

Executive

As Passed by the House

As Passed by the Senate

DOTCD50 Public-Private Partnership (P3) agreements

No provision.

No provision.

R.C. 5501.73

(1) Specifies that the current requirements that a Public-Private Partnership (P3) agreement contain a contract performance bond and a payment bond only apply if the P3 agreement contains a construction services component.

No provision.

No provision.

(2) Defines "construction services" as design-build, construction, reconstruction, replacement, improvement, or repair services.

No provision.

No provision.

(3) Removes a provision of current law that requires a contract performance bond or payment bond under a P3 agreement to be in conformance with any terms or conditions specified by ODOT.

No provision.

No provision.

(4) Requires a contract performance bond or payment bond, for purposes of a P3 agreement, to be executed by a surety authorized by the Department of Insurance to write surety bonds.

Fiscal effect: Likely minimal, as surety bonds related to contracts for non-construction projects under P3 agreements are presumably seldom needed to cover defaults.

Executive

As Passed by the House

As Passed by the Senate

DOTCD47 Airport Improvements - State

Section: 399.15

Section: 399.15

(1) No provision.

(1) Requires GRF appropriation item 777471, Airport Improvements – State, to be used for the following purposes: (A) Providing matching funds for federal grants and funding under the airport improvement program pursuant to 49 U.S.C. 47101 et seq., or any similar federal program administered by the Federal Aviation Administration; (B) Providing loans and grants for airport capital improvements at Ohio airports or within Ohio airspace; allows these improvements to include infrastructure and safety projects and development and implementation of the Federal Aviation Administration's "NextGen" programs and unmanned aerial systems technologies; (C) Providing loans and grants for economic development and job creation projects that may involve cooperation between airports and the Development Services Agency or a state or regional nonprofit entity engaged in economic development activities.

(1) Replaces the House provision with language that requires GRF appropriation item 777471, Airport Improvements – State, to be used to continue the Ohio Airport Grant Program for grants to publicly owned, public use airports in the state that receive neither Federal Aviation Administration Air Carrier Enplanement Funds nor Air Cargo Entitlements in order to (A) support capital improvements, (B) maintain infrastructure, and (C) ensure safety at the airports.

(2) No provision.

(2) Requires ODOT to adopt rules in administering the distribution of money through the appropriation item; specifically requires ODOT to consult with interested parties to promulgate rules for the means and methods of accepting applications, scoring, and awarding grants and loans.

(2) No provision.

(3) No provision.

(3) Specifies that, prior to submitting rules to the Joint Committee on Agency Rule Review (JCARR) regarding (2) above, ODOT shall seek a vote of approval of the Department's proposed rules from the Ohio Aerospace and Aviation Technology Committee; requires any rules proposed under this provision to be submitted to the Ohio Aerospace and Aviation Technology Committee by October

(3) No provision.

Executive

As Passed by the House

As Passed by the Senate

1, 2015.

DOTCD49 Public Transportation - State

No provision.

No provision.

Section: 399.15

Requires at least \$500,000 in each fiscal year from GRF appropriation item 775451, Public Transportation - State, to be allocated to rural transit systems.

DOTCD44 Beachwood Noise Wall

No provision.

Section: 399.10

Requires Highway Operating Fund (Fund 7002) appropriation item 772601, Beachwood Noise Wall, to be used to construct a noise wall for a section of I-271 in Beachwood stretching from Shaker Boulevard to Woodland Road.

Section: 399.20

Same as the House.

DOTCD32 Diesel Emissions Reduction Grant Program

Section: 512.50

(1) Establishes a Diesel Emissions Reduction Grant Program in the Highway Operating Fund (Fund 7002) and requires the Ohio Environmental Protection Agency (EPA) to administer the program and solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. Requires ODOT to process Federal Highway Administration (FHWA) projects as recommended by EPA.

Section: 512.50

(1) Same as the Executive.

Section: 512.50

(1) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

(2) Specifies that in addition to the expenditures allowed pursuant to section 122.861 of the Revised Code, program funds also may be used to assist projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under CMAQ guidance developed by FHWA.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Requires public entities eligible to receive program funds to be reimbursed from moneys in Fund 7002. Requires private entities eligible to receive funds to be reimbursed at the discretion of the local public sector agency and upon approval by ODOT, through direct payments to the vendor in the prorated share of federal/state participation. Specifies that the reimbursements shall be made from moneys in Fund 7002.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Prohibits new appropriations from Fund 7002 in FY 2016 for the program, and limits new appropriations from Fund 7002 to up to \$5.0 million in FY 2017 for the program.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Specifies that any allocations under this section of the bill represent CMAQ program moneys within ODOT for program use by EPA, and that such allocations shall not reduce the amount of moneys designated for metropolitan planning organizations.

(5) Same as the Executive.

(5) Same as the Executive.

(6) Requires EPA, in consultation with the Development Services Agency and ODOT, to develop guidance for the distribution of funds and for the administration of the program. Requires the guidance to include a method of prioritization for projects, acceptable technologies, and procedures for awarding grants.

(6) Same as the Executive.

(6) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: The Diesel Emissions Reduction Grant Program was created in uncodified law in Am. Sub. H.B. 59 of the 130th General Assembly for the FY 2014-FY 2015 biennium, with similar program guidelines and funding streams. Up to \$5.0 million in additional Highway Operating Fund moneys may be appropriated for the program in the FY 2016-FY 2017 biennium, complementing the federal CMAQ funding.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD46 Joint Legislative Task Force on Department of Transportation Issues

Section: 610.01

No provision.

Amends Section 755.40 of H.B. 53 of the 131st General Assembly (which created the Joint Legislative Task Force on Department of Transportation Issues), to require the Task Force to study issues involving the cost and feasibility of establishing a limited driving privilege license, in addition to other areas of study that the Task Force is to examine.

Section: 610.01

Same as the House.

No provision.

Requires the Task Force to issue a report of its findings and recommendations on the issue of limited driving privilege licenses in the report due December 15, 2015.

Same as the House.

DOTCD45 Maritime Port Funding Study Council report deadline extension

Section: 610.14

No provision.

Amends section 745.10 of Am. Sub. H.B. 483 of the 130th General Assembly (which created the Maritime Port Funding Study Committee) to extend the deadline for the report that the Study Committee must issue, from January 1, 2015, to January 1, 2016.

Section: 610.14

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

DOTCD51 **Relocation of traffic signal in Clinton County**

No provision.

No provision.

Section: 745.20

Requires the Director of Transportation to relocate a traffic light in Clinton County that is currently located at the intersection of the off ramp of the northeast bound lanes of I-71 and S.R. 73 to the intersection of S.R. 73 and S.R. 380.

DOTCD52 **Quarterly report on MBE/EDGE compliance**

No provision.

No provision.

Section: 745.30

Requires ODOT to submit a quarterly report on Minority Business Enterprise (MBE)/Encouraging Diversity, Growth and Equity (EDGE) compliance to the majority and minority leaders of the General Assembly and the Governor to reaffirm compliance with federal and state mandates.

DOTCD48 **Draft legislation on aviation fuel tax**

No provision.

Section: 757.60

Requires ODOT, in collaboration with the aviation industry and other interested parties, to prepare draft legislation that would require all revenue from the sales and use tax on sales of aviation fuel to be used exclusively for capital improvements at airports and other economic development purposes relating to airports. Requires ODOT to submit the draft legislation to the Ohio Aerospace and Aviation Technology Committee by the end of FY 2016.

No provision.

Executive

As Passed by the House

As Passed by the Senate

DASCD38 State agency procurement procedures

R.C. 9.83, 125.02, 125.04, 125.041, 125.05, 125.07, 125.08, 125.10, 125.11, 125.45, 918.41, 1349.04, 3334.08, 4121.03, 4121.121, 4123.322, and 5513.01; Repealed: 125.021, 125.022, 125.03, 125.06, 125.17

R.C. 9.83, 125.02, 125.04, 125.041, 125.05, 125.07, 125.08, 125.10, 125.11, 125.45, 918.41, 1349.04, 3334.08, 4121.03, 4121.121, 4123.322, and 5513.01; Repealed: 125.021, 125.022, 125.03, 125.06, 125.17

R.C. 9.83, 125.02, 125.04, 125.041, 125.05, 125.07, 125.08, 125.10, 125.11, 125.45, 918.41, 1349.04, 3334.08, 4121.03, 4121.121, 4123.322, and 5513.01; Repealed: 125.021, 125.022, 125.03, 125.06, 125.17

(1) Reorganizes the State Procurement Law and clarifies that DAS must establish contracts for supplies and services (including telephone, telecommunications, and computer services) for the use of state agencies and may do so for political subdivisions.

Same as the Executive.

Same as the Executive.

(2) Adds the Attorney General, the Auditor of State, the Secretary of State, and the Treasurer of State to the list of entities (the Adjutant General for military supplies and services, the General Assembly, the judicial branch, state institutions of higher education, and the Capitol Square Review and Advisory Board) that are exempt from the above requirement. Permits these exempt entities to request DAS assistance with procurement. Specifies that nothing prevents state elected officials from complying with or participating in any aspect of the State Procurement Law through DAS.

Same as the Executive.

Same as the Executive.

(3) Requires the DAS Director to adopt rules regarding circumstances and criteria for a state agency to obtain a release and permit to make a purchase not under DAS, and allows DAS to grant a blanket release and permit for a state agency for specific purchases for a fiscal year or for the biennium.

Same as the Executive.

Same as the Executive.

(4) Allows DAS to enter into cooperative purchasing agreements with the exempt state entities and elected

Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

officials in addition to the Department of Transportation, other states, the federal government, other purchasing consortia, and political subdivisions.

(5) Permits the federal government, other states, other purchasing consortia, or any interstate compact authority to purchase supplies or services from contracts established by DAS.

Same as the Executive.

Same as the Executive.

(6) Eliminates the authority of DAS to enter into a contract to purchase bulk long distance telephone services for members of the immediate family of deployed persons.

Same as the Executive.

Same as the Executive.

(7) Permits DAS to allow state institutions of higher education and governmental agencies to participate in DAS contracts and requires an entity desiring to participate in a DAS contract to file a request containing certain documents with DAS.

Same as the Executive.

Same as the Executive.

(8) Requires DAS to include in its annual report an estimate of the purchases made by state institutions of higher education, governmental agencies, political subdivisions, and other specified entities from DAS contracts.

Same as the Executive.

Same as the Executive.

(9) Requires the DAS Director to adopt rules to permit DAS to make purchases by competitive sealed bid, and requires competitive sealed bids to be awarded as provided in continuing law to the lowest responsive and responsible bidder.

Same as the Executive.

Same as the Executive.

(10) Requires that, for purchases made by competitive sealed bid, DAS provide notice by electronic means, and eliminates this statutory notice requirement for other forms of competitive selection.

Same as the Executive.

Same as the Executive.

(11) Eliminates notice by mail and provides that the manner of providing notice of a purchase by DAS by competitive sealed bid may be in any electronic form the director

Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

considers appropriate to sufficiently notify competing persons of the intended purchases.

(12) Removes the requirement for DAS to make a public posting of notice on a bulletin board, and removes the complementary penalty of invalidating all proceedings and any contract entered into for a failure to post.

Same as the Executive.

Same as the Executive.

(13) Permits DAS to require that all bids and proposals be accompanied by a performance bond or other financial assurance, instead of a performance bond or other cash surety.

Same as the Executive.

Same as the Executive.

(14) Specifies, for meat and poultry, only bids received from vendors under inspection of the United States Department of Agriculture or are licensed by the Ohio Department of Agriculture are eligible for acceptance. Removes a requirement that DAS establish and maintain a list of approved meat and poultry vendors.

Same as the Executive.

Same as the Executive.

(15) Removes the Bureau of Workers' Compensation's exemption from the requirement that all boards, commissions, and departments obtain reproduction services through DAS. Requires that the Administrator of Workers' Compensation make purchases for supplies and services in compliance with the State Procurement Law.

Same as the Executive.

Same as the Executive.

(16) Eliminates the Administrator's authority to make contracts for and supervise the construction of any project or improvement, or the construction or repair of buildings, under the Bureau's control.

Same as the Executive.

Same as the Executive.

(17) Removes exemptions for the Ohio Tuition Trust Authority that state that the State Procurement Law does not apply to the Authority, and instead states that the law does not apply to contracts approved under the Ohio Tuition Trust Authority Board's powers.

Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

(18) Allows the Director of Transportation, in addition to other entities under continuing law, to permit a state agency to participate in contracts the Director has entered into for certain purchases. (Such purchases are exempt from competitive bidding requirements.)

Same as the Executive.

Same as the Executive.

(19) Removes a requirement for DAS to determine what supplies and services are purchased by or for state agencies and removes the subsequent requirement for DAS to provide state agencies, when making changes to the supplies and services, to provide state agencies with a list of those changes.

Same as the Executive.

Same as the Executive.

Fiscal effect: To the extent that other entities are brought under the umbrella of DAS's purchasing authority either by inclusion in cooperative purchasing arrangements or by eliminating exemptions, there could be some reduction in prices paid by state entities or participating political subdivisions for goods and services as a result of the state's increased purchasing power.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

DASCD46 Veteran-Friendly Business Procurement Program

R.C. 9.318

No provision.

Requires the Director of Administrative Services and the Director of Transportation to establish and maintain the Veteran-Friendly Business Procurement Program.

R.C. 9.318

Same as the House.

No provision.

Requires the Director of Administrative Services to adopt rules to administer the program for all state agencies except the Department of Transportation (ODOT). Requires the Director of Transportation to adopt rules to administer the program for ODOT. Requires the rules to be adopted

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

No provision.

separately but with the greatest degree of consistency possible between the two directors

Requires the rules to: (1) Establish the criteria businesses must meet and the procedures for certifying businesses as veteran-friendly business enterprises; (2) Establish procedures for the evaluation and ranking of proposals, which provide preference or bonus points to each certified veteran-friendly business enterprise that submits a bid or other proposal for a contract with the state; (3) Implement an outreach program to educate potential participants about the Veteran-Friendly Business Enterprise Program; (4) Establish a process for monitoring overall performance of the Veteran-Friendly Business Enterprise Program; and (5) Establish standards for determining when a veteran-friendly business enterprise no longer qualifies for certification under the program.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

AIRCD1 Energy Strategy Development Program

Section: 213.20

Requires OAQDA to establish the Energy Strategy Development Program to develop energy initiatives, projects, and policy that align with the energy policy for the state. Creates the Energy Strategy Development Fund (Fund 5EG0) consisting of money credited to it and money obtained for advanced energy projects from federal or private grants, loans, or other sources. Specifies that interest earned on money in Fund 5EG0 be credited to the GRF.

Permits the Director of Budget and Management to make the following cash transfers up to the amounts specified to Fund 5EG0 on July 1 or as soon as possible thereafter each fiscal year:

(1) Up to \$27,405 in FY 2016 and up to \$27,439 in FY 2017 from the State Agency Construction Project Service Fund (Fund 1310) used by the Ohio Facilities Construction Commission;

(2) Up to \$27,405 in FY 2016 and up to \$27,439 in FY 2017 from the Central Support Indirect Cost Fund (Fund 5GH0) used by the Department of Agriculture;

(3) Up to \$27,405 in FY 2016 and up to \$27,439 in FY 2017 from the Supportive Services Fund (Fund 1350) used by the Development Services Agency;

(4) Up to \$27,405 in FY 2016 and up to \$27,439 in FY 2017 from the Central Support Indirect Cost Fund (Fund 2190) used by the Environmental Protection Agency;

Section: 213.20

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Section: 213.20

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

(5) Up to \$27,405 in FY 2016 and up to \$27,439 in FY 2017 from the Central Support Chargeback Fund (Fund 1570) used by the Department of Natural Resources; and

(5) Same as the Executive.

(5) Same as the Executive.

(6) Up to \$39,150 in FY 2016 and up to \$39,199 in FY 2017 from the Highway Operating Fund (Fund 7002) used by the Department of Transportation.

(6) Same as the Executive.

(6) Same as the Executive.

Allows the Director of Budget and Management to transfer any remaining cash in Fund 5EG0 at the end of FY 2017 to the GRF. Abolishes Fund 5EG0 upon completion of the transfer.

Same as the Executive.

Same as the Executive.

Fiscal effect: Generates up to \$176,175 in FY 2016 and up to \$176,394 in FY 2017 for oversight of energy initiatives, projects, and strategies that align with the state's energy policy.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

DPSCD23 Commercial motor vehicle registration taxes

R.C. 126.06, 127.14, 4501.03, 4501.04, 4501.044, 4501.045, 4501.06, 5528.19 (repealed), 5528.30, 5528.31, 5528.32 (repealed), 5528.33 (repealed), 5528.35 (repealed), 5528.36 (repealed), 5528.38 (repealed), 5528.39 (repealed), 5528.40, 5728.08, 5735.23, 5735.26, 5735.291, 5735.30, Section 512.40

R.C. 126.06, 127.14, 4501.03, 4501.04, 4501.044, 4501.045, 4501.06, 5528.19 (repealed), 5528.30, 5528.31, 5528.32 (repealed), 5528.33 (repealed), 5528.35 (repealed), 5528.36 (repealed), 5528.38 (repealed), 5528.39 (repealed), 5528.40, 5728.08, 5735.23, 5735.26, 5735.291, 5735.30, Section 512.40

R.C. 126.06, 127.14, 4501.03, 4501.04, 4501.044, 4501.045, 4501.06, 5528.19 (repealed), 5528.30, 5528.31, 5528.32 (repealed), 5528.33 (repealed), 5528.35 (repealed), 5528.36 (repealed), 5528.38 (repealed), 5528.39 (repealed), 5528.40, 5728.08, 5735.23, 5735.26, 5735.291, 5735.30, Section 512.40

(1) Requires certain commercial vehicle registration taxes that currently are deposited to the credit of the Highway Operating Fund (Fund 7002) and the Highway Obligations Bond Retirement Fund (Fund 7071) to be deposited instead to the credit of the State Highway Safety Fund (Fund 7036).

(1) Same as the Executive.

(1) Same as the Executive.

(2) Eliminates Fund 7071, and provisions from the R.C., relating to highway bonds associated with Fund 7071 that no longer are outstanding.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Abolishes Fund 7071.

(3) Same as the Executive.

(3) Same as the Executive.

Fiscal effect: Gain in revenues of approximately \$59 million to Fund 7036 annually, with a corresponding loss in revenues to Fund 7002. No impact to Fund 7071, as it is no longer in use.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.