar irrevocable right of first refusal to repurchase any surrounding property sold along with any such facility to a contractor under the bill, if the contractor wishes to resell the facility or land.
(9) No provision.	(9) No provision.	(9) Authorizes the state to repurchase a DRC facility and related land sold to a contractor or purchaser under the bill, if that party defaults on any financial agreement for the purchase of the facility, defaults on any other term in the contract of sale, or is financially insolvent or unable to meet its contractual obligations.
(10) No provision.	(10) No provision.	(10) Specifies that the repurchase price paid by the state cannot be greater than the purchase price paid to the state for the facility, real property, or surrounding land that is to be repurchased, less depreciation from the time of the conveyance to the contractor, plus the depreciated value of any capital improvements to the facility, real property, or surrounding land that were made to it and funded by anyone other than the state subsequent to the conveyance to the contractor.
(11) No provision.	(11) No provision.	(11) Requires that any case challenging the constitutionality of those provisions of the bill dealing with prison privatization, the sale of prison facilities or the legality of certain official actions taken pursuant to those provisions be brought in the Franklin County Court of Common Pleas and that the case and any appeal from a final order in the case be given priority and be decided expeditiously.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: It is anticipated that up to $200 million or more in onetime cash will be generated to redeem or repay the outstanding state bonds, with any remaining proceeds transferred to the GRF. With regard to the private management and operation of a state or local correctional facility, current law requires that a private contractor operate that facility at a rate of at least 5% less than the cost of the state operating the facility.	Fiscal effect: Same as the Executive, except the tax provisions: (1) make it clear that, subsequent to such a sale, local property taxes and assessments (probably in the $2 million to $4 million range statewide) become applicable against the property in the county where the sold facility is located, and (2) may result in the state and local governments foregoing certain revenues (sales and use taxes, commercial activity tax, and state and local income taxes) that might otherwise have been collected.	Fiscal effect: Same as the House, except the state and local governments will collect applicable taxes (sales and use taxes, the commercial activity tax, and state and local income taxes).

Executive	As Passed by the House	As Passed by the Senate
RSCCD4 **Rehabilitaton Services Commission Third-Party Funding**		
R.C. ***3304.181, 3304.182***	**R.C.** ***3304.181, 3304.182***	**R.C.** ***3304.181, 3304.182***
Requires funding agreements between RSC and a public or private entity to comply with federal regulations for third-party cooperative arrangements by public agencies.	Same as the Executive.	Same as the Executive.
Increases to 25% (from 13%) the maximum percentage of funds that RSC may receive under a third-party funding agreement.	No provision.	No provision.
Removes the specification that RSC use funds received from third party agreements for administration.	Same as the Executive.	Same as the Executive.
Fiscal effect: Revenue gain of about $9.6 million in each fiscal year under third party agreements, assuming third party funding of $17 million in each fiscal year. The revenue gain includes funds from third parties and federal vocational rehabilitation dollars received as a match.	**Fiscal effect: None.**	**Fiscal effect: Same as the House.**
RSCCD13 **Provider Accreditation Compliance**		
		Section: ***375.10***
No provision.	No provision.	Provides $250,000 of FED Fund 3790 appropriation item 415616, Federal - Vocational Rehabilitation, in each fiscal year for the Ohio Association of Rehabilitation Facilities to monitor provider accreditation compliance.

Executive	As Passed by the House	As Passed by the Senate
SFCCD17 School Facilities Assistance Rankings		
	R.C. ***3318.36***	**R.C.** ***3318.011, 3318.36, Section 387.70***
No provision.	No provision.	Specifies that if a school district's tangible personal property valuation (not including public utility personal property) made up 18% or more of its total taxable value for tax year 2005, its three-year "average taxable value" used for computing wealth percentile rankings of school districts for school facilities assistance is only the three-year average of its real property and public utility personal property valuation, rather than the three-year average of the sum of its real property valuation and all of its tangible personal property valuation as under current law.
No provision.	No provision.	Requires ODE to calculate and certify to SFC a new, alternate equity list for use in funding in FY 2012 using the revised definition of "average taxable value."
No provision.	Specifies that the local share of a Classroom Facilities Assistance Program (CFAP) project for a school district that participated in the Expedited Local Partnership Program (ELPP) and whose general business tangible personal property (TPP) valuation made up 18% or more of its total taxable value for TY 2005, be the lesser of (1) the percentage locked in when the district signed the ELPP agreement or (2) the percentage computed using its current wealth percentile rank.	Same as the House, but specifies that the district's local share be the least of (1), (2), or (3) for a project in 2012, the percentage computed using the alternate equity list.
	Fiscal effect: The local share for an eligible school district may be lower and the state share higher.	**Fiscal effect: Same as the House, but some districts may be lower on the alternate equity list and some may be higher in FY 2012. The equity list affects a district's local share and when a district is served under SFC's Classroom Facilities Assistance Program.**

Executive	As Passed by the House	As Passed by the Senate
SFCCD11 New Estimates for Renewal of Lapsed Projects		
R.C. ***3318.032, 3318.05, 3318.054, 3318.41***	**R.C.** ***3318.032, 3318.05, 3318.054, 3318.41***	**R.C.** ***3318.032, 3318.05, 3318.054, 3318.41***
Requires, if the conditional approval of a school or joint vocational school district's (JVSD) classroom facilities project lapses because the district's voters do not approve a bond issue and tax levy to pay the district's portion of the project, that the district board request that SFC set a new scope, estimated cost, and estimated millage rate for the project, if the board wishes to renew the project.	Same as the Executive.	Same as the Executive, but removes the requirement that SFC establish an estimated millage rate for the district's local share of the project.
Authorizes the district board to resubmit the project, based on the new estimates, to the district's voters and specifies that, if approved by the voters, the district's project receives first priority for funding as it becomes available, as provided under current law.	Same as the Executive.	Same as the Executive.
Fiscal effect: Current law does not expressly specify what project scope and costs a district board must resubmit to its voters after a project lapses, but in practice it is the original project scope and costs that are resubmitted, which may not reflect the district's current needs, tax valuation, and relative wealth.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
SFCCD20 SFC Assistance for a Facility Segment		
		R.C. ***3318.034***
No provision.	No provision.	Permits a school district that received assistance under the prior school facilities program (under ODE) that is eligible for additional assistance to segment only a part of a facility to renovate or replace work performed on that facility under the district's prior project.
No provision.	No provision.	Specifies that the cost of the segment be shared by the state and the district according to the wealth-based formula of current law, but the minimum project size requirements for segments otherwise prescribed under current law do not

Executive	As Passed by the House	As Passed by the Senate
		apply.
No provision.	No provision.	Specifies the maintenance levy requirement does not apply to the renovation or replacement segment.
No provision.	No provision.	Specifies that SFC may approve the segment if it determines that the renovation or replacement is necessary to protect the facility.
		Fiscal effect: Prior to the creation of SFC in 1997, the state's classroom facilities assistance programs were administered by ODE. Some districts that received assistance under the prior program are eligible for additional assistance because they did not receive the district-wide assistance provided for under current law. The provision applies to these "look-back" districts.
SFCCD16 Exceptional Needs Program		
	R.C. *3318.37*	**R.C. *3318.37***
No provision.	Removes the prohibition for a school district to participate in the Exceptional Needs Program (ENP) if SFC reasonably expects the district to be eligible for districtwide assistance under CFAP within three fiscal years.	Same as the House.
	Fiscal effect: More school districts may be able to participate in ENP, which is designed to assist school districts in addressing the health and safety needs associated with a specific building instead of addressing the entire classroom facilities needs of the district as under CFAP.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
SFCCD21 Local Financing Under the Vocational School Facilities Program		
		R.C. *3318.44*
No provision.	No provision.	Permits a joint vocational school district, in the same resolution, to commit the use of existing or new tax levies to finance the annual debt service on securities issued for both its state assisted classroom facilities project and locally-funded initiatives related to that project. **Fiscal effect: The provision may provide joint vocational school districts with more flexibility for funding both local shares of their SFC projects or locally-funded initiatives related to those SFC projects.**
SFCCD9 Corrective Action Program		
R.C. *3318.49, Sections 620.20, 620.21*		**R.C. *3318.49, Sections 620.20, 620.21***
Codifies the corrective action program, which provides funding for the correction of work that is found to be defective or to have been omitted after occupancy of a state-assisted classroom facility.	No provision.	Same as the Executive.
Authorizes SFC to provide corrective action funds only if the school district notifies the Executive Director of SFC of the defective or omitted work within three years after occupancy of the facility for which the school district seeks funding. (Current temporary law specifies that notification must take place five years after project close-out.)	No provision.	Same as the Executive, but changes the deadline, from three years to five years after facility occupancy, for which a school district has to notify SFC of defects or omissions.
Requires SFC to establish procedures and deadlines for school districts to follow in applying for corrective action grants. Requires that procedures include definitions of "defective" and "omitted," and that remediation efforts focus first on engaging the respective contractors that designed and constructed the areas that have design or construction-related issues.	No provision.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Authorizes SFC to provide necessary funds to take corrective measures after evaluating the defective or omitted work and establishes procedures for funding corrective work for complete and incomplete projects.	No provision.	Same as the Executive.
Requires SFC to assess responsibility for the defective or omitted work and seek cost recovery from responsible parties, if applicable. Requires that any recovery of the expense of remediation be applied first to the district portion of the cost of the corrective action and any remaining funds be applied to the state portion and deposited into the School Building Program Assistance Fund (Fund 7032).	No provision.	Same as the Executive.
Amends Section 105.20 of H.B. 462 of the 128th G.A. to specify that appropriation item C23011, Corrective Action Grants, be used in FY 2011 for corrective action grants authorized under temporary law and that C23011 be used in FY 2012 for corrective action grants authorized under permanent law.	No provision.	Same as the Executive.
Fiscal effect: The bill codifies the program, which is currently authorized under temporary law. H.B. 462 appropriated $23.3 million for corrective action grants in the FY 2011 - FY 2012 biennium.		**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
SOSCD14 Representation in Lawsuits Regarding Reapportionment and Redistricting		
	R.C. ***9.05, 3521.04, 109.02***	
No provision.	Permits the Apportionment Board, by majority vote, to choose to be represented by either the Attorney General or by private legal counsel in regard to any lawsuit challenging the constitutionality or legality of General Assembly districts.	No provision.
No provision.	Permits the Speaker of the House of Representatives and the President of the Senate jointly to choose to have the General Assembly represented by either the Attorney General or by private legal counsel in regard to any lawsuit challenging the constitutionality or legality of Congressional districts.	No provision.

Executive	As Passed by the House	As Passed by the Senate
SENCD3 Reduction in Legislators' Salaries		
		Section: ***761.10***
(1) No provision.	(1) No provision.	(1) Permits a member of the 129th General Assembly to request a 5% cut in the member's base salary for the remainder of that General Assembly.
(2) No provision.	(2) No provision.	(2) Requires that the base salary of any member of the 129th General Assembly who is appointed after July 1, 2011, will be $57,555 for the remainder of that term.
(3) No provision.	(3) No provision.	(3) Requires the clerks of the respective chambers to request the Director of Budget and Management to transfer any savings derived as a result of these salary reductions to GRF appropriation item 600540, Second Harvest Food Banks.
		Fiscal effect: Since it is unclear how many members will choose to reduce their base pay by 5%, the likely amount that will be transferred to GRF appropriation item 600540, Second Harvest Food Banks, is uncertain.

Executive	As Passed by the House	As Passed by the Senate
SOACD1 Eligibility for Grants and Loans		
	R.C. *183.151*	
No provision.	Requires grants and loans awarded by the Southern Ohio Agricultural and Community Development Foundation after the effective date of the section to be limited to applicants enrolled in an institution of higher education located in Ohio or within 50 miles of the state's borders. **Fiscal effect: This provision changes the terms under which grants and loans are awarded, but does not alter the number of grants or loans issued. Typically, the Foundation receives more applications than it can fund.**	No provision.
SOACD2 Removal of Cap on Administrative Expenses		
		R.C. *183.30*
No provision.	No provision.	Removes the limitation that no more than five per cent of the total disbursements, encumbrances, and obligations of the Southern Ohio Agricultural and Community Development Foundation be for administrative expenses in the same fiscal year.
No provision.	No provision.	Removes a provision in existing law stating that the five per cent limitation does not apply to administrative expenses for which the Controlling Board approves a spending plan that the Foundation submits to the Board.

Executive	As Passed by the House	As Passed by the Senate
Commercial Activity Tax		
TAXCD6 Expansion of the New Refundable Job Retention Tax Credit		
R.C. ***122.171, 5725.98, 5729.98, 5733.0610, 5747.058, 5751.50.***	**R.C.** ***122.171, 5725.98, 5729.98, 5733.0610, 5747.058, 5751.50.***	**R.C.** ***122.171, 5725.98, 5729.98, 5733.0610, 5747.058, and 5751.50.***
Authorizes, between July 1, 2011, and December 31, 2013, the Tax Credit Authority to grant a new refundable job retention tax credit (JRTC) to businesses that have an annual payroll of at least $20 million, that invest at least $5 million at a project site in the same local jurisdiction where its principal place of business is located, and that meet other existing JRTC program requirements.	Same as the Executive.	Same as the Executive, except clarifies that the Tax Credit Authority may authorize up to $25 million of new refundable job retention tax credits between 2011 and 2013, and beginning in 2014, an amount of $25 million per year may be authorized in the ensuing fifteen year period. Also clarifies that the business must retain at least 500 full-time employees and maintain an annual payroll of at least $20 million, or maintain an annual payroll of $30 million.
Imposes additional requirements on applicants for the expanded refundable credit that do not apply to the existing refundable credit.	Same as the Executive.	Same as the Executive.
Fiscal effect: This provision generally expands the existing refundable job retention tax credit in H.B. 58 of the 129th General Assembly. It increases the current $8 million ceiling in annual refundable job retention tax credits to $25 million combined for 2011, 2012, and 2013. Potential commercial activity tax revenue loss (all funds basis) is $17.0 million for the biennium, though the yearly loss is undetermined. The GRF share of the revenue loss each year would depend on the allocation of commercial activity tax revenues between the GRF, the School District Tangible Property Tax Replacement Fund (Fund 7047) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081).	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
TAXCD33 **CAT Exemption for Uranium Enrichment Facility Transactions**		
		R.C. ***5751.01, 5751.41***
No provision.	No provision.	Authorizes a commercial activity tax exemption for receipts from transactions involving uranium within an area containing a uranium enrichment facility, provided that the facility is licensed by the U.S. Nuclear Regulatory Commission, is or was owned or controlled by the U.S. Department of Energy or its successor, and is certified as such by the Tax Commissioner. Specifies that the owner or operator of the facility must apply to the Tax Commissioner for certification and may appeal a denial of an application to the Board of Tax Appeals. **Fiscal effect: Reduces revenue from the CAT. Potential revenue loss may be several million dollars per year. The GRF share of the revenue loss each year would depend on the allocation of commercial activity tax revenues between the GRF, the School District Tangible Property Tax Replacement Fund (Fund 7047) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081). Any revenue loss to the GRF would also decrease the amount of tax revenue that will be deposited to the Local Government Fund (LGF) and the Public Library Fund (PLF); revenue losses to the LGF and PLF would decrease distributions to counties and local governments.**
TAXCD22 **Commercial Activity Tax on Casinos**		
	R.C. ***5751.01, 5753.01***	**R.C.** ***5751.01, 5753.01***
No provision.	Specifies that the commercial activity tax applies to the gross receipts of a casino operator without deduction for casino user winnings and payouts. **Fiscal effect: None.**	Same as the House. **Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
Corporation Franchise Tax		
TAXCD35 **Insurance Companies Franchise Tax Credit For Research Expenses**		
		R.C. ***5733.351, Section 757.93***
No provision.	No provision.	States that, for purpose of the corporation franchise tax tax credit for research expenses incurred by one or more members of a commonly owned or controlled group of corporations, an insurance company may be considered to be included in the group, though insurance companies are not subject to the franchise tax. Also declares that the amendment is a clarification of existing law.
		Fiscal effect: None.
Personal Income Tax		
TAXCD21 **Income Tax Refund Contributions to Ohio Historical Society**		
	R.C. ***149.308, 5747.113***	**R.C.** ***149.308, 5747.113***
No provision.	Allows taxpayers to contribute a portion of their income tax refunds to the Ohio Historical Society Income Tax Contribution Fund created by the bill, and to contribute directly to this fund. Requires the Ohio Historical Society to use this money for the public functions with which it is charged by R.C. 149.30.	Same as the House.
	Fiscal effect: Contributions to the new fund are uncertain. Three existing funds for income tax refund contributions have each received yearly amounts ranging from about $300,000 to more than $600,000. Up to 2.5% of income tax refund contributions may be transferred to the Litter Control and Natural Resource Contribution Fund (Fund 4370) to pay Department of Taxation costs of administering this program.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
Property Taxes and Transfer Fees		
TAXCD29 County Delinquent Tax and Assessment Funds		
		R.C. ***321.261, 149.38, 323.73, 323.75, 5721.19, and 5723.18***
No provision.	No provision.	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		
		R.C. ***5705.19***
No provision.	No provision.	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.
TAXCD39 Qualified Energy Project Exemption		
		R.C. ***5727.75***
No provision.	No provision.	Extends by three years the deadline by which the owner of a qualified energy project must submit a property tax exemption application, begin construction, and place into service an energy facility using renewable energy resources or advanced energy technology to qualify for an ongoing real and tangible personal property tax exemption. **Fiscal effect: May decrease property tax revenues for local taxing authorities where projects are located and may increase annual service payments in lieu of taxes for the local taxing jurisdictions where projects are located.**
TAXCD16 Local Government Reimbursement for Utility Personal Property Tax Losses		
R.C. ***5727.84, 5727.85, 5727.86, Section 757.20***	**R.C.** ***5727.84, 5727.85, 5727.86, Section 757.20***	**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).	(1) Same as the Executive, except holds reimbursements at CY 2013 levels in subsequent years for units of local government other than school districts.	(1) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(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.	(2) Same as the Executive, except holds percentages of KWH tax receipts at FY 2012 levels in subsequent years.	(2) Same as the House.
(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.	(3) Same as the Executive.	(3) Same as the Executive.
(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.

Executive	As Passed by the House	As Passed by the Senate
(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.
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.**

Executive	As Passed by the House	As Passed by the Senate
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***	**R.C.** ***5751.20, 5751.21, 5751.22, 5751.23, Section 757.20***	**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.	(1) Same as the Executive, except holds reimbursements at CY 2013 levels in subsequent years for units of local government other than school districts.	(1) Same as the House.
(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.

Executive	As Passed by the House	As Passed by the Senate
(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 requires three payments per year, in May, August, and October.)	(7) Same as the Executive.	(7) Same as the Executive.
(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.	(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 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
Sales and Use Taxes		
TAXCD37 **Computer Data Center Sales and Use Tax Exemption**		
		R.C. ***122.175***
No provision.	No provision.	Authorizes the Tax Credit Authority to grant a full or partial exemption from all sales and use taxes for equipment used in the operation of a computer data center business, provided that the business makes a capital investment of at least $100 million in the state and maintains an annual payroll for employees involved in the capital investment project of at least $5 million. **Fiscal effect: Reduces by an indeterminate amount GRF receipts from the sales and use tax. Potential loss may be several millions of dollars. Any revenue loss to the GRF also decreases the amount of tax revenue that will be deposited to the Local Government Fund (LGF) and the Public Library Fund (PLF); revenue losses to the LGF and PLF decrease distributions to counties and local governments.**
TAXCD31 **Seven-Year Time Limit for Sales and Use Tax Assessment**		
		R.C. ***5703.58, 5739.07***
No provision.	No provision.	Places a seven-year time limit within which the Tax Commissioner must issue an assessment for any alleged unpaid use tax liability when no shorter time limit applies under current law. Prohibits the Commissioner from assessing any consumer for use tax liability incurred before 2008.
No provision.	No provision.	Allows taxpayers who are assessed for unpaid use tax between four and seven years after the tax was due to file a claim for refund for overpaid sales or use tax for up to seven prior years.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: Potentially reduces GRF revenue from sales and use tax assessments and refunds.
TAXCD30 Sales Tax Exemption for Certain Tangible Property and Services Used in Agriculture		
		R.C. *5739.01, Section 757.60*
No provision.	No provision.	Exempts from sales and use taxation any building materials and related services that are incorporated into a building or structure used for keeping "captive deer" by specifying that such deer are "livestock" for the purpose of the existing exemption for livestock structures. Clarifies that the exemption applies to captive deer kept for agricultural purposes and not for private hunting.
No provision.	No provision.	Removes horses and fish from the definition of excluded livestock for purposes of the sales tax exemption for building materials and related services incorporated into a building or structure used to keep fish or horses for food.
No provision.	No provision.	Exempts from sales tax sales of tangible personal property or agricultural land tiles used "primarily" (in place of "directly" in current law) for farming, agriculture, horticulture, or floriculture.
		Fiscal effect: Reduces, by an indeterminate amount, GRF revenue from the state sales and use tax and revenue from local permissive and transit authority sales taxes. Any revenue loss to the GRF would also decrease the amount of tax revenue that will be deposited to the Local Government Fund (LGF) and the Public Library Fund (PLF); revenue losses to the LGF and PLF would decrease distributions to counties and local governments.

Executive	As Passed by the House	As Passed by the Senate
TAXCD36 Sales and Use Tax Exclusion for Redeemed Customer Loyalty Coupons		
		R.C. *5739.01*
No provision.	No provision.	Excludes from the sales and use tax the value of gift cards or certificates redeemed by a consumer in exchange for the vendor's goods or services as part of the vendor's awards, loyalty, or promotional program. **Fiscal effect: Reduces by an indeterminate amount GRF receipts from the sales and use tax. Any revenue loss to the GRF also decreases the amount of tax revenue that will be deposited to the Local Government Fund (LGF) and the Public Library Fund (PLF); revenue losses to the LGF and PLF decrease distributions to counties and local governments.**
Other Taxation Provisions		
TAXCD28 Joint Tax Expenditure Review Committee		
		R.C. *101.36*
No provision.	No provision.	Creates the Joint Tax Expenditure Review Committee, composed of eight legislators, for the purpose of reviewing existing and newly-proposed tax expenditures. Specifies that the Committee be comprised of: the chair and ranking minority member of the house of representatives committee that deals primarily with tax legislation; the chair and ranking minority member of the senate committee that deals primarily with tax legislation; two members of the house of representatives appointed by the speaker of the house of representatives; and two members of the senate appointed by the president of the senate.
No provision.	No provision.	Requires the Committee to establish a schedule for review for each tax expenditure so that each expenditure is reviewed at least once every eight years, and make recommendations as to whether each tax expenditure

Executive	As Passed by the House	As Passed by the Senate
		should be continued without modification, modified, scheduled for further review at a future date to consider repealing the expenditure, or repealed outright.
No provision.	No provision.	Requires any tax expenditure bill to include a statement explaining the objectives of the tax expenditure or its modification and the sponsor's intent in proposing the tax expenditure or its modification.
No provision.	No provision.	Requires the Committee to review a tax expenditure bill before it may be scheduled for a vote in any legislative committee.
No provision.	No provision.	Requires the Committee to prepare an annual report of its determinations and, not later than the thirty-first day of December of each year, provide a copy of the report to the governor, the speaker of the house of representatives, the president of the senate, the minority leader of the house of representatives, and the minority leader of the senate. The first annual report may be submitted either in 2011 or 2012. **Fiscal effect: Potential minimal increase in expenditures. The bill does not specify a funding source for support of the Committee.**

Executive	As Passed by the House	As Passed by the Senate
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 FY 2013, instead of the current 2.22% of GRF tax revenue.	(2) Same as the Executive.	(2) Same as the Executive.
(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	(3) Same as the Executive.	(3) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
all revenue from that tax to the General Revenue Fund.		
(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.
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
TAXCD27 Historic Building Rehabilitation Tax Credit		
	R.C. ***149.311, 5725.34, 5725.98, 5729.17, 5729.98 and Section 812.20***	**R.C.** ***149.311, 5725.34, 5725.98, 5729.17, 5729.98 and Section 812.20***
No provision.	Extends perpetually the credit for rehabilitating a historic building, but changes the aggregate limit on issuance of credits from $60 million per application period to $25 million per fiscal year. (Under existing law, the current application period, July 1, 2010 to June 30, 2011, is to be the last).	Same as the House.
No provision.	Allows foreign and domestic insurance company taxpayers to be eligible for the historic rehabilitation tax credit.	Same as the House.
No provision.	No provision.	Allows the Department of Development and Ohio Historic Preservation Office to charge reasonable fees for the administration of the Historic Preservation Tax Credit Program.
No provision.	No provision.	Requires expenditures of projects with costs over $200,000 to be certified by an accountant.
No provision.	No provision.	Permits, rather than requires as under current law, the Director of Development to rescind an application in which the applicant has failed to obtain financing for the project within 18 months of being approved for a credit.
No provision.	No provision.	Requires credits to be awarded after the rehabilitation or a stage in the rehabilitation is complete, depending on the length of the rehabilitation period; and requires an applicant to repay any amounts received if the project is not completed.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: This provision might reduce GRF tax revenues in FY 2013 by a minimal amount, though it is likely the full fiscal impact of this provision, up to $25 million per year, will occur outside the next biennium. The tax credit is currently claimed against the personal income tax, the corporate franchise tax, and the dealers in intangibles tax. Any revenue loss to the GRF would also decrease the amount of tax revenue that will be deposited to the Local Government Fund (LGF) and the Public Library Fund (PLF); revenue losses to the LGF and PLF would decrease distributions to counties and local governments.	**Fiscal effect: Same as the House, except establishes the Historic Rehabilitation Tax Credit Operating Fund in the state treasury, permits fee revenue to the new fund, and requires the fund to be used only for reasonable costs incurred by the Department of Development in administering the tax credit program.**
TAXCD5 Electronic Tax Filing Rules		
R.C. ***5703.059***	**R.C.** ***5703.059***	**R.C.** ***5703.059***
Authorizes the Tax Commissioner to adopt rules requiring electronic filing or payment of employer income tax withholding, motor fuel tax, cigarette and tobacco product excise tax, and severance tax. Authorizes taxpayers required to file or pay electronically under this provision to apply to the Tax Commissioner to be excused from the requirement.	Same as the Executive.	Same as the Executive, except authorizes the Tax Commissioner to require use tax returns to be filed electronically.
Fiscal effect: Electronic filing and payment reduce costs for the Department of Taxation. The Department may incur initial costs to publicize any new requirements and to educate the public regarding any such changes.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
TAXCD7 Tax Notices by Alternative Delivery Means		
R.C. *5703.37*	**R.C. *5703.37***	**R.C. *5703.37***
Authorizes the Tax Commissioner to issue notices and orders using delivery means other than certified mail or personal service if the alternative means records when the notice or order is placed with the delivery service and when it is accepted from a recipient, and if the delivery service is available to the general public and is as timely and reliable as the U.S. Postal Service.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Authorizes the Tax Commissioner to notify a vendor that the vendor's retail license has been revoked or suspended by a delivery service other than certified mail if the Commissioner finds that the delivery service is timely, reliable, available to the general public, and records the name of the person who accepted delivery and the date delivery was accepted.
Fiscal effect: Alternative delivery means may reduce Department of Taxation costs.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
TAXCD26 Estate Tax Repeal		
	R.C. *5731.02, 5731.19, and 5731.21*	**R.C. *5731.02, 5731.19, and 5731.21***
No provision.	Repeals the estate tax for the estates of individuals dying on or after January 1, 2013.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: The state GRF and the townships and municipal corporations in which the tax originates would no longer receive any revenue from the state estate tax for estates with dates of death on or after January 1, 2013. The revenue effect will occur after FY 2013, starting likely in FY 2014. The elimination of the state estate tax is estimated to reduce GRF tax receipts by tens of millions of dollars, and to decrease receipts to township or municipality of estate origin by hundreds of millions of dollars annually in the aggregate statewide. Any revenue loss to the GRF would also decrease the amount of tax revenue that will be deposited to the Local Government Fund (LGF) and the Public Library Fund (PLF) for distributions to counties and local governments.	

TAXCD25 Tax Exemptions for Privatized State Services

	R.C. ***5747.01, 9.06, 126.60, 126.604, 718.01, 5739.02, and 5751.01***	**R.C.** ***5747.01, 9.06, 126.60, 126.604, 718.01, 5739.02, and 5751.01***
No provision.	Provides an explicit sales tax exemption for transfers between the state and an entity, an income tax deduction for the entity's income, and commercial activity tax exclusion for the entity's gross receipts for an entity that enters into a contract with the state to provide highway (i.e., turnpike) services under the pending bill's authority for the state to contract for highway services, including the transfer of liquor operations to JobsOhio and the transfer of five prisons to private operators as authorized by the bill. (Real property conveyed to the private prisons operators is subject to real property taxes).	Same as the House, except specifies that operators of the private prisons would be subject to sales and use taxes, commercial activity tax, and state and local income taxes.

Executive	As Passed by the House	As Passed by the Senate
	Fiscal effect: Clarifies that these privatized state services are exempt from the specified taxes.	**Fiscal effect: Compared to the House provision, increases GRF revenue from the sales and use tax, the commercial activity tax, and the income tax. The GRF share of the revenue gain each year would depend on the allocation of commercial activity tax revenues between the GRF, the School District Tangible Property Tax Replacement Fund (Fund 7047) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081). Any revenue gain to the GRF from the other state taxes would also increase the amount of tax revenue that will be deposited to the Local Government Fund (LGF) and the Public Library Fund (PLF); revenue gain to the LGF and PLF would increase distributions to counties and local governments.**
TAXCD32 School District Combined Income Tax and Property Tax Levy		
		R.C. ***5748.09, 145.56, 319.301, 3305.08, 3307.41, 3309.66, 3316.041, 3316.06, 3316.08, 3317.08, 5505.22, 5705.214, 5705.29, 5748.01, 5748.05, 5748.081, Section 757.90***
No provision.	No provision.	Authorizes school districts, with voter approval of a single ballot question, to levy both a property tax for a fixed amount of revenue and an income tax. (Current permanent law allows school districts to propose both types of levy questions at a single election, but not as a single issue on the ballot.) Permits a school district to propose a combined income tax and property tax levy question up to twice a year.
		Fiscal effect: None

Executive	As Passed by the House	As Passed by the Senate
TAXCD20 Temporary Tax Amnesty Program		
	Sections: ***757.40, 757.41***	**Sections:** ***757.40, 403.10, 403.20, 757.41, and 757.42***
(1) No provision.	(1) Requires the Tax Commissioner to administer a tax amnesty program from January 1 to February 15, 2012, for the state personal income tax, sales and use tax, and corporate franchise tax, and for local taxes including the tangible personal property tax, county and transit authority sales tax, and school district income tax.	(1) Same as the House, but removes delinquent tangible personal property taxes from the taxes eligible for the bill's proposed amnesty program, and adds delinquent estate tax, motor fuel tax, cigarette tax, commercial activity tax, natural gas company excise tax (as distinct from the natural gas distribution, or "MCF," tax), and dealers in intangibles tax as taxes eligible for amnesty; changes the dates of the tax amnesty for all taxes except the use tax to the period from May 1 to June 15, 2012, instead of January 1 to February 15, 2012.
(2) No provision.	(2) No provision.	(2) Allows the Tax Commissioner the option of contracting with a third party to administer the amnesty or to provide advertising or computer support for the amnesty; and specifies that Fund 5BW0 appropriation item 110630, Tax Amnesty Promotion and Administration be used for advertising, promotion, and administration costs of the amnesty program.
(3) No provision.	(3) No provision.	(3) Requires the Tax Commissioner to administer a tax amnesty program for the use tax for the period from the effective date of the bill to May 1, 2013, and authorizes the Commissioner to enter into a payment plan with any consumer that participates in the use tax amnesty program.
	Fiscal effect: Will increase tax receipts, likely in the millions. Some portion of any receipts under an amnesty program would be recovered, in the absence of such a program, through audit and enforcement actions.	**Fiscal effect: Same as the House, but appropriates $2.5 million in FY 2012 for the Department of Taxation to administer the program.**

Executive	As Passed by the House	As Passed by the Senate
TAXCD23 Former Inheritance Tax: Closure of Outstanding Cases		
	Section: ***757.50***	**Section:** ***757.50***
No provision.	Requires all claims and inquiries regarding the repealed Ohio Inheritance Tax to be submitted to the Department of Taxation before 2013. The inheritance tax was repealed in 1968, to be replaced by the estate tax.	Same as the House.
	Fiscal effect: None.	

Executive	As Passed by the House	As Passed by the Senate
DOTCD48 Airport Assistance Fund Uses		
		R.C. *4561.21*
No provision.	No provision.	Permits money in the Airport Assistance Fund (Fund 5W90) to be used to pay the operating costs associated with ODOT's Office of Aviation, in addition to paying for maintenance and capital improvements to publicly owned airports as provided in current law. **Fiscal effect: Makes available additional dollars for operating expenses to supplement the amounts currently allocated for such purposes through the GRF. However, using Fund 5W90 for operating purposes would reduce the grant funds available for airport pavement maintenance and obstruction removal.**
DOTCD45 Maintenance, Repair, and Replacement of Certain Bridges		
		R.C. *5501.44*
No provision.	No provision.	Permits the Director of ODOT to expend funds for the design, construction, inspection, maintenance, repair, and replacement of bridges and bridge approaches that were transferred from the Ohio Bridge Commission to ODOT under Section 4 of H.B. 98 of the 114th General Assembly and the bridges and bridge approaches that will replace those bridges. Allows the state to fund these activities on the portion of the bridges outside of the state bounds.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: None apparent. This provision appears to apply mainly to the Ironton-Russell Bridge, which spans the Ohio River between Ironton, Ohio, and Russell, Kentucky. The provision clarifies ODOT's authority to maintain and replace the Ironton-Russell and other bridges that were a part of the Ohio Bridge Commission. The provision allowing the state to fund various activities on the portion of the bridges outside of the state bounds conforms with current practice in which Ohio has complete ownership and carries the entire financial burden of maintaining these bridges according to interstate agreements governing the bridges.
DOTCD44 ODOT Public-Private Partnership Agreements		
		R.C. *5501.73*
No provision.	No provision.	Removes the restriction that the public private partnership agreements that ODOT may enter into be for a period not to exceed the biennium for which appropriations have been made (the authority to enter into these agreements was provided by H.B. 114, the transportation budget act for FY 2012-FY 2013). **Fiscal effect: Allows ODOT to enter into a long term contract associated with a public private agreement.**
DOTCD43 Transportation Public-Private Partnership Legislative Oversight Committee		
	R.C. *5501.84*	
(1) No provision.	(1) Creates the Transportation Public-Private Partnership Legislative Oversight Committee, consisting of three members of the Senate and three members of the House of Representatives.	(1) No provision.

Executive	As Passed by the House	As Passed by the Senate
(2) No provision.	(2) Requires the Committee to meet at least quarterly and requires ODOT, at each meeting, to make a report to the Committee on public-private partnership matters, including financial and budgetary matters and proposed and ongoing bids, maintenance, repair, and operational projects.	(2) No provision.
(3) No provision.	(3) Permits the Committee, by the affirmative vote of at least four of its members, to submit written recommendations to the Director of ODOT, the President of the Senate, the Speaker of the House, and the minority leaders of each house describing public-private partnership matters subject to further legislative review. **Fiscal effect: Potential minimal increase for reimbursement of expenses to committee members.**	(3) No provision.
DOTCD47 Certificate of Qualification Requirements		
		R.C. *5525.04*
No provision.	No provision.	Requires an applicant for a certificate of qualification from ODOT, which allows a contractor to bid on ODOT projects and specifies the aggregate amount of work that the contractor may have under construction and uncompleted at any one time, in an amount of $5 million or more, rather than $2 million or more as specified in current law, to submit to the Director of Transportation a financial audit prepared and attested to by an independent certified public accountant.
No provision.	No provision.	Requires an applicant for a certificate of qualification from ODOT in an amount less than $5 million, rather than less than $2 million as specified in current law, to submit a financial review to the Director. **Fiscal effect: None.**

Executive	As Passed by the House	As Passed by the Senate
DOTCD46 Motor Vehicle Weight Limit Tolerances		
		R.C. *5577.042, 5577.043*
No provision.	No provision.	Removes the provision recently enacted by Am. Sub. H.B. 114 (the Transportation Appropriations Bill) that no wheel or axle load limits are to apply to vehicles that are transporting certain specific materials and do not exceed the existing gross vehicle weight limit by more than the established weight limit tolerance for the particular vehicle and load of either 5% or 7.5%. **Fiscal effect: Potentially increases fines levied on vehicles exceeding statutory maximum wheel or axle load weights, relative to what they may have been under the provisions in H.B. 114.**
DOTCD41 Motor Fuel Tax Revenue Distribution		
Section: *506.20*		
Requires the first 2% of monthly motor fuel tax receipts to be deposited to the credit of the Highway Operating Fund (Fund 7002).	No provision.	No provision.
Permits the Director of OBM, upon the request of the Director of Public Safety, to make periodic transfers of cash totaling $16,220,000 in each fiscal year from Fund 7002 to the State Highway Safety Fund (Fund 7036).	No provision.	No provision.

Executive	As Passed by the House	As Passed by the Senate
DOTCD42 DOT Environmental Reviews		
	Section: ***755.10***	**Section:** ***755.10***
No provision.	Authorizes the Director of Transportation, with Controlling Board approval, to make advance payments to the federal government for its costs in dedicating staff to the expeditious and timely review of environmentally related documents submitted by ODOT that are necessary for the approval of federal permits.	Same as the House.
	Fiscal effect: The provision is identical to one contained in the Transportation Appropriations Bill enacted in 2009. In 2011, the same provision was in the second version of the Transportation Bill considered by the House Finance and Appropriations Committee (LSC 129 0947-2), but was inadvertently deleted in subsequent versions of the bill.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
TOSCD6 **Supplemental School Employee Compensation Deferral Plan**		
		R.C. ***113.42, 113.43, 113.44, 2907.15, and 2921.41***
(1) No provision.	(1) No provision.	(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.
(2) No provision.	(2) No provision.	(2) Provides that the plan may be invested in investments considered appropriate by the Treasurer, including life insurance, annuity contracts, and mutual funds.
(3) No provision.	(3) No provision.	(3) Specifies that the deferred employee compensation under such plan is not included in the computation of federal or state income taxes.
(4) No provision.	(4) No provision.	(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.
(5) No provision.	(5) No provision.	(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.

Executive	As Passed by the House	As Passed by the Senate
		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.
TOSCD7	**Public Employee Salary and Benefits Information Reported to Treasurer of State**	
		R.C. ***113.47***
(1) No provision.	(1) No provision.	(1) Requires all state agencies and political subdivisions to submit "reportable information" related to public employee salaries and benefits annually to the Treasurer of State by March 1 of the year following the year for which information is being reported. Specifies that reportable information for calendar year 2010 must be reported by September 1, 2011. Defines "reportable information" to include: (a) the name, title, gross annual pay, employer, and years of service of each employee or elected official of a governmental entity and (b) any cost associated with employment other than gross pay, including, but not limited to, pension and benefits.
(2) No provision.	(2) No provision.	(2) Requires the Treasurer of State to make the information available by April 15 of each year either on the Treasurer's web site or in any other convenient and accessible manner. The Treasurer is authorized to adopt rules to "prescribe incentives to enforce compliance" with the reporting requirement.

Executive	As Passed by the House	As Passed by the Senate
		Fiscal effect: Potential increase in the Treasurer's administrative costs related to the requirements. Increase in costs for political subdivisions to comply with reporting requirements. As required by existing law, the Department of Administrative Services currently publishes on the state web site each state employee's gross pay from the most recent pay period including the name of the agency, position title, and employee name.
TOSCD5	**Transfer of OBA Bonding Authority to the Treasurer of State**	
	R.C. ***154.02, 154.07, 154.24, 154.25, and 3333.90; Section 701.50***	**R.C.** ***123.10, 154.02, 154.07, 154.11, 154.24, 154.25, 3333.90 and 5120.105; Section 701.50***
No provision.	Provides for the Treasurer of State to supersede and replace the Ohio Building Authority as the issuing authority in all matters relating to the issuance of obligations for the financing of capital facilities for housing branches and agencies of state government and for the financing of community or technical college capital facilities pursuant to the Bond Intercept Program. (Does not, however, repeal the Ohio Building Authority's current bond issuing authority for these purposes.)	Same as the House, but creates in the state treasury the following bond service trust funds for the purpose of payment of bond service charges for sales of obligations credited to the corresponding funds: Administrative Facilities Bond Service Trust Fund (Administrative Building Fund); Adult Correctional Facilities Bond Service Trust Fund (Adult Correctional Building Fund); Juvenile Correctional Facilities Bond Service Trust Fund (Juvenile Correctional Building Fund); and Public Safety Bond Service Trust Fund (Public Safety Building Fund) and consolidates them in one section of the law (R. C. 154.24).
No provision.	No provision.	Specifies that the transfer of bond issuance authority from the OBA to the Treasurer does not apply to OBA's interests or responsibilities for the operation or maintenance of the James A. Rhodes State Office Tower, the Vern Riffe Center for Government and the Arts, the Frank J. Lausche State Office Building, the Michael V. DiSalle Government Center, the Oliver R. Ocasek Government Office Building, and the State of Ohio Computer Center.
	Fiscal effect: Potentially increases the Treasurer of State's administrative costs related to the new responsibilities, with potential corresponding decrease in the Ohio Building Authority's administrative costs.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
TOSCD4 Small Business Linked Deposit Program Investments		
	R.C. ***135.61, 135.65 and 135.66***	**R.C.** ***135.61, 135.65 and 135.66***
No provision.	Expands the financial instruments that the Treasurer of State may place with an eligible lending institution for purposes of lending the deposit to eligible small businesses at a rate below the present borrowing rate. Thereby conforms the financial instruments that may be used to those currently authorized for the Housing Linked Deposit Program. **Fiscal effect: None.**	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
WCCCD2 **Abolishment of the Workers' Compensation Council**		
		R.C. ***4121.75, , 4121.76, 4121.77, 4121.78, and 4121.79 (all repealed); Sections 610.20, 610.21, and 690.20***
No provision.	No provision.	Abolishes the Workers' Compensation Council. Abolishes the Workers' Compensation Council Remuneration Fund (Fund 5FV0) and the Workers' Compensation Council Fund and requires any cash balances in these funds to be transferred to the State Insurance Fund. Eliminates the appropriation of $471,200 per year for the Council made in H.B. 123 of the 129th GA.
No provision.	No provision.	Transfers all Council records to the Legislative Service Commission and all other assets and liabilities of the Council to the Bureau of Workers' Compensation.

Executive	As Passed by the House	As Passed by the Senate
DYSCD7 **Interstate Compact for Juveniles**		
	R.C. ***2151.312, 2151.354, 2151.56, 2151.57, 2151.58, 2151.59, 2151.60, 2151.61, 2152.26***	
No provision.	Repeals the Interstate Compact on Juveniles and enacts the Interstate Compact for Juveniles.	No provision.
	Fiscal effect: The Department of Youth Services will incur costs to serve as the state agency responsible for administering the Interstate Compact for Juveniles in Ohio, most notably annual dues estimated at $27,000, and may incur minimal annual costs to provide staffing assistance to the six-member State Council for Interstate Supervision. Juvenile courts may realize some savings in their annual operating costs, as a result of being able to more efficiently track, transfer, and supervise adjudicated juvenile delinquents, status offenders, and runaways.	
DYSCD6 **Prioritization for the Use of Moneys from the Felony Delinquent Care and Custody Fund**		
	R.C. ***5139.43***	**R.C.** ***5139.43***
No provision.	Requires a county and the juvenile court that serves the county to prioritize the use of moneys in the county's Felony Delinquent Care and Custody Fund to research-supported, outcome-based programs and services.	Same as the House.
	Fiscal effect: Certain programs and services may be more or less likely to be funded in the future.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
DYSCD9 **Community Programs**		
	Section: ***415.10***	**Section:** ***415.10***
No provision.	Reappropriates, from one fiscal year to the next, 45% of the unspent amount allocated for juvenile correctional facility operations in GRF appropriation item 470401, RECLAIM Ohio, to be used to expand evidence-based community treatment programs.	Same as the House.
DYSCD8 **Sale of a Department of Youth Services Facility**		
	Sections: ***753.30, R.C. 9.06, 5120.092***	**Section:** ***753.30***
(1) No provision.	(1) Authorizes the sale of any Department of Youth Services facility that is closed before January 1, 2012 for use as a privately operated adult or juvenile correctional facility.	(1) Replaces the House provision with a provision authorizing the sale of the Ohio River Valley Juvenile Correctional Facility.
(2) No provision.	(2) Specifies that any DYS facility sold must be returned to the county auditor's tax list and duplicate and is subject to all real property taxes and assessments, that no exemption from real property taxation under R.C. Chapter 5709. applies to any DYS facility sold under this provision, and that the gross receipts and income of a contractor to whom any DYS facility is sold under the provisions that are derived from operating the facility are exempt from gross receipts and income taxes levied by the state and its subdivisions.	(2) No provision.
(3) No provision.	(3) No provision.	(3) Provides the state an irrevocable right of first refusal to repurchase any DYS facility sold to a contractor under the bill and the real property on which it is situated, and a similar irrevocable right of first refusal to repurchase any surrounding property sold along with any such facility to a contractor under the bill, if the contractor wishes to resell the facility or land.
(4) No provision.	(4) No provision.	(4) Authorizes the state to repurchase a DYS facility and related land sold to a contractor or purchaser under the bill, if that party defaults on any financial agreement for the

Executive	As Passed by the House	As Passed by the Senate
		purchase of the facility, defaults on any other term in the contract of sale, or is financially insolvent or unable to meet its contractual obligations.
(5) No provision.	(5) No provision.	(5) Specifies that the repurchase price paid by the state cannot be greater than the purchase price paid to the state for the facility, real property, or surrounding land that is to be repurchased, less depreciation from the time of the conveyance to the contractor, plus the depreciated value of any capital improvements to the facility, real property, or surrounding land that were made to it and funded by anyone other than the state subsequent to the conveyance to the contractor.
	Fiscal effect: The sale of such a facility will generate a onetime revenue gain for the Adult and Juvenile Correctional Facilities Bond Retirement Fund, which the bill creates, with any remaining proceeds transferred to the GRF. The annual cost of the facility's subsequent management and operation under contract with the state as an adult or juvenile correctional facility would be a savings over the projected cost to the state of operating a similar facility. The tax provisions make it clear that, subsequent to such a sale, local property taxes and assessments become applicable against the property in the county where the sold facility is located. Certain other state and local tax revenues (sales and use taxes, commercial activity tax, and state and local income taxes) that might otherwise have been collected may also be foregone.	**Fiscal effect: The sale of the facility will generate a onetime revenue gain for the Adult and Juvenile Correctional Facilities Bond Retirement Fund, which the bill creates, with any remaining proceeds transferred to the GRF.**

Executive	As Passed by the House	As Passed by the Senate
LOCCD8 Publication of Legal Notices and Advertisements		
R.C. ***7.12, 7.16***	**R.C.** ***7.12, 7.16, 125.182, and numerous other sections; Repealed: R.C. 7.14 and 701.04***	**R.C.** ***7.12, 7.16, 125.182, and numerous other sections; Repealed: R.C. 7.14 and 701.04***
(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.	(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.	(1) Same as the House.
(2) No provision.	(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.	(2) Same as the House, but requires all legal advertisements or notices to be posted on the state public notice web site.
(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. Authorizes a municipal corporation, county, or other political subdivision that is required by law to make a legal publication	(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, and on the newspaper's web site, if there is one. (B) Specifies that the state agency or political subdivision	(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 title, followed by a summary paragraph or statement that clearly describes the specific purpose of the notice or

Executive	As Passed by the House	As Passed by the Senate
in a newspaper to use an insert placed in the newspaper.	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. (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.	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. 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. Regarding (B)(d): Eliminates the House provision. (C) Same as the House.
(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	As Passed by the House	As Passed by the Senate
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***	**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.	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.**	

Executive	As Passed by the House	As Passed by the Senate
LOCCD5 Intergovernmental Shared Services		
R.C. *9.482*	**R.C. *9.482***	**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.	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 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.
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.	Same as the Executive.	Same as the House.
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.	Same as the Executive.	Same as the House.
Fiscal effect: Presumably this authority would be used when the services could be provided at a lower cost.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
LOCCD55 Contracts for Legislative Agents		
		R.C. *101.711*
No provision.	No provision.	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.

Executive	As Passed by the House	As Passed by the Senate
		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		
	R.C. ***118.023, 118.025, 118.04, 118.05, 118.06, 118.12, 118.31, 118.99***	**R.C.** ***118.023, 118.025, 118.04, 118.05, 118.06, 118.12, 118.31, 118.99***
No provision.	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.	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) 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.	Same as the House.
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	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	reflecting the effects of the actions.	
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.
(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.

Executive	As Passed by the House	As Passed by the Senate
(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.
No provision.	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.	Same as the House, except allows (instead of requires) the Controlling Board to provide those funds.
	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.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
LOCCD42 County Public Defender Salaries		
		R.C. *120.40*
No provision.	No provision.	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. **Fiscal effect: There could be a reduction in salary costs for counties in some cases.**
LOCCD58 Political Subdivision Employee Health Care Coverage for Nontherapeutic Abortions		
		R.C. *124.85*
No provision.	No provision.	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.

Executive	As Passed by the House	As Passed by the Senate
LOCCD18 **Maturity of Securities Issued by Counties for Real Property**		
	R.C. ***133.20***	**R.C.** ***133.20***
No provision.	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. **Fiscal effect: Allows counties to finance projects with lower debt service payments, but over a longer repayment period.**	Same as the House. **Fiscal effect: Same as the House.**
LOCCD57 **Destruction or Damage of Public Records**		
		R.C. ***149.351***
No provision.	No provision.	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.**

Executive	As Passed by the House	As Passed by the Senate
LOCCD39 **Records of Municipally Owned or Operated Utilities**		
		R.C. ***149.43***
No provision.	No provision.	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.
LOCCD34 **Regional Councils of Government - Joint Purchasing**		
		R.C. ***167.081***
No provision.	No provision.	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

Executive	As Passed by the House	As Passed by the Senate
		before the date specified for receiving bids.
LOCCD2 County Centralized Services		
R.C. *305.23*	**R.C. *305.23***	**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.	Same as the Executive, but removes IT services from the list of services that can be centralized by a board of county commissioners.	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.
No provision.	No provision.	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.
No provision.	No provision.	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.
No provision.	No provision.	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 120 used by the county recorder.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	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.
Fiscal effect: Using centralized services could reduce operating costs for county offices.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive, but restricts the types of services that a county might centralize.**

LOCCD25 Regional Transit Authority Membership

	R.C. ***306.322, 306.55, 306.551***	**R.C.** ***306.322, 306.55, 306.551***
(1) No provision.	(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.	(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.
(2) No provision.	(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.	(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.

Executive	As Passed by the House	As Passed by the Senate
	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		
		R.C. *307.093*
No provision.	No provision.	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.**
LOCCD56 County Automatic Data Processing Boards		
		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*
No provision.	No provision.	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.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	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.
No provision.	No provision.	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.
No provision.	No provision.	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. **Fiscal effect: Centralizing data services under the County Automatic Data Processing Board could lead to operating efficiencies and savings.**
LOCCD40 County Recorder Continuing Education		
		R.C. ***317.06***
No provision.	No provision.	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.

Executive	As Passed by the House	As Passed by the Senate
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.**

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,	No provision.

Executive	As Passed by the House	As Passed by the Senate
	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.	
(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

		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***
(1) No provision.	(1) No provision.	(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.

Executive	As Passed by the House	As Passed by the Senate
(2) No provision.	(2) No provision.	(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 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) No provision.	(3) No provision.	(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		
		R.C. *504.16*
No provision.	No provision.	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		
		R.C. *505.24*
No provision.	No provision.	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		
		R.C. *505.482, various other sections of law*
(1) No provision.	(1) No provision.	(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.
		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.

Executive	As Passed by the House	As Passed by the Senate
LOCCD13 **Source of Township Fiscal Officer Compensation**		
	R.C. ***507.09***	**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.	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: 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.	**Fiscal effect: Same as the House.**
LOCCD38 **Township and Village Competitive Bidding Thresholds**		
		R.C. ***511.01, 511.12, 515.01, 515.07, 521.05, 731.14, 5549.21***
No provision.	No provision.	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.
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.

Executive	As Passed by the House	As Passed by the Senate
LOCCD37 Township Cemeteries		
		R.C. ***517.06***
No provision.	No provision.	Authorizes Boards of Township Trustees to make and enforce all necessary rules and regulations for burial, interment, reinternment, or disinterment.
LOCCD29 Merger of Townships		
	R.C. ***523.01, 523.02-523.08***	**R.C.** ***523.01, 523.02-523.06, 523.09***
No provision.	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.	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.
No provision.	Authorizes electors of the townships to propose a merger by initiative petition.	Same as the House.
No provision.	No provision.	Prohibits a merger from being considered for at least three years after the voters reject the merger.
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	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
	new township to function under those default terms and conditions to which no agreement was reached.	
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; (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	Same as the House, except removes condition (7) in the House version.

Executive	As Passed by the House	As Passed by the Senate
	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

		R.C. ***709.43, 709.44, 709.451, 709.452***
No provision.	No provision.	Allows the legislative authorities of a municipal corporation and township, by a two-thirds majority, to adopt a resolution or ordinance for merger.
No provision.	No provision.	Requires the legislative authorities of the merging subdivisions to enter into a merger agreement which must contain: (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.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	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
No provision.	No provision.	Authorizes the political subdivisions proposed for merger to present the question of merger to the voters before merging.
No provision.	No provision.	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.
No provision.	No provision.	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. **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.

Executive	As Passed by the House	As Passed by the Senate
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. **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.**	No provision.
LOCCD21 Joint Projects by Contracting Subdivisions		
	R.C. *755.16*	**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. **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.**	Same as the House. **Fiscal effect: Same as the House.**
LOCCD35 Assistance Dogs		
		R.C. *955.011*
No provision.	No provision.	Revises the definition of "mobility impaired person" to include a person who is diagnosed with autism for purposes of the statutes governing assistance dogs.

Executive	As Passed by the House	As Passed by the Senate
LOCCD48 **Municipal Court Jurisdiction over the Village of West Milgrove**		
		R.C. ***1901.02***
No provision.	No provision.	Moves jurisdiction over the Village of West Millgrove from the Fostoria Municipal Court to the Bowling Green Municipal Court. **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.**
LOCCD49 **Court Filing Fees**		
		R.C. ***1901.261, 1901.262, 1907.261, 1907.262, 2151.541, 2301.031, 2303.201***
(1) No provision.	(1) No provision.	(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.**

Executive	As Passed by the House	As Passed by the Senate
LOCCD36 Sheriff Sales Notices		
		R.C. *2329.26*
No provision.	No provision.	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.
LOCCD28 Collection of Felony Court Costs		
	R.C. *2949.14*	**R.C. *2949.14***
No provision.	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.	Same as the House.
	Fiscal effect: This would serve to expedite the process of submitting a bill, but otherwise has no fiscal effect.	**Fiscal effect: Same as the House.**
LOCCD14 Township Tax Levy Expenses		
	R.C. *3501.17*	**R.C. *3501.17***
No provision.	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.	Same as the House.
	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.	**Fiscal effect: Same as the House.**

Executive	As Passed by the House	As Passed by the Senate
LOCCD7 Office Space for General Health Districts		
R.C. ***3709.34, 3709.341***	**R.C.** ***3709.34, 3709.341***	**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.	Same as the Executive.	No provision.
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.	Same as the Executive.	No provision.
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.	Same as the Executive.	Same as the Executive.
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		
		R.C. ***3717.53, 3717.54***
No provision.	No provision.	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

Executive	As Passed by the House	As Passed by the Senate
		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.
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.

LOCCD51 Solid Waste Management District Fee Exemptions

		R.C. ***3734.577***
No provision.	No provision.	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.

Executive	As Passed by the House	As Passed by the Senate
		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.
LOCCD61 Use of Public Facilities for Nontherapeutic Abortions		
		R.C. *5101.57*
No provision.	No provision.	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. **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.**

Executive	As Passed by the House	As Passed by the Senate
LOCCD17 School District Transfers from Bond Retirement Fund		
	R.C. *5705.14*	**R.C. *5705.14***
No provision.	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.) **Fiscal effect: Revenue gain to certain permanent improvement funds if any transfer is made.**	Same as the House.
LOCCD3 County Quarterly Spending Plans		
R.C. *5705.392*	**R.C. *5705.392***	**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.	Same as the Executive.	Same as the Executive.
No provision.	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	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.

Executive	As Passed by the House	As Passed by the Senate
	which the plan was adopted is no longer in office, whichever is later.	
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
LOCCD16 County Sewer District Contracts		
	R.C. ***6103.04, 6117.05***	**R.C.** ***6103.04, 6117.05, 6119.061***
No provision.	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.	Replaces the House provisions with new provisions that are structured differently but that achieve the same substantive effect.
No provision.	No provision.	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.
No provision.	No provision.	Establishes new contracting authority for regional water and sewer districts regarding the conveyance of water resource projects to municipal corporations.

Executive	As Passed by the House	As Passed by the Senate
LOCCD31 **Sanitary District for the Reduction of Biting Arthropods**		
		R.C. ***6115.321***
No provision.	No provision.	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 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**		
		Sections: ***620.20, 620.21***
No provision.	No provision.	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.**
LOCCD23 **Land Conveyance - Ripley Union Lewis Huntington School District**		
	Section: ***753.20***	**Section:** ***753.20***
No provision.	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.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
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 Universitiy to Jackson Township

	Section: ***753.23***	**Section:** ***753.23***
No provision.	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.	Same as the House.
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.

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