

Executive

As Passed by the House

As Reported by Senate Finance

AGOCD11 State Lien Protection in Judicial Sales of Real Estate

R.C. 2329.192

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(1) Requires, generally, that a party seeking a judicial sale of real estate include a state lienholder as a party defendant unless no state lien has been recorded against the owner of the real estate for which the judicial sale is sought.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Presumes the appearance of the state lienholder for jurisdictional purposes and requires the court to take judicial notice that the state has a lien against the real estate subject to a judicial sale.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Allows the state lienholder to file an answer to the complaint or any other pleading if the amount, validity, or priority of the state lien is not identified as disputed and requires the state lienholder to file the above described answer if the amount, validity, or priority of the state lien is identified as disputed.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Requires that, as part of any order confirming the sale of the lands and tenements that is subject to any undisputed state lien or distributing the proceeds of any judicial sale of real estate, the undisputed state lien is protected as if the state had appeared in the action and filed an answer asserting the state lien.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Requires that notice be given to the state lienholder and the Attorney General if any party asserts a dispute as to the amount, validity, or priority of the state lien or of any lien or other interest that has priority over the state lien.

(5) Same as the Executive.

(5) Same as the Executive.

(6) Requires that the interest of any undisputed state lien transfer to the proceeds of the sale of the real estate.

(6) Same as the Executive.

(6) Same as the Executive.

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Fiscal effect: Potential cost savings for the Office of the Attorney General and certain state agencies as a result of the Attorney General being required to defend state agencies in foreclosure proceedings only in cases when there is a dispute as to a state lien or interest.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

AGOCD16 Use of Money in the Reparations Fund to Provide Financial Assistance to Rape Crisis Programs

R.C. 2743.191

(1) No provision.

(1) No provision.

(1) Authorizes the Attorney General to use money in the Reparations Fund (Fund 4020) to give financial assistance to rape crisis programs.

(2) No provision.

(2) No provision.

(2) Requires the Attorney General to adopt rules governing the use of the money in Fund 4020 to provide financial assistance to rape crisis programs .

Fiscal effect: Potential annual increase to manage the financial assistance application process and to award funds to rape crisis programs.

AGOCD12 Annual Law Enforcement Agency Drug Fines Report

R.C. 2925.03

R.C. 2925.03

(1) No provision.

(1) Eliminates the requirement that a law enforcement agency that receives fine moneys for the agency's primary role in arresting and prosecuting an offender for specified drug offenses prepare an annual report and send a copy of the report to the Attorney General.

(1) Same as the House.

(2) No provision.

(2) Eliminates the requirement that the Attorney General send a notice to the President of the Senate and Speaker of the House of Representatives of the receipt of the reports

(2) Same as the House.

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described above.

Fiscal effect: The Attorney General and local law enforcement agencies may experience a minimal annual decrease in administrative costs.

Fiscal effect: Same as the House.

AGOCD14 Ohio BCI Forensic Research and Professional Training Center

No provision.

No provision.

Section: 221.10

Increases GRF appropriation item 055321, Operating Expenses, by \$600,000 in FY 2015 and earmarks that amount to create the Ohio BCI Forensic Research and Professional Training Center at Bowling Green State University for the purpose of fostering forensic science research techniques and to create professional training opportunities to students in the forensic science fields.

AGOCD1 County Sheriffs' Pay Supplement

Section: 221.10

(1) Requires GRF appropriation item 055411, County Sheriffs' Pay Supplement, be used for the purpose of supplementing the annual compensation of county sheriffs as required by R.C. 325.06.

(2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055411.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

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AGOCD2 County Prosecutors' Pay Supplement

Section: 221.10

(1) Requires GRF appropriation item 055415, County Prosecutors' Pay Supplement, be used for the purpose of supplementing the annual compensation of certain county prosecutors as required by R.C. 325.111.

(2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055415.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

AGOCD3 Workers' Compensation Section

Section: 221.10

(1) Permits the Workers' Compensation Fund (Fund 1950) to receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund legal services provided by the Attorney General to those two state agencies.

(2) Requires the advance payments to be subject to adjustment.

(3) Requires the Bureau of Workers' Compensation to transfer quarterly payments for the support of the Attorney General's Workers' Compensation Fraud Unit.

(4) Requires that the amounts of these quarterly payments be mutually agreed upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

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AGOCD15 Cash Transfers from Criminal Justice Services Casino Tax Revenue Fund to Law Enforcement Assistance Fund

No provision.

No provision.

Section: 221.10

Requires the Director of Budget and Management, during FY 2014 and FY 2015, to transfer the amounts deposited into the Criminal Justice Services Casino Tax Revenue Fund (Fund 5LMO), which is used by the Department of Public Safety, to the Law Enforcement Assistance Fund (Fund 5L50), which used by the Office of the Attorney General.

Fiscal effect: The transferred cash is used to support the appropriation increases to GSF Fund 5L50 appropriation item 055619, Law Enforcement Assistance Program, by \$850,946 in each fiscal year. The bill eliminates, from Public Safety's budget, GSF Fund 5LMO appropriation item 768698, Criminal Justice Services Law Enforcement Support, and related appropriations of \$850,946 per year (see DPSCD56).

AGOCD4 Attorney General Pass-Through Funds

Section: 221.10

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

Section: 221.10

Same as the Executive.

Section: 221.10

Same as the Executive.

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AGOCD5 General Holding Account

Section: 221.10

(1) Requires that Holding Account Redistribution Fund appropriation item 055631, General Holding Account, be used to distribute money under the terms of relevant court orders or other settlements received in cases involving the Attorney General.

(2) Appropriates the additional amounts necessary for this purpose.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

AGOCD6 Antitrust Settlements

Section: 221.10

(1) Requires that Holding Account Redistribution Fund appropriation item 055632, Antitrust Settlements, be used to distribute money under the terms of relevant court orders or other out of court settlements in antitrust cases or antitrust matters involving the Attorney General.

(2) Appropriates the additional amounts necessary for this purpose.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

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AGOCD7 Consumer Frauds

Section: 221.10

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

(2) Appropriates the additional amounts necessary for this purpose.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

AGOCD8 Organized Crime Commission Distributions

Section: 221.10

(1) Requires that Holding Account Redistribution Fund appropriation item 055601, Organized Crime Commission Distributions, be used by the Organized Crime Investigations Commission to reimburse political subdivisions for expenses incurred when their law enforcement officers participate in an organized crime task force.

(2) Appropriates the additional amounts necessary for this purpose.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 221.10

(1) Same as the Executive.

(2) Same as the Executive.

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AGOCD9 Collection Payment Redistribution

Section: 221.10

(1) Requires that Holding Account Redistribution Fund appropriation item 055650, Collection Outside Counsel Payments, be used for the purpose of paying contingency counsel fees for cases where debtors mistakenly paid the client agencies instead of the Attorney General's Revenue Recovery/Collections Enforcement Section.

(2) Appropriates the additional amounts necessary for this purpose.

Section: 221.10

(1) Same as the Executive, but renames appropriation item 055650 from Collection Outside Counsel Payments to Collection Payment Redistribution as well as modifies the related temporary law to more accurately describe the purpose for which the appropriation item is used and updates the name of the Attorney General's section that collects outstanding debt owed the state from Revenue Recovery/Collections Enforcement to Collections Enforcement.

(2) Same as the Executive.

Section: 221.10

(1) Same as the House.

(2) Same as the Executive.

AGOCD13 Cash Transfer from the GRF to the General Reimbursement Fund

No provision.

Section: 313.10

Requires the Director of Budget and Management, on July 1, 2013, or as soon as possible thereafter, to transfer \$80,000 from the GRF to the General Reimbursement Fund (Fund 1060), used by the Office of the Attorney General.

Fiscal effect: The transferred cash is appropriated to Fund 1060 appropriation item 055612, General Reimbursement, for FY 2014. GRF appropriation item 035407, Legislative Taskforce on Redistricting, in the LSC budget is reduced by \$80,000 in FY 2014.

Section: 313.10

Same as the House.

Fiscal effect: Same as the House.

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AG OCD10 Cash Transfers to the Tobacco Oversight Administration and Enforcement Fund

Section: 521.33

(1) Requires the Director of Budget and Management, on July 1, 2013, or as soon as possible thereafter, to transfer the cash balance from the following three funds to the Tobacco Oversight Administration and Enforcement Fund (Fund U087) used by the Attorney General: the Tobacco Settlement Enforcement Fund (Fund T087) used by the Department of Taxation, the Education Technology Trust Fund (Fund S087) used by eTech Ohio, and the Southern Ohio Agricultural Development Trust Fund (Fund K087) used by the Southern Ohio Agricultural and Community Development Foundation.

(1) No provision.

Section: 521.35

(1) Same as the Executive, but removes the transfer of the cash balance in the Southern Ohio Agricultural Development Trust Fund (Fund K087) used by the Southern Ohio Agricultural and Community Development Foundation.

(2) Abolishes each of the three above-noted funds subsequent to completion of the cash transfer. Cancels any existing encumbrances against their related appropriation items and reestablishes those cancelled encumbrances against TSF Fund U087 appropriation item 055402, Tobacco Settlement Oversight, Administration, and Enforcement. Appropriates the transferred cash and reestablished encumbrances.

(2) No provision.

(2) Same as the Executive, but removes the abolition of Fund K087 and the cancelling of any existing encumbrances against related appropriation item 945602, Southern Ohio Agricultural Development.

(3) Requires the Director of Budget and Management, on July 1, 2014, or as soon as possible thereafter, to transfer the cash balance in the Law Enforcement Improvement Trust Fund (Fund J087) to Fund U087. Abolishes Fund J087 subsequent to completion of the cash transfer. Cancels any existing encumbrances against TSF Fund J087 appropriation item 055635, Law Enforcement Technology, Training, and Facility Enhancements, and reestablishes those cancelled encumbrances against TSF Fund U087 appropriation item

(3) No provision.

(3) Same as the Executive.

Executive

As Passed by the House

As Reported by Senate Finance

055402, Tobacco Settlement Oversight, Administration, and Enforcement. Appropriates the transferred cash and reestablished encumbrances.

Fiscal effect: The amount of cash that could be transferred to Fund U087 is estimated at up to \$145,000 in FY 2014 and as much as \$500,000 or so in FY 2015.

Fiscal effect: The amount of cash that could be transferred to Fund U087 is estimated at up to \$15,000 in FY 2014 and as much as \$500,000 or so in FY 2015.

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As Passed by the House

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DASCD10 Surety Bonds for State Elected Office Holders and Other Officials

R.C. 109.06, 111.02, 113.02, 117.03, 121.11

R.C. 109.06, 111.02, 113.02, 117.03, 121.11

R.C. 109.06, 111.02, 113.02, 117.03

(1) Eliminates the requirement that statewide elected office holders give a surety bond to the state that has been issued by a surety provider approved by the Governor, and instead allows the bond to be issued by any surety provider authorized to do business in the state.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Removes the requirement for the Governor to approve surety and fix the amounts of surety for bonds of cabinet-level department appointees (but maintains the current law's minimum threshold of \$10,000 for such surety bonds). Allows DAS to procure a schedule in addition to a blanket bond from a duly authorized corporate surety provider authorized to do business in the state instead of from any duly authorized corporate surety for such appointees and any other officer the Governor designates.

(2) Same as the Executive.

(2) No provision.

(3) Removes the current authority for the director of each department, with the Governor's approval, to require any officer or employee in the director's department, to give a surety bond.

(3) Same as the Executive.

(3) No provision.

Executive

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As Reported by Senate Finance

AGECD21 Criminal Records Checks

R.C. 173.27, 109.57, 109.572, 173.14, 173.38-173.392, 3701.881, 5164.34, 5164.342, Sections 110.20-110.22

R.C. 173.27, 109.57, 109.572, 173.38-173.392, 3701.881, 3721.121, 5164.34, 5164.342, Sections 110.20-110.22

R.C. 173.27, 109.57, 109.572, 173.38-173.392, 3701.881, 3721.121, 5164.34, 5164.342, Sections 110.20-110.22

Makes a regional long-term care ombudsperson program the responsible party for the purposes of database reviews and criminal records checks for individuals who are under final consideration for employment with the regional program or employed by the regional program.

Same as the Executive, but changes the reference to "ombudsperson" to "ombudsman."

Same as the House.

Revises the law governing database review and criminal records check requirements regarding community-based long-term care services available under programs ODA administers as follows:

Same as the Executive.

Same as the Executive.

(1) Specifies that the requirements apply to a person applying for employment with, or referred by an employment service to, a community-based long-term care provider and, if the ODA Director rules so require, a person employed by (or referred to) such a provider when the person seeks or holds a direct-care position involving (a) in-person contact with one or more consumers or (b) access to one or more consumers' personal property or records.

(1) Same as the Executive.

(1) Same as the Executive, but exempts from these requirements a person whose sole duties are transporting individuals under county transit systems or regional transit authorities (R.C. Chapter 306.).

(2) Makes the requirements applicable to (a) persons under final consideration for employment in a direct-care position with an area agency on aging (AAA), PASSPORT administrative agency (PAA), or subcontractor of community-based long-term care services and (b) persons referred to an AAA, PAA, or subcontractor by an employment service for a direct-care position.

(2) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed by the House

As Reported by Senate Finance

(3) Permits the ODA Director to adopt rules making the requirements applicable to a person (a) employed in a direct-care position by an AAA, PAA, or subcontractor or (b) working in a direct-care position following referral by an employment service to an AAA, PAA, or subcontractor.

(3) Same as the Executive.

(3) Same as the Executive.

No provision.

Provides that the database review and criminal records check requirements for individuals applying for direct-care positions with community-based long-term care services providers do not apply to individuals subject to the criminal records check requirement for individuals applying for direct-care positions with nursing homes, residential care facilities, county or district homes, or other ODH-regulated long-term care facilities.

Same as the House, but exempts a person whose sole duties are transporting individuals under R.C. Chapter 306. from these requirements.

No provision.

Provides that ODA or the ODA Director's designee may obtain the report of a criminal records check regarding an applicant for a direct-care position with an ODH-regulated long-term care facility if the facility is also a community-based long-term care services provider.

Same as the House, but exempts a person whose sole duties are transporting individuals under R.C. Chapter 306. from these requirements.

Fiscal effect: None, assuming the individual applying for employment paid for the actual criminal records check.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Reported by Senate Finance

AGRC3 Prohibitions and Penalties under Concentrated Animal Feeding Facilities Law

R.C. 903.30, 903.99

Requires the Attorney General, upon the written request of the Director of Agriculture, to prosecute any person who violates or fails to perform any duty required by specified provisions of the Concentrated Animal Feeding Facilities (CAFF) Law, a rule adopted by the Director under that Law, or an order or term or condition of a permit issued by the Director under that Law or rules adopted under it.

Establishes three tiers of violations and penalties under this provision: (A) Negligent – Not more than 90 days in jail or no more than a \$10,000 fine or both. Defines a person as negligent with respect to circumstances when, because of a lapse from due care (instead of because of a substantial lapse from due care as defined under current law), the person fails to perceive or avoid a risk that such circumstances may exist; (B) Reckless – Not more than one year in jail or no more than a \$10,000 fine or both; and (C) Knowing – Felony subject to not more than 3 years in jail and a fine between \$10,000 - \$25,000. (Current law penalties under the CAFF Law range from a third degree misdemeanor on a first offense to a first degree misdemeanor on a third or subsequent offense, and a fine of not more than \$25,000 for specified violations.)

Fiscal effect: May increase costs for the Department of Agriculture and local courts. These costs would be partially offset through fine revenues.

R.C. 903.30, 903.99

Replaces the Executive provision regarding the Attorney General's authority to prosecute with a provision that establishes two separate general prohibitions: (1) Violating specified requirements governing NPDES permits and the NPDES provisions of permits to operate; and (2) violating requirements under specified provisions of the CAFF Law or rules adopted or orders or terms and conditions of permits issued that are not related specifically to NPDES permits and permit provisions.

Modifies the penalties established in the Executive by doing the following: Applies the penalties for negligent violations and the standard for actions that constitute negligence under (A) only to violations of the general prohibition regarding NPDES permits and the NPDES provisions of permits to operate; applies the penalties for reckless violations under (B) to both general prohibitions established above; and applies the penalties for knowing violations under (C) to both general prohibitions above, but eliminates the minimum fine of \$10,000.

Fiscal effect: Same as the Executive.

R.C. 903.30, 903.99

Same as the House.

Same as the House.

Fiscal effect: Same as the Executive.

Executive

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CACCD7 Facial Recognition Cameras

R.C. 3772.03, 2915.02, and 3770.21

(1) No provision.

(1) No provision.

(1) Permits the Ohio Casino Control Commission to adopt rules that require a casino operator, holding company, or management company to install security and surveillance equipment where any chips, tokens, tickets, electronic cards, or similar objects can be redeemed for cash, whether by a casino gaming employee or by electronic means, that must capture, for law enforcement purposes, facial feature pattern characteristics, including a computerized facial image, and that must require such records to be retained for at least five years.

(2) No provision.

(2) No provision.

(2) Permits the Attorney General to adopt rules with the same criteria described above, in consultation with the Casino Control Commission, for sweepstakes terminal device facilities.

(3) No provision.

(3) No provision.

(3) Permits the State Lottery Commission to adopt rules with the same criteria described above, in consultation with the Casino Control Commission, for video lottery terminal sales agents.

(4) No provision.

(4) No provision.

(4) Permits the Ohio Casino Control Commission, Attorney General, or State Lottery Commission, as applicable, to secure, by agreement, information and services as is considered necessary from any state agency or other unit of state government.

(5) No provision.

(5) No provision.

(5) Requires all costs related to the installation of security and surveillance equipment to be the responsibility of the applicable entity (e.g., the casino operator, or the video lottery terminal sales agent).

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Fiscal effect: None.

CACCD5 Casino Control Commission Enforcement Fund

R.C. 3772.36, 2981.01, 2981.13

R.C. 3772.36, 2981.01, 2981.13

(1) No provision.

(1) Creates in the state treasury the Casino Control Commission Enforcement Fund. Specifies that all moneys that are derived from any fines, mandatory fines, or forfeited bail to which the Ohio Casino Control Commission is entitled under the Casino Law and all moneys that are derived from forfeitures of property to which the Commission is entitled under Ohio law or federal law must be deposited into the Fund. States that the moneys in the Fund, with certain exceptions, must be used solely to subsidize the Commission's Division of Enforcement and its efforts to ensure the integrity of casino gaming.

(1) Same as the House.

(2) No provision.

(2) Specifies that moneys that are derived from forfeitures of property under federal law and that are deposited into the Fund must be used and accounted for in accordance with the applicable federal law, and the Commission otherwise must comply with federal law in connection with that money.

(2) Same as the House.

(3) No provision.

(3) Requires the Casino Control Commission to file a report with the Attorney General, verifying that cash and forfeited proceeds paid into the Fund were used only in accordance with the purpose of the Fund.

(3) Same as the House.

(4) No provision.

(4) Amends the Forfeiture Law to include the Commission as a law enforcement agency and to include the Fund in the distribution order for the disposal of forfeited property.

(4) Same as the House.

Fiscal effect: Potential increase in revenues and expenditures to the Fund.

Fiscal effect: Same as the House.

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As Reported by Senate Finance

JFSCD28 Criminal Records Checks for Adult Residents of a Prospective Adoptive or Foster Home or a Foster Caregiver's Home

R.C. 2151.86

R.C. 2151.86

No provision.

Removes ODJFS authority, with respect to a criminal records check required for an adult resident of a prospective adoptive or foster home or a foster caregiver's home, to waive the requirement that the records check be based on fingerprints if it determines that the adult resident is physically unable to provide fingerprints and poses no danger to foster children or adoptive children who may be placed in the home; and removes the specification that, in such cases, the involved agency must request that the Bureau of Criminal Identification and Investigation perform a records check using the person's name and Social Security number.

Same as the House.

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DPSCD56 Cash Transfers from Criminal Justice Services Casino Tax Revenue Fund to Law Enforcement Assistance Fund

No provision.

No provision.

Section: 605.10

Amends Section 205.10 of Am. Sub. H.B. 51 of the 130th General Assembly to eliminate appropriation item 768698, Criminal Justice Services Law Enforcement Support, with an appropriation of \$850,946 in each fiscal year.

Fiscal effect: Transfers the funds to appropriation item 055619, Law Enforcement Assistance Program, in the Attorney General's budget (see AGOCD15).