

Executive

As Passed by the House

As Passed by the Senate

PUCCD2 Electric Utility Cost Recovery

R.C. 4905.31

(1) Permits a public utility electric light company through a schedule or reasonable arrangement to recover costs of an economic development and job retention program from Ohio retail electric service customers in addition to customers from within its certified territory.

(1) No provision.

(1) No provision.

(2) Permits the PUCO to approve any application for, or modification or extension of, such a schedule or arrangement until January 1, 2018, but allows the schedule or arrangement to continue in effect after that date for any period approved by the PUCO.

(2) No provision.

(2) No provision.

Fiscal effect: Potential to increase costs for retail electric service customers outside of the certified territory of the public utility electric light company, and potential for customers within the certified territory to realize commensurate savings based upon the expanded pool of customers from which the public utility electric light company may recover costs.

Executive

As Passed by the House

As Passed by the Senate

PUCCD3 Wind Turbine Minimum Setback

R.C. 4906.20

(1) No provision.

(1) Changes, from 750 feet to 1,250 feet, the minimum setback distance (the horizontal distance measurement from the tip of the turbine's nearest blade at 90 degrees to the exterior of the nearest, habitable, residential structure, if any, located on adjacent property) for wind turbines of an economically significant wind farm that has applied for Power Siting Board (PSB) certification on or after the effective date of this provision of the bill.

(2) No provision.

(2) No provision.

(3) No provision.

(3) Maintains the existing setback distance requirement of 750 feet for PSB certification applications made by an economically significant wind farm prior to the effective date of this section of the bill, even if an amendment to the application is filed on or after that effective date.

R.C. 4906.20, 4906.201

(1) Same as the House, except changes, from 1,250 to 1,125 feet, the minimum horizontal distance setback requirement for an economically significant wind farm.

(2) Applies the 1,125 foot minimum horizontal distance setback requirement to a major utility facility that is an electric generating plant that consists of wind turbines and associated facilities.

(3) Same as the House, except includes a major utility facility alongside an economically significant wind farm as eligible to maintain the existing setback distance requirement of 750 feet, and applies the requirement to existing certificates, amendments thereto, and existing certification applications, but specifies that "existing certification applications" are only "grandfathered" into the setback of 750 feet if the PSB chairperson finds them to be in compliance with PSB application requirements.

Fiscal effect: None.**Fiscal effect: None.**

Executive

As Passed by the House

As Passed by the Senate

PUCCD5 Recovery of Environmental Remediation Costs

No provision.

No provision.

R.C. *4909.157*

Permits the Public Utilities Commission to authorize, through a mechanism, a natural gas company or gas company to recover environmental remediation costs that are (1) prudently incurred before 2025 and (2) related to real property that, at the time recovery is authorized, is or was used for the provision of public utility service.

No provision.

No provision.

Requires, if recovery is authorized, the company to, upon the sale of the real property, return to customers the difference between the sale price, minus reasonable sale expenses, and the property's fair market value prior to remediation.

No provision.

No provision.

Declares that certain ratemaking provisions do not preclude recovery of these environmental remediation costs.

Fiscal effect: May increase amounts paid by customers of a natural gas company or gas company, but increases may be offset upon the sale of the real property, if a sale of the property occurs.

Executive

As Passed by the House

As Passed by the Senate

PUCCD4 Railroad Audible Warnings

Executive	As Passed by the House	As Passed by the Senate
		R.C. 4955.32, 4955.321, 4955.322, 4955.34, 4955.44, 4955.47, 4999.04
(1) No provision.	(1) No provision.	(1) Changes the current railroad audible-warning requirement to a horn-sounding requirement rather than a requirement to sound a whistle and ring a bell, and applies the requirement only to public highways and grade crossings (rather than to private crossings and crossings at a turnpike, highway, street, or other traveled place).
(2) No provision.	(2) No provision.	(2) Establishes that the sounding of a locomotive horn at a private crossing or the failure to sound a locomotive horn at a private crossing is not a basis for a civil action against the railroad, a board of county commissioners, or any local authority, or against any of their agents or employees.
(3) No provision.	(3) No provision.	(3) Establishes a criminal penalty of a fourth-degree misdemeanor for a violation of the bill's horn-sounding requirement (third-degree misdemeanor if a person is physically harmed), and provides an affirmative defense if an alternative audible warning system was activated.
(4) No provision.	(4) No provision.	(4) Removes a provision of current law that makes it a fourth-degree misdemeanor for a person to fail to sound a locomotive whistle when approaching and passing through a grade crossing (third-degree misdemeanor if a person is physically harmed).
(5) No provision.	(5) No provision.	(5) Removes a provision of current law specifying that railroad audible-warning requirements do not interfere with local ordinances.

Fiscal effect: None.

Executive

As Passed by the House

As Passed by the Senate

PUCCD6 Telecommunications Transition

No provision.

No provision.

Section: 357.10

Requires the PUCO to use part of GSF appropriation line item 870622, Utility and Railroad Regulation, for planning the telecommunication transition from the current public switched telephone network to an internet-protocol network, and specifies certain criteria with which the transition plan must comply.

No provision.

No provision.

Requires the PUCO to report to the General Assembly, by December 31, 2013, on any further action required to be taken by the General Assembly related to the transition.

Fiscal effect: Increases costs for GSF appropriation line item 870622 by \$300,000 to \$350,000 over the biennium, including one-time costs in FY 2014 to prepare a report for the General Assembly.

Executive

As Passed by the House

As Passed by the Senate

PUCCD1 Utility Radiological Safety Board Assessments

Section: 506.10

Specifies, absent contractual agreement, the maximum amounts that may be assessed against each nuclear electric utility under R.C. 4937.05 on behalf of four state agencies and deposited into the specified funds as follows:

- (1) \$130,000 in each fiscal year to the Utility Radiological Safety Fund (Fund 4E40) used by the Department of Agriculture;
- (2) \$1,049,954 in FY 2014 and \$1,086,098 in FY 2015 to the Radiation Emergency Response Fund (Fund 6100) used by the Department of Health;
- (3) \$284,266 in FY 2014 and \$290,674 in FY 2015 to the ER Radiological Safety Fund (Fund 6440) used by the Environmental Protection Agency; and
- (4) \$1,415,945 in each fiscal year to the Emergency Response Plan Fund (Fund 6570) used by the Department of Public Safety.

Fiscal effect: Less than \$2.9 million in FY 2014 and less than \$3.0 million in FY 2015 will be assessed against nuclear electric utilities and made available to the four state agencies for their statutory purposes

Section: 506.10

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 506.10

Same as the Executive.

Fiscal effect: Same as the Executive.

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As Passed by the House

As Passed by the Senate

DASCD49 Statewide Emergency Services Internet Protocol Network Steering Committee

Sections: 5507.02, (renumbered 128.02); Renumbers numerous other sections under RC 5507. under new RC 128.; Section 207.250

(1) No provision.

(1) No provision.

(1) Transfers the administration of 9-1-1 services from the Department of Public Safety to the Statewide Emergency Services Internet Protocol Network Steering Committee.

(2) No provision.

(2) No provision.

(2) Repeals the law that creates and governs the Ohio 9-1-1 Council and the Wireless 9-1-1 Advisory Board.

(3) No provision.

(3) No provision.

(3) Transfers to the Steering Committee and its members the same immunity from liability in civil actions arising from any act or omission in connection with the development or operation of a 9-1-1 system enjoyed by the Ohio 9-1-1 Council and the Wireless 9-1-1 Advisory Board.

(4) No provision.

(4) No provision.

(4) Repeals the requirement that countywide 9-1-1 planning committees report, by February 15, 2013, certain information to the Steering Committee, including: (A) geographic location and population of the 9-1-1 service area, (B) 9-1-1 call statistics, (C) expenditures of 9-1-1 disbursements, and (D) 9-1-1 network and equipment information. Repeals the penalty for failure to report this information (a suspension of disbursements from the 9-1-1 Government Assistance Fund).

(5) No provision.

(5) No provision.

(5) Requires any governmental entity or political subdivision operating a public safety answering point to report that same information, as well as any other information needed for the next generation 9-1-1 transition, to the Steering Committee.

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As Passed by the House

As Passed by the Senate

(6) No provision.

(6) No provision.

(6) Requires a "9-1-1 service provider" to report to the Steering Committee the number of access lines in Ohio maintained by the provider, the provider's aggregate costs and cost recovery associated with provision of 9-1-1 services, and any other information needed for the next generation 9-1-1 transition.

(7) No provision.

(7) No provision.

(7) Imposes a time limit of 45 days for 9-1-1 service providers and political subdivisions or governmental entities operating a public safety answering point to make their respective reports after a Steering Committee request for such information.

(8) No provision.

(8) No provision.

(8) Repeals the requirement that a 9-1-1 planning committee be disbanded and possibly replaced if it fails to adopt a final plan on or before the deadline of nine months after the resolution convening the 9-1-1 planning committee.

(9) No provision.

(9) No provision.

(9) Allows an amendment to a final plan to be made by an addendum approved by a majority of a 9-1-1 planning committee, instead of the more detailed procedure under current law.

(10) No provision.

(10) No provision.

(10) Replaces the 9-1-1 Service Program housed in the Public Utilities Commission (and set to be repealed as of January 1, 2014) with the 9-1-1 Program Office led by an administrator who is appointed by the Director of Administrative Services and reports to the State Chief Information Officer.

(11) No provision.

(11) No provision.

(11) Requires the following beginning January 1, 2014: (A) Reduces, from 98% to 97%, the amount of wireless 9-1-1 charge remittances to be deposited in the Wireless 9-1-1 Government Assistance Fund; (B) Replaces the Wireless 9-1-1 Public Safety Administrative Fund with the 9-1-1 Program Fund to defray the Steering Committee's

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As Passed by the House

As Passed by the Senate

(12) No provision.

(12) No provision.

administration of 9-1-1 services; and (C) Specifies that two per cent of wireless 9-1-1 charges be deposited in the 9-1-1 Program Fund.

(12) Specifies that the 911 Program Fund (Fund 5NM0) appropriation item 100663, 911 Program, is to be used to pay the administrative costs of the Statewide Emergency Service Internet Protocol Network Steering Committee.

Fiscal effect: The bill appropriates \$290,000 in both FY 2014 and FY 2015 under new Fund 5NM0 line item 100663, 911 Program, within the budget of DAS to support the Steering Committee. Reduces fee revenue going to the Wireless 9-1-1 Government Assistance Fund, which is distributed to counties to support operation of public safety answering points, by approximately \$290,000 per year, beginning January 1, 2014.

Executive	As Passed by the House	As Passed by the Senate
OBMCD2 Office of Internal Auditing Changes		
R.C. 124.341, 126.45 - 126.48, 3770.06, 5703.21	R.C. 124.341, 126.45 - 126.48, 3770.06, 5703.21	R.C. 124.341, 126.45 - 126.48, 3770.06, 5703.21
(1) Changes the name of the Office of Internal Auditing (OIA) to the Office of Internal Audit.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Adds the Rehabilitation Services Commission (renamed in the bill to the Opportunities for Ohioans with Disabilities Agency), the Public Utilities Commission of Ohio, the Adjutant General, and the State Lottery Commission to the list of state agencies OIA is required to audit annually.	(2) Same as the Executive, but retains the Rehabilitation Services Commission as the name of the agency.	(2) Same as the Executive.
(3) Permits OIA, on request, to conduct an internal audit of other bodies, offices, or agencies of state government and requires that any body, office, or agency requesting an internal audit be charged an amount sufficient to cover the costs of the audit.	(3) Same as the Executive.	(3) Same as the Executive.
(4) Requires OIA to periodically audit systems and controls of state agencies pertaining to information technology rather than electronic data processing.	(4) Same as the Executive.	(4) Same as the Executive.
(5) Provides that state agency audits are to be directed, rather than conducted, by staff of OIA.	(5) Same as the Executive.	(5) Same as the Executive.
(6) States that (a) an internal audit report that meets the definition of a security record under the Public Records Law and (b) any information derived from state tax returns or return information are not public records.	(6) Same as the Executive.	(6) Same as the Executive.
(7) Requires at least one member of the State Audit Committee to be familiar with information technology systems and services.	(7) Same as the Executive.	(7) Same as the Executive.

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As Passed by the House

As Passed by the Senate

(8) Clarifies that for existing requirements related to subject matter expertise for Committee members, at least one member, rather than one member only, must possess expertise in the relevant subject matter areas.

(8) Same as the Executive.

(8) Same as the Executive.

(9) Requires the Committee to evaluate whether internal audits directed by OIA conform to the Institute of Internal Auditors' International Professional Practices Framework for Internal Auditing, rather than ensure that the audits conform to the Institute's Standards for the Professional Practice of Internal Auditing.

(9) Same as the Executive.

(9) Same as the Executive.

(10) Requires the State Lottery Commission to establish an annual internal audit plan, instead of an internal audit program, and submit the plan to OIA rather than the Auditor of State.

(10) Same as the Executive.

(10) Same as the Executive.

(11) Requires the State Lottery Commission to submit the annual report at the end of each fiscal year to OIA, instead of the Auditor, specifying the audit work completed for that fiscal year and compliance with the internal audit plan.

(11) Same as the Executive.

(11) Same as the Executive.

Fiscal effect: The budget allocates \$3.6 million in FY 2014 and \$3.7 million in FY 2015 for OIA operations from the Accounting and Budgeting Fund (Fund 1050), a slight increase from the \$3.5 million estimated for FY 2013. These amounts permit OIA to hire an additional staff auditor via the elimination of a vacant administrative assistant position. Funding for OIA activities is supported through direct charges for staff time to the agencies involved in OIA audits and a portion of the accounting and budgeting payroll check-off charged to the agencies under OIA jurisdiction.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
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Property Taxes and Transfer Fees

TAXCD59	Qualified Energy Project Tax Exemption
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No provision.

R.C. 5727.75

Extends by five years the deadlines by which the owner or lessee of a qualified energy project must submit a property tax exemption application, submit a construction commencement application, begin construction, and place into service an energy facility using renewable energy resources (wind, solar, biomass, etc.) or advanced energy technology (clean coal, advanced nuclear, or cogeneration) to qualify for an ongoing real and tangible personal property tax exemption.

R.C. 5727.75

Same as the House.

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As Passed by the House

As Passed by the Senate

Fiscal effect: Local taxing jurisdictions would receive less revenue from a given project, but in some cases, the revenue loss would be permissive. Qualified energy projects qualify for real and tangible personal property tax exemptions, but the qualified energy project is also required to pay annual service payments in lieu of taxes to the treasurer of the county where the facility is located in an amount equal to \$6,000 to \$8,000 per megawatt (MW) of name plate capacity. This service payment is shared by all taxing jurisdictions within the project area in the same manner that property tax collections would otherwise be allocated to counties, school districts, and local governments. The local county board of commissioners may require an additional \$1,000 to \$3,000 per megawatt payment beyond those required by the Revised Code, but the cumulative total of both service payments cannot exceed \$9,000 per megawatt. County governments will retain the ability to approve or deny the tax exemptions to these facilities as well as the option of negotiating an additional \$1,000 to \$3,000 payment made solely to their general fund, but school districts and other taxing jurisdictions within the county may lose local property tax revenues without their consent.

Fiscal effect: Same as the House.

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As Passed by the House

As Passed by the Senate

Other Taxation Provisions

TAXCD4 Revisions to Assessments (beginning in 2014) for Wireless 9-1-1 Charges

R.C. 5507.46

(1) Applies the interest charged for unpaid assessments (60 days past due) for wireless 9-1-1 charges to only the portion that consists of wireless 9-1-1 charges due.

(2) Removes provisions specifying how the interest and assessments are to be remitted, and removes redundant language regarding the issuance of assessments for collecting interest, the rate and remittance of interest, and the day on which the interest begins to accrue.

Fiscal effect: None.

R.C. 5507.46

(1) Same as the Executive.

(2) Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5507.46

(1) Same as the Executive.

(2) Same as the Executive.

Fiscal effect: Same as the Executive.