

Executive

As Passed by the House

In Senate Finance

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.**

DEVCD8 Minority Business Enterprise Loan Financing Requirements

R.C. 122.76

R.C. 122.76

R.C. 122.76

Removes the requirement that applicants for the Department of Development's Minority Business Enterprise Loan Program have funding from one or more financial institutions or other governmental entities totaling at least 30% of the total value of the project.

Same as the Executive.

Same as the Executive.

DEVCD9 Biomedical Research and Technology Transfer Award Administrative Expenses

R.C. 183.30

R.C. 183.30

R.C. 183.30

Removes the current 5% limit on the portion of the Biomedical Research and Technology Transfer Trust Fund (Fund M087) that may be used by the Third Frontier Commission for administrative expenses of the fund; specifies instead that payments may be made from the fund for administrative expenses related to awards made from the fund prior to the bill's effective date; and requires that no such payments be made after June 30, 2013.

Same as the Executive.

Same as the Executive.

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**Fiscal effect: Limits the administrative expenses to be paid from the Biomedical Research and Technology Transfer Trust Fund (Fund M087) to those for awards issued before FY 2012.**

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

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

DEVCD7      Transfer of Ohio Coal Development Office

R.C.      *1551.32, 1551.311, 1551.33, 1551.35, 1555.02-1555.06, 1555.08, 1555.17; Sections 261.30.70 and 515.30*

R.C.      *1551.32, 1551.311, 1551.33, 1551.35, 1555.02-1555.06, 1555.08, 1555.17; Sections 261.30.70 and 515.30*

R.C.      *1551.32, 1551.311, 1551.33, 1551.35, 1555.02-1555.06, 1555.08, 1555.17; Sections 261.30.70 and 515.30*

Transfers the Ohio Coal Development Office from the Ohio Air Quality Development Authority to the Ohio Department of Development; removes provisions that require the Coal Development Office or its Director to obtain the approval of a majority of the members of the Air Quality Development Authority to perform certain actions; and removes the Director of Development as an ex officio member of the Coal Development Office Technical Advisory Committee.

Same as the Executive.

Same as the Executive.

Requires the Director of Budget and Management to transfer any unexpended and unencumbered portion and any outstanding encumbrances of Coal Research and Development Fund 7046 line item 898604, Coal Research and Development Fund, to a new capital line item in the Department of Development's budget, to be determined by the Director. Appropriates the transferred amounts plus \$2,283,264 for FY 2012 and requires the funds to be used for coal research and development purposes.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Removes all funding for the Coal Development Office from the Air Quality Development Authority and requires the creation of a new capital line item in the Department of Development's budget for coal research and development purposes.**

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

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

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**DEVCD10 Prevailing Wage Requirements for Development Projects**

R.C. *4115.032, (Repealed), 166.02, 1551.33, 1728.07, 4116.01, Repealed: 122.0818, 122.452, 165.031, 1551.13, 3706.042, 4981.23*

R.C. *4115.032, (Repealed), 166.02, 1551.33, 1728.07, 4116.01, Repealed: 122.0818, 122.452, 165.031, 1551.13, 3706.042, 4981.23*

R.C. *4115.032, (Repealed), 166.02, 1551.33, 1728.07, 4116.01, Repealed: 122.0818, 122.452, 165.031, 1551.13, 3706.042, 4981.23*

Removes the requirements that prevailing wage be paid to contractors for:

Same as the Executive.

Same as the Executive.

(1) projects under the Department of Development's Job Ready Sites Program;

(1) Same as the Executive.

(1) Same as the Executive.

(2) any industrial, distribution, commercial, and research projects receiving funding from the Department under Chapter 122. of the Revised Code;

(2) Same as the Executive.

(2) Same as the Executive.

(3) projects involving the acquisition, construction, improvement, or equipping of property for industry, commerce, distribution, or research under Chapter 165. of the Revised Code;

(3) Same as the Executive.

(3) Same as the Executive.

(4) projects receiving funding from the Department under Chapter 166. of the Revised Code;

(4) Same as the Executive.

(4) Same as the Executive.

(5) energy resource development projects or facilities supported by the Department under Chapter 1551. of the Revised Code;

(5) Same as the Executive.

(5) Same as the Executive.

(6) projects undertaken by community urban redevelopment corporations in conjunction with municipal corporations under Chapter 1728. of the Revised Code;

(6) Same as the Executive.

(6) Same as the Executive.

(7) air quality projects financed by the Ohio Air Quality Development Authority under Chapter 3706. of the Revised Code; and

(7) Same as the Executive.

(7) Same as the Executive.

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(8) rail service projects funded by the Ohio Rail Development Commission under Sections 4981.11 to 4981.26 of the Revised Code	(8) Same as the Executive.	(8) Same as the Executive.
<b>DEVCD11 Thomas Edison Program</b>		
<p><b>Section: 261.10.10</b></p> <p>Requires GRF appropriation item 195401, Thomas Edison Program, to be used for the purposes of sections 122.28 to 122.38 of the Revised Code, and requires not more than 10% of the appropriation in each fiscal year to be used for administrative costs of the Department of Development's Technology and Innovation Division.</p>	<p><b>Section: 261.10.10</b></p> <p>Same as the Executive.</p>	<p><b>Section: 261.10.10</b></p> <p>Same as the Executive.</p>
<b>DEVCD12 Small Business Development</b>		
<p><b>Section: 261.10.20</b></p> <p>Requires GRF appropriation item 195404, Small Business Development, to be used as matching funds for grants from the U.S. Small Business Administration and other federal agencies pursuant to federal law and regulations, and to be used for grants to local organizations for the operation of Small Business Development Centers and other local economic development activities that promote small business development and entrepreneurship.</p>	<p><b>Section: 261.10.20</b></p> <p>Same as the Executive.</p>	<p><b>Section: 261.10.20</b></p> <p>Same as the Executive.</p>

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DEVCD13 Rapid Outreach Grants

**Section: 261.10.30**

Requires GRF appropriation item 195412, Rapid Outreach Grants, to be used as an incentive for attracting, expanding, and retaining business opportunities for the state in accordance with Chapter 166. of the Revised Code, and requires no more than 5% in each fiscal year to be used for the program's administrative costs.

Requires the Department of Development to award funds directly to business entities considering Ohio for expansion or new site locations; requires Rapid Outreach Grants to be used for equipment purchases, infrastructure and real property improvements, or other fixed assets; allows funds to be awarded directly to a political subdivision for on- or off-site infrastructure improvements to various specified facilities; and allows the Director of Development to recommend alternative uses of funds in order to satisfy an economic development opportunity or extraordinary need, including projects for rail freight assistance as requested and submitted by the Department of Transportation.

Requires that Rapid Outreach Grant awards be expended only after Controlling Board approval.

**Section: 261.10.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 261.10.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD14 Strategic Business Investment Division and Regional Offices**

**Section: 261.10.40**

Requires GRF appropriation item 195415, Strategic Business Investment Division and Regional Offices, to be used for the operating expenses of the Division and the regional economic development offices and for grants to cooperative economic development ventures.

**Section: 261.10.40**

Same as the Executive.

**Section: 261.10.40**

Same as the Executive.

**DEVCD15 Governor's Office of Appalachia**

**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.

**Section: 261.10.50**

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).

**Section: 261.10.50**

Same as the Executive.

**DEVCD16 Technology Action**

**Section: 261.10.60**

Requires GRF appropriation item 195422, Technology Action, to be used for operating expenses incurred under sections 184.10 to 184.20 of the Revised Code, and specifies that if the appropriation is insufficient to cover such costs, the Department may request Controlling Board approval to appropriate the additional amount needed in Third Frontier Research and Development Fund appropriation item 195686, Third Frontier Operating.

**Section: 261.10.60**

Same as the Executive.

**Section: 261.10.60**

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD17      Clean Ohio Implementation**

**Section: 261.10.70**

Requires GRF appropriation item 195426, Clean Ohio Implementation, to be used to fund the administrative costs of the Clean Ohio Revitalization Program and other urban revitalization programs of the Department of Development.

**Section: 261.10.70**

Same as the Executive.

**Section: 261.10.70**

Same as the Executive.

**DEVCD18      Global Markets**

**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.

**Section: 261.10.80**

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.

**Section: 261.10.80**

Same as the Executive.

**DEVCD19      Ohio Workforce Guarantee Program**

**Section: 261.10.90**

Authorizes GRF appropriation item 195434, Industrial Training Grants, to be used for the Ohio Workforce Guarantee Program to promote training through grants to businesses and the reimbursement of eligible training expenses incurred by training and education providers for services to a business consortium.

**Section: 261.10.90**

Same as the Executive.

**Section: 261.10.90**

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD20 Economic Development Projects**

**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.

**Section: 261.20.10**

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.

**Section: 261.20.10**

Same as the Executive.

**DEVCD21 Ohio Film Office**

**Section: 261.20.20**

Requires the Ohio Film Office to promote media productions in the state, serve as an informational clearinghouse, and provide technical assistance to the media production industry and business entities engaged in media production in the state. Requires the Office to encourage development of a strong capital base for electronic media production in order to achieve an independent, self-supporting industry in Ohio. Requires the Office to (1) attract private investment for the electronic media production industry, (2) develop a tax infrastructure encouraging private investment, and (3) encourage increased employment opportunities within the sector and increased competition with other states.

**Section: 261.20.20**

Same as the Executive.

**Section: 261.20.20**

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD22 General Obligation Debt Service**

**Section: 261.20.30**

(1) Requires GRF appropriation item 195901, Coal Research and Development General Obligation Debt Service, to be used to pay all debt service and related financing costs from July 1, 2011 through June 30, 2013 for obligations issued under sections 151.01 and 151.07 of the Revised Code.

(2) Requires GRF appropriation item 195905, Third Frontier Research and Development General Obligation Debt Service, to be used to pay all debt service and related financing costs from July 1, 2011 through June 30, 2013 for obligations issued under sections 151.01 and 151.10 of the Revised Code.

(3) Requires GRF appropriation item 195912, Job Ready Site Development General Obligation Debt Service, to be used to pay all debt service and related financing costs from July 1, 2011 through June 30, 2013 for obligations issued under sections 151.01 and 151.11 of the Revised Code.

**Section: 261.20.30**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 261.20.30**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**DEVCD23 Supportive Services**

**Section: 261.20.40**

Authorizes the Director of Development to assess the Department's divisions for the costs of central service operations, requires assessments to contain the characteristics of administrative ease and uniform application, and requires such payments to be credited to the Supportive Services Fund (Fund 1350) using an intrastate transfer voucher.

**Section: 261.20.40**

Same as the Executive.

**Section: 261.20.40**

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD24 Economic Development Contingency**

**Section: 261.20.40**

Authorizes GSF Fund 5AD0 appropriation item 195677, Economic Development Contingency, to be used to award funds directly to (1) business entities considering Ohio for expansion or new site location opportunities, or (2) political subdivisions to assist with necessary costs involved in attracting a business entity, and authorizes the Director of Development to award funds to satisfy an economic development opportunity or extraordinary need.

**Section: 261.20.40**

Same as the Executive.

**Section: 261.20.40**

Same as the Executive.

**DEVCD25 Direct Cost Recovery Expenditures**

**Section: 261.20.40**

Requires GSF Fund 6850 appropriation item 195636, Direct Cost Recovery Expenditures, to be used for reimbursable costs, and requires revenues to the General Reimbursement Fund (Fund 6850) to consist of moneys charged for various non-central service administrative costs.

**Section: 261.20.40**

Same as the Executive.

**Section: 261.20.40**

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD26 HEAP Weatherization**

**Section: 261.20.50**

Allows up to 15% of the federal funds credited to the Home Energy Assistance Block Grant Fund (Fund 3K90) to be expended from FED Fund 3K90 appropriation item 195614, HEAP Weatherization to provide home weatherization services as determined by the Director of Development. Requires any transfers or increases in appropriation for appropriation item 195614, HEAP Weatherization, or FED Fund 3K90 appropriation item 195611, Home Energy Assistance Block Grant, to be subject to Controlling Board approval.

**Section: 261.20.50**

Same as the Executive.

**Section: 261.20.50**

Same as the Executive.

**DEVCD27 State Special Projects**

**Section: 261.20.60**

Permits the State Special Projects Fund (Fund 4F20) to be used for the deposit of funds from private utility companies and other miscellaneous state funds. Requires state moneys deposited in the fund to be used to match federal housing grants for the homeless and to market economic development opportunities in the state. Requires private sector moneys to be used by SSR Fund 4F20 appropriation item 195699, Utility Provided Funds, for (1) verifying the income eligibility of HEAP applicants, (2) leveraging additional federal funds, (3) funding special projects to assist the homeless, (4) funding special projects to assist with the energy efficiency of PIPP households, and (5) assisting with training programs for agencies that administer low-income customer assistance programs.

**Section: 261.20.60**

Same as the Executive.

**Section: 261.20.60**

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD28 Tax Incentive Programs Operating**

**Section: 261.20.70**

Requires SSR Fund 4S00 appropriation item 195630, Tax Incentive Programs, to be used for the operating costs of the Office of Grants and Tax Incentives.

**Section: 261.20.70**

Same as the Executive.

**Section: 261.20.70**

Same as the Executive.

**DEVCD29 Minority Business Enterprise Loan and Bonding**

**Section: 261.20.80**

(1) Requires all repayments from the Minority Development Financing Advisory Board Loan Program and the Ohio Mini-Loan Guarantee Program to be credited to the Minority Business Enterprise Loan Fund (Fund 4W10), and requires the fund's administrative costs to be paid from the fund.

(2) Permits the Director of Development, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10,000,000 in unclaimed funds in the FY 2012-FY 2013 biennium allocated to the Minority Business Bonding Program. Requires any transfer of unclaimed funds from the Unclaimed Funds Fund (Fund 5430) to the Minority Business Bonding Fund (Fund 4490) to occur only if funds are needed for payment of losses arising from the Minority Business Bonding Program, and only after the original transfer of \$2,700,000 authorized by the Controlling Board has been used for that purpose. Permits moneys transferred for this purpose to be moneys in custodial funds held by the Treasurer of State. Requires that any expenditures made to pay losses of the Minority Business Bonding Program be made from SSR Fund 4490 appropriation item 195623, Minority Business Bonding Contingency, and appropriates such amounts.

**Section: 261.20.80**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 261.20.80**

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed by the House

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DEVCD6 Ohio Incumbent Workforce Training Vouchers

**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.

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.

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.

**Fiscal effect: Sets aside \$50 million over the biennium in casino license fee revenues for incumbent workforce training.**

**Section: 261.20.90**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**Section: 261.20.90**

Same as the Executive.

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: Same as the Executive.**

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD30      Advanced Energy Fund**

**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.

**Section: 261.30.10**

Same as the Executive.

**Section: 261.30.10**

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).

**DEVCD31      Volume Cap Administration**

**Section: 261.30.10**

Requires SSR Fund 6170 appropriation item 195654, Volume Cap Administration, to be used for expenses related to the administration of the Volume Cap Program, and requires revenues received by the Volume Cap Administration Fund (Fund 6170) to consist of application fees, forfeited deposits, and interest earned from the custodial account held by the Treasurer of State.

**Section: 261.30.10**

Same as the Executive.

**Section: 261.30.10**

Same as the Executive.

**DEVCD32      Innovation Ohio Loan Fund**

**Section: 261.30.10**

Requires Facilities Establishment Fund Group Fund 7009 appropriation item 195664, Innovation Ohio, to be used for Innovation Ohio Program loan guarantees and loans under Chapter 166., and particularly sections 166.12 to 166.16, of the Revised Code.

**Section: 261.30.20**

Same as the Executive.

**Section: 261.30.20**

Same as the Executive.

Executive

As Passed by the House

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**DEVCD33          Research and Development**

**Section: 261.30.10**

Requires Facilities Establishment Fund Group Fund 7010 appropriation item 195665, Research and Development, to be used for research and development purposes, including loans, under Chapter 166., and particularly sections 166.17 to 166.21, of the Revised Code.

**Section: 261.30.20**

Same as the Executive.

**Section: 261.30.20**

Same as the Executive.

**DEVCD34          Logistics and Distribution Infrastructure**

**Section: 261.30.20**

Requires Facilities Establishment Fund Group Fund 7008 appropriation item 195698, Logistics and Distribution Infrastructure, to be used for eligible logistics and distribution infrastructure projects under section 166.01 of the Revised Code; specifies that any unexpended and unencumbered portions of the appropriation item remaining at the end of FY 2011 and FY 2012 are reappropriated for FY 2012 and FY 2013, respectively; and requires the Director of Budget and Management to transfer the remaining cash balance in the Logistics and Distribution Infrastructure Fund (Fund 7008) to the Facilities Establishment Fund (Fund 7037) when all encumbrances have been paid.

**Section: 261.30.20**

Same as the Executive.

**Section: 261.30.20**

Same as the Executive.

**DEVCD35          Facilities Establishment Fund**

**Section: 261.30.20**

(1) Requires Facilities Establishment Fund Group Fund 7037 appropriation item 195615, Facilities Establishment, to be used for the purposes of the Facilities Establishment Fund under Chapter 166. of the Revised Code.

**Section: 261.30.20**

(1) Same as the Executive.

**Section: 261.30.20**

(1) Same as the Executive.

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(2) Allows up to \$1,000,000 in FY 2012 to be transferred from the Facilities Establishment Fund (Fund 7037) to the Economic Development Financing Operating Fund (Fund 4510), subject to Controlling Board approval.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Authorizes the transfer of up to \$2,500,000 in each fiscal year from the Facilities Establishment Fund (Fund 7037) to the Minority Business Enterprise Loan Fund (Fund 4W10).	(3) Same as the Executive.	(3) Same as the Executive.
(4) Requires the Director of Budget and Management to transfer the unexpended and unencumbered cash balance in the Urban Development Loans Fund (Fund 5D20) to the Facilities Establishment Fund (Fund 7037) on July 1, 2011, or as soon as possible thereafter.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Requires the Director of Budget and Management to transfer the unexpended and unencumbered cash balance in the Rural Industrial Park Loan Fund (Fund 4Z60) to the Facilities Establishment Fund (Fund 7037) on July 1, 2011, or as soon as possible thereafter.	(5) Same as the Executive.	(5) Same as the Executive.
<b>DEVCD36 Capital Access Loan Program</b>		
<p><b>Section: 261.30.20</b></p> <p>Requires Facilities Establishment Fund Group Fund 5S90 appropriation item 195628, Capital Access Loan Program, to be used for operating, program, and administrative expenses of the program, and requires program funds to be used to assist participating financial institutions in making program loans to eligible businesses that face barriers in accessing working capital and obtaining fixed-asset financing.</p>	<p><b>Section: 261.30.20</b></p> <p>Same as the Executive.</p>	<p><b>Section: 261.30.20</b></p> <p>Same as the Executive.</p>

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**As Passed by the House**

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**DEVCD37      Clean Ohio Operating Expenses**

**Section: 261.30.30**

Requires Clean Ohio Revitalization Fund Group Fund 7003 appropriation item 195663, Clean Ohio Operating, to be used by the Department of Development to administer brownfield redevelopment projects of the Clean Ohio Revitalization Fund (Fund 7003).

**Section: 261.30.30**

Same as the Executive.

**Section: 261.30.30**

Same as the Executive.

**DEVCD38      Third Frontier Operating**

**Section: 261.30.40**

Requires Third Frontier Research & Development Fund Group Fund 7011 appropriation item 195686, Third Frontier Operating, and Fund 7014 appropriation item 195620, Third Frontier Operating - Tax, to be used for Department of Development operating expenses under sections 184.10 to 184.20 of the Revised Code. Requires expenses paid from line item 195686 to be limited to the administration of projects funded from the Third Frontier Research & Development Fund (Fund 7011), and requires expenses paid from line item 195620 to be limited to the administration of projects funded from the Third Frontier Research & Development Taxable Bond Project Fund (Fund 7014).

**Section: 261.30.40**

Same as the Executive.

**Section: 261.30.40**

Same as the Executive.

**Executive**

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**DEVCD39 Third Frontier Research and Development Projects and Research and Development Taxable Bond Projects**

**Section: 261.30.50**

Requires Third Frontier Research & Development Fund Group Fund 7011 appropriation item 195687, Third Frontier Research & Development Projects, and Fund 7014 appropriation items 195692, Research & Development Taxable Bond Projects and 195620, Third Frontier Operating - Tax, to be used to fund eligible project costs.

**Section: 261.30.50**

Same as the Executive.

**Section: 261.30.50**

Same as the Executive.

**DEVCD40 Transfers of Third Frontier Appropriations**

**Section: 261.30.50**

Permits the Director of Budget and Management to approve written requests from the Director of Development for the transfer of appropriations between Fund 7011 appropriation item 195687, Third Frontier Research & Development Projects, and Fund 7014 appropriation item 195692, Research & Development Taxable Bond Projects, based upon awards recommended by the Third Frontier Commission and subject to approval by the Controlling Board.

**Section: 261.30.50**

Same as the Executive.

**Section: 261.30.50**

Same as the Executive.

Specifies that any unexpended and unencumbered portions of appropriation items 195687 and 195692 remaining at the end of FY 2012 are reappropriated for the same purposes in FY 2013.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD41 Authority to Issue and Sell Original Obligations**

**Section: 261.30.50**

Authorizes the Ohio Public Facilities Commission, on request of the Department of Development, to issue and sell original obligations of the state under Article VIII, Section 2p of the Ohio Constitution not to exceed an aggregate amount of \$400,000,000 in addition to the issuance of obligations authorized by prior acts of the General Assembly. Requires the obligations to be issued and sold in amounts necessary to ensure sufficient moneys are credited to the Third Frontier Research and Development Fund (Fund 7011) for the costs of research and development projects.

**Section: 261.30.50**

Same as the Executive.

**Section: 261.30.50**

Same as the Executive.

**DEVCD42 Job Ready Site Operating**

**Section: 261.30.60**

Requires Job Ready Site Development Fund Group Fund 7012 appropriation item 195688, Job Ready Site Operating, to be used for the Department of Development's operating expenses for administering Job Ready Site Development projects under sections 122.085 to 122.0820 of the Revised Code. Specifies that operating expenses include, but are not limited to, qualified expenses of District Public Works Integrating Committees, engineering review of submitted applications by the State Architect or a third party engineering firm, audit and accountability activities, and costs associated with formal site infrastructure certifications.

**Section: 261.30.60**

Same as the Executive.

**Section: 261.30.60**

Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

**DEVCD43 Third Frontier Biomedical Research and Commercialization Support**

**Section: 261.30.80**

States the intent of the General Assembly, the Governor, the Director of Development, and the Director of Budget and Management to work together in continuing to provide comprehensive state support for the biomedical industry.

**Section: 261.30.80**

Same as the Executive.

**Section: 261.30.80**

Same as the Executive.

**DEVCD44 Unclaimed Funds Transfers**

**Section: 261.30.90**

Requires the Director of Commerce, upon the request of the Director of Budget and Management, to transfer up to \$25,000,000 in unclaimed funds in FY 2012 and \$15,000,000 in unclaimed funds in FY 2013 to the Job Development Initiatives Fund (Fund 5AD0), regardless of the allocation of unclaimed funds described under section 169.05 of the Revised Code.

**Section: 261.30.90**

Same as the Executive.

**Section: 261.30.90**

Same as the Executive.

Requires the Director of Commerce to transfer up to \$5,000,000 in unclaimed funds in FY 2012 to the State Special Projects Fund, regardless of the allocation of unclaimed funds described in section 169.05 of the Revised Code.

Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

In Senate Finance

**DEVCD45 Workforce Development**

**Section: 261.40.10**

Authorizes the Director of Development and the Director of Job and Family Services to enter into one or more interagency agreements and take other actions to further integrate workforce development into a larger economic development strategy, to implement the recommendations of the Workforce Policy Board, and to complete activities related to the transition of employment programs identified by the board. Permits, subject to the approval of the Director of Budget and Management, the two departments to expend moneys to support the recommendations of the Workforce Policy Board in the integration of employment functions and to complete implementation and transition activities.

**Section: 261.40.10**

Same as the Executive.

**Section: 261.40.10**

Same as the Executive.

**DEVCD48 Diesel Emissions Reduction Grant Program**

No provision.

**Section: 512.90**

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.

**Section: 512.90**

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.

Executive	As Passed by the House	In Senate Finance
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.

**DEVCD46 Federal Funds for Historic Preservation Loan Guarantee**

**Section: 521.80**

Permits the Director of Development to seek to secure \$75,000,000 in federal funds for deposit in the Historic Preservation Tax Credit Fund, and creates the fund in the state treasury.

Requires the Director of Development to use moneys in the fund to guarantee loans in connection with approved historic rehabilitation projects. Requires priority to be given in the first funding round to projects receiving a Historic Preservation Tax Credit, and requires that the amount of a loan guarantee not exceed the amount of the tax credit.

Prohibits the transfer of any funds from the Facilities Establishment Fund (Fund 7037) to the Ohio Historic Preservation Tax Credit Fund.

**Section: 521.80**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 521.80**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive	As Passed by the House	In Senate Finance
<p>Specifies that there is no determination by the General Assembly that federal funds are available for these purposes, and states the determination of the General Assembly that public purposes would be advanced by the availability of federal funds for these purposes.</p> <p><b>Fiscal effect: Authorizes expenditures for historic preservation loan guarantees, contingent upon the availability of \$75,000,000 in federal funds for that purpose.</b></p>	<p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>	<p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>

Executive

As Passed by the House

In Senate Finance

COMCD9            Transfer of Spirituous Liquor Distribution System to Jobs Ohio

R.C.        4313.02, 4313.01, 4301.12

(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.

(2) 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) 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.

R.C.        4313.02, 4313.01, 4301.12; Section 801.30

(1) Same as the Executive.

(2) 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) 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 and expenses of and an adequate working capital reserve for DOLC is to be considered of or for JobsOhio.

R.C.        4313.02, 4313.01, 4301.12; Section 801.30

(1) Same as the Executive.

(2) Same as the House.

(3) Same as the House.

**Executive**

**As Passed by the House**

**In Senate Finance**

(4) 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.

(4) 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.

(4) Same as the House.

(5) 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.

(5) 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.

(5) Same as the House.

(6) 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.

(6) 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.

(6) Same as the House.

(7) 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

(7) Same as the Executive.

(7) Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

enterprise acquisition project.

(8) 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.

(8) Same as the Executive, but (a) adds that these individuals may take any action and execute any documents without need for any other approval and (b) 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.

(8) Same as the House.

(9) 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.

(9) Same as the Executive.

(9) Same as the Executive.

(10) 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.

(10) 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) and, 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 state.

(10) Same as the House.

(11) 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

(11) 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.

(11) Same as the House.

Executive

As Passed by the House

In Senate Finance

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.

(12) 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.

(12) Same as the Executive, but (a) further clarifies that JobsOhio, the Director of OBM, the Director of Commerce, and the Director of Development may 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 and (b) states that the provisions of, and activities under, any contract are subject to the requirements of current law regarding the following powers and duties of DOLC: (i) controlling the traffic in beer and intoxicating liquor in the state, including the manufacturing, importation, and sale of beer and intoxicating liquor, (ii) operating, managing, and controlling a system of state liquor stores for the sale of spirituous liquor, (iii) determining the locations of all state liquor stores and manufacturing, distributing, and bottling plants required in connection with those stores, (iv) fixing the wholesale and retail prices of spirituous liquor sold by DOLC, and (v) allocating the equitable distribution of state liquor stores and agency stores in the state.

(12) Same as the House.

(13) No provision.

(13) 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).

(13) Same as the House.

(14) 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

(14) Same as the Executive.

(14) Same as the Executive.

**Executive**

**As Passed by the House**

**In Senate Finance**

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.

(15) No provision.

(15) 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.

(15) Same as the House.

**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.**

Executive

As Passed by the House

In Senate Finance

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 1, 2012 and expands the required content of the report to include financial, policy, or legislative recommendations.

Executive	As Passed by the House	In Senate Finance
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 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.  <b>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.</b>

Executive

As Passed by the House

In Senate Finance

**Other Taxation Provisions**

Executive	As Passed by the House	In Senate Finance
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	In Senate Finance
	<p><b>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.</b></p>	<p><b>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.</b></p>

Executive		As Passed by the House	In Senate Finance
LOCCD1	Enterprise Zone Extension		
R.C. 5709.62, 5709.63, 5709.632		R.C. 5709.62, 5709.63, 5709.632	R.C. 5709.62, 5709.63, 5709.632
Extends the authority of local governments to offer Enterprise Zone economic development incentives from October 15, 2011 to October 15, 2012.		Same as the Executive.	Same as the Executive.