

Executive

As Passed by the House

COMCD7 Division of Administration unit to oversee licensing

R.C. *121.08*

Creates a unit within the Division of Administration that can administer the licensing, registration, and related ministerial functions of the other divisions within the Department.

Fiscal effect: Any potential cost incurred would be paid from the Division of Administration Fund (Fund 1630), which is supported by assessments charged to the Department's seven operating divisions.

No provision.

COMCD19 U.S. savings bonds as unclaimed funds

No provision.

No provision.

R.C. *169.051*

Provides that any U.S. savings bonds that constitute unclaimed funds under the Unclaimed Funds Law escheat to the state (that is, become property of the state). Creates a presumption that a U.S. savings bond constitutes unclaimed funds under the Unclaimed Funds Law if: (1) the bond owner's last known address is in Ohio, and (2) the bond has remained unclaimed and unredeemed for three years after final maturity. Specifies that such bonds escheat to the state three years after becoming abandoned and unclaimed property.

Requires the Director of Commerce, if no claim is made for the bonds within 180 days after the bonds escheat to the state, to file a civil action for a determination that ownership of the bonds or the proceeds from the bonds

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No provision.

have vested solely in the state.

Requires the Director to redeem the bonds escheated to the state and disburse the proceeds in the manner provided for all other unclaimed funds.

No provision.

Permits any person claiming a bond that has escheated to the state, or for the proceeds from the bond, to file a claim with the Director.

Fiscal effect: Potential gain to the state Unclaimed Funds Trust Fund (Fund 5430).

COMCD3 Institutional investor and dealer license exemption

R.C. 1707.01, 1707.14

Modifies the definition of "institutional investor" under Ohio Security Law to more specifically identify the types of entities included and, for many institutional investors, create an asset threshold of \$10 million.

Exempts from the securities dealer license requirement persons who have no Ohio place of business, are federally registered, and effect transactions in Ohio only with institutional investors.

Fiscal effect: Approximately \$400,000 decrease in revenue to the Division of Securities Fund (Fund 5500) due to exempting certain security dealers from license requirements. The Department estimates 2,000 security dealers will be exempt.

R.C. 1707.01, 1707.14

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

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COMCD5 Small Government Fire Department Services Revolving Loan Fund

R.C. 3737.17

Creates the Small Government Fire Department Services Revolving Loan Fund (Fund 5F10) in permanent law and permits the State Fire Marshal to loan moneys from the Fund 5F10 for the purposes of the Small Government Fire Department Services Revolving Loan Program. Specifies that the Fund 5F10 is to consist of loan repayments from small governments, money appropriated to the fund, and investment earnings on money in the Fund.

Fiscal effect: At the end of FY 2014, Fund 5F10 had a cash balance of approximately \$781,000. See related entry COMCD14 for related cash transfer from the State Fire Marshal Fund (Fund 5460) to Fund 5F10.

R.C. 3737.17

Same as the Executive.

Fiscal effect: Same as the Executive.

COMCD4 State Liquor Regulatory Fund

R.C. 4301.12

Generally requires all money collected under the Liquor Control Law to be credited to the existing State Liquor Regulatory Fund (Fund 5LP0), rather than the Liquor Control Fund (Fund 7043) as required under current law.

Fiscal effect: Increases revenue deposited into Fund 5LP0. In FY 2014, \$1.2 million was deposited into Fund 7043 which is no longer used as an operating fund for the Division of Liquor Control or the Liquor Control Commission under the liquor franchise agreement with JobsOhio.

R.C. 4301.12

Same as the Executive.

Fiscal effect: Same as the Executive.

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COMCD17 D-5j liquor permit population requirements

No provision.

R.C. *4303.181*

Alters the required population of one type of municipal corporation where a D-5j liquor permit may be issued in a community entertainment district by specifying that the municipal corporation must have a population between 7,000 and 20,000, rather than between 10,000 and 20,000 as under current law.

Fiscal effect: Potential minimal gain in D-5j permit fee revenue deposited into the Undivided Liquor Permit Fund (Fund 7066), which would subsequently be distributed to the State Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%). There are 41 municipal corporations that could qualify under the new population thresholds.

COMCD15 D-6 liquor permit for certain retail food establishments or food service operations in state parks

No provision.

R.C. *4303.182*

Requires the D-6 liquor permit (Sunday sales of beer and intoxicating liquor) to be issued to a D liquor permit holder that is retail food establishment or food service operation and is located in a state park that has a working farm on its property.

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Fiscal effect: Potential negligible gain in permit revenue deposited into the Undivided Liquor Permit Fund (Fund 7066) and subsequently distributed to the State Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%).

COMCD16

D-8 liquor permit for retail stores in municipalities or townships with populations under 15,000

No provision.

R.C. *4303.184*

Allows the holder of both a C-1 (sale of beer for off-premises consumption) and C-2 (sale of wine and mixed beverages for off-premises consumption) liquor permit, or the holder of a C-2x liquor permit (sale of beer, wine, and mixed beverages for off-premises consumption), that is a retail store within a municipal corporation or township with a population of 15,000 or less to obtain a D-8 liquor permit (sale of tasting samples of beer, wine, and mixed beverages for on-premises consumption).

Fiscal effect: Potential gain in D-8 permit fee revenue deposited into the Undivided Liquor Permit Fund (Fund 7066) and subsequently distributed to the State Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%). There are approximately 2,100 municipal corporations or townships within the population threshold.

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COMCD18 Pawnbrokers licensing requirements

R.C. 4727.061, 1321.20, 4505.102, 4727.01, 4727.02, 4727.03, 4727.04, 4727.06, 4727.062, 4727.07, 4727.08, 4727.09, 4727.11, 4727.12, 4727.13, 4727.19, 4727.20, 4727.23, 4727.24, 4727.25, 4727.26, 4727.99

No provision.

Revises the requirements relating to records that a pawnbroker must keep by requiring that the name of the licensee, and if applicable, the employee identification number of the employee involved in the transaction be on the appropriate form for each pawn or purchase.

No provision.

Provides for a "license plus" pawnbrokers license (\$600 biennial renewal) and does all of the following:

No provision.

(1) Specifies that license plus holders must maintain liquid assets in a minimum amount of \$100,000 during the duration of holding a license plus, as opposed to \$50,000 for a standard license.

No provision.

(2) Specifies the interest rates and fees that a licensee plus can charge as follows: (A) the interest rates a licensee plus can charge, contract for, or receive cannot be in excess of 3% per month or fraction of a month on the unpaid principal, and (B) the fee a licensee plus may charge, contract for, and receive cannot exceed one-tenth of the value of the loan per month or fraction of a month for investigating a title, appraising pledged or purchased items, storing and insuring property, closing a loan, losses and other expenses, and incidental costs associated with servicing loans. Prohibits a licensee plus from directly or

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No provision.	indirectly charging, receiving, or contracting for any interest or fees greater than the interest rate and fees specified in (A) and (B). Permits pledgors of a licensee plus to prepay interest and fee charges.
No provision.	(3) Allows a licensee plus to use email to notify owners of motor vehicles, watercraft, or outboard motors of possible forfeitures.
No provision.	(4) Permits licensees plus to report data to law enforcement agencies electronically and communicate default notices to pledgors electronically. Specifies there is no fee charged to pawnbrokers for reporting the data and that the data is purged after two years.
No provision.	(5) Provides for the return of misappropriated property that has been pledged or sold to a licensee plus, including police and judicial hold orders.
No provision.	(6) Requires the Superintendent of the Division of Financial Institutions within the Department of Commerce to approve a secure law enforcement database reporting system for use by a licensee plus to make records available to law enforcement officers.
No provision.	(7) Requires a licensee plus to waive interest and hold pawned property until the pledgor, or the pledgor's spouse or dependent, returns to the U.S. if the licensee plus receives documentation that the pledgor, or the pledgor's spouse or dependent, is in the military and, after the pawn transaction, was or is to be deployed relating to a military conflict.
No provision.	(8) Makes a pledgor or seller liable to the licensee plus for the full amount that the pledgor or seller received from the

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licensee plus, all charges, and other costs if: (A) a person files a police report and fully cooperates with the prosecution of an action against the pledger or seller, and (B) the person sues the licensee plus under the bill, the court determines that the pledger or seller misappropriated the property from the person, and the court orders the licensee plus to return the property to the person.

Fiscal effect: Potential minimal increase in administrative costs for the Department of Commerce to establish rules, issue new licenses, and approve a law enforcement database reporting system for license plus licensees. Costs would at least be partially offset by investigation and license fees deposited into the Consumer Finance Fund (Fund 5530).

COMCD1 Real Estate Education and Research Fund loans

R.C. 4735.06

Increases, from \$10,000 to \$25,000, the amount of loans the Real Estate Education and Research Fund (Fund 5470) may advance annually to applicants for salesperson licenses. Specifies that this limit on the amount of loans is per fiscal year.

Fiscal effect: Potential increase in expenditures from DPF Fund 5470 appropriation item 800603, Real Estate Education/Research, as a result of the increased limit on the amount of loans allowed per fiscal year.

R.C. 4735.06

Same as the Executive.

Fiscal effect: Same as the Executive.

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COMCD2 Real estate broker and salesperson licenses - military

R.C. 4735.13, 4735.141

Permits a licensed real estate broker or salesperson whose license is on deposit as an armed serviceperson to take up to the longer of 12 months (continuing law) or the amount of time the licensee spent on active duty (added by the bill) to complete continuing education requirements.

Extends the renewal period for a licensee who is a spouse of a member of the armed forces which has resulted in the licensee's absence from this state to the renewal date that follows the date of the spouse's discharge from the armed forces. Allows the licensee to take up to the longer of 12 months or the amount of time the licensee's spouse spent on active duty to complete continuing education requirements.

Specifies that "armed forces" includes the Ohio National Guard and any other state's nation guard.

Fiscal effect: None.

R.C. 4735.13, 4735.141

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

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COMCD6 Real estate appraiser assistants continuing education requirements

R.C. 4763.07, 4763.01

Requires that, in accordance with federal law, real estate appraiser assistants complete 14 classroom hours of continuing education instruction annually, without existing law's two-year grace period. Exempts real estate appraisers who have obtained a temporary certification or license in another state from existing law's continuing education requirements.

Removes from the definition of "appraisal report" in the Real Estate Appraiser Law communications of appraisal consulting services.

Removes from the definition of "appraisal review" opinions about the quality of another appraiser's work performed as part of an appraisal consulting assignment.

Fiscal effect: None.

R.C. 4763.07, 4763.01

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

COMCD8 Unclaimed funds payments

Section: 241.10

Requires DPF Fund 5430 appropriation item 800625, Unclaimed Funds-Claims, to be used to pay claims under R.C.169.08 and permits the Director of Commerce to request that the Director of Budget and Management appropriate additional amounts if needed. Appropriates the additional amounts.

Section: 241.10

Same as the Executive.

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COMCD9 Division of Real Estate and Professional Licensing

Section: 241.10

Requires DPF Fund 4B20 appropriation item 800631, Real Estate Appraisal Recovery, to be used to pay settlements, judgments, and court orders under R.C. 4763.16. Permits the Director of Commerce to request that the Director of Budget and Management appropriate additional amounts if needed. Appropriates the additional amounts.

Requires DPF Fund 5480 appropriation item 800611, Real Estate Recovery, to be used to pay settlements, judgments, and court orders under R.C. 4735.15 and, as above, appropriates additional amounts for this purpose if necessary.

Section: 241.10

Same as the Executive.

Same as the Executive.

COMCD10 Fire Department Grants

Section: 241.10

(1) Earmarks up to \$5,200,000 each year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to make grants to volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships.

Section: 241.10

(1) Same as the Executive.

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(2) Requires the grants to be used to purchase firefighting or rescue equipment or gear or similar items, to provide full or partial reimbursement for the documented costs of firefighter training, or, at the discretion of the State Fire Marshal, to cover fire department costs for providing fire protection services in the grant recipient's jurisdiction.

(2) Same as the Executive.

(3) Earmarks up to \$500,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to pay for the State Fire Marshal's costs of providing certain firefighter training classes at no cost to selected students, and allows the State Fire Marshal to establish the qualification and selection process for such classes.

(3) Same as the Executive.

(4) Earmarks up to \$3,000,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to be used for Multi-Agency Radio Communication System (MARCS) grants. Establishes the criteria for the awarding of these grants.

(4) Same as the Executive.

(5) Limits grant awards for firefighter or rescue equipment or gear or fire department costs of providing fire protection services to \$15,000 per fiscal year, or up to \$25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded, and up to \$15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training, which could be in addition to any grant funds awarded for equipment or fire protection services.

(5) Same as the Executive.

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(6) Requires the State Fire Marshal to determine the total amounts to be allocated for each eligible purpose.

(6) Same as the Executive.

(7) Requires the State Fire Marshal to administer the grant program in accordance with rules adopted as part of the State Fire Code, which may further define eligible entities and establish criteria for the awarding and expenditure of grant funds.

(7) Same as the Executive.

(8) Permits any appropriations in excess of the amount allocated for the grants to be used to administer the grant program.

(8) Same as the Executive.

COMCD11 Cash transfers to the Division of Real Estate Operating Fund

Section: 241.10

Allows the Director of Budget and Management, upon the request of the Director of Commerce, to transfer up to \$500,000 in cash from the Real Estate Recovery Fund (Fund 5480) and up to \$250,000 in cash from the Real Estate Appraiser Recovery Fund (Fund 4B20) to the Division of Real Estate Operating Fund (Fund 5490) during the biennium.

Section: 241.10

Same as the Executive.

Fiscal effect: Potential increase in revenue up to \$750,000 in DPF Fund 5490 over the biennium.

Fiscal effect: Same as the Executive.

COMCD13 Administrative assessments

Section: 241.10

Specifies that the Division of Administration Fund (Fund 1630) is entitled to receive assessments from all operating funds of the Department, subject to OBM approval.

Section: 241.10

Same as the Executive.

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As Passed by the House

Fiscal effect: Provides a method to pay for the Department's centralized services, such as communications, fiscal administration, human resources, legal, legislative affairs, quality control, training, employee development, and support services.

Fiscal effect: Same as the Executive.

COMCD14 Cash transfer to the Small Government Fire Department Services Revolving Loan Program

Section: 241.10

Allows the Director of Budget and Management, upon the request of the Director of Commerce, to transfer up to \$300,000 in cash from the State Fire Marshal Fund (Fund 5460) to the Small Government Fire Department Services Revolving Loan Fund (Fund 5F10) during the FY 2016-FY 2017 biennium.

Section: 241.10

Same as the Executive.