COMPARISON DOCUMENT BASE

(Including Both Language & Appropriation Changes)

House Bill 472

130th General Assembly

Mid-Biennium Review

(FY 2014-FY 2015)

As Introduced

Legislative Service Commission

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Table of Contents

Agency	Page
DAS-Department of Administrative Services	1
AGE-Department of Aging	4
AGR-Department of Agriculture	6
AGO-Attorney General	10
OBM-Office of Budget and Management	11
CAC-Casino Control Commission	13
CDP-Chemical Dependency Professionals Board	17
COM-Department of Commerce	19
DEV-Development Services Agency	22
DDD-Department of Developmental Disabilities	24
EDU-Department of Education	30
EPA-Environmental Protection Agency	44
FCC-Ohio Facilities Construction Commission	47
DOH-Department of Health	49
JFS-Department of Job and Family Services	52
JCR-Joint Committee on Agency Rule Review	58
JSC-Judiciary / Supreme Court	59
LOT-Ohio Lottery Commission	60
MHC-Manufactured Homes Commission	61
MCD-Department of Medicaid	62
MHA-Department of Mental Health and Addiction Services	63
DNR-Department of Natural Resources	66
OOD-Opportunities for Ohioans with Disabilities Agency	78
PRX-State Board of Pharmacy	80
DPS-Department of Public Safety	82
PUC-Public Utilities Commission of Ohio	83
PWC-Public Works Commission	86
BOR-Ohio Board of Regents	87
TAX-Department of Taxation	95
DOT-Department of Transportation	108
DVS-Department of Veterans Services	109
BWC-Bureau of Workers' Compensation	111
DYS-Department of Youth Services	120
List of ALI Name and Appropriation Changes	122

Executive

DASCD1 Lease-leaseback agreements

R.C. ***123.01***

(1) Modifies the terms under which DAS may enter into a lease-purchase agreement for the purpose of construction, renovating, or otherwise improving buildings, structures and other improvements for a public purpose and grants the same authority for lease-leaseback agreements.

(2) Requires lease-purchase and lease-leaseback agreements to be awarded through a request for proposals process.

(3) Removes the current process for awarding lease-purchase agreements that includes requirements for: (A) DAS to retain certain plans, details, and other specifications to afford bidders sufficient information to submit qualified bids, (B) DAS to give public notice in a newspaper of the time and place where bids will be received, (C) the bids to contain lease terms, (D) a DAS-approved form to be used for a bid, (E) bidders to comply with the Public Improvement Law prior to submitting a bid, and (F) the method of opening and tabulating bids, for certifying bidders' compliance with other laws and eligibility for doing business in Ohio, for obtaining certain certifications, and for awarding the lease agreement.

Fiscal effect: Allows for the use of lease-leaseback financing for the construction, renovation, or improvement of state facilities as an alternative to the other financing methods under current law. Minimal administrative savings for DAS from the removal of processes required to enter a lease-purchase agreement.

DASCD3 Disability separation reinstatement deadline

R.C. ***124.32***

Increases the deadline for reinstatement from 30 days to 60 days following the submission of a written application for reinstatement from a person who has been separated from an office or position they held in the classified service due to an injury or disability.

Fiscal effect: None apparent.

Executive

DASCD2 Sale of excess or surplus supplies

R.C. ***125.13***

Permits the Director of Administrative Services to dispose of excess or surplus supplies to the general public by sale, in addition to the current authority to do so by auction, sealed bid, or negotiation.

Fiscal effect: To the extent that this additional method of disposal affects price, there could be some effect on revenues received by DAS. Revenues received for the sale of surplus items are deposited into the Investment Recovery Fund (Fund 4270) and subsequently distributed to other state funds.

DASCD4 Official public notice web site

R.C. ***125.182, 7.10, 7.16, 2701.09***

(1) Changes the name of the state public notice website to the "Official Public Notice Web Site."

(2) Revises requirements that apply to the Office of Information Technology for establishing, maintaining, and operating the official public notice web site. Eliminates the requirement for the Office of Information Technology (OIT) to bear the expense of maintaining the domain name for the official public notice web site.

(3) Allows OIT or its contractor to charge a fee for enhanced search and customized content delivery features of the official public notice web site. Allows OIT or its contractor to charge the publisher of a newspaper or daily law journal a reasonable, uniform fee for posting notices and advertisements on the official public notice web site. Requires free publication of a state agency's or political subdivision's advertisements, notices, or proclamations on a newspaper's web site, if the newspaper has one, and on the official public notice web site.

(4) Requires the publisher of a daily law journal in which abstracts of legal notices of advertisements are published to also post those notices and advertisements in their entirety on the journal's web site, if it has one, and the official public notice web site.

(5) Requires, if requested, OIT or its contractor to provide a regularly scheduled feed or similar data transfer to DAS of notices and advertisements posted on the web site, provided the feed not be required more frequently than once each business day.

Executive

(6) Specifies that an error in a notice or advertisement posted on the web site does not constitute a defect in making a legal publication of the notice or advertisement if the notice or advertisement published in the newspaper or daily law journal is correct.

(7) Requires the publisher of a newspaper or daily law journal that maintains a web site to include a link to the official public notice web site.

(8) Changes the second, abbreviated notice or advertisement publication requirements that a state agency or political subdivision must meet to eliminate further newspaper publications by: (A) eliminating a requirement that the second abbreviated notice be published on a newspaper's Internet web site, if the newspaper has one; (B) specifying that the publisher of the newspaper post the second, abbreviated notice or advertisement on the official public notice web site at no additional cost; and (C) requiring that the abbreviated second notice need only include the Internet address of the official public notice web site and the name, address, telephone number, and email address of the state agency, political subdivision, or other party responsible for publication (thereby eliminating the need for these entities to include their own specific Internet addresses).

Fiscal effect: Potential for a minimal gain in revenues collected by OIT resulting from user fees charged for enhanced searches, customized content delivery, and uniform fees charged for posting notices and advertisements. Alternatively, if OIT's contractor assesses these fees rather than OIT, there would be no fiscal effect.

Executive

AGECD2 **Criminal records checks for direct-care positions**

R.C. ***109.572, 173.27, 173.38, 3701.881, 5123.081, 5123.169, 5164.34, 5164.342***

Revises provisions regarding criminal records checks, hiring and retention, and conditional hiring for specified positions or certificates as follows:

(1) Removes provisions that specify that a finding of eligibility for intervention in lieu of conviction of certain offenses is a disqualifying offense with respect to positions: that provide ombudsman services to residents and recipients; that involve a direct-care position with an area agency on aging (AAA), a PASSPORT administrative agency (PAA), a provider, or a subcontractor; with a home health agency involving direct care to an individual; and with the Ohio Department of Developmental Disabilities (ODODD) or a county board of developmental disabilities, or direct mental retardation or developmental disabilities service positions with a provider or subcontractor; and with respect to supported living certificates.

(2) Clarifies a distinction between initially hiring a person and retaining a person employed in a specified position, and clarifies provisions regarding the conditional hiring of a person with respect to positions: that provide ombudsman services to residents and recipients; that involve a direct-care position with an AAA, a PAA, a provider, or a subcontractor; with a home health agency involving direct care to an individual; with the ODODD or a county board of developmental disabilities, or direct mental retardation or developmental disabilities services positions with a provider or subcontractor; with a Medicaid provider; and with a Medicaid waiver agency.

(3) In the provisions that require a "responsible party" (an AAA, PAA, a provider, or a subcontractor) to conduct a review and obtain a criminal records check before hiring an applicant or retaining an employee in a direct-care position, expands the definition of "responsible party" to include a consumer who, as the employer of record, directs a consumer-directed provider, and revises procedures for the conduct of criminal records checks regarding self-employed providers so that the involved AAA or PAA has the responsibility for the records checks.

Fiscal effect: None, assuming the applicant pays for the criminal records check.

Executive

AGECD1 **MyCare Ohio Program activities**

Section: ***610.20***
Amends Section 209.30 of H.B. 59

Allows the following appropriation items, within ODA, to be used to provide ombudsman program activities to consumers participating in the MyCare Ohio Program: 490410, Long-Term Care Ombudsman, 490618, Federal Aging Grants, 490612, Federal Independence Services, 490609, Regional Long-Term Care Ombudsman Program, and 490620, Ombudsman Support.

Executive

AGRCD2 **Agricultural Pollution Abatement Program**

R.C. ***939.02, 901.22, 903.01, 903.03, 903.04 (Repealed), 903.07, 903.082, 903.09, 903.10, 903.11, 903.12, 903.13, 903.16, 903.17, 903.25, 939.01-939.03, 939.04, 939.05 - 939.11, 941.14, 953.22, 1515.08, 3734.02, 3734.029, 3745.70, 6111.03, 6111.04, and 6111.44; Sections 515.10, 709.10, 803.20, 803.30, and 812.10***

Applies all of the following effective January 1, 2015:

(1) Transfers the administration of the Agricultural Pollution Abatement Program from the Department of Natural Resources (DNR) to the Department of Agriculture (AGR).

(2) Revises rule-making authority regarding the abatement of water degradation by agricultural pollutants by (A) requiring the Director of Agriculture to adopt the rules rather than the Chief of the Division of Soil and Water Resources subject to the approval of the Ohio Soil and Water Conservation Commission as in existing law; (B) requiring the rules to establish technically feasible and economically reasonable standards to achieve a level of management and conservation practices in farming operations that will abate water degradation by residual farm products or manure, including attached substances, rather than by animal waste, including attached substances, as in current law; and (C) requiring the Director to adopt rules that are identical to specified rules adopted by the Chief and currently in effect regarding the Agricultural Pollution Abatement Program.

(3) Authorizes a person who owns or operates agricultural land or an animal feeding operation (AFO) to develop and operate under a nutrient management plan approved by the Director of Agriculture, the Director's designee, or the supervisors of the applicable soil and water conservation district rather than authorizing such a person to develop and operate under an operation and management plan approved by the Chief of Soil and Water Resources or the supervisors of a conservation district as in current law.

(4) Authorizes the Director to require, rather than the Chief of Soil and Water Resources to order, a person whom owns or operates agricultural land or an AFO, has not developed a nutrient management plan, and has caused agricultural pollution by failure to comply with the standards adopted by the Director in rules to abate water degradation by residual farm products or manure to operate under a nutrient management plan developed by the Director, the Director's designee,

Executive

or the supervisors of a conservation district rather than an operation and management plan.

(5) Requires a person who owns or operates an agricultural operation, or owns the animals raised by the owner or operator of an agricultural operation, and who wishes to conduct composting of dead animals resulting from the operation to comply with certain requirements, including composting the animals in accordance with rules adopted by the Director rather than by the Chief, and requires any such person who fails to comply with those rules to prepare and operate under a composting plan in accordance with a requirement of the Director to take a corrective action rather than an order of Chief.

(6) Authorizes the supervisors of conservation districts to develop nutrient management plans as necessary and to determine whether nutrient management plans that are developed by persons who own or operate agricultural land or AFOs comply with the standards adopted by the Director in rules to abate water degradation by residual farm products or manure.

(7) Transfers responsibility for administering the Agricultural Pollution Abatement Fund from the Chief to the Director.

(8) Defines "nutrient management plan" to mean a written record, developed or approved by the supervisors of a conservation district or the Director, for the owner or operator of agricultural land or an AFO that contains (A) implementation schedules and operational procedures for a level of management and pollution abatement practices that will abate water degradation by residual farm products and manure, including attached pollutants, and (B) best management practices that are to be used by the owner or operator.

(9) Defines "agricultural pollution" to mean failure to use management or conservation practices in farming operations to abate water degradation by residual farm products or manure, including attached substances.

(10) Defines "animal feeding operation" to mean the production area of an agricultural operation where agricultural animals are kept and raised in confined areas other than a facility that possesses a specified type of permit;

(11) Defines "residual farm products" to mean bedding, wash waters, waste feed, and silage drainage, including compost products resulting from the composting of dead animals in agricultural operations regulated by the Director when certain conditions are met.

(12) Defines "best management practices" to mean practices or a combination of practices that are determined to be the most effective and practicable means of preventing or reducing agricultural pollution sources to a level compatible with the attainment of applicable water quality standards, and specifies that they include structural and nonstructural practices, conservation practices, and operation and maintenance procedures.

(13) Authorizes the Director to propose to require corrective actions and assess a civil penalty against an owner or operator of agricultural land or an AFO if the Director or the Director's designee determines that the owner or operator is doing certain activities, including not complying with standards governing the abatement of water degradation by residual farm products or manure.

Executive

(14) Prohibits specified state and local government officials, including the Director of Natural Resources or the Director of Agriculture, as applicable, from disclosing certain information provided by or regarding a person who operates under an operation and management plan or a nutrient management plan.

(15) Eliminates provisions governing review compliance certificates issued under the Concentrated Animal Feeding Facilities Law, the operation of which has expired.

(16) Makes corresponding changes to reflect the Director of Environmental Protection's ongoing exclusion from regulating composting and residual farm products and manure disposal systems under certain provisions of the Water Pollution Control Law.

Fiscal effect: AGR would assume responsibility for overseeing the Agricultural Pollution Abatement Program, currently overseen by DNR's Division of Soil and Water Resources. Additionally, the bill transfers the responsibility for the Agricultural Pollution Abatement Fund from DNR to AGR. This fund is used to pay costs associated with investigating mitigating, minimizing, removing, or abating pollution of the waters of the state caused by agricultural pollution or unauthorized release, spill, or discharge of manure or residual farm products that requires emergency action to protect the public health. As of March 2014, this fund has never had money deposited into it, nor has it been employed for any purpose. [See also DNRCD14 "Soil erosion and sediment control - Operation and management plans"]

AGRCD1 Amusement ride inspection fees

R.C. ***1711.53, 1711.50***

(1) Increases the annual inspection and reinspection fee for a roller coaster from $950 to $1,200 (unless the roller coaster qualifies as a kiddie ride, as described in (3)), and clarifies that the $5 annual inspection and reinspection fee for go karts is calculated per kart.

(2) Requires the Department of Agriculture to charge an annual inspection and reinspection per-ride fee of $105 for inflatable rides, both kiddie and adult.

(3) Stipulates in statute what constitutes a kiddie ride by defining it to mean an amusement ride "designed for use by children under 13 years of age" (rather than "designed primarily for use by children up to 12 years of age" as currently defined in rule), adding (a) that the children are unaccompanied by another person and (b) that it includes a roller coaster that is not more than 40 feet in elevation. Correspondingly removes the requirement that "kiddie rides" be defined by rule.

Executive

Fiscal effect: The inspection fees for inflatable rides currently differ depending upon whether the ride is a kiddie ride ($100) or an adult ride ($160). Standardizing the inspection fee for all inflatable rides will likely result in a minimal loss of revenue from these inspections, while increasing the roller coaster inspection fee will likely result in some additional revenue deposited into the Amusement Ride Inspection Fund (Fund 5780). The anticipated net impact of these adjustments, however, is a decline in annual inspection revenue to Fund 5780.

Executive

AGOCD1 **Cash transfer from the Pre-Securitization Tobacco Payments Fund to the Tobacco Oversight Administration and Enforcement Fund**

Section: ***610.20***
Amends Section 221.10 of H.B. 59

Permits the Director of Budget and Management, on July 1, 2014, or as soon as possible thereafter, to transfer up to $8 million from the Pre-Securitization Tobacco Payments Fund (Fund 5LS0) to the Tobacco Oversight Administration and Enforcement Fund (Fund U087).

Executive

OBMCD1 Shared services

R.C. ***9.482, 126.21, 126.25***

(1) Codifies the authority for the Director of OBM to operate a Shared Services Center to consolidate common business functions and transactional processes.

(2) Specifies that the Shared Services Center may offer services to state agencies and political subdivisions of the state.

(3) Authorizes the Director to administer a payment card program under which political subdivisions may use a payment card to purchase equipment, materials, supplies, or services in accordance with guidelines issued by the Director.

(4) Requires that the services provided by the Director be supported by charges to defray the expense of those services.

(5) Permits a political subdivision to enter into an agreement with a state agency under which the state agency is to perform a function or render a service for the political subdivision that the political subdivision is otherwise legally authorized to perform or render, and permits a state agency to enter into an agreement with a political subdivision under which the political subdivision is to perform a function or render a service for the state agency that the state agency is otherwise legally authorized to perform or render.

Fiscal effect: Possible gain in revenue to and increase in expenditures from the Accounting and Budgeting Fund (Fund 1050) if the Shared Services Center's service lines are utilized to a greater degree. Political subdivisions utilizing a state-administered payment card program may experience more efficient acquisition processes and lower overall transaction costs. However, many political subdivisions may already use procurement cards under continuing law. Potential initial increase in administrative costs for entities that participate in shared services agreements, but potential savings after implementation.

OBMCD2 Appropriations related to grant reconciliation and close-out

Section: ***503.10***

Permits the director of an agency to request the Director of OBM to authorize additional expenditures in order to return unspent cash to a grantor when, as a result of the reconciliation and close-out process for a grant, an amount of money is identified as unspent and that amount requires remittance to the grantor. Appropriates the additional amounts upon the approval of the Director of OBM.

Executive

Fiscal effect: Potential minimal decrease in agency administrative burdens from no longer having to seek Controlling Board approval for appropriation adjustments in these circumstances.

OBMCD3 **Reestablishing encumbrances that use outdated expense account codes**

Section: ***509.10***

Beginning January 1, 2015, permits the Director of OBM to cancel any existing operating or capital encumbrances from prior fiscal years that reference outdated expense account codes and, if needed, re-establish them against the same appropriation items referencing updated expense account codes. Specifies that any business commenced but not completed under the prior encumbrances by January 1, 2015 must be completed under the new encumbrances in the same manner and with the same effect as if it was completed with regard to the old encumbrances.

Executive

CACCD1 **Appeals from orders of the Casino Control Commission**

R.C. ***119.12***

(1) Requires an appeal from an order of the Ohio Casino Control Commission be to the Court of Common Pleas of Franklin County. Authorizes a court to suspend an order of the Ohio Casino Control Commission if it appears to the court that (a) an unusual hardship to the appellant will result from execution of the order pending determination of the appeal and (b) the health, safety, and welfare of the public will not be threatened by suspension of the order.

(2) Specifies that any order issued by the court of common pleas or a court of appeals suspending an order of the Ohio Casino Control Commission must terminate within six months after the Commission's record of the adjudication that resulted in the order was filed with the clerk of the court of common pleas and prohibits such a suspension from being extended.

(3) Requires the court of common pleas, and the court of appeals on appeal, to render judgment on an order of the Ohio Casino Control Commission within six months after the Commission's record of the adjudication that resulted in the order was filed with the clerk of the court of common pleas.

(4) Requires an appeal from an order of the Ohio Casino Control Commission to be set down for hearing at the earliest possible time, and specifies that such an appeal takes precedence over all other actions.

Fiscal effect: None

Executive

CACCD3 **Regulation of skill-based amusement machines; casino-related changes**

R.C. ***2915.01, 2915.03, 2915.06, 2915.061, 2915.062, 3772.01 3772.03, 3772.032, 3772.033, 3772.04, 3772.06, 3772.07, 3772.10 3772.12, 3772.121, 3772.14, 3772.15, 3772.17, 3772.21, 3772.23 3772.31, and 3772.99***

(1) Includes the regulation of skill-based amusement machines in the Casino Law (R.C. Chapter 3772.) in addition to the Gambling Law (R.C. Chapter 2915.). Grants the Ohio Casino Control Commission authority over skill-based amusement machine operations. Extends the authority of the Executive Director of the Commission to include supervising and administering skill-based amusement machines in accordance with the Casino Law and the Gambling Law. Extends the Commission's licensing determination authority to include licenses related to skill-based amusement machines.

(2) Grants the Commission and its gaming agents authority over and access to skill-based amusement machine operators' facilities to carry out the law. Specifically amends the Commission's authority to include skill-based amusement machines, operators, and facilities as it relates to: inspecting premises, supplies, devices, and equipment; impounding, seizing and removing supplies, devices, and equipment for the purpose of examination and inspection; auditing operations; investigating suspected violations; and performing all other things the Commission considers necessary to effectuate the intents and purposes of the Casino Law and the Gambling Law. Amends the Commission's rule-making authority to include any rules necessary for skill-based amusement machines and operators.

(3) Includes skill-based amusement machines used in violation of the Gambling Law or the Casino Law in the definition of "gambling device" in the Gambling Law. Includes "skill-based amusement machine" in the definition of "conduct" in the Gambling Law and adds violating the skill-based amusement machine law to the offenses that may lead to a person being guilty of operating a gambling house.

(4) Prohibits a person from conducting, or participating in the conduct of, a skill-based amusement machine without first obtaining a license under the Casino Law, and provides that a violation is a fifth degree felony for the first offense and a fourth degree felony for subsequent offenses. Increases the penalty for skill-based amusement machine prohibited conduct from a first degree misdemeanor on the first offense and a fifth degree felony for a subsequent offense to a fifth degree felony for a first offense and a fourth degree felony for subsequent offenses. Provides that premises used or occupied in violation of the skill-based amusement machine law constitute a nuisance subject to abatement.

Executive

(5) Permits a person to apply for a skill-based amusement machine operator license, and requires renewal of the license every three years. Permits a person who holds such a license to offer skill-based amusement machines at a location approved by the Commission. Requires a skill-based amusement machine operator to acquire or obtain skill-based amusement machine equipment, goods, and services from a licensed gaming-related vendor. Allows a person that is required to apply for and obtain a skill-based amusement machine operator license to obtain a waiver or variance from one or more of the requirements. Prohibits skill-based amusement machine operators from obtaining a license to: operate a check-cashing business; provide small loans; or provide short-term loans.

(6) Allows the Commission to issue a skill-based amusement machine operator license to a qualified applicant. Provides that the license fees for a skill-based amusement machine operator must be set by rule, subject to review by the Joint Committee on Gaming and Wagering.

(7) Requires the Commission, before issuing a skill-based amusement machine key employee license or a skill-based amusement machine operator license, to obtain a criminal records check of the person who is to be licensed, and requires the person, unless applying at the operator's request, to pay the related fee.

(8) Permits the Commission to require use of a central system by a skill-based amusement machine operator if the operator is not in compliance with the Casino Law or the Gambling Law. Requires the Commission to certify independent testing laboratories to scientifically test and technically evaluate all skill-based amusement machines and related equipment, supplies, and devices.

(9) Applies the Casino Law's penalty provisions to skill-based amusement machine operations.

(10) Authorizes the Joint Committee on Gaming and Wagering to review, report, and study amendments, laws, and rules related to skill-based amusement machines.

(11) Includes slot machines used in violation of the Gambling Law or the Casino Law in the definition of "gambling device" in the Gambling Law. Includes in the definition of "gambling offense" in the Gambling Law conducting an illegal casino game and certain offenses under the Casino Law.

(12) Adds conducting an illegal casino game to the offenses that may lead to a person being guilty of operating a gambling house. Increases the penalty for operating a gambling house from a first degree misdemeanor on the first offense and a fifth degree misdemeanor for a subsequent offense to a fifth degree felony for a first offense and a fourth degree felony for subsequent offenses.

(13) Prohibits, except as otherwise expressly permitted by law, a person from conducting, or participating in the conduct of, a casino game without first obtaining a license under the Casino Law. Provides that: (1) a violation is a fifth degree felony on the first offense and a fourth degree felony for subsequent offenses and (2) premises used or occupied in violation of this provision constitute a nuisance subject to abatement.

Executive

(14) Expands gaming agents' authority to include assisting the Commission in carrying out its duties under the Gambling Law.

(15) Allows a person who holds a gaming-related vendor's license to otherwise provide, and to contract to otherwise provide (in addition to being able to sell or lease), equipment, goods, and services. Prohibits a licensed gaming-related vendor from providing equipment, goods, and services other than those that have been approved by the Commission.

(16) Generally applies the Commission's penalty powers to all licensees under the Casino Law. Includes violations of the Gambling Law as cause for a violation under the Casino Law. Changes the mental state that must accompany certain violations under the Casino Law from knowingly or intentionally to purposely or knowingly.

(17) Requires a person who enters a casino facility while participating in the voluntary exclusion program to surrender to the Commission any money the person has converted or attempted to convert into a wagering instrument.

(18) Clarifies that the definition of "key employee" in the Casino Law includes a holding company and a gaming-related vendor, and clarifies who is a managerial employee under this definition. Clarifies that the Commission's authority regarding licensing extends to a licensee's failure to meet requirements under the Gambling Law.

Fiscal effect: Increases operating expenditures of CAC. Presumably, the increases will be paid for by the revenue collected from fees related to the licensing of skill-based amusement machine operators and employees.

CACCD2 Casino Control commissioner salary

R.C. ***3772.02***

Reduces the annual salary of an Ohio Casino Control Commission member to $30,000, and removes a provision that entitled a member to a $60,000 annual salary for the first four years of the Commission's existence. (The Commission was created in 2010.)

Fiscal effect: Increases operating expenses by up to $210,000 annually relative to current law (but decreases them by the same amount relative to past years). Salaries are paid out of Appropriation Line Item 955321, Casino Control – Operating (Fund 5HS0).

Executive

CDPCD1 **Chemical dependency counselors – pathological and problem gambling endorsement**

R.C. ***4758.01, 4758.02, 4758.06, 4758.16, 4758.20, 4758.21, 4758.23, 4758.24, 4758.26, 4758.28, 4758.29, 4758.30, 4758.31, 4758.35, 4758.36, 4758.48, 4758.50, 4758.51, 4758.60, 4758.62, 4758.63, 4758.64, 4758.71***

Generally, enables a chemical dependency counselor to achieve a pathological and problem gambling endorsement on the counselor's license to enable the counselor to address gambling addiction disorders.

Defines "pathological and problem gambling" as a persistent and recurring maladaptive gambling behavior that is classified in accepted nosologies.

Prohibits a person from representing to the public that the person holds a pathological and problem gambling endorsement unless the person holds a valid endorsement.

Modifies the Chemical Dependency Professionals Board's rulemaking authority to include rules regarding the pathological and problem gambling endorsement.

Permits the Board to establish and adjust fees to be charged for issuing an initial pathological and problem gambling endorsement and renewing the endorsement.

Requires the Board to issue an endorsement to an individual who meets certain requirements.

States that an endorsement expires two years after its issuance.

Requires the Board to renew an endorsement under standard renewal procedures.

Permits an expired endorsement to be restored under certain circumstances.

Requires the Board to investigate alleged irregularities in the delivery of pathological and problem gambling counseling services.

Requires an individual seeking an endorsement to file with the Board a written application on a form the Board prescribes.

Requires an individual seeking an endorsement to be one of the following:
(1) A licensed independent chemical dependency counselor, chemical dependency counselor III, or chemical dependency counselor II;
(2) An individual authorized under the Physicians Licensing Law to practice medicine and surgery or osteopathic medicine and surgery;

Executive

(3) A licensed psychologist;
(4) A licensed registered nurse if the endorsement is consistent with the individual's scope of practice; or
(5) A professional clinical counselor, professional counselor, independent social worker, social worker, independent marriage and family therapist, or licensed marriage and family therapist if the endorsement is consistent with the individual's scope of practice.

Requires an individual seeking an endorsement to have at least 30 hours of training in pathological and problem gambling that meets the requirements specified in the Board's rules.

Requires an individual seeking an endorsement to have at least 100 hours of compensated work or supervised internship in pathological and problem gambling direct clinical experience.

Permits a licensed independent chemical dependency counselor, chemical dependency counselor III, or chemical dependency counselor II to be issued an initial endorsement subject to special conditions.

Requires a licensed independent chemical dependency counselor, chemical dependency counselor III, or chemical dependency counselor II to complete the 100 hours of compensated work or supervised internship in pathological and problem gambling direct clinical experience before the expiration of their initial endorsement.

Requires each individual who holds an endorsement to complete during the period that the endorsement is in effect not less than six hours of continuing education as a condition of receiving a renewed endorsement.

Permits an individual holding a valid license issued under the Chemical Dependency Professionals Law and the endorsement to diagnose and treat pathological and problem gambling conditions, and to perform treatment planning.

Prohibits a licensed chemical dependency counselor III or a licensed chemical dependency counselor II with endorsement from practicing as an individual practitioner.

Updates the Chemical Dependency Professionals Law to account for the ability of a chemical dependency counselor to receive the pathological and problem gambling endorsement.

Fiscal effect: Potential gain in revenue. Potential increase in administrative costs.

Executive

COMCD5 Compliance incentive programs

R.C. ***121.08, 3731.02, 4740.06***

Allows the Director of Commerce, or the Director's designee, to adopt rules to enhance compliance with statutes pertaining to, and rules adopted by divisions within the Department by offering incentive-based programs that ensure safety and soundness while promoting growth and prosperity in the state.

Permits the State Fire Marshal to adopt rules to establish a fire code and sanitary standards compliance incentive program for hotels and, specifically, to create a "Safe Stay Hotel" designation that sets standards a hotel must meet to earn such a designation, including procedures to create a list of hotels receiving the designation, and monetary incentives under the compliance program.

Specifies that the rules may not be construed to limit the powers of certain political subdivisions or to require the State Fire Marshal to designate a hotel as a "Safe Stay Hotel" or award monetary incentives in a manner that is inconsistent or in conflict with other laws, rules, or regulations.

Permits the Ohio Construction Industry Licensing Board (OCILB) to establish rules that amend continuing education requirements and license renewal schedules for OCILB licensees in order to establish a compliance incentive program. Permits the rules to include provisions for the creation of the program and the qualifications, continuing education requirements, and renewal schedule for the program.

Fiscal effect: The impact on the various funds that support the Department of Commerce's regulatory functions will depend on the changes made under rules and incentives offered under these programs.

COMCD2 Mortgage loan originator examinations

R.C. ***1321.535, 1322.051***

Removes the requirement that an applicant for a mortgage loan originator license or a loan originator license must achieve a test score of at least 75% correct answers on all questions relating to Ohio Mortgage Lending Laws and the Ohio Consumer Sales Practices Act in order to be considered to have passed the written test. Specifies, instead, that the applicant must correctly answer at least 75% of the questions to pass the test. (The test covers an applicant's knowledge and comprehension of topics such as ethics and federal and state law on mortgage origination generally.)

Executive

Requires a designated business operations manager of a mortgage broker business to pass a written test developed and approved by the Nationwide Mortgage Licensing System and Registry instead of a written test approved by the Superintendent of Financial Institutions.

Fiscal effect: None.

COMCD3 Nationwide Mortgage Licensing System and Registry reports

R.C. ***1321.55, 1322.06***

Permits the Division of Financial Institutions to accept call reports and other reports of condition submitted to the Nationwide Mortgage Licensing System and Registry (NMLS) in lieu of the annual report currently required for registrants under the Second Mortgage Loan Law or Mortgage Brokers Law.

Expands the information included in the annual analysis of mortgage loan registrants' business and operations to include mortgage loan originator licensees' call reports or other reports of conditions submitted to the NMLS.

Provides that the Superintendent of Financial Institutions, instead of the Division of Financial Institutions, must annually publish an analysis of submitted Mortgage Loan Law and Mortgage Broker Law information.

Fiscal effect: None apparent.

COMCD4 Underground Storage Tank Revolving Loan Fund

R.C. ***3737.02, Section 610.20***
Amends section 241.10 of H.B. 59

(1) Creates the Underground Storage Tank Revolving Loan Fund (Fund 5PA0) to be used by the State Fire Marshal to make underground storage tank revolving loans in accordance with existing law.

(2) Specifies that the fund is to consist of amounts repaid for underground storage tank revolving loans and, in qualifying circumstances, fines and penalties collected for violations related to petroleum releases and other moneys, including corrective action enforcement case settlements or bankruptcy case awards or settlements.

(3) Permits the transfer of moneys in the Underground Storage Tank Revolving Loan Fund to the Underground Storage Tank Administration Fund if the cash balance in the Underground Storage Tank Administration Fund (Fund 6530) is insufficient to implement and enforce certification programs.

Executive

Fiscal effect: The bill creates Fund 5PA0 appropriation item 800647, BUSTR Revolving Loan Program, with a $3.0 million appropriation in FY 2015. The source of revenue for Fund 5PA0 is loan repayments currently deposited into Fund 5630.

COMCD1 Division of Real Estate rulemaking for mass appraisal projects

R.C. ***5713.012***

Requires the Division of Real Estate to adopt rules governing the qualifications of mass appraisal project managers, including (1) rules specifying standards for the courses and examination that individuals must pass to qualify as a project manager, and (2) procedures for notifying the Tax Commissioner when a person qualifies as a project manager.

Fiscal effect: Likely minimal increase in expenditures from the Division of Real Estate Operating Fund (Fund 5490) appropriation item 800614, Real Estate, from administrative costs in adopting and implementing these rules.

COMCD6 Fire department grants for MARCS equipment and services

Section: ***610.20***
Amends section 241.10 of H.B. 59

Allows up to $3.0 million in FY 2015 from Fund 5460 appropriation item 800639, Fire Department Grants, to be used for grants to eligible entities to purchase fire department communication systems, equipment, and services that are integrated into or otherwise interoperable with the Multi-Agency Radio Communication System (MARCS), and establishes other criteria for the awarding of these grants.

Executive

DEVCD4 Evaluation of workforce programs by Governor's Office of Workforce Transformation

R.C. ***107.35***

Requires the Governor's Office of Workforce Transformation to establish criteria to use for evaluating the performance of state and local workforce programs using basic, aligned workforce measures related to system efficiency and effectiveness by December 31, 2014.

Requires the Department of Job and Family Services, the Department of Education, and the Ohio Board of Regents to provide staff support and assistance to the Office for establishing the criteria. (Under continuing executive policy, the Office is supported administratively by the Development Services Agency.)

Requires the Office to develop and make available on the Internet a public dashboard to display metrics regarding the state's primary workforce programs.

Fiscal effect: Potential minimal increase in administrative costs to the affected agencies.

DEVCD5 Sports incentive grants

R.C. ***122.121***

Eliminates the requirements under the Sports Incentive Grant Program that (1) the disbursements must be made from the GRF, and (2) the Director of Budget and Management must establish a schedule for the disbursement of the grant payments.

DEVCD2 Synchronization of economic development report due dates

R.C. ***122.136, 122.21, 122.25, 122.37, 122.64, 122.89, 122.94, 122.941, 149.311, 150.10, 184.02, 1551.34***

Synchronizes the due dates of several annual or biennial reports due from the Development Services Agency, and various offices housed within the agency, including the Ohio Venture Capital Authority, the Third Frontier Commission, and the Ohio Coal Development Office.

Executive

Requires that all affected reports be filed on or before August 1, rather than the various due dates prescribed for the reports in current law.

Fiscal effect: None.

DEVCD1 Business relocation notices required when receiving certain state assistance

R.C. ***166.13, 166.18***

Requires persons applying for innovation financial assistance or research and development financial assistance, instead of the Director of Development Services as under current law, to provide written notification to the appropriate local government bodies and state officials if the project for which the assistance is requested includes the relocation of an existing project from elsewhere in the state.

Prohibits the Director of Development Services from entering into an agreement to provide such financial assistance unless the Director determines that the notification has been made.

Fiscal effect: None.

DEVCD3 Governor's Office of Workforce Transformation -- Integrated state plan for federal adult basic literacy, career-technical education, and workforce development programs

R.C. ***3333.91***

Requires the Governor's Office of Workforce Transformation, in collaboration with the Board of Regents, the Department of Education, and the Department of Job and Family Services, to develop and submit to the appropriate federal agency by December 31, 2014, a single, integrated state plan for the Adult Basic and Literacy Education (ABLE) program administered by the United States Secretary of Education, the Carl D. Perkins Vocational and Technical Education Act, and the Workforce Investment Act of 1998.

Permits the Governor's Office of Workforce Transformation to update the plan as necessary, and requires the Office to submit the updated plan to the appropriate federal agency.

Fiscal effect: Potential minimal increase in administrative costs among affected agencies to collaborate on and prepare the required plan.

Executive

DDDCD7 Meaning of "developmental disability" and eligibility for services

R.C. ***5123.01, 5123.011, 5123.012, 5126.01, 5126.041, and 5126.08***

Provides that an individual under age three may have a developmental disability (DD) if the individual has a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay.

Removes "established risk" as a factor in determining whether an individual at least age three but under age six has a developmental disability.

Eliminates a requirement that the ODODD Director adopt a rule defining "substantial functional limitation" and instead requires the Director to adopt a rule specifying how to determine whether a person age six or older has a substantial functional limitation in a major life activity as appropriate for the person's age.

Eliminates a requirement that the Director adopt rules defining "established risk," "biological risk," and "environmental risk."

Eliminates (1) ODODD's express authority to adopt rules establishing eligibility for programs and services for individuals under age six who have a biological risk or environmental risk of a developmental delay and (2) county DD boards' express authority to establish such individuals' eligibility for programs and services.

Requires that the Director's rules regarding programs and services offered by county DD boards include standards and procedures for making eligibility determinations.

Fiscal effect: Potential increase in administrative costs related to rule-making.

DDDCD12 Evidence-based interventions for autism spectrum disorder

R.C. ***5123.0420, Section 747.40 of H.B. 59 (repealed)***

Requires ODODD to establish a voluntary training and certification program for individuals who provide evidence-based interventions to individuals with an autism spectrum disorder.

Fiscal effect: ODODD would experience an increase in costs to establish and administer the required voluntary training and certification program.

Executive

DDDCD1 Related party of supported living provider

R.C. ***5123.16***

Revises who is a related party of a supported living provider for the purpose of existing law that makes a provider and related party temporarily ineligible to apply for a supported living certificate if the ODODD Director denies an initial or renewed certificate or revokes a certificate.

Fiscal effect: None.

DDDCD2 Surveys of residential facilities and supported living providers

R.C. ***5123.162, 5123.19, 5123.191, 5123.21, 5123.61, 5123.75, and 5123.76***

Requires the ODODD Director to make available on ODODD's web site copies of surveys ODODD has conducted of residential facilities and supported living providers, as well as plans of correction submitted by those entities.

Eliminates references to a "designee" of the Director in provisions that require or authorize the Director to take certain actions.

Fiscal effect: Increase in ODODD administrative costs.

DDDCD11 Permitted disclosure of records

R.C. ***5123.89***

Authorizes disclosure of records and certain other confidential documents relating to a resident, former resident, or person whose institutionalization was sought if disclosure is needed for treatment or payment for services.

Fiscal effect: None.

Executive

DDDCD13 Conversion and reduction of ICF/IID beds

R.C. ***5124.01, 5124.60, 5124.61, 5124.62, 5124.63 (repealed), 5124.64 (repealed), and 5124.67***

Eliminates prohibitions against (1) more than 600 beds converting from providing ICF/IID services to providing home and community-based services available under Medicaid waiver programs administered by ODODD and (2) the Medicaid Director seeking federal approval for more than 600 slots for such home and community-based services for the purpose of the bed conversions.

Revises a requirement that ODODD strive to reduce the number of ICF/IID beds in the state by (1) removing the limit of 600 beds applicable to the reduction achieved by downsizing ICFs/IID with 16 or more beds, (2) removing the limit of 600 beds applicable to the reduction achieved by converting ICF/IID beds to providing home and community-based services under ODODD-administered Medicaid waiver programs, and (3) requiring ODODD to strive to achieve a reduction of at least 1,200 ICF/IID beds through a combination of the downsizing and bed conversion methods.

Fiscal effect: Potential increase in ICF/IID bed conversions to home and community-based services could result in a decrease in Medicaid costs, as home and community-based services are generally less expensive than ICF/IID services.

DDDCD4 ICF/IID Medicaid rate reduction due to cost report

R.C. ***5124.106***

Revises (1) the reduction made in the Medicaid rate paid to an ICF/IID that fails to file a timely cost report or files an incomplete or inadequate cost report and (2) the period for which the reduction is made.

Fiscal effect: Potential increase or decrease in revenue related to the reduced per Medicaid day payment rate for failure to file a timely cost report, depending on the dollar amount by which the rates were reduced during fiscal year 2013.

Executive

DDDCD3 ICF/IID efficiency incentive payments

R.C. ***5124.21***

Provides that the efficiency incentive paid to an ICF/IID under the Medicaid Program for indirect care costs is to be the lesser of (1) the amount current law provides and (2) the difference between the ICF/IID's per diem indirect care costs as adjusted for inflation and the maximum rate established for the ICF/IID's peer group.

Fiscal effect: Potential reduction in efficiency incentive payments.

DDDCD5 Adult services for persons with developmental disabilities

R.C. ***5126.01, 5126.051***

Provides that "adult services" available through county DD boards no longer expressly include adult day care, sheltered employment, or community employment services.

Provides that "adult day habilitation services," which are part of adult services, no longer expressly include training and education in self-determination designed to help an individual do one or more specified activities.

DDDCD9 County DD board superintendent vacancy

R.C. ***5126.0219***

Specifies, if a vacancy occurs in the position of superintendent of a county DD board, that the county DD board must first consider entering into an agreement with another county DD board under which the superintendent of one county DD board acts as the superintendent of another county DD board.

Provides that, if the county DD board determines there are no significant efficiencies or it is impractical to share a superintendent, the county DD board may employ a superintendent to fill the vacancy.

Fiscal effect: County DD boards may experience a minimal decrease in costs to share a superintendent with another county DD board, if deemed efficient.

Executive

DDDCD10 County DD board management employee vacancy

R.C. ***5126.21***

Specifies, if a vacancy occurs in a management employee position of a county DD board, that the superintendent of the board must first consider sharing personnel with another county DD board.

Provides that, if the superintendent determines there are no significant efficiencies or it is impractical to share personnel, the superintendent may employ a management employee to fill the vacancy.

Fiscal effect: County DD boards may experience a decrease in costs to share personnel with another county DD board, if deemed efficient.

DDDCD8 Certification and registration of county DD board employees

R.C. ***5126.25***

Provides that the ODODD Director, rather than the superintendent of a county DD board, is responsible for the certification or registration of early intervention supervisors and early intervention specialists who seek employment with, or are employed by, a county DD board or an entity that contracts with a county DD board to operate programs and services for individuals with mental retardation or developmental disabilities.

Fiscal effect: Any costs associated with the certification or registration of early intervention supervisors and early intervention specialists would shift from the county DD boards to ODODD.

DDDCD6 County DD boards' supported living duties

R.C. ***5126.42, 5126.046, 5126.43, and 5126.45***

Eliminates requirements that each county DD board do the following:

(1) Establish an advisory council to provide on-going communication among all persons concerned with non-Medicaid-funded supported living services;

(2) Develop and implement a provider selection system for non-Medicaid-funded supported living services.

Executive

Fiscal effect: County DD boards may experience a decrease in costs to establish advisory councils and implement a provider selection system for non-Medicaid-funded supported living services.

Executive

School Funding

EDUCD3 Career technical education - apprenticeship program

R.C. ***3313.90, 3313.91, 3317.162***

Permits the lead district of a career-technical planning district offering a pre-apprenticeship program to enter into an agreement with a private entity to provide students with the opportunity to begin an apprenticeship program prior to graduating from high school.

Specifies that the lead district is eligible to apply to ODE for additional funds to assist with paying for the cost of the apprenticeship program provided by the private entity if its agreement with the private entity specifies both of the following:
(1) A process for students to receive at least one year of credit toward completion of the private entity's apprenticeship program;
(2) The amount that the district will pay the private entity for each student that participates in the private entity's apprenticeship program.

Specifies that, upon submission of an application for the funds and a copy of the contract with the required provisions, the lead district is eligible to receive, and ODE is required to pay, an additional payment for each FTE student participating in the private entity's program that is equal to the lesser of (1) the amount specified in the contract or (2) the appropriate career-technical education amount.

Fiscal effect: Potential increase in state funding to school districts offering pre-apprenticeship programs with private entities.

EDUCD11 Funding for career-technical education students

R.C. ***3317.02, 3314.08***

Adds to a school district's formula ADM 20% of the number of students who are entitled to attend school in the district and are enrolled in another school district under a career-technical education compact.

Requires ODE to pay to each community school 20% of the formula amount for each of the school's students who are enrolled in career-technical education classes at a joint vocational school district or another district in the career-technical planning district to which the community school is assigned.

Executive

Fiscal effect: Minimal.

EDUCD10 Targeted assistance funding

R.C. ***3317.0217***

Modifies the net formula ADM used to calculate targeted assistance funding to exclude 75% of the number of students attending STEM schools, reconciling the calculation with the calculation of the transfer to STEM schools.

Fiscal effect: Minimal.

EDUCD7 Cap and guarantee for JVSD established in FY 2015

Section: ***610.20***
Amends Sections 263.240 and 263.250 of H.B. 59

Creates a cap and guarantee base for a JVSD that first receives state aid in FY 2015, and adjusts the cap and guarantee base for a traditional school district participating in the establishment of a JVSD that first receives state aid in FY 2015.

Fiscal effect: Clarifies cap and guarantee bases for a newly established JVSD first receiving state aid in FY 2015 and for school districts participating in the establishment of that JVSD.

Educator Provisions

EDUCD6 Resident educator license renewal

R.C. ***3319.22, 3319.26***

Makes both resident educator and alternative resident educator licenses renewable for reasons specified in rules adopted by the State Board of Education and requires the State Board to adopt rules specifying the reasons under which such licenses may be renewed.

Fiscal effect: May increase administrative costs minimally for the State Board of Education.

Executive

Other Education Provisions

EDUCD1 **Diagnostic assessments**

R.C. ***3301.0714, 3301.0715***

Permits kindergarten diagnostic assessment data to be included on the annual report cards issued for schools and school districts.

Specifies that the results of the language and reading diagnostic assessment must be reported to ODE and are not subject to an existing parental option not to report that data. (Under current law, if a parent so requests it, a district is not required to report to ODE the results of any diagnostic assessment administered to a kindergarten student.)

Specifies that a transfer student who transfers prior to the administration of diagnostic assessments take those assessments at the scheduled administration dates.

Removes a provision specifying that diagnostic assessments for students who enter kindergarten prior to July 1, 2014, be administered not earlier than four weeks before the first day of school nor later than October 1.

Exempts students with "significant cognitive disabilities," as defined by ODE, from taking diagnostic assessments. (Separate current law already exempts students in grades K to 3 with significant cognitive disabilities from taking reading diagnostic assessments.)

Allows a school district that received an "A" or "B" for performance index score or overall value-added progress dimension on the annual report card to administer different diagnostic assessments than those required under law. (Under current law, districts that received an "excellent" or "effective" rating on the report card, or the equivalent of such ratings as determined by ODE, may use different diagnostic assessments.)

Fiscal effect: Minimal.

Executive

EDUCD8 Academic distress commissions

R.C. ***3302.10, 133.06***

Revises eligibility provisions for the establishment of an academic distress commission for a school district by specifying certain conditions be met for two of the three most recent years instead of three or more consecutive years; eliminating the conditions based on performance index and value-added progress dimension; removing the condition based on the overall grades of individual schools in the district, and adding a condition based on the federal ESEA. Revises the conditions upon which a commission ceases to exist to correspond to these changes. Specifies that a commission not be established if the district receives an "A" or "B" on at least two components on most recent report card.

Fiscal effect: May change which districts have an academic distress commission, resulting in a possible increase in expenditures for some districts and decrease for others.

EDUCD15 Advanced standing programs

R.C. ***3313.6013, 3328.24***

(1) Renames "dual-enrollment program" as "advanced standing program."

(2) Adds college-preparatory boarding schools to the public schools required to offer an advanced standing program.

(3) Modifies programs that qualify as advanced standing to specifically include International Baccalaureate diploma courses, along with the College Credit Plus Program (CCP) (see EDUCD14), Advanced Placement courses, and early college high schools. (Current law allows for both PSEO and Advanced Placement to qualify, but also allows for any program similar to PSEO or Advanced Placement to qualify, so long as there is an agreement between the college and the high school.)

(4) Changes a reference from "early college high school" to "early college high school program" and defines such a program as "a program operated by a school district or school and an associated college that provides a personalized learning plan, which is based on accelerated curriculum and includes both high school and college-level coursework, and enables (specified) students to earn a high school diploma and an associate degree, or the equivalent number of transcripted credits, upon successful completion of the program." (Specified students include students who are underrepresented in regard to completing post-secondary education, economically disadvantaged students, or students whose parents did not earn a college degree.)

Executive

(5) Makes any agreement between a school district or community school and an associated college, which governs an early college high school (ECHS) program, subject to the requirements of CCP, unless specified criteria are met (see EDUCD14).

Fiscal effect: Possible increase in administrative costs for college-preparatory boarding schools from what they would have been otherwise. Possible increase in administrative costs for districts and schools and associated colleges to align ECHS program requirements to those of CCP, if necessary.

EDUCD2 Student career education and advising

R.C. ***3313.603, 3313.6015 (Repealed and Reenacted), 3313.90***

Requires each traditional and joint vocational school district and, each community and STEM school, beginning in the 2014-2015 school year, to adopt a policy on career advising.

Requires that the career advising policy be updated at least once every two years following its adoption.

Repeals a requirement that each district adopt a resolution describing how the district will address "college and career readiness and financial literacy" in its curriculum.

Requires districts and schools to (1) identify students who are at risk of dropping out of school using a research-based, locally-based method and (2) develop a student success plan for each of those students that addresses the student's academic pathway to a successful graduation and the role of career-technical education, competency-based education, and experiential learning, as appropriate, in that pathway.

Requires a district, prior to developing a student success plan for a student identified at risk of dropping out of school, to invite the student's parent to assist in developing the plan, and if a student's parent does not participate in the development of the plan, to provide to the parent a copy of the plan and a statement of the importance of a high school diploma and the academic pathways available to the student in order to successfully graduate.

Requires ODE to develop and post on its web site, not later than September 30, 2014, model policies on career advising and model student success plans.

Requires that each school district provide career-technical education to students grades 7 through 12, but permits a district to obtain from ODE a waiver for 7th and 8th grade students.

Increases the minimum enrollment for comprehensive career-technical course offerings in school districts beginning in the 2014-2015 school year from 1,500 in grades 9-12 to 2,500 students in grades 7-12.

Executive

Extends to July 1, 2016, (from July 1, 2014) the terminal date of an exemption from the Ohio Core Curriculum for students who have a student success plan (rather than an individual career plan as under current law) that satisfies the requirements described above and meet certain other conditions. Extends to August 1, 2016, (from August 1, 2014) the deadline for ODE to submit its findings and any recommendations regarding the extension of this exception beyond the date provided in law.

With respect to the conditions that a dropout prevention and recovery program must satisfy in order to receive a waiver from ODE which will allow students who complete the program to qualify for graduation from high school, in lieu of completing the Ohio Core Curriculum, makes all of the following changes:
(1) Requires the program to develop a student success plan (rather than an individual career plan) for each student that satisfies the requirements described above;
(2) Requires programs subject to approval after the bill's effective date to submit to ODE a policy on career advising that satisfies the requirements described above, with an emphasis on how every student will receive career advising;
(3) Requires programs subject to approval after the bill's effective date to submit to ODE a written agreement outlining the future cooperation between the program and any combination of local job training, postsecondary education, nonprofit, and health and social service organizations to provide services for students in the program and their families.

Fiscal effect: Potential increase in the administrative burden on local school districts and ODE for activities related to student career education and training. Potential increase for local school districts in vocation education training costs with a corresponding potential decrease in traditional education costs for seventh and eighth grade students.

EDUCD12 Adult Career Opportunity Pilot Program

R.C. ***3313.902***

(1) Establishes the Adult Career Opportunity Pilot Program to permit a community college, technical college, state community college, or Ohio technical center recognized by the Chancellor of BOR that provides post-secondary workforce education to develop and offer a program of study that allows individuals who are at least 22 years old and have not received a high school diploma or a certificate of high school equivalence to obtain a high school diploma, upon receiving approval from the State Board of Education and the Chancellor.

(2) Specifies that a program is eligible to be approved if it does all of the following:

(a) Allows a student to complete the requirements for obtaining a high school diploma while completing requirements for an industry credential or certificate approved by the Chancellor.

(b) Includes career advising and outreach.

Executive

(c) Includes opportunities for students to receive a competency-based education.

(3) Requires the Superintendent of Public Instruction, in consultation with the Chancellor, to adopt rules for the implementation of the program, including the requirements for applying for program approval.

Fiscal effect: Permissive increase in costs beginning in FY 2016 for eligible institutions that opt to offer these services. Increase in administrative burden for ODE and BOR to develop program requirements. Appropriates $2.5 million in FY 2015 in GSF Fund 5JC0 line item 200654, Adult Career Opportunity Pilot Program, for planning grants to up to five eligible institutions to assist participating institutions in implementing the pilot program (see EDUCD13).

EDUCD17 Compulsory school attendance and age and schooling certificates

R.C. ***3321.03, 3321.04, 3321.07, 3321.09, 3331.04***

Regarding the current requirement that a student, unless lawfully excused, attend a school or program for the full time the school or program is in session, does both of the following:
(1) Specifies that a child attending an alternative education program that is specified in the child's student success plan is considered to be attending school;
(2) Repeals the specification that the school or program that the student attends must be in session for not less than 32 weeks per school year. (Maintains current law specifying that the child must attend the school or program for the full time it is in session.)

Specifies that, in order for a child to attend a career-technical, commercial, or other special type of school instead of high school, the school must provide the child with a high school diploma, an industry-recognized credential, or a journeyman certification as recognized by the United States Department of Labor upon successful completion of instruction (rather than providing instruction for a term and for hours equivalent to those of the high school and not interfering with a continuous program of education for the child to age 16).

With respect to the requirement that a child who has been granted an age and schooling certificate must attend a part-time school or class, does all of the following:
(1) Specifies that the school or class must grant a high school diploma to the child upon the child's successful completion of a course of instruction;
(2) Repeals the requirement that the class must be taught between seven in the morning and six in the afternoon of any day except a legal holiday, Saturday, or Sunday, or between the hours of seven in the morning and twelve noon on Saturday;
(3) Repeals the prohibition on attending the class for more than eight hours per week;

Executive

(4) Repeals the requirement that a part-time school or class provided by an employer, by a partnership, corporation, or individual, by a private or parochial school, by a college, or by a philanthropic or similar agency be conducted for substantially a term and hours equivalent to those of the part-time schools or classes provided by a child's local school board, but retains the requirement that the school or class be approved by the State Board of Education.

Specifies requirements that must be satisfied in order for a superintendent to issue an age and schooling certificate to a child over age sixteen who is participating in a program that, upon successful completion of instruction, will result in the child receiving an industry-recognized credential, a journeyman certification as recognized by the United States Department of Labor, or full-time employment, rather than a child over age sixteen who is unable to pass a test for the completion of seventh grade and who is not so below the normal in mental development that the child cannot profit from further schooling as under current law. (These requirements are substantially similar to those that must be satisfied under existing law, except they do not include any requirements related to English proficiency.)

Fiscal effect: None.

EDUCD14 Replacement of Post Secondary Enrollment Options with College Credit Plus

R.C. ***3365.02, 3365.01, 3365.03, 3365.04, 3365.05, 3365.07, 3365.071, 3365.08, 3365.10, 3365.11, 3365.13, 3365.15, 921.06, 3313.6013, and Section 733.20; Renumbers many other sections under R.C. 3365; Repealed: R.C. 3345.062, 3365.01, 3365.02, 3365.021, 3365.022, 3365.03, 3365.07, 3365.09, 3365.10, 3365.12, and 3365.15; Conforming changes in various R.C. sections***

Replaces the Post-Secondary Enrollment Options Program (PSEO) with the College Credit Plus Program (CCP) beginning in FY 2016.

Requires the State Board and the Chancellor to take the necessary steps to adopt rules, guidelines, and procedures and to create any necessary forms and documents so that CCP is fully operational for the 2015-2016 school year.

Requires all public colleges and universities, except the Northeast Ohio Medical University, to participate in CCP.

Specifies that the amount paid to colleges under CCP be a per credit hour amount based on the formula amount and calculated according to the type of high school and college in which the student is enrolled and how students receive

Executive

instruction.

Prescribes that for a public or nonpublic high school student enrolled in a public or private college, unless an agreement specifying an alternative payment structure is entered into by the school and college, ODE must pay the college the following (for each completed credit hour):

(a) The default ceiling amount (83% of the formula amount divided by either 30 or 45, depending on whether the college operates on a semester or quarter schedule, respectively), for a student enrolled in a college course delivered on the college campus, at another location operated by the college, or online;

(b) 50% of the default ceiling amount, for a student enrolled in a college course delivered at the student's high school but taught by college faculty;

(c) The default floor amount (25% of the default ceiling amount), for a participant enrolled in a college course delivered at the student's high school and taught by a high school teacher who has met the established credential requirements.

Prescribes that for a home-instructed student enrolled in a public or private college, ODE must pay the college (for each completed credit hour) the default ceiling amount, for a student enrolled in a college course delivered on the college campus, at another location operated by the college, or online.

Eliminates a provision allowing the Superintendent of Public Instruction and the Chancellor to adopt rules permitting a high school and a college to enter into an agreement to use an alternative funding formula for payment to the college and eliminates the option for a college to receive reimbursement through an alternative funding agreement with a high school; however, permits a high school and a college to enter into an agreement to establish an alternative payment structure that meets specified stipulations.

Prohibits the following students from being charged for any tuition, textbooks, or other fees related to participation in the program (under current law, a college that receives reimbursement through PSEO may not charge the student for tuition, textbooks, materials, or other fees directly related to the course):

(a) Any high school student enrolled in a public college under CCP;

(b) A public high school student enrolled in a private college under CCP who has been identified as economically disadvantaged by ODE;

(c) A nonpublic high school student who (i) is enrolled in a private college under CCP, (ii) is enrolled in a nonpublic high school under either the "Educational Choice Scholarship Program" or the "Pilot Project Scholarship Program" (Cleveland Scholarship Program), and (iii) qualifies as low-income under either scholarship program.

Unless the student was expelled by the school, prohibits a high school from seeking reimbursement from a student or a student's parent for failed courses under the program, if the student is identified as economically disadvantaged by ODE.

Executive

Removes a provision specifying the method in which ODE allocates payments to colleges for nonpublic high school students under the program, and instead requires the State Board, in consultation with the Chancellor, to adopt rules prescribing a method to allocate and distribute payments for both nonpublic and home-instructed students.

Permits a public college to include a student enrolled under CCP in its "state share of instruction" count for state higher education subsidies.

Does all of the following with regard to student participation in the program:

(a) Qualifies students enrolled in a college-preparatory boarding school for CCP;

(b) Requires students to both (i) apply to a public or a participating private college in accordance with the college's established procedures for admission, and (ii) meet the college's established standards for admission and for course placement;

(c) Except in specified circumstances, specifies that a high school may not prohibit a student enrolled in that school from participating in the program, if the student meets all of the requirements for participation;

(d) Prohibits a student's participation in CCP from affecting that student's eligibility at any public college for scholarships or for other benefits or opportunities available to first-time college students at the college;

(e) Removes the requirement that each nonpublic student or home-instructed student (or parent) inform the chief administrator or ODE, respectively, by a specified time of the student's intent to participate during the next school year, and instead requires each nonpublic and home-instructed student to satisfy all application procedures and standards established in rules by the State Board.

Requires each public and participating nonpublic high school to do all of the following:

(a) Promote CCP on the school's web site, including the details of the school's current agreements with partnering colleges;

(b) Schedule at least one informational session per school year to allow each partnering college that is located within 30 miles of the school to meet with interested students and parents;

(c) Both (i) implement a policy for the awarding of grades and the calculation of class standing for courses taken under the program, and (ii) ensure that the adopted policy is equivalent to the school's current policy for Advanced Placement courses or International Baccalaureate diploma courses;

(d) Develop, in consultation with a public partnering college, a 15-credit hour and a 30-credit hour model course pathway and publish the pathways among the school's official list of course offerings for the program;

(e) Ensure that all courses offered under the program both (i) are the same courses that are included in the partnering college's course catalogue for college-level, non-remedial courses and (ii) apply to at least one degree or professional certification at the partnering college;

Executive

(f) Annually collect, report, and track specified data related to the program.

Requires each public and participating private college to do all of the following:

(a) Apply established standards and procedures for admission to the college under the program and for course placement.

(b) Promote the program on the college's web site, including the details of the college's current agreements with partnering secondary schools;

(c) Coordinate with each partnering secondary school that is located within 30 miles of the college to present at least one informational session per school year for interested students and parents;

(d) Assign an academic advisor to each CCP student enrolled in that college and ensure that the academic advisor and the student meet at least once before a specified date;

(e) Do both of the following with regard to high school teachers that are teaching courses for the college at a secondary school under the program: (i) Provide at least one professional development session per school year and (ii) conduct at least one classroom observation per school year for each course that is authorized by the college and taught by a high school teacher;

(f) Annually collect, report, and track specified data related to the program.

Permits any public or participating nonpublic high school and any public or participating private college to apply to the Chancellor and the Superintendent for a waiver from the requirements of CCP.

Permits a public high school and an associated college operating an early college high school (ECHS) program to apply to the Chancellor and the Superintendent for a waiver from the requirements of CCP, which, if granted, applies only to the agreement governing the ECHS program and not to other CCP agreements entered into by the high school or college (see EDUCD15).

Requires each instructor teaching a course under the program to meet the established credential requirements.

Requires the Chancellor and the Superintendent to submit a biennial report detailing the status of the program to various state officials by December 31 every two years, beginning in 2017, and establish a College Credit Plus advisory committee.

Requires the Chancellor, in consultation with the Superintendent, to develop a standard information packet on the CCP program that schools must distribute to each student as a part of the required counseling information.

Requires the State Board, in consultation with the Chancellor, to both establish application procedures and standards for nonpublic and home-instructed students wishing to participate in CCP and create a method to allocate and distribute payments made by ODE for nonpublic and home-instructed participants.

Executive

Fiscal effect: Deduction amounts from schools to make payments to institutions of higher education will likely change. Increase in the number of students counted in the State Share of Instruction (SSI) subsidy formula could result in a small decrease in the amount of subsidy funding per student. Possible increase in costs for institutions, school districts, BOR, and ODE due to additional administrative requirements. The default ceiling amount is about $160 for semester credit hours and about $107 for quarter credit hours using the FY 2015 formula amount of $5,800.

EDUCD9 School Based Health Care Advisory Workgroup

Section: ***733.10***

Creates a 31-member School Based Health Care Advisory Workgroup to study the improvement of academic achievement through better student health and make recommendations to the General Assembly by December 31, 2014.

Fiscal effect: The workgroup includes members from the departments of Education, Developmental Disabilities, Health, Job and Family Services, Medicaid, and Mental Health and Addiction Services as well as the General Assembly. These agencies may experience a minimal increase in administrative burden. Workgroup members are not compensated or reimbursed for expenses.

Appropriation Language

EDUCD4 Career advising and mentoring grant program

Section: ***610.20***
Amends Sections 263.10 and 263.270 of H.B. 59

Specifies that GSF appropriation item 200629, Career Advising and Mentoring, be used by the State Superintendent to create the Career Advising and Mentoring Grant Program. Specifies that the program award competitive grants for local networks to sponsor career advising and mentoring for students in high schools with high poverty, low graduation rates, and other criteria. Requires that grants match up to three times the funds allocated by the local network.

Executive

EDUCD5 **Straight A grant funding**

Section: ***610.20***
Amends Section 263.325 of H.B. 59

Specifically allows encumbrances for Straight A grants to be used for expenses incurred outside the fiscal year that the grants are awarded and remain open for 12 months after the fiscal year.

EDUCD13 **Adult Career Opportunity Pilot Program**

Section: ***610.20***
Amends Section 263.270 of H.B. 59

(1) Requires that GSF Fund 5JC0 line item 200654, Adult Career Opportunity Pilot Program, be used by the Superintendent of Public Instruction to award and administer planning grants for the Adult Career Opportunity Pilot Program (see EDUCD12). Authorizes the Superintendent to award grants up to $500,000 to not more than five eligible institutions (community colleges, state community colleges, technical colleges, and technical centers). Requires the grants to be used by the recipients to build capacity to implement the program in the 2015-2016 school year. Permits any remainder of line item 200654 to be used to provide technical assistance to recipient institutions.

(2) Requires the Superintendent and the Chancellor of BOR to develop an application process to award the grants to programs geographically dispersed across the state.

(3) Requires the Superintendent, in consultation with the Chancellor, the Governor's Office of Workforce Transformation, the Ohio Association of Community Colleges, Ohio Technical Centers, ABLE programs, and other interested parties, to develop recommendations for the method of funding and other associated requirements for the Program. Requires the Superintendent to provide a report of these recommendations to the Governor, the President of the Senate, and the Speaker of the House by December 31, 2014.

Fiscal effect: Increase in administrative burden for ODE and BOR to develop recommendations for the program and administer the grants. The bill appropriates $2.5 million in FY 2015 for the planning grants.

Executive

EDUCD16 **Foundation Funding**

Section: ***610.20***
Amends Section 263.230 of H.B. 59

Requires ODE to use any remaining funds from the $2.0 million earmark in each fiscal year from GRF appropriation item 200550, Foundation Funding, for GED reimbursement for distribution to the Department of Youth Services and the Department of Rehabilitation and Correction for individuals taking the GED for the first time at an amount no greater than the amounts reimbursed for other students taking the GED.

Expands the available uses of the $410,000 earmark in each fiscal year in appropriation item 200550, Foundation Funding, to include paying $125 to a district for each full time equivalent student that successfully completes the portion of the apprenticeship program offered by a private entity under an agreement permitted in R.C. 3313.91 (See EDUCD3).

Permits the remainder of 200550 to be used to fund the apprenticeship program specified in section 3317.162 of the Revised code in addition to the amounts calculated for formula aid.

Executive

EPACD4 Clean Diesel School Bus and Diesel Emissions Reduction Grant Programs

R.C. ***122.861, Section 610.20***
Amends Section 512.80 of H.B. 59

(1) Requires the Director of Environmental Protection, for the purpose of reducing emissions from diesel engines, to administer, in part, a Clean Diesel School Bus Program rather than a Diesel Emissions Reduction Revolving Loan Program as in current law, and requires the Director to apply to the Administrator of U.S. EPA for federal funding of the Clean Diesel School Bus Program rather than the Diesel Emissions Reduction Revolving Loan Program as in current law.

(2) Eliminates the Diesel Emissions Reduction Revolving Loan Fund, which consists of state and federal money and contributions and is used for making loans for projects relating to certified engine configurations and verified technologies in a manner consistent with federal requirements.

(3) Adds a second payment option for a private entity eligible for a Diesel Emissions Reduction Grant to include, at the direction of the local public agency sponsor and approval of the Department of Transportation, a direct payment to the vendor in the prorated share of federal/state participation.

(4) Permits, rather than requires, the certified unencumbered balance of FED Fund 3FH0 appropriation item 715693, Diesel Emission Reduction Grants, for FY 2014 be appropriated for FY 2015.

(5) Removes the Director of Development Services from the state agencies that develop guidance for the distribution of funds from and for the administration of the Diesel Emissions Reduction Grant Program.

Fiscal effect: These changes: (1) recognize that the Agency administers a Clean Diesel School Bus Program rather than a Diesel Emissions Reduction Revolving Loan Program, and (2) give the agency greater flexibility in handling the money appropriated for the Diesel Emissions Reduction Grant Program.

EPACD1 Air Pollution Control Law corrective change

R.C. ***3704.05***

Corrects a cross-reference in the Air Pollution Control Law.

Fiscal effect: None.

Executive

EPACD2 **Lead materials in water infrastructure**

R.C. ***6109.10***

Revises the statute governing the prevention of lead contamination of drinking water from plumbing by doing all of the following:

(1) Replaces a requirement that pipes, pipe fittings, solder, and flux that are used in a public water system or in plumbing for residential or nonresidential facilities providing water for human consumption that are connected to a public water system be lead free with a prohibition against using any pipe, pipe fitting, plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or of any plumbing in a residential or nonresidential facility providing water for human consumption, and retains an existing provision that exempts leaded joints necessary for the repair of cast iron pipes.

(2) Revises the definition of "lead free" by specifying that it means, in part, containing not more than a weighted average of .25% lead when used with respect to wetted surfaces of pipes, pipe fittings, or plumbing fittings or fixtures rather than 8% lead when used with respect to pipes or pipe fittings as in current law.

(3) Establishes a formula for calculating the weighted average lead content of a pipe, pipe fitting, or plumbing fitting or fixture.

(4) Prohibits a person from: (a) introducing into commerce any pipe, pipe fitting, or plumbing fitting or fixture that is not lead free, except for a pipe that is used in manufacturing or industrial processing, (b) selling solder or flux that is not lead free while engaged in the business of selling plumbing supplies, except for the selling of plumbing supplies by manufacturers of those supplies, and (c) introducing into commerce any solder or flux that is not lead free unless the solder or flux has a label stating that it is illegal to use the solder or flux in the installation or repair of any plumbing providing water for human consumption.

(5) Exempts from all of the above prohibitions: (a) pipes, pipe fittings, or plumbing fittings or fixtures that are used exclusively for nonpotable services, and (b) toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are two inches in diameter or larger.

Fiscal effect: These changes bring Ohio law into compliance with the federal Reduction of Lead in Drinking Water Act of 2011 as a condition of the Ohio Environmental Protection Agency's primacy agreement with the United States Environmental Protection Agency, which includes eligibility for certain federal grant program funds.

Executive

EPACD3 **Penalties for certain violations of the Water Pollution Control Law**

R.C. ***6111.99***

Increases criminal penalties for certain violations of the Water Pollution Control Law, establishes culpable mental states regarding certain violations, and provides that if a person is convicted of or pleads guilty to a violation of any provision of the Water Pollution Control Law, the sentencing court may order the person to reimburse the state agency or a political subdivision for any applicable response costs.

Fiscal effect: These changes are not likely to have any discernible effect on the annual operating expenses of the common pleas, municipal, or county courts with jurisdiction over violations of the Water Pollution Control Law, but may generate a minimal annual incarceration cost increase if additional violators are sentenced to a local jail or state prison, or sentenced to a longer stay in such a facility than might have been the case under current law. Counties may gain additional fine moneys, and the state and/or its political subdivisions may collect court-ordered response cost recoveries.

Executive

FCCCD2 **School energy conservation projects**

R.C. ***133.06, 3313.372***

Specifies that a school district's energy conservation project report must include measurement and verification of energy savings.

Regarding a district's annual reporting of the reductions in energy consumption and resulting operational and maintenance cost savings attributable to installations, modifications, or remodeling, does all of the following:
(1) Requires the report to be in a form and manner prescribed by the School Facilities Commission;
(2) Removes a requirement that the report be certified by an architect or engineer independent of any person that provided goods or services to the board in connection with the energy conservation measures that are the subject of the report;
(3) Provides that a district is no longer subject to the annual reporting requirements if the Commission verifies that the reports fulfill the savings guaranteed by the contractor for three consecutive years.

Regarding an installment payment contract for the purchase and installation of energy conservation measures in a school district, does all of the following:
(1) Specifies that the contract's provisions must provide that all payments not exceed (rather than "shall be stated as a percentage of" as under current law) the calculated energy, water, or waste cost savings, avoided operating costs, and avoided capital costs attributable to the one or more measures over a defined period of time.
(2) Permits the contract to include services for measurement and verification of savings associated with the contractor's guarantee, but limits the annual cost of these services to 10% of the guaranteed savings in any year of the contract;
(3) Specifies that, if the district board opts not to use applicable general bidding requirements (as permitted by current law), the contract must be awarded through a competitive selection process in accordance with rules adopted by the School Facilities Commission.

Fiscal effect: A potential reduction in administrative costs for local school districts associated with reporting on energy conservation projects. Additionally, the changes are intended to ensure that energy conservation projects completed by school districts meet their projected savings goals at a competitive price.

Executive

FCCCD3 **Public construction "prompt pay" law**

R.C. ***153.56***

Removes construction managers from the definition of "principal contractor" for purposes of the public construction "prompt pay" law, as construction managers are not responsible as a principal contractor for the payment of persons providing labor or supplies for the project.

Fiscal effect: None.

FCCCD1 **Facilities construction commission cash transfer and fund abolishment**

R.C. ***512.10***

Authorizes the Director of Budget and Management to transfer the cash balance of the Education Facilities Endowment Fund (Fund P087) to the Education Facilities Trust Fund (Fund N087) and abolishes Fund P087.

FCCCD4 **Facilities Construction Commission temporary law**

Section: ***610.20***
Amends Section 282.30 of H.B. 59

Require the Director of Budget and Management to determine, on a quarterly basis, the amount of cash to be transferred from the Cultural and Sports Facilities Fund (Fund 7030) to the Cultural Facilities Administration Fund (Fund 4T80) and to determine, after each bond issuance, the amount of cash to be transferred from Fund 7030 to Fund 4T80.

Executive

DOHCD7 Ohio Public Health Advisory Board review of WIC Program changes

R.C. ***3701.34, 3701.132***

Requires the Ohio Public Health Advisory Board to review and make recommendations regarding any proposed changes to policies that apply to vendors under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program).

Fiscal effect: Potential minimal increase in administrative costs to ODH, including a potential increase in reimbursements for travel or other necessary expenditures to board members if more meetings are required.

DOHCD2 Various cash transfers and fund abolishments

R.C. ***3701.83, Section 512.20***

Authorizes the Director of Budget and Management to transfer the cash balance in the Healthcare Services Fund (Fund 3W50), Healthy Ohioans Initiatives Fund (Fund 5BL0), Alcohol Testing Program Fund (Fund 5C00), TANF Family Planning Fund (Fund 5C10), Poison Control Fund (Fund 5CB0), Sewage Treatment System Innovation Fund (Fund 5CJ0), and the Health Emergency Fund (Fund 5EC0) to the GRF. Abolishes these funds once the transfer has occurred.

DOHCD4 Certificate of Need

R.C. ***3702.511, 3702.52, 3702.526***

Revises the law governing the Certificate of Need (CON) Program as follows:

(1) Eliminates a requirement to obtain a CON for any change in the bed capacity or site of a long-term care facility or any other failure to conduct an activity in substantial accordance with a previously granted CON when the change is made within five years after the activity's implementation;

(2) Specifies that the ODH Director, when monitoring the activities of a person granted a CON, is to determine whether the activity for which the CON was granted is conducted in substantial accordance with the CON and specifies that no activity is to be determined to be not in substantial accordance due to a decrease in bed capacity;

Executive

(3) Provides that the ODH Director may accept an application for a replacement CON only if it is requested so that an activity can be implemented in a manner that is not in substantial accordance with the CON being replaced;

(4) Provides that a long-term care bed that was proposed to be relocated in an approved CON remains eligible to be recategorized in an application for a replacement CON;

(5) Requires the ODH Director to review, approve, or deny an application for a replacement CON in the same manner as the application for the approved CON application; and

(6) Changes the deadline, generally from 30 days to 45 days, by which an affected person may submit written comments about a CON application to the ODH Director.

Fiscal effect: Potential decrease in revenue and corresponding decrease in expenditures for the CON Program.

DOHCD5 Physician and Dentist Loan Repayment Programs

R.C. ***3702.74, 3702.71, 3702.74, 3702.75, 3702.91, 3702.93 (repealed), 3702.95***

Makes various changes to the Physician Loan Repayment Program and the Dentist Loan Repayment Program, including:

(1) Requires participating physicians and dentists to provide services in settings approved by ODH;

(2) Permits participation in the programs on a part-time basis;

(3) Permits teaching activities to count toward service hours;

(4) Requires that the contract between the physician or dentist and the ODH Director specify the required length of service, weekly hours, maximum repayment, and the extent to which teaching activities may be counted toward service hours;

(5) Repeals restrictions that limited loan repayment to $25,000 per year for the first and second years of service and $35,000 for the third and fourth years of service; and

(6) Repeals a requirement that ODH mail to each participating physician or dentist a statement showing the amount repaid in the preceding year.

Fiscal effect: Potential increase in repayment amounts depending on repayment rates and the number of participants in the programs. ODH may experience minimal savings related to mailing costs.

Executive

DOHCD8 **Long-term care facility admitting sexual offenders**

R.C. ***3721.122***

Establishes requirements for long-term care facilities regarding residents who are identified as sex offenders in the Attorney General's internet-based sex offender and child-victim offender database.

Fiscal effect: Potential increase in administrative costs for any local public long-term care facilities.

DOHCD3 **Tattoo and body piercing equipment sterilization**

R.C. ***3730.09***

Requires a tattoo parlor operator to ensure that invasive tattooing and body piercing equipment is disinfected and sterilized, instead of requiring the individual performing the procedures to disinfect and sterilize such equipment.

Fiscal effect: None.

DOHCD6 **Cash transfer to the Tobacco Use Prevention Fund**

Section: ***610.20***
Amends Section 285.20 of H.B. 59

Permits the Director of Budget and Management to transfer cash determined to be in excess of the tobacco enforcement needs of the Attorney General from the Pre-Securitization Tobacco Payments Fund (Fund 5LS0) to the Tobacco Use Prevention Fund (Fund 5BX0) on July 1, 2014, or as soon as possible thereafter.

Executive

JFSCD12 Disposal of a county public children services agency's paper records

R.C. ***149.38***

Authorizes a county public children services agency (PCSA) to submit to the county records commission applications for one-time disposal, or schedules of records retention and disposition, of paper case records that have been entered into the state automated child welfare information system or other electronic files. The paper case records include, for example, child abuse or neglect reports.

Allows a county records commission to dispose of the paper case records pursuant to continuing law's record retention and disposal procedure.

Fiscal effect: Potential increase in administrative costs to PSCAs and county records commissions.

JFSCD13 Permanency plan approval

R.C. ***2151.417***

Requires a court, as part of a hearing to review a child's placement or custody arrangement, to determine whether a PCSA or private child placing agency made reasonable efforts to finalize the permanency plan for a child.

Requires the court to finalize a permanency plan if it determines reasonable efforts were not made, which finalized plan must require the PCSA or agency to make reasonable efforts to permanently place the child and to finalize that placement.

Fiscal effect: Potential minimal increase in costs to courts to review a child's placement or custody arrangement. Potential increase in costs to public children services agencies to be present for any hearings regarding child placement.

JFSCD14 Intercept child support from lottery prize awards and casino winnings

R.C. ***3123.89, 3123.90***

Requires ODJFS to develop and implement a data match program with the State Lottery Commission or its lottery sales agents to identify obligors who are subject to a final and enforceable determination of default of a child support order in accordance with ongoing Lottery Law procedures.

Executive

Requires ODJFS to develop and implement a data match program with each casino facility's casino operator or management company to identify obligors who are subject to a final and enforceable determination of default made under a support order.

Requires, if a person's winnings at a casino facility are reportable as income under the Internal Revenue Code, the casino operator or management company to determine if the person entitled to the winnings is in default under a support order.

Requires, if the casino operator or management company determines that the person is in default, the casino operator or management company to withhold from the person's winnings an amount sufficient to satisfy any past due support owed by an obligor identified in the data match up to the amount of the winnings.

Requires, not later than seven days after withholding the amount, the casino operator or management company to transmit any amount withheld to ODJFS as payment on the support obligation.

Permits ODJFS to adopt rules under the Administrative Procedure Act for implementation of these provisions.

Fiscal effect: Increase in costs to ODJFS and the State Lottery Commission to create and implement the data match program. Additional increase in costs to ODJFS to create and implement the data match program with each casino facility's operator or management company.

JFSCD7 Definition of "remuneration" for purposes of unemployment compensation

R.C. ***4141.01***

Expands the current law list of types of compensation that are not considered "remuneration" for purposes of Ohio's Unemployment Compensation Law (thus matching federal exclusions):

(1) Payments made to a health savings account or an Archer medical savings account, if it is reasonable to believe the employee will be able to exclude the payments from income;

(2) Remuneration on account of a stock transfer through an incentive stock option plan or employee stock purchase plan, or disposition of that stock;

(3) Any benefit or payment that is excluded from an employee's gross income if the employee is a qualified volunteer for an emergency response organization.

Excludes the types of compensation listed above from an employee's "net take-home weekly wage" for purposes of determining the amount of the employee's temporary total disability compensation under Ohio's Workers' Compensation Law, because the definition of that term cross-references to the definition of "remuneration" under Ohio's Unemployment Compensation Law (see R.C. 4123.56 (A)).

Executive

Fiscal effect: By adding types of compensation that cannot be considered as part of an individual's income when determining the individual's average weekly wage (for determining an individual's weekly benefit amount), there would likely be a decrease unemployment benefit amounts to some individuals, and therefore, a decrease in unemployment benefit payments.

JFSCD9 Abolish inactive funds

R.C. ***4141.09, 3125.191 (repealed), 4141.11, and 4141.131; Section 512.30***

Requires the OBM Director to, within 90 days of the effective date of this provision, (1) transfer the balances of 38 inactive funds used by ODJFS to the Administration and Operating Fund (Fund 5DM0) used by ODJFS, (2) transfer the balances of three inactive funds used by ODJFS to the General Revenue Fund, and (3) abolishes the 41 inactive funds after the transfers are made.

Provides for all money received from the sale of real property that is no longer needed for the operations of the ODJFS Director under the Unemployment Compensation Program to be deposited into the Unemployment Compensation Special Administrative Fund.

Fiscal effect: As of February, only nine of the funds to be abolished in the bill had cash balances, which totaled about $323,700. Of this amount, about $323,325 will be deposited into Fund 5DM0 and about $375 will be deposited into the GRF.

JFSCD2 Unemployment penalty

R.C. ***4141.20***

Eliminates a $500 forfeiture that currently is required to be assessed against any employer who fails to furnish information to the ODJFS Director.

Eliminates quarterly reporting procedures and forfeiture amounts to which employers were previously subject and that appear to no longer be in effect.

Fiscal effect: Potential loss of revenue to Ohio's Unemployment Compensation Trust Fund, depending on the number of fees collected each year.

Executive

JFSCD4 **Unemployment compensation fraudulent payment penalties credited to mutualized account**

R.C. ***4141.25, 4141.35***

Requires penalties recovered for fraudulent payments and deposited into the state's Unemployment Compensation Trust Fund under continuing law to be credited to the mutualized account within that fund.

JFSCD3 **Waiver of maximum unemployment rate**

R.C. ***4141.26***

Permits the ODJFS Director to waive the maximum unemployment contribution rate assigned to an employer due to an employer's failure to timely furnish required wage information, if the failure was a result of circumstances beyond the employer's or the employer's agent's control.

Requires the Director to adopt rules to prescribe requirements and procedures for requesting a waiver.

Fiscal effect: Potential loss of revenue to Ohio's Unemployment Compensation Trust Fund, depending up on the number of waivers granted against the maximum contribution.

JFSCD1 **Electronic filing of application for unemployment benefits**

R.C. ***4141.28***

Requires an individual, beginning July 1, 2015, to electronically file an application and weekly claims for unemployment benefits, except as follows: (1) the individual is prohibited by law from using a computer, (2) the individual has an impairment that makes the individual unable to use a computer, (3) the individual has limited ability to read or write effectively in a language in which the electronic application or claim is available, or (4) a declared disaster or emergency prevents electronic filing.

Fiscal effect: Potential decrease in administrative costs to ODJFS for processing the majority of claims electronically.

Executive

JFSCD6 **Registration requirement for unemployment compensation claimants**

R.C. ***4141.29***

Breaks an individual's unemployment benefit registration period if the individual fails to report to the ODJFS Director or reopen an existing claim as required under continuing law, thus allowing the Director to immediately cease benefit payments until the requirement is satisfied, rather than, as under current law, continuing to issue payments during the three-week registration period and then determining the requirement was not satisfied, resulting in an overpayment the Director must collect.

Fiscal effect: Potential savings to Ohio's Unemployment Compensation Trust Fund from reduced unemployment benefit overpayments.

JFSCD5 **Application of unemployment compensation repayments**

R.C. ***4141.35***

Excludes payments made pursuant to unclaimed fund recoveries, lottery award offsets, and state tax refund offsets, from the continuing law order in which the ODJFS Director must apply unemployment compensation repayments to the mutualized account or to employer accounts.

JFSCD11 **Inspections and licensure of type B family day-care homes**

R.C. ***5104.03***

Permits a government entity or private nonprofit entity with which the ODJFS Director has contracted to inspect type B family day-care homes to subcontract that duty to another government entity or private nonprofit entity.

Eliminates the ODJFS Director's authority to contract with a government entity or private nonprofit entity to license type B homes.

Executive

JFSCD10 **Office of Human Services Innovation**

Section: ***751.10***

Creates the Office of Human Services Innovation in ODJFS.

Requires the Office, not later than January 1, 2015, to submit to the Governor recommendations for coordinating services across all public assistance programs, revising incentives for public assistance programs to foster person-centered case management, standardizing and automating eligibility determination policies and processes for public assistance programs, and other matters the Office considers appropriate.

Fiscal effect: Potential increase in costs for personnel in ODJFS to work for the newly formed office and develop recommendations.

Executive

JCRCD1 **Increase operational duration of emergency rules**

R.C. ***111.15, 119.03***

Increases the period of time during which an emergency rule remains operative from 90 to 120 days.

Fiscal effect: None.

Executive

JSCCD1 **Use of surplus moneys in county and municipal Indigent Drivers Alcohol Treatment Funds and county and municipal Indigent Drivers Interlock and Alcohol Monitoring Funds**

R.C. ***4511.191***

(1) Clarifies the purposes for which moneys in county indigent drivers alcohol treatment funds, county juvenile indigent drivers alcohol treatment funds, and municipal indigent drivers alcohol treatment funds may be used.

(2) Authorizes surplus moneys in the county and municipal funds noted in provision (1) above to be used for additional purposes, including: (a) the transfer of funds to another court in the same county to be utilized for assessment, treatment, and transportation costs, and (b) the transfer of funds to the alcohol and drug addiction services board or the board of alcohol, drug addiction, and mental health services that serves the alcohol, drug addiction, and mental health service district in which that court is located to be utilized for assessment, treatment, and assessment costs.

(3) Authorizes the transfer of surplus moneys in county indigent drivers interlock and alcohol monitoring funds, county juvenile indigent drivers interlock and alcohol monitoring funds and municipal indigent drivers interlock and alcohol monitoring funds to county indigent drivers alcohol treatment funds, county juvenile indigent drivers alcohol treatment funds, and municipal indigent drivers alcohol treatment funds to be utilized for assessment, treatment, and assessment costs.

Fiscal effect: These provisions expand a court's permissible uses of certain funds to include alcohol assessment- and treatment-related transportation costs and the sharing of certain surplus money with other courts in the county and the county mental health system.

Executive

LOTCD1 **State Lottery Commissioner qualifications**

R.C. ***3770.01***

Modifies the qualification of one person appointed as a State Lottery Commission member (of the nine Commission members) to require the member to have experience or training in the area of problem gambling or other addictions and in assistance to recovering gambling or other addicts. Replaces a provision that required the member to represent an organization that deals with those issues.

Fiscal effect: None

LOTCD3

Statewide joint lottery games

R.C. ***3770.02***

Allows the State Lottery Commission to begin discussions and the planning process for a statewide joint lottery game before the Governor directs the Director of the State Lottery Commission to enter into an agreement with other lottery jurisdictions to conduct statewide joint lottery games.

Specifies that the Commission must not enter into an agreement, submit rules to the commission members, or file any rules for publication in the Register of Ohio or for legislative review before the Governor directs the Director to enter into the agreement.

Fiscal effect: None

LOTCD2 **Elimination of Controlling Board approval for certain fees**

R.C. ***3770.05***

Eliminates the requirement for Controlling Board approval of license application, renewal, and administrative fees charged by the State Lottery Commission for lottery sales agent licenses.

Fiscal effect: None

Executive

MHCCD1 **Violations and failure to comply**

R.C. ***4781.121, 4781.29***

Expands what constitutes a person's violation of rules adopted by the Manufactured Homes Commission (MHC) for purposes of investigations and civil penalties to include all rules adopted by MHC.

Expands what constitutes failure to comply with statutory provisions and rules adopted by MHC for purposes of refusal to grant, suspension, or revocation of licenses to include all statutory provisions and all rules adopted under the MHC chapter.

Fiscal effect: None.

Executive

MCDCD2 Private party's participation in fingerprint database program

R.C. ***109.5721, Section 503.20***

Extends the use of the Bureau of Criminal Identification and Investigation's (BCII) fingerprint database to private parties and entities in connection with employment and licensure.

Permits the Director of Budget and Management to authorize expenditures from appropriation item 651680, Health Care Grants - Federal, to pay for the costs associated with the administration of Medicaid, including the development and operation of the retained applicant fingerprint database, with regard to criminal record requests made by participating private parties.

Fiscal effect: Possible gain in revenue to the Attorney General since the BCII will be extended to additional entities. Permits the use of appropriation item 651689 to pay for the retained applicant fingerprint database.

MCDCD1 Cash transfer to the Residents Protection Fund

Section: ***512.40***

Requires the Director of Budget and Management to transfer the cash balance in the Nursing Facility Technical Assistance Fund (Fund 5L10), used by the Department of Health, to the Residents Protection Fund (Fund 4E30), used by ODM. Abolishes Fund 5L10 upon completion of the transfer.

Executive

MHACD3 ADAMHS board member qualifications

R.C. ***340.02, 340.021***

Modifies the criteria to be considered when appointing the members of a board of alcohol, drug addiction, and mental health services (ADAMHS board) who must be recipients of mental health or addiction services by eliminating a provision that limits the appointees to persons whose services were publicly funded.

Fiscal effect: None.

MHACD2 Conforming changes due to an agency name change

R.C. ***2945.402, 3701.74***

Corrects an erroneous reference to the Ohio Department of Mental Health and Addiction Services (ODMHAS).

Excludes ODMHAS records from the general medical record request provision.

Fiscal effect: None.

MHACD4 Charge-back to mentally ill person's county of residence

R.C. ***5122.36***

Requires: (1) that the expenses of returning a mentally ill person to the person's county of legal residence and, if the person is ordered hospitalized, probate fees and other expenses incurred on the person's behalf be charged to the county of residence; (2) that a transcript of proceedings be sent to the probate court of the county of residence; and (3) that if the person's residence cannot be established, the matter be referred to ODMHAS.

Executive

MHACD5 Community Behavioral Health

Section: ***610.20***
Amends Section 327.83 of H.B. 59

Removes an earmark of GRF line item 335507, Community Behavioral Health, requiring $30.0 million to be allocated to community alcohol, drug addiction, and mental health services boards in FY 2014 and FY 2015 for mental health services.

Removes an earmark of GRF line item 335507 requiring $17.5 million in FY 2014 and FY 2015 to be allocated to community alcohol, drug addiction, and mental health services boards to be used for addiction services including medication, treatment programs, and counseling.

Requires GRF line item 335507 be used to address gaps identified by ODMHAS in the continuum of care for persons with mental illness or addiction disorders, including access to crisis services.

Earmarks up to $6.5 million of GRF line item 335507 in FY 2015 to expand evidence-based prevention resources statewide.

Earmarks $7.5 million of GRF line item 335507 in FY 2015 to fund expansion and improvement of the Residential State Supplement Program.

Earmarks up to $2.0 million of GRF line item 335507 in FY 2015 to support ODMHAS's partnership with the Ohio State University Wexner Medical Center in the implementation of an electronic medical records system, which will be operated through a shared services arrangement.

Earmarks the remainder of GRF line item 335507, an amount up to $31.5 million, in FY 2015 to be invested in addiction and mental health recovery supports with an emphasis on crisis and housing. These investments will address gaps in the continuum of care and will be identified and implemented in consultation with boards of mental health and recovery services.

MHACD6 Recovery Requires a Community Program

Section: ***610.20***
Amends 751.10 of H.B. 59

Removes the requirement that the Medicaid Director transfer the savings realized from decreased nursing facility utilization from the GRF to the Sale of Goods and Services Fund (Fund 1490). Removes language appropriating the transferred cash.

Executive

Replaces this requirement with a provision requiring the ODMHAS Director and the Medicaid Director to certify to the OBM Director an agreed upon amount representing the savings realized from decreased nursing facility utilization.

Authorizes the OBM Director, upon receipt of the certification, to increase the appropriation of GRF line item 335504, Community Innovations, up to the certified amount, and to decrease the appropriation of ODM GRF line item 651525, Medicaid/Health Care Services, by an amount equal to the appropriation increase of line item 335504.

MHACD1 Community mental health and drug addiction services for returning offenders

Section: ***751.30***

Requires the ADAMHS boards serving Cuyahoga, Franklin, Hamilton, Montgomery, and Summit counties to prioritize the use of funds made available to the boards by ODMHAS under Am. Sub. H.B. 59 of the 130th General Assembly to temporarily assist returning offenders who have severe mental illnesses, severe substance use disorders, or both, obtain Medicaid-covered community mental health services, Medicaid-covered community drug addiction services, or both.

MHACD7 Start Talking! Initiative

Section: ***751.40***

Requires the ODMHAS Director to designate an employee who is a certified prevention specialist by the Chemical Dependency Professionals Board to serve as coordinator for the Start Talking! Initiative.

Fiscal effect: None.

Executive

DNRCD17 **Sale of DNR land, property, or water**

R.C. ***1501.01***

(1) Limits the requirement that the Director of Natural Resources obtain the Governor's approval for specified types of property transactions to transactions of $1 million or more, and eliminates outright the requirement to obtain the Attorney General's approval. Applies the narrower requirement, as in current law, to the sale, lease, or exchange of portions of lands or real or personal property of the Department; grants of easements or licenses for the use of the lands or property; and agreements for the sale of water from lands and waters under the Department's administration or care.

(2) Explicitly requires any of the above types of transactions to be executed in accordance with a provision of the Conveyances and Encumbrances Law, if applicable, that generally requires all conveyances of real estate sold on behalf of the state to be drafted by the Auditor of State, executed in the name of the state, signed by the Governor, countersigned by the Secretary of State, sealed with the state seal, and entered by the Auditor of State in records kept by the Auditor for that purpose.

DNRCD3 **DNR public notice requirements**

R.C. ***1501.011***

Requires public notices published by DNR regarding an activity, project, or improvement to be published as contemplated in section 7.16 of the Revised Code, the general newspaper publication statute.

Executive

DNRCD6 Definition of "tract" in the Oil and Gas Law

R.C. ***1509.01***

Includes land that is not taxed in the term "tract," as used in the Oil and Gas Law, thus applying to public land provisions governing (1) minimum distances of wells from the boundaries of tracts; (2) voluntary and mandatory pooling; (3) special drilling units; (4) establishment of exception tracts to which minimum acreage and distance requirements do not apply; (5) unit operation of a pool; and (6) revision of an existing tract by a person holding a permit under that Law. Accomplishes the change by revising the definition of "tract" for purposes of that Law to mean a single, individual parcel of land or a portion of a single, individual parcel of land rather than a single, individually taxed parcel of land appearing on the tax list as in current law.

DNRCD8 Material and substantial violations of Oil and Gas Law

R.C. ***1509.01***

Expands the definition of "material and substantial violation" in the Oil and Gas Law to include failure to correct violations identified in a compliance notice, receiving compliance notices for the same or similar violations that present an imminent danger to a person's health or safety or result in or are likely to result in substantial damage to the state's natural resources, and submission of falsified information under that Law.

DNRCD9 Administrative, suspension, and revocation orders under Oil and Gas Law

R.C. ***1509.04, 1509.05, 1509.08***

(1) Authorizes the Chief of the Division of Oil and Gas Resources Management or the Chief's authorized representative to issue administrative orders to and suspend activities of any person, rather than only owners as in current law, for a violation of the Oil and Gas Law or related rules, permits, registration certificates, or orders.

(2) Authorizes the Chief, in an order finding that an owner or other person has committed a material and substantial violation, to suspend activities in the order that are authorized under a permit or registration certificate issued under that Law or revoke a permit or registration certificate.

Executive

(3) Adds injection and brine transportation to the list of activities for which the Chief has the authority to suspend certain activities and suspend or revoke an unused permit.

(4) Requires that the Chief provide the opportunity for an owner or other person to be heard and to present evidence requesting that the order be rescinded within five business days, rather than five days as in current law. Permits the evidence to assert that the condition or activity does not present an imminent danger to the health or safety of a person (rather than the public health and safety, as under current law) or is not likely to result in substantial damage (rather than immediate substantial damage, as under current law) to natural resources; or that the condition or activity that is the basis of a material and substantial violation has been corrected (rather than provide evidence that required records, reports, or logs have been submitted, as under current law).

(5) Authorizes the Chief to issue an order suspending the activities of an owner or other person for a specified period of time or revoking a permit or registration certificate associated with those activities if the Chief determines that the activities present a threat to a person or natural resources, or that the condition or activity has not been corrected.

(6) Allows an owner or other person to appeal the order suspending activities or revoking a permit or registration certificate to the Oil and Gas Commission or to the applicable court of common pleas.

(7) Permits the Chief to issue an order refusing to issue a permit to an applicant who at the time of application for a permit has been issued an order for a material and substantial violation and has failed to comply with the order; or who has been found liable by a nonappealable order of a court of competent jurisdiction for damage to streets, roads, highways, bridges, culverts, or drainways under section 4513.34 or 5577.12 of the Revised Code until the applicant provides the chief with evidence of compliance with the order. Prohibits an applicant from attempting to circumvent this requirement by applying for a permit under a different name or business organization name, by transferring responsibility to another person or entity, by abandoning a well or lease, or by any other similar act.

DNRCD10 Oil and gas registration and background information

R.C. ***1509.051***

(1) Requires a person who has not been issued a permit or registration certificate or who has not received an order authorizing activities under the Oil and Gas Law, but who intends to apply or has applied for a permit, registration certificate, or order to register with the Division of Oil and Gas Resources Management.

(2) Requires the registration to include (A) the name, address, and telephone number of the applicant's principal place of business, and of the applicant's principal place of business in Ohio if it is different; (B) a listing of all key employees of the

Executive

applicant; (C) a listing of all consent orders, administrative or civil enforcement orders, civil actions, or criminal actions during the five years immediately preceding the submission of the registration in which the applicant or a key employee of the applicant was determined to be responsible for a violation of the Federal Water Pollution Control Act by the applicant or a key employee of the applicant or in connection with any violation of this state's or any other state's laws implementing the Federal Water Pollution Control Act pursuant to delegation by the U.S. Environmental Protection Agency by the applicant or a key employee of the applicant.

(3) Authorizes the Chief to deny an application if the Chief determines from the submitted information that the applicant or any key employee has a history of noncompliance with the Federal Water Pollution Control Act or related state laws or if the submitted information is materially incomplete.

(4) Defines "key employee" as an individual who is employed by an applicant in a supervisory capacity or who is empowered to make discretionary decisions with respect to the operations of the applicant or another person who has supervisory capacity or who is empowered to make discretionary decisions with respect to the operations of the applicant. Specifies that if the applicant has entered into a contract with another person to operate a well that is the subject of the application, "key employee" includes an employee of the contractor who acts in a supervisory capacity or is empowered to make discretionary decisions with respect to the operation of the well. Excludes from the definition an employee who is exclusively engaged in the physical or mechanical construction or operation of a well, physical or mechanical duties related to the transportation of brine, or physical or mechanical duties related to other activities authorized under the Oil and Gas Law.

(5) Defines "applicant" as a person who intends to apply or has applied for a permit, registration certificate, or order authorizing activities under the Oil and Gas Law.

DNRCD4 Application fee for permit to plug back an existing oil or gas well

R.C. ***1509.06***

Removes the exemption under which an application for a permit to plug back an existing oil or gas well need not be accompanied by a nonrefundable fee, thus requiring such an application to be accompanied by a nonrefundable fee as follows:

(1) $500 for a permit to conduct activities in a township with a population of fewer than 10,000.

(2) $750 for a permit to conduct activities in a township with a population of 10,000 to 14,999.

Executive

(3) $1,000 for a permit to conduct activities in either a township with a population of 15,000 or more or a municipal corporation regardless of population.

Fiscal effect: The Oil and Gas Well Fund (Fund 5180) would receive new revenue from fees to plug back existing wells. Revenues would depend on the number of plug-back permits issued.

DNRCD16 Use of Oil and Gas Well Fund for infrastructure

R.C. ***1509.071, Section 610.20***
Amends Section 333.10 of H.B. 59

(1) Authorizes the Chief of the Division of Oil and Gas Resources Management to spend money credited to the Oil and Gas Well Fund to develop infrastructure as a solution to problems directly attributable to historic production operations. Requires the Chief to adopt rules in accordance with Chapter 119. of the Revised Code for this purpose, and requires the rules to establish criteria for determining the types of infrastructure for which revenues may be used.

(2) Eliminates the requirement in current law that the Chief spend not less than 14% of the revenue credited to the Fund the previous fiscal year to plug idle and orphaned wells and properly restore the land surface, but retains the authority of the Chief to use money credited to the Fund for these purposes.

Fiscal effect: While the requirement that the Chief spend at least 14% of the previous fiscal year's revenues to the Oil and Gas Well Fund (Fund 5180) on well plugging and land restoration activities would be eliminated, the Chief would have the flexibility to spend more or less than that percentage on those purposes. Additionally, increases the existing FY 2015 appropriation to Fund 5180 appropriation item 725677, Oil and Gas Well Plugging, from $1.5 million to $2.5 million for these purposes.

DNRCD5 Emergency Planning and Community Right-to-Know Act requirements pertaining to oil and gas facilities

R.C. ***1509.11, 1509.23, 3750.081 (repealed),***
3750.13, and 3750.14

(1) Removes the requirement that, as part of an oil or gas well owner's statement of production of oil, gas, and brine for a specified period of time to the Chief of the Division of Oil and Gas Resources Management, the owner include information that the owner must submit under the federal Emergency Planning and Community Right-to-Know Act (EPCRA) and regulations adopted under it.

Executive

(2) Removes the provision that specifies that notwithstanding any provision in the state Emergency Planning Law to the contrary, an owner or operator of a facility that is regulated under the Oil and Gas Law who has filed a log and production statement with the Chief in accordance with the Oil and Gas Law is generally deemed to have satisfied all the filing requirements established under the Emergency Planning Law.

(3) Removes the provision requiring an owner or operator of an oil or gas facility to submit a fee to the Emergency Response Commission when reporting inventories of the individual hazardous chemicals and extremely hazardous substances produced, used, or stored at the oil or gas facility.

(4) Removes the requirement that the Chief of the Division of Oil and Gas Resources Management, in consultation with the Emergency Response Commission, adopt rules governing the creation and administration of an electronic database of information, including information that a person regulated under the Oil and Gas Law is required to submit under EPCRA, that the Chief considers appropriate for the purpose of responding to emergency situations, and the requirement that the database be the means of providing and receiving the information discussed in item (2), above.

(5) Removes the requirement that the Chief's rules specify whether and to what extent the database and the information in it will be made accessible to the public.

(6) Removes the requirement that the Commission and every local emergency planning committee and fire department establish a means by which to access, view, and retrieve information from the electronic database.

Fiscal effect: The Emergency Planning and Community Right-to-Know Fund (Fund 6790), used by the Environmental Protection Agency (EPA), would likely lose revenue from the fees currently charged to oil and gas facility owners or operators for hazardous materials reporting. Additionally, any costs to the Oil and Gas Well Fund (Fund 5180) that DNR's Division of Oil and Gas would have incurred to implement a database or promulgate rules under these provisions will no longer be incurred.

DNRCD11 Brine transportation

R.C. ***1509.222, 1509.223***

(1) Requires an applicant for a registration certificate to transport brine to list each pipeline that will be used to transport brine.

(2) Prohibits a registered transporter from allowing any other person to use the transporter's registration certificate to transport brine.

Executive

(3) Prohibits a permit holder or owner of a well for which a permit has been issued under the Oil and Gas Law from entering into an agreement with a person who is not registered to transport brine to dispose of brine at the well.

(4) Requires each registered transporter to keep on each vessel, railcar, and container used to transport brine a daily log and keep a daily log for each pipeline used to transport brine, and requires all logs to be made available upon request of the Chief of the Division of Oil and Gas Resources Management, the Chief's authorized representative, or a peace officer.

(5) Requires a log to include, as applicable, the date and time the brine is loaded or transported through a pipeline and the amount of brine being transported through a pipeline.

(6) Requires registered transporters to legibly identify vessels, railcars, and containers employed in disposing brine with reflective paint.

(7) Requires registered transporters to legibly identify pipelines in a manner similar to the identification of underground gas lines and to include specified information.

DNRCD15 Changes to mandatory pooling

R.C. ***1509.27***

(1) Revises existing law relative to mandatory pooling by authorizing the owner of a tract, rather than the owner of a tract who is also the owner of the mineral interest, to apply to the Division of Oil and Gas Resources Management for a mandatory pooling order.

(2) Revises existing notification requirements to specify that the Chief of the Division must notify mineral rights owners of tracts within the area proposed to be pooled by the order and included within a drilling unit of the filing, rather than all owners of land within the area included within the drilling unit as in current law, of the application and of their right to a hearing.

(3) Revises the required contents of a mandatory pooling order by (A) specifying that a pro rata portion of the production is to be allocated to each tract pooled by the order, rather than to the owner of each tract; and (B) specifying that the order must specify the basis upon which the mineral rights owner of a tract, rather than the owner of a tract, is to share the costs and expenses of drilling and producing if the mineral rights owner is participating in the drilling and operation of the well.

(4) Revises the prohibition on surface operations or disturbances to the surface of the land by requiring that such activities not take place without the written consent of the surface rights owner of the tract, rather than by written consent or a written agreement with the owner of the tract.

Executive

(5) Revises requirements relative to nonparticipating owners by replacing references to an owner of a tract with references to the mineral rights owner of a tract.

DNRCD12 Civil penalties under Oil and Gas Law

R.C. ***1509.33***

(1) Increases the civil penalty for a violation of the Oil and Gas Law, of any rules adopted or orders or terms or conditions of a permit or registration certificate issued under that Law for which no specific penalty is provided from a maximum of $4,000 to a maximum of $10,000.

(2) Increases the civil penalty for violations of section 1509.221 of the Revised Code or any rules adopted or orders or terms or conditions of a permit issued thereunder from a maximum of $2,500 to a maximum of $10,000.

(3) Adds that violators of sections 1509.05 and 1509.21 of the Revised Code, or violators of a term or condition or a permit or order issued by the Chief under the Oil and Gas Law are liable for damage or injury caused by the violation and the cost of rectifying the violation and conditions caused by the violation.

(4) Revises existing law to state that a violator may be subject to both a civil penalty and a term of imprisonment for the same offense.

Fiscal effect: The Oil and Gas Well Fund (Fund 5180) could receive additional revenue from these increased penalties, depending on the number of violations found and the amount of damages for which violators are found to be liable in civil cases.

DNRCD13 Criminal penalties and liability for response costs under Oil and Gas Law

R.C. ***1509.99***

(1) Increases the penalties for a violation of the Oil and Gas Law or any rules, orders, or permits issued under that Law for which no specific penalty is provided from a fine of between $100 and $1,000 for a first offense to a fine of between $500 and $5,000 and a maximum prison sentence of six months for a first offense. Increases the penalties for each subsequent offense from a fine of between $200 and $2,000 to a fine of between $1,000 and $10,000 and imprisonment for up to one year.

(2) Specifies that violations of section 1509.221 of the Revised Code or any rules, orders, or permits issued thereunder are to be fined not more than $5,000 for each day of each violation, rather than each violation as in current law.

Executive

(3) Specifies that whoever knowingly violates sections 1509.072; 1509.22(A), (B), or (D); 1509.222(A)(1) or (C); or 1509.223(A) or (D); or any rules or orders under section 1509.22(C) or 1509.222(F) of the Revised Code is guilty of a felony. Increases the fines for a first offense from a flat fine of $10,000 to between $10,000 and $50,000, and increases the maximum prison sentence from six months to three years. Increases the fine for a subsequent offense from a flat fine of $20,000 to between $20,000 and $100,000, and increases the maximum prison sentence from two years to six years.

(4) Specifies that whoever negligently violates the provisions in (3) above is guilty of a felony. Increases the fines for a first offense from a maximum of $5,000 to between $5,000 and $25,000, and creates a maximum prison sentence of one year. Establishes a fine for a subsequent offense of not less than $10,000 nor more than $50,000 and establishes a maximum prison sentence of two years.

(5) Specifies that whoever negligently violates (rather than any violator, as under current law) section 1509.223© of the Revised Code is subject to a fine of up to $1,000 for a first offense (rather than $500 under current law) and up to $10,000 for a subsequent offense (rather than $1,000 under current law).

(6) Authorizes a court to order a person who is convicted or pleads guilty to a violation of any section of the Oil and Gas Law to reimburse the state agency or a political subdivision for any response costs incurred in responding to the violation, including the costs of rectifying the violation and conditions caused by the violation, in addition to financial sanctions authorized by the Oil and Gas Law, sections 2929.18 or 2929.28, or any other section of the Revised Code.

Fiscal effect: The Oil and Gas Well Fund (Fund 5180) could gain some revenue from increased fines, depending on the number of violations and the amount of the fines imposed, which could be less than the maximum allowed by law. In cases involving violations of compliance agreements and requirements regarding brine transportation, the counties where the violations occurred could also gain some fine revenue. While prison sentences for Oil and Gas Law violations are likely to be rare, the Department of Rehabilitation and Correction or local jails could incur new costs if any violators are sentenced to incarceration under the new penalties authorized in the bill. Finally, if the state or local governments incur costs to respond to violations of the Oil and Gas Law, they would be able to recover these costs if a court requires a violator to reimburse those costs in addition to any other penalty the violator may be required to pay.

Executive

DNRCD14 Soil erosion and sediment control - Operation and management plans

R.C. ***1511.02, 1511.01, 1511.021, 1511.023, 1511.05, 1511.07, 1511.071 (Repealed), 1511.09, 1511.99, 1515.01, 1515.02, 1515.08; Sections 515.10, 715.10, 803.20, 803.30, and 812.10***

Applies all of the following effective January 1, 2015:

(1) Narrows the scope of operation and management plans in current law to address only soil erosion and sediment control.

(2) Specifies that such an operation and management plan developed by a person who owns or operates agricultural land, developed by the Chief of Soil and Water Resources or by the supervisors of the applicable soil and water conservation district, or required by an order issued by the Chief may include a soil erosion management plan, a timber harvest plan, or both.

(3) Defines "soil erosion management plan" to mean a written record, developed or approved by the supervisors of a conservation district or the Chief of Soil and Water Resources, that contains implementation schedules and operational procedures for a level of land and water management that will abate wind or water erosion of the soil or abate water degradation by sediment from agricultural operations.

(5) Creates the Soil and Water Administration Fund to pay for the costs of administering the Soil and Water Resources Law.

(4) Defines "timber harvest plan" to mean a written record, developed or approved by the supervisors of a conservation district or the Chief of Soil and Water Resources, that may contain implementation schedules and operational procedures for a level of land and water management that will abate wind or water erosion of the soil or abate the degradation of the waters of the state by sediment from timber operations.

(6) Replaces the term "agricultural pollution" with "sediment pollution" in the Soil and Water Resources and Soil and Water Conservation Commission Laws, and generally applies the existing definition of "agricultural pollution" to "sediment pollution" by removing references to animal waste.

(7) Replaces the term "pollution abatement practice" with "erosion and sediment abatement practice" in the Soil and Water Resources Law, generally applies the existing definition of "pollution abatement practice" to that term by specifying that it means, in part, any erosion control and sediment structure, practice, or procedure and the design, operation, and management associated with it rather than any erosion control or animal waste pollution abatement facility, structure, or

Executive

procedure and the operation and management associated with it, and makes conforming changes.

Fiscal effect: By narrowing the scope of operation and management plans overseen by the Division of Soil and Water Resources, and relocating the Agricultural Pollution Abatement Program to the Department of Agriculture, there could be savings to the GRF and the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by the Department of Natural Resources. [See also AGRCD2 "Agricultural Pollution Abatement Program"]

DNRCD2 Incidental taking permit

R.C. ***1533.081***

(1) Authorizes the Chief of the Division of Wildlife to establish a fee by rule for a permit issued under current law to a person operating an energy facility whose operation may result in the incidental taking of a wild animal.

(2) Revises the definition of "energy facility" to mean wind turbines and associated facilities with a single interconnection to the electrical grid that are designated for, or capable of, operation at an aggregate capacity of five or more megawatts.

(3) Defines "incidental taking" as the killing or injuring of a wild animal occurring by chance or without intention.

Fiscal effect: If DNR chooses to charge a fee for these permits, there could be some additional revenue to the Wildlife Fund (Fund 7015). The amount of any new revenue would depend on the amount of the fee and the number of facilities subject to such a permit.

DNRCD7 Nonresident deer permit and hunting license fees

R.C. ***1533.10, 1533.11, 1533.12***

(1) Revises existing law requiring the procurement of a deer permit to hunt deer by establishing a nonresident deer permit, the fee for which is $99, and a resident deer permit, the fee for which is $23.

(2) Specifies that the fee for a youth deer permit established in current law is one-half of the regular resident deer permit fee regardless of residency.

(3) Revises existing law requiring a person on active duty in the U.S. Armed Forces who is either stationed in Ohio or on leave or furlough to obtain a deer permit by requiring such a person to obtain a resident deer permit and specifying that the person is eligible to obtain a resident deer permit regardless of whether the person is a resident of Ohio.

(4) Increases the nonresident hunting license fee and the apprentice nonresident hunting license fee from $124 to $149.

Executive

Fiscal effect: The Wildlife Fund (Fund 7015) will likely receive some additional revenue from increased fees for nonresident deer permits, hunting licenses, and apprentice hunting licenses. A portion of this gain may be offset by a reduction in revenue from the sale of youth deer permits to nonresident youth, which would be reduced to half the price of a resident adult deer permit.

DNRCD18 Use of capital funds

Section: ***509.20***

Authorizes the Department of Natural Resources to use moneys appropriated to it in the Ohio Parks and Natural Resources Fund (Fund 7031) and the Parks and Recreation Improvement Fund (Fund 7035) for capital projects, including, but not limited to, improvements or renovations on land or property owned by the Department but used and operated, under a lease or other agreement, by an entity other than the Department. Prohibits the release of such funds until the Director of Natural Resources has certified in writing to the Director of the Office of Budget and Management that the project will enhance the use and enjoyment of Ohio's state parks and natural resources.

DNRCD1 Transfer of funds for oil and gas regulation and geological mapping

Section: ***610.20***
Amends section 333.80 of H.B. 59

Permits the transfer of cash from the GRF to the Geological Mapping Fund (Fund 5110), in addition to the transfer to the Oil and Gas Well Fund (Fund 5180) authorized under continuing law, if it is deemed necessary to handle increased field and laboratory research efforts related to the expansion of the oil and gas program that occur before receipts to Fund 5110 are sufficient to fund such activities.

Executive

OODCD1 Office of Health Transformation

R.C. ***191.01***

Includes the Opportunities for Ohioans with Disabilities Agency (OOD) within the scope of the Office of Health Transformation Law.

Fiscal effect: None.

OODCD2 Vocational rehabilitation funding

Section: ***340.10***

Removes language designating appropriation item 415617, Independent Living/Vocational Rehabilitation Programs, (renamed "Vocational Rehabilitation Programs" in the bill) to be used for vocational rehabilitation programs.

Removes language specifying that appropriation item 415608, Social Security Special Programs/Assistance, (renamed "Social Security Vocational Rehabilitation" in the bill) be used to pay a portion of indirect costs of the Personal Care Assistance Program and the Independent Living Programs.

Fiscal effect: None.

OODCD4 Workforce integration task force

Section: ***751.20***

Creates a workforce integration task force within OOD.

Requires the OOD Executive Director and the Director of Job and Family Services, as co-chairs of the task force, to appoint members to the task force.

Requires the task force to collect certain employment data regarding individuals who are deaf or blind in Ohio.

Requires the task force to issue a report to the Governor by January 1, 2015, containing findings and recommendations regarding how individuals who are deaf or blind in Ohio may be more fully integrated into the workforce and sunsets the task force upon issuance of its report.

Executive

Fiscal effect: OOD may experience an increase in costs to provide support to the task force and prepare a report for the Governor based on the task force's findings.

Executive

PRXCD4 **Board of Pharmacy executive director requirements**

R.C. ***4729.03***

Removes the requirement that the Executive Director of the Board of Pharmacy be an Ohio licensed pharmacist in good standing.

Fiscal effect: None.

PRXCD2 **Licensing fees waived for veterans and active duty members of the armed forces**

R.C. ***4729.15, 4729.12, 4729.13***

Waives the fees associated with the issuance and renewal of a license to practice pharmacy for veterans and active members of the armed forces, within limits that may be established by the Board of Pharmacy.

Fiscal effect: The Occupational Licensing and Regulatory Fund (Fund 4K90) will experience a revenue loss in annual licensing fees. The number of potential fee waivers that may be granted by the Board of Pharmacy is unknown.

PRXCD3 **Licensing period for terminal distributors of dangerous drugs**

R.C. ***4729.54, Section 747.10***

Changes to April 1 (from January 1) the beginning date of the 12-month licensing period that applies to terminal distributors of dangerous drugs. Extends the expiration date of existing licenses to correspond with the new licensing period.

Fiscal effect: None.

Executive

PRXCD5 **Administrator of Workers' Compensation and managed care organizations access to Ohio Automated Rx Reporting System information**

R.C. ***4729.80, 4121.447, 4729.86***

Requires (rather than permits as under current law) the Board of Pharmacy to provide the Administrator of Workers' Compensation with information concerning a workers' compensation claimant from the Ohio Automated Rx Reporting System (OARRS) upon request of the Administrator and requires the Board to provide that information from OARRS to the director of a managed care organization upon request. Requires every contract the Administrator enters into with a managed care organization to include an agreement to enter into a data security agreement with the Board regulating the managed care organization's use of OARRS.

Fiscal effect: None.

PRXCD1 **Eliminates prohibition against imposing a charge to establish or maintain the Ohio Automated Rx Reporting System**

R.C. ***4729.83***

Eliminates the provision prohibiting the Board of Pharmacy from imposing a charge on terminal distributors of dangerous drugs, pharmacists, and prescribers to establish and maintain the Ohio Automated Rx Reporting System (OARRS).

Fiscal effect: If the Board of Pharmacy were to subsequently impose such a charge it would be adopted as part of their administrative rules. Generated revenue would be deposited to the credit of the Occupational Licensing and Regulatory Fund (Fund 4K90). Total annual revenue would depend on the level at which such a charge is set by the Board.

Executive

DPSCD1 Infrastructure Protection Fund

R.C. ***4737.045***

Creates the Infrastructure Protection Fund and specifies that the following fees are to be deposited into the fund, rather than into the Security, Investigations, and Policing Fund (Fund 8400) as under current law: (1) scrap metal and bulk merchandise container dealer registration fees and (2) impoundment fees relating to a vehicle used in the theft or illegal transportation of metal.

Fiscal effect: Loss in revenue to Fund 8400 with a corresponding gain in revenue to the Infrastructure Protection Fund, amount dependent on actual fees collected.

Executive

PUCCD5 **Intermodal equipment providers**

R.C. ***4905.81, 4905.01, 4923.01, 4923.04***

Defines the terms "interchange," "intermodal equipment," and "intermodal equipment provider" to have the same meanings as in federal motor carrier safety rules.

Grants the Public Utilities Commission (PUCO) express authority to regulate intermodal equipment providers. Requires PUCO to adopt rules applicable to the use and interchange of intermodal equipment.

Broadens PUCO's subpoena power (currently limited to documents and other records related to hazardous materials transportation) by expanding its application to the production of documents and other records related to compliance with motor carrier law and administrative rules.

Fiscal effect: Likely none; this provision clarifies existing law regarding PUCO authority to regulate intermodal equipment providers.

PUCCD1 **Pipeline safety forfeitures**

R.C. ***4905.95***

Increases the maximum pipeline safety forfeitures consistent with federal law. Increases from $100,000 to $200,000 the daily limit for each violation or noncompliance and increases from $1 million to $2 million the limit for any related series of violations or noncompliances.

Fiscal effect: Potential GRF revenue gain because all forfeitures collected under this section are deposited in the state treasury to the credit of the GRF.

Executive

PUCCD6 **Recovery of environmental remediation costs**

R.C. ***4909.157***

(1) Permits the Public Utilities Commission to authorize, through a mechanism, a natural gas company or gas company to recover environmental remediation costs "prudently incurred" before 2025 that are related to real property that was formerly the site of a manufactured gas plant, and incurred under the Voluntary Action Program ordered by an environmental agency or a court or costs that are subject to a previously authorized regulatory asset.

(2) Defines a manufactured gas plant as a plant that was operational prior to 1970 and that produced, for sale to customers, manufactured gas from coal gas process, carburetted water gas process, or oil gas process.

(3) Requires an application and an evidentiary hearing in which the applicant bears the burden of proof.

(4) 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.

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

Fiscal effect: If approved for recovery by PUCO, costs will increase for customers of the natural gas company or gas company.

PUCCD3 **For-hire motor carrier tax receipts**

R.C. ***4921.19, 4921.13***

Requires the Public Utilities Commission (PUCO) to provide to for-hire motor carriers, instead of a single receipt, a tax receipt for each of the carrier's motor vehicles for which a tax has been paid under the for-hire motor carrier law.

Requires that the appropriate tax receipt be kept in each motor vehicle operated by the carrier.

Requires the carrier to maintain records that track which tax receipt is assigned to each motor vehicle.

Fiscal effect: Possible increase in cost related to programming changes. If there is an increase, it is likely to be paid from the Public Utilities Transportation Safety Fund (Fund 5LT0).

Executive

PUCCD4 **Uniform registration and permitting for transportation of hazardous materials**

R.C. ***4923.02***

Specifies that certain persons exempt from the motor carrier law must not be construed to be relieved from complying with the existing law and rules governing the uniform registration and permitting for transportation of hazardous materials and the duty to pay the applicable fees.

Fiscal effect: Likely none; this provision clarifies existing law.

PUCCD2 **Energy efficiency requirement**

R.C. ***4928.66***

Repeals a provision that prohibits an electric distribution utility (EDU) from applying, to an annual energy savings requirement in current law achieved through a waste energy recovery or combined heat and power system, more than the total annual percentage of the EDU's industrial-customer load, relative to the EDU's total load.

Fiscal effect: Potential decrease in cost for utility to meet requirement, with consequent potential decrease in cost of electricity for ratepayers.

Executive

PWCCD1 **Repayment of Clean Ohio Conservation Grants**

R.C. ***164.26, 164.261, Section 503.30***

(1) Requires repayments of Clean Ohio Conservation Grants to be returned to the natural resource assistance councils that approved the original grant applications, and requires repayment funds to be used for the same purpose as that for which the grant was originally approved.

(2) Requires grant repayments to be deposited into the Clean Ohio Conservation Fund before they are returned to the appropriate councils.

(3) Specifies that any grant repayment received by the Public Works Commission and deposited into the Clean Ohio Conservation Fund is appropriated in appropriation item C15060, Clean Ohio Conservation.

(4) Requires the Director of the Public Works Commission to establish policies providing for "liquidated damages and grant repayment" rather than "penalties, including grant repayment."

Fiscal effect: The Clean Ohio Conservation Fund (Fund 7056) could receive revenues from grant repayments, but these revenues would be required to be returned to the natural resource assistance council that approved the original application. The appropriation of the received repayments provides for the payment of the returned funds to the councils.

Executive

BORCD5 Inventory of workforce development and training education programs

R.C. ***3333.0413***

Requires the Chancellor to make available by December 31, 2014, in a prominent location on BOR's web site, a complete inventory of education programs that focus on workforce development and training that includes both of the following:

(1) Programs offered by state institutions of higher education, adult career-technical institutions, and all private nonprofit and for-profit postsecondary institutions operating in the state;

(2) Programs registered with the Ohio State Apprenticeship Council established under the Department of Job and Family Services.

Expressly permits the Chancellor to update this inventory as necessary.

Fiscal effect: May increase the administrative burden of BOR.

BORCD2 Educator preparation program accreditation

R.C. ***3333.048***

Requires educator preparation programs at institutions of higher education, subject to the metrics adopted by the Chancellor and Superintendent of Public Instruction, to meet the standards of any applicable national educator preparation accrediting agency recognized by the U.S. Department of Education, instead of the standards of either the National Council for Accreditation of Teacher Education or the Teacher Education Accreditation Council as under current law.

Expands the source of funds that an institution of higher education may use to pay for costs of making required curricular changes for educator preparation programs from "appropriations," as under current law, to "revenue sources."

Fiscal effect: With potential increase of number of accrediting agencies, may provide educator programs with more options to satisfy accreditation standards.

Executive

BORCD7 **Veterans and higher education**

R.C. ***3333.164, 3345.42, 3345.43, 3345.44, 3345.46***

Requires the Chancellor, not later than December 31, 2014, to do all of the following: (1) develop a set of standards and procedures for the awarding of credit for military training, experience, and coursework, (2) create a military articulation and transfer assurance guide for such credit that is based on the current articulation and transfer policy, (3) create a web site that contains specified information related to the awarding of such credit, and (4) develop a statewide training program that prepares faculty and staff to evaluate various military experiences and to award appropriate equivalent credit.

Requires all state institutions of higher education, beginning on July 1, 2015, to ensure that appropriate equivalent credit is awarded for military experiences that meet the standards developed by the Chancellor.

Requires each state institution of higher education, not later than December 31, 2014, to designate at least one person to serve as the contact person for veterans affairs and to adopt a policy regarding the support and assistance the institution will provide to veterans and requires the Chancellor to provide guidance to state institutions on designating such contact person and adopting such policy.

Requires all state institutions of higher education, not later than December 31, 2014, to provide priority course registration for students who are Armed Forces veterans or service members.

Requires each state institution of higher education, not later than December 31, 2014, to establish an appeals procedure for resolving disputes regarding the awarding of college credit for military experience.

Prohibits a state institution of higher education, on or after December 31, 2014, from charging a fee to a student who is an Armed Forces veteran or service member for the evaluation of, transcription of, or application for college credit for military experience.

Fiscal effect: May increase the administrative burden of BOR and state institutions of higher education.

Executive

BORCD14 Interstate reciprocity agreements for distance education

R.C. ***3333.171***

Permits the Chancellor to enter into a reciprocity agreement with the Midwestern Higher Education Compact that allows both (1) a participating institution of higher education in another state to enroll Ohio residents in distance education programs at that institution without attaining prior approval from the Chancellor and (2) a participating institution of higher education in Ohio to enroll residents of a participating state in distance education programs at that institution without attaining prior approval from the appropriate agency of that state.

Requires eligible institutions in Ohio that wish to participate in the reciprocity agreement to attain approval from the Chancellor for participation in the agreement.

Requires participating institutions in Ohio to attain approval from the Chancellor for any new distance education programs prior to enrolling residents of a participating state in such programs under the terms of the agreement.

Permits the Chancellor to perform specific duties under the reciprocity agreement, including (1) applying to participate in the agreement, (2) developing criteria and procedures for the initial and continued participation of institutions in Ohio, (3) assessing fees and collecting data from participating institutions in Ohio, (4) developing a student grievance process to resolve complaints, (5) working collaboratively with the State Board of Career Colleges and Schools to determine eligibility for institutions approved by that board, and (6) terminating the agreement or removing the Board of Regents as the lead agency.

Fiscal effect: May increase the administrative burden on BOR if it chooses to enter into a reciprocity agreement, as a result of specific duties performed under the agreement.

BORCD9 Community college tuition guarantee program

R.C. ***3333.33***

Authorizes a community college, state community college, or technical college to establish a tuition guarantee program, subject to the approval of the Chancellor.

Requires the Chancellor to establish guidelines for the board of trustees of these colleges to follow when developing a tuition guarantee program and submitting applications to the Chancellor.

Fiscal effect: Minimal increase in administrative burden for BOR.

Executive

BORCD10 Postsecondary globalization liaison

R.C. ***3333.44, Section 733.30***

Requires the Chancellor to designate a postsecondary globalization liaison to work with state institutions of higher education, state agencies, and representatives of the business community to enhance state globalization efforts.

Allows the Chancellor to designate a person already employed by the Chancellor to be the liaison.

Requires the Chancellor, by December 31, 2014, to submit recommendations to the Governor, Speaker of the House, and President of the Senate regarding future efforts to promote the state's postsecondary globalization.

Fiscal effect: May increase the administrative burden of BOR.

BORCD1 Course and program sharing network

R.C. ***3333.90***

Requires the Chancellor to establish a course and program sharing network to enable the University System of Ohio (state institutions of higher education) and adult career centers to share curricula for existing courses and academic programs with one another, and to adopt rules to administer the network.

Fiscal effect: BOR may experience an increase in administrative burden.

BORCD3 Cap on enrollment at state universities

R.C. ***3345.19, (repealed)***

Repeals a provision that limits the student enrollment at the central campuses of Bowling Green State University (17,000), Kent State University (22,000), Miami University (17,000), Ohio University (22,000), and the Ohio State University (42,000).

Fiscal effect: These universities may experience an increase in revenue and expenditures if their enrollment increases above the current law maximum allowed.

Executive

BORCD8 State community college treasurers

R.C. ***3358.06***

Allows the treasurer of a state community college be insured, in lieu of bonded, as required under current law, for "faithful performance of official duties and proper accounting for all moneys coming into the treasurer's care."

Removes a provision requiring a state community college treasurer's bond be approved by the Attorney General.

Fiscal effect: None.

BORCD4 SSI bridge funding for community colleges

Section: ***610.20***
Amends Section 363.200 of H.B. 59

Earmarks up to $3,100,000 from GRF appropriation item 235501, State Share of Instruction, in FY 2015 to be used by the Chancellor of BOR to provide supplemental subsidy payments to each state-supported community college, state community college, and technical college receiving state subsidy funding in FY 2015 that is less than 96% of its FY 2014 subsidy.

Requires the Chancellor to proportionally reduce subsidy payment amounts if the earmarked amount is insufficient to provide payments ensuring that each eligible institution receives 96% of its FY 2014 allocation. Conversely, if the earmarked amount is greater than what is necessary to ensure that each institution receives 96% of its FY 2014 allocation, requires the Chancellor to proportionally allocate the remainder of the earmark to each eligible institution.

BORCD11 FY 2015 funding formula for Ohio Technical Centers

Section: ***610.20***
Amends Section 363.120 of H.B. 59

Requires Ohio Technical Centers to report data to the Chancellor. Requires the Chancellor to exclude all students who are not residents of Ohio in defining the number of full-time equivalent (FTE) students for the formula.

Specifies the breakdown of funding for Ohio Technical Centers in FY 2015 as follows:

Executive

(1) 25% based on the proportion of FTEs completing a post-secondary workforce training program approved by the Chancellor with a grade of "C" or better or a grade of "pass" if the program is evaluated on a pass/fail basis;

(2) 20% based on the proportion of FTEs completing 50% of a program of study as a measure of student retention;

(3) 50% based on the proportion of FTEs who have found employment, entered military service, or enrolled in additional post-secondary education and training in accordance with Perkins placement definitions after completing at least 50% of a program of study; and

(4) 5% based on the proportion of FTEs completing a third party credential.

Earmarks the following from GRF appropriation item 235444, Post-Secondary Adult Career-Technical Education, in FY 2015:

(1) $400,000 to be distributed by the Chancellor to the Ohio Central School System;

(2) $48,000 to be utilized for accreditation assistance for Ohio Technical Centers;

(3) $975,000 to be distributed by the Chancellor to Ohio Technical Centers that provide business consultation with matching local dollars. Specifies that qualifying Centers receive a maximum amount of $25,000 per center.

(4) the remainder to be distributed to Ohio Technical Centers according to the formula described above.

Specifies that no Ohio Technical Center receive a FY 2015 performance funding allocation that is less than 96% of the average allocation it received in the three previous fiscal years.

BORCD13 FY 2015 funding formula for community and technical colleges

Section: ***610.20***
Amends Section 363.190 of H.B. 59

Requires that 25% of the FY 2015 SSI appropriation for community colleges, state community colleges, and technical colleges be allocated in proportion to their share of student success factors as recommended in formal communication from community college presidents to the Chancellor dated December 2013.

Requires that 50% of the FY 2015 SSI appropriations for community colleges, state community colleges, and technical colleges be reserved for course completion FTEs (full-time equivalents).

Specifies that, for FY 2015, for calculations of course completions for community colleges, state community colleges, and technical colleges certain eligible students be defined as "access students" who will have their course completions weighted by a statewide access weight. Specifies that the weight of these students be 15% for all course completions.

Executive

Requires that 25% of the FY 2015 SSI appropriations for community colleges, state community colleges, and technical colleges be reserved for completion milestones as identified in formal communication from community college presidents to the Chancellor of BOR dated December 2013. Specifies that completion milestones include associate degrees, certificates over 30 credit hours approved by BOR, and students transferring to any four-year institution with at least 12 credit hours earned at that community college, state community college, or technical college. Specifies that completion milestone funding be allocated to colleges in proportion to each institution's share of the sector's total completion milestones, weighted by the instructional cost of the associate degree, certificate, or transfer models. Establishes weights of 0.5 and 0.25 of the associate degree model costs for certificates over 30 hours and transfers with at least 12 credit hours, respectively.

Specifies the calculation for subsidy entitlements for completions at community colleges, state community colleges, and technical colleges as follows:

(1) Requires the Chancellor of BOR to use a three-year average for completion metrics in calculating each campus's count of completions;

(2) Specifies that the subsidy eligible completions by model be equal only to those students who successfully complete an associate degree, certificate over 30 credit hours, or transfer to any four-year institution with at least 12 credit hours;

(3) Establishes weights of 25% for students with one access factor, 66% for students with two access factors, and 150% for students with three access factors for certain qualifying students; and

(4) Establishes funding at 50% of the model costs for those students who complete more than one completion metric.

Eliminates H.B. 59 language requiring studies on identifying "at risk" students and on the use of success points and completion measures for community colleges. (Both reports were due by December 31, 2013.)

BORCD12 Faculty workloads report

Section: ***733.40***

Requires each of the 13 state universities and the Northeast Ohio Medical University to report to the Chancellor, not later than December 31, 2014, on the institution's faculty workload policy and practices, which must include both (1) an evaluation of the institution's current faculty workload policy and procedures and (2) the institution's recommendations to modify its faculty workload policy, by June 30, 2017, to increase the institution's aggregate faculty workload by 10% in the combined areas of instruction, advising, and research.

Executive

Fiscal effect: May increase costs for state institutions of higher education related to the production of the report on faculty workloads.

BORCD6 **Increasing the number of programs available to adults without a diploma**

Section: ***733.50***

Requires the Chancellor to develop recommendations for increasing the number of programs available to adults who have not obtained a high school diploma that offer credentials equivalent to a high school diploma and also provide career pathways, such as an associate degree, industry credential, or other type of career training.

Requires the Chancellor, in developing the recommendations, to consult with all of the following: (1) The Superintendent of Public Instruction; (2) Representatives of the Governor's Office of Workforce Transformation, the Department of Job and Family Services, and the Ohio Association of Community Colleges; (3) Representatives of career-technical planning districts that provide post-secondary workforce education; (4) Representatives of programs that provide adult basic and literacy education; (5) Representatives of any other interested parties at the Chancellor's discretion.

Requires the Chancellor to prepare a report of the recommendations and submit it to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 31, 2014.

Fiscal effect: Minimal. May increase the administrative burden of BOR.

Executive

Commercial Activity Tax

TAXCD12 Commercial activity tax rate increase

R.C. ***5751.03, Section 803.80***

Increases the rate of the commercial activity tax (CAT) from 0.26% to 0.30% (3 mills per dollar) of taxable gross receipts in excess of $1 million per year, beginning July 1, 2014.

Fiscal effect: Increases CAT revenue by about $216 million in FY 2015 and $226 million FY 2016. Under current law, the GRF receives 50% of CAT revenue; thus the GRF revenue gain would be $108 million in FY 2015 and $113 million in FY 2016. The remaining revenue gain would accrue to the School District Tangible Property Tax Replacement Fund (Fund 7047) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081). Fund 7047 would receive about $76 million and $79 million, respectively, in FY 2015 and FY 2016. Fund 7081 would receive about $32 million and $34 million. CAT receipts that are deposited into the local government funds are used to reimburse school districts and other units of local government for lost revenues from the phase-out and reductions in tangible personal property taxes. Current law requires a GRF subsidy if distributions to the funds are insufficient for the required reimbursements. Alternatively, moneys in the funds not needed for the required reimbursements may be transferred back to the GRF.

TAXCD14 Historic Preservation Tax Credit taken against the CAT

Section: ***757.20***

Authorizes certain holders of historic rehabilitation tax credit certificates to temporarily claim a historic rehabilitation credit against the commercial activity tax (CAT) if the holder cannot claim the credit against any of the personal income tax, financial institutions tax, or insurance premium taxes, as authorized under continuing law. Limits the amount that may be claimed against the CAT to $5 million per certificate.

Authorizes a corporate owner of a pass-through entity to claim the credit only if the owner is in the same combined or consolidated CAT taxpayer group as the entity or if the credit was issued in the name of the owner.

Fiscal effect: Decreases revenue from the CAT by an undetermined amount. Under current law, the GRF receives 50% of CAT revenue; the School District Tangible Property Tax Replacement Fund (Fund 7047) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081) receive 35% and 15%, respectively, of CAT receipts.

Executive

Personal Income Tax

TAXCD20 "Invest Ohio" income tax credit investment holding period

R.C. ***122.86, Section 803.10***

Shortens the minimum holding period of investments in smaller businesses, from five to two years, necessary for the investment to qualify for an income tax credit. (Continuing law grants income tax credits for investors in businesses having specified minimum employment in Ohio and having not more than $50 million in assets or $10 million in annual sales. Within six months after an investment, a business must spend at least the amount of the investment to purchase or acquire assets or to pay employees, new or existing, in Ohio. Currently, investments made on or after July 1, 2013, must be held for at least five years. The shortened holding period also shortens the period during which the business must hold any assets it must acquire after receiving a qualifying investment.)

Fiscal effect: A taxpayer may claim the nonrefundable credit against the taxpayer's income tax liability in the taxable year that includes the last day of the holding period, and may carry forward any unused portion of the credit for up to 7 years, under R.C. 5747.81. Shortening the holding period accelerates the realization of these credits and the resulting reduction in state personal income tax revenue. Losses will occur mainly in the taxable years that include the period from July 1, 2015, through June 30, 2018. The GRF will bear 96.68% of the total revenue loss, with the Local Government Fund (Fund 7069) and the Public Library Fund (Fund 7065) each bearing losses equal to 1.66% of the total.

TAXCD6 Income tax rate reduction

R.C. ***5747.02***

Reduces the income tax rates for all individuals, estates, and trusts and across all income brackets by 3.5% for taxable years beginning in 2014, an additional 3.5% for taxable years beginning in 2015, and an additional 1.5% for taxable years beginning in 2016. (The reduced 2016 rates apply thereafter, resulting in an 8.5% reduction compared to the current rates for 2016 and thereafter, and a top marginal tax rate of 4.880%).

Executive

Fiscal effect: GRF revenues are reduced by an estimated $310 million in tax year (TY) 2014, which will be realized in FY 2015. Revenues to each of the Local Government Fund (LGF, Fund 7069) and the Public Library Fund (PLF, Fund 7065) are reduced by about $5 million. TY 2015 revenues are reduced by an estimated $639 million to the GRF and $11 million to each of the LGF and PLF. TY 2016 revenues are reduced by an estimated $811 million to the GRF and $14 million to each of the LGF and PLF. Fiscal year revenue losses will depend on the timing of changes to withholding rates. The Executive estimates the revenue losses at $461 million in FY 2015, $816 million in FY 2016, and $909 million in FY 2017.

TAXCD19 Increased personal income tax exemption amounts

R.C. ***5747.025***

Increases the exemption amounts available to personal income taxpayers whose Ohio adjusted gross income (AGI) is $80,000 or less. Increases the exemption amount in 2014 and 2015 to $2,700 for taxpayers with an individual or joint Ohio AGI of $40,000 or less and to $2,200 for taxpayers with an individual or joint Ohio AGI of more than $40,000 and less than or equal to $80,000. (Currently, for the 2013, 2014, and 2015 taxable years, the personal exemption amount for each taxpayer, taxpayer's spouse, and dependent is $1,700; the exemption amount remains at $1,700 for taxpayers with an individual or joint Ohio AGI of more than $80,000. Inflation indexing of personal exemption amounts is suspended through 2015 and resumes in 2016, in current law and in the bill.)

Fiscal effect: Reduces tax revenue up to $142 million in FY 2015, and by comparable amounts in subsequent years. The GRF share of this revenue loss in FY 2015 is up to $137 million; the remaining revenue loss is split equally between the Local Government Fund and the Public Library Fund. If growth of incomes continues, more taxpayers may qualify for the $2,200 exemption per deduction and fewer for the $2,700 deduction in subsequent years, resulting in a smaller loss of revenue than in FY 2015.

TAXCD23 Earned income tax credit

R.C. ***5747.71***

Increases the state earned income tax credit from 5% of the federal earned income tax credit to 15% of the federal credit, beginning in 2014.

Executive

Fiscal effect: Continuing law authorizes the credit for taxpayers who are eligible to claim the federal credit. The state credit is nonrefundable, so it can result only in a reduction of tax liability, not a refund. The credit is further limited for taxpayers whose Ohio taxable income (OTI) exceeds $20,000; for these taxpayers, the state credit cannot exceed 50% of the tax due after subtracting all other nonrefundable credits other than the joint filing credit. The fiscal effect of this provision, when measured in isolation from any other potential changes to current law, is a revenue loss of $29.9 million in FY 2015 when TY 2014 tax returns are filed and $31.4 million in FY 2016 when TY 2015 returns are filed. The GRF share of this revenue loss is $28.9 million in FY 2015 and $30.3 million in FY 2016; the remaining revenue loss is split equally between the Local Government Fund and the Public Library Fund. The marginal fiscal effect of this policy is lower if measured in context with all other tax changes proposed by the bill. If all the other personal income tax changes are adopted, the marginal GRF cost of increasing the EITC from 5% to 15% is $20.6 million in FY 2015 and $21.1 million in FY 2016.

Cigarette Taxes

TAXCD15 **Other tobacco products tax rate increase**

R.C. ***5743.01, 5743.51, 5743.62, and 5743.63***

Increases the rate of tax levied on "other tobacco products" (cigars, little cigars, chewing tobacco, snuff, smoking tobacco, and other tobacco products that are not cigarettes). Increases the rate in two stages: to 41% of the wholesale price beginning July 1, 2014, and to 49% beginning July 1, 2015. (Under current law, the tax rate is 37% of the wholesale price for little cigars and 17% of the wholesale price for all other tobacco products.)

Fiscal effect: Increases revenue from the OTP tax by up to $63 million in FY 2015 and up to $83 million in FY 2016. These estimates include adjustments for reductions in the OTP taxable base from the rate increases, but do not include an explicit adjustment for increased smuggling attributable to the incentive created by the tax increase. If such adjustment were made, that may reduce the revenue gain significantly, but at this time LSC economists do not have a reliable basis for estimating the magnitude of such an adjustment. Revenue from the OTP tax is deposited in the General Revenue Fund. Revenue amounts exclude receipts from e-cigarettes.

Executive

TAXCD16 Other tobacco products tax on E-cigarettes

R.C. ***5743.01, 5743.51, 5743.62, 5743.63, and 5743.65***

Subjects electronic cigarettes to the existing excise tax on other tobacco products (OTP) beginning July 1, 2014, and defines the kinds of devices that constitute an electronic cigarette for that purpose. (The OTP tax currently is levied at a rate of 17% of the wholesale price, except in the case of "little cigars," for which the rate is 37%).

Fiscal effect: Increases revenue from the OTP tax by up to $12 million in FY 2015 (assuming a 41% tax rate) and up to $15 million in FY 2016 (assuming a 49% tax rate). These estimates include adjustments for some forms of tax avoidance, but do not include an explicit adjustment for increased smuggling attributable to the incentive created by the tax increase. If such adjustment were made, that may reduce the revenue gain significantly, but at this time LSC economists do not have a reliable basis for estimating the magnitude of such an adjustment. Revenue from the OTP tax is deposited in the General Revenue Fund.

TAXCD18 Sale of cigarette tax stamps by Tax Commissioner

R.C. ***5743.01, 5743.021, 5743.024, 5743.025, 5743.03, 5743.04, 5743.05, 5743.051, 5743.06 (repealed), 5743.112, 5743.52, and 5743.65***

Shifts the duty to sell cigarette tax stamps and receive cigarette tax returns from the Treasurer of State to the Tax Commissioner. (Under current law, cigarette tax stamps are sold by the Treasurer of State and by county treasurers that are appointed as deputies of the Treasurer for that purpose. Wholesale dealers, persons with untaxed cigarettes, and distributors and importers of other tobacco products are required to file returns with the Treasurer of State who, after marking the date of receipt, is required to transmit the return to the Commissioner. The provision instead requires that the Commissioner and agents designated by the Commissioner sell the cigarette tax stamps and that returns be made and filed directly to the Commissioner.)

Requires that amounts collected from charges for the costs of shipping cigarette tax stamps to wholesale dealers be credited to the cigarette tax enforcement fund rather than the cigarette tax administrative fund. Eliminates provisions in current law authorizing the use of a metering device in lieu of tax stamps to show that the excise tax has been paid.

Executive

Fiscal effect: Shifts costs related to sales of cigarette tax stamps and administration of cigarette tax returns from the Office of the Treasurer of State to the Department of Taxation. Under continuing law, such costs are charged to the licensed dealer. Revenue resulting from the charges is currently deposited into the Treasurer's Administrative Fund (Fund 6050); under this provision that revenue will instead be deposited into the Cigarette Tax Enforcement Fund (Fund 6390), a fund in the Department of Taxation's budget.

TAXCD13 Cigarette tax rate increase

R.C. ***5743.02, 5743.32; Section 757.10***

Increases the rate of the cigarette excise tax from the current $1.25 per pack in two stages: to $1.55 per pack beginning July 1, 2014, and to $1.85 per pack beginning July 1, 2015. (On a per-cigarette basis, the increase is from 6.25 cents to 7.75 cents beginning July 1, 2014, and to 9.25 cents beginning July 1, 2015.)

Fiscal effect: Increases revenue from the cigarette tax by up to $151 million in FY 2015 and up to $288 million in FY 2016 (compared to current law). Also increases revenue from the state sales tax by about $5 million in FY 2015 and $18 million in FY 2016. These estimates include adjustments for reductions of taxable cigarette consumption due to price increases (related to the rate increases), but do not include an explicit adjustment for increased smuggling attributable to the incentive created by the tax increase. If such adjustment were made, that may reduce the revenue gain, but at this time LSC economists do not have a reliable basis for estimating the magnitude of such an adjustment. Revenue from both the sales tax and the cigarette tax is deposited in the GRF. A share of GRF tax revenue, 1.66%, is distributed each to the Local Government Fund and the Public Library Fund. Thus, the GRF would receive $152 million in FY 2015 and $296 million in FY 2016. The remainder, about $5 million in FY 2015 and $10 million in FY 2016, would be distributed to the two local funds. The provision also would raise revenue from local permissive county and transit authority sales taxes by up to $1 million in FY 2015 and up to $4 million in FY 2016.

TAXCD17 Other tobacco product tax filing and payment

R.C. ***5743.52***

Changes the due date for reporting and paying the other tobacco product (OTP) tax from the last day of each month to the 23rd day of each month. Requires reports and payments to be made to the Tax Commissioner instead of to the Treasurer of State.

Fiscal effect: None.

Executive

Other Taxation Provisions

TAXCD9 Job creation and retention credits against motor fuel receipts tax

R.C. ***122.17, 122.171, and 5736.50***

Authorizes job creation and retention tax credits to be claimed against the tax levied on a supplier with gross receipts from the first sale of motor fuel in the state (i.e., the motor fuel receipts tax, which would be renamed the petroleum activity tax under a separate bill provision). Allows the recipient of a nonrefundable job retention tax credit to claim a credit initially awarded against the commercial activity tax against the motor fuel receipts tax instead.

Fiscal effect: This provision would shift any decrease in tax receipts attributable to nonrefundable job creation and retention tax credits to motor fuel receipts tax, instead of CAT. May decrease revenue to the Motor Fuel Receipts Tax Fund (Fund 5NX0). Revenue to that fund is subsequently transferred to other state funds. Ultimately, any revenue loss would affect, most notably, the Highway Operating Fund (Fund 7002) in the budget of the Department of Transportation.

TAXCD10 Computation of job creation tax credits

R.C. ***122.17***

Eliminates the part-year computation of the base used to compute the increase in an employer's Ohio income tax withholdings for the purpose of the job creation tax credit. (Currently, an employer's credit amount depends on how much its annual Ohio income tax withholdings for employees exceed those withholdings for a 12-month base period ending when the credit agreement is approved, or in some cases, recommended for approval; but if the credit is approved after the beginning of the employer's annual tax period, the amount included in the base period for the first year's credit is reduced proportionately. This provision eliminates the part-year computation.)

Fiscal effect: Job creation tax credits in the first year of agreements appear likely to be reduced by this change. The credits are refundable and may be taken against the domestic and foreign insurance taxes, the financial institutions tax, the personal income tax, or the commercial activity tax. LSC does not have an estimate of the amount of any increase in tax revenue that may result from this change.

Executive

TAXCD22 Research and development loan tax credit noncompliance

R.C. ***166.21***

Allows the Director of Development Services to reduce the amount, percentage, or term of a research and development loan tax credit if the loan recipient fails to comply with job creation, job retention, or other requirements specified in the loan agreement.

Fiscal effect: May result in reduced credits taken against the personal income tax or the commercial activity tax, and increased state revenue from these taxes. The amount of any such gains appears indeterminate.

TAXCD8 Tobacco Settlement Enforcement Fund elimination

R.C. ***183.35***

Eliminates the Tobacco Settlement Enforcement Fund (Fund T087), which was used by the Tax Commissioner to enforce provisions of Ohio tax law related to the sale of certain tobacco products.

Fiscal effect: None. Use of this fund was phased out in FY 2009. The Department of Taxation's costs to enforce cigarette tax laws have been paid from the GRF, appropriation item 110404, since that time. A de minimus cash balance (about $15,000) was retained in Fund T087 until July 2013, at which time this balance was transferred out.

TAXCD11 Municipal job creation and retention tax credits

R.C. ***718.15, 718.151***

Replaces statutory language specifying that a municipal corporation may grant a credit to foster job creation or job retention to a taxpayer that also receives such a credit from the state, instead stating that a municipal corporation may grant such a credit without regard to whether the taxpayer was awarded a state job creation or retention tax credit. (Nothing in current law limits or prohibits a municipal corporation from awarding a job creation or retention credit to a taxpayer not awarded a corresponding state credit.)

Fiscal effect: None.

Executive

TAXCD4 **Interest on overpayments of natural gas distribution tax, kilowatt-hour tax, and tire fees**

R.C. ***3734.905, 5727.91***

Requires the Tax Commissioner to include interest when refunding any overpayments of natural gas distribution tax, kilowatt-hour tax, and tire fees. (Under current law, interest is included only when the overpayment is due to an illegal or erroneous assessment.)

Fiscal effect: May decrease receipts from natural gas distribution tax, kilowatt-hour tax, and tire fees. Revenue from the natural gas distribution tax, and 88% of revenue from the kilowatt-hour tax, is deposited into the GRF.

TAXCD5 **Receipt of tax payments and documents**

R.C. ***5703.056, 5726.08 (repealed), 5727.47, 5733.30 (repealed), 5745.10 (repealed), 5747.08, and 5747.98***

Prescribes uniform standards for the date when the Tax Commissioner is considered to have received a document or payment by mail, in person, or electronically, including by fax. Specifies that the Commissioner receives mail on the date of the postmark as placed on the sender's receipt or on the package. Specifies that documents and payments are received by personal delivery on the date they are delivered to the Commissioner's offices during business hours. Specifies that documents and payments are received electronically on the date registered by the Commissioner's electronic system.

Prescribes uniform standards, similar to those applicable to the Commissioner, for the date when a person is considered to have received a document or payment from the Tax Commissioner by mail.

Removes conflicting statutory references.

Fiscal effect: None.

Executive

TAXCD3 **Rules related to tax filings and renaming of motor fuel receipts tax**

R.C. ***5703.059, 5736.06, 5736.09, 5736.13, and 5751.20***

Authorizes the Tax Commissioner to adopt rules requiring returns for any tax or fee administered by the Commissioner to be filed electronically or filed using the telefile system. Authorizes those rules to apply to returns filed after the rule's effective date rather than six months after the rule's effective date, as under current law. (Under current law, the Commissioner may adopt such rules only with respect to employer income tax withholding and motor fuel, cigarette and tobacco product, severance, use, commercial activity, financial institutions, motor fuel receipts, and horse racing taxes.)

Renames the recently enacted tax levied on the basis of gross receipts from the first sale of motor fuel in the state, from the "motor fuel receipts tax" to the "petroleum activity tax."

Fiscal effect: Possible decrease in administrative costs for the Department of Taxation.

TAXCD21 **Information sharing with Development Services Agency**

R.C. ***5703.21***

Authorizes the Department of Taxation (TAX) to disclose information to the Development Services Agency (DSA) that is necessary to ensure compliance with tax laws or to verify information provided to DSA by applicants for or recipients of tax credits or other financial assistance. (Currently, taxpayer information possessed by TAX may not be disclosed to anyone unless the law specifically permits disclosure.) Prohibits disclosure of this information by officers and employees of DSA except for purposes of evaluating potential tax credits, grants, and loans.

Fiscal effect: None.

Executive

TAXCD2 **Changes to motor fuel tax for compliance with federal guidelines**

R.C. ***5735.01, 5735.026, 5735.03, 5735.062, 5735.07, 5735.09, 5735.12, 5735.141, 5735.16 (repealed), 5735.23***

(1) Consolidates two existing classes of motor fuel exporter licenses into a single exporter license and requires motor fuel exporters to file a surety bond of not less than $5,000 with the Tax Commissioner, similar to a surety bond required under continuing law for motor fuel dealers.

(2) Authorizes the Commissioner to require motor fuel dealers to remit tax payments electronically through the Department of Taxation's web site. Allows the Commissioner, rather than the Treasurer of State, to excuse a dealer from the requirement to remit payments electronically. Modifies the penalty the Commissioner may impose for a dealer's failure to remit payments electronically as required. (Under continuing law, the Commissioner may require dealers to remit payments by electronic funds transfer in accordance with rules adopted by the Treasurer of State.)

(3) Removes the requirement that a motor fuel dealer apply to the Tax Commissioner for a refund permit before being able to receive certain refunds of motor fuel tax (MFT).

(4) Modifies the content of the monthly report the Commissioner is required to issue showing information about motor fuel dealers that remit MFT by requiring reporting of dealers' addresses and tax identification numbers. Authorizes the Commissioner to post the report on the Department of Taxation's web site.

(5) Requires transporters of motor fuel to register with the Commissioner. (Under continuing law, transporters are required to report deliveries of motor fuel to Ohio monthly.)

(6) Allows the Commissioner to provide retail dealers with certain information about "wholesale dealers" for the purpose of the retailer receiving a refund of MFT for fuel lost by the retail dealer through shrinkage and evaporation. (A wholesale dealer is not defined in the context of the MFT.)

(7) Authorizes the Commissioner to impose a penalty, up to $50, for failure to file timely reports on persons, such as transporters and exporters, that are required to file motor fuel reports but are not required to remit motor fuel excise tax. Authorizes the Commissioner to formally assess such person if the person does not pay the full amount of the penalty. (Under continuing law, the Commissioner may impose a similar penalty on motor fuel dealers for failing to timely file reports or remit motor fuel excise tax, but the penalty for motor fuel dealers equals up to the greater of $50 or 10% of the dealer's tax liability for that month.)

Executive

Fiscal effect: Minimal reduction in the Treasurer's administrative costs, but may minimally increase the Department of Taxation's administrative costs. May increase revenue from penalties related to MFT.

TAXCD1 Due date of motor fuel tax reports and payments

R.C. ***5735.06***

Changes due date of monthly motor fuel tax (MFT) payments and report on motor fuel received by a motor fuel dealer during the preceding month from the last day to the 23rd day of each month.

Fiscal effect: None.

TAXCD24 Oil and gas severance tax revisions

R.C. ***5749.02, 190.01, 190.02, 190.03, 190.04, 321.50, 1509.02, 1509.11, 1509.34, 1509.50 (repealed), 5703.052, 5749.01, 5749.03, 5749.031, 5749.04, 5749.06, 5749.07, 5749.08, 5749.10, 5749.12, 5749.13, 5749.14, 5749.15, 5749.17***

(1) Levies a new severance tax of 2.75% on oil and gas severed from a horizontal well based on the severer's gross receipts from an arm's length sale of that oil or gas or on the market value if the gas or oil is not sold at arm's length.

(2) Authorizes a severer to exempt $8 million of gross receipts from the new tax over the first three years of a horizontal well's operation.

(3) Requires the Director of the Office of Budget and Management (OBM) to credit to the Oil and Gas Well Fund and Geological Mapping Fund revenue from the new severance tax in accordance with a monthly schedule of disbursements that considers the resources of the oil and gas regulatory activities of the Department of Natural Resources (DNR).

(4) Credits 80% of the remainder of the revenue from the new severance tax, after the transfers to DNR, to the GRF, earmarks 20% of that remainder for distribution to local governments in shale drilling counties.

(5) Stipulates that one-half of the revenue earmarked for local governments in shale drilling counties must be distributed to subdivisions in each county as determined by the county budget commission. Requires the other half be distributed to two custodial funds administered by the new Ohio Shale Products Regional Commission to provide grants for local

Executive

governments in areas with active shale well development. Prohibits money in one of those custodial funds, the Severance Tax Endowment Fund, from being used until after July 1, 2025.

(6) Requires the Governor's Office of Appalachian Ohio to provide staff and administrative assistance to the Ohio Shale Products Regional Commission upon request.

(7) Repeals a cost recovery assessment imposed on severed oil and gas and, for nonhorizontal wells, adjusts the rate of the severance tax to the combined rate of the assessment and current law's rate of severance tax on oil and gas.

(8) Exempts from the nonhorizontal well severance tax any gas severed from a nonhorizontal well producing less than 910,000 cubic feet of gas in a calendar quarter (equivalent to approximately 10 MCF per day).

(9) Makes minor changes to due dates for quarterly tax returns, and to the timing of distribution of the receipts.

Fiscal effect: Revenues to the new Severance Tax Receipts Fund will be between $29 million and $80 million in FY 2015; and between $41 million and $144 million in FY 2016. The disposition of revenue cannot be estimated because an indeterminate amount of Severance Tax Receipts Fund cash must first be transferred by the OBM Director to two funds within the DNR budget, Fund 5180 and Fund 5110. Remaining amounts will then be transferred to other funds according to the bill, of which the largest recipient (80%) is the GRF.

Executive

DOTCD1 **Local government participation in ODOT contracts**

R.C. ***5513.01***

(1) Authorizes regional planning commissions, regional councils of government, and other associations of local governments to participate in contracts into which the Director of Transportation has entered for the purchase of machinery, materials, supplies, or other articles and exempts those purchases made pursuant to such contracts from competitive bidding requirements.

(2) Makes various technical changes to the statute governing contracts entered into by the Department of Transportation for the purchase of machinery, materials, supplies, and other articles.

Fiscal effect: If regional planning commissions, regional councils of government, and other local government associations are able to secure discounted prices on certain purchases as a result of joining with eligible ODOT purchasing contracts, those subdivisions could realize some savings.

Executive

DVSCD1 Veterans law definition changes

R.C. ***4731.36, 4743.04, 5903.01, 5903.03, 5903.10, 5903.11, 5903.12, 5903.121, 5907.01, 5907.04***

Establishes a common definition of "member," "veteran," and "armed forces" with respect to the recognition of state offered veterans rights related to: (1) recognition of military training toward the requirements of an occupational license, (2) the grace period for occupational license renewal for veterans, (3) priority for referral to job openings and training opportunities, and (4) extension of continuing education reporting periods.

Fiscal effect: None.

DVSCD2 Additional duties of the Director of Veterans Services

R.C. ***5902.02, Section 759.30***

Requires the Director of Veterans Services, not later than December 31, 2014, to: (1) develop and maintain a web site that provides links to web sites of licensing agencies, (2) encourage state agencies to perform outreach efforts through which veterans and their dependents learn about available job and education benefits, (3) inform state agencies about changes in statutes or rules affecting veterans and their dependents, and (4) assist licensing agencies in adopting rules determining which military training and experience satisfies licensing requirements.

Fiscal effect: The Department of Veterans Services will experience a workload increase related to the new duties described above, the cost of which is uncertain.

Executive

DVSCD3 **Veterans priority for license applications**

R.C. ***5903.04, Section 759.20***

Requires each licensing agency (as defined in R.C. 5903.01), not later than December 31, 2014, to adopt rules to: (1) establish and implement a process to obtain from each applicant documentation and additional information to determine if the applicant is a member or veteran of the armed forces, or the spouse or surviving spouse of a member or veteran, (2) record, track, and monitor these applications, and (3) prioritize or expedite certification and licensing for each such applicant. Requires a licensing agency to include, in the rules, special accommodations for applicants facing imminent deployment.

Fiscal effect: Licensing agencies may experience a one-time increase in expenditures related to drafting and implementing the rules described above.

DVSCD4 **Veterans' education benefits**

R.C. ***5903.05, Section 759.10***

Requires, by December 31, 2014, a state agency that issues a license, certificate, or other authorization permitting an individual to engage in an occupation or occupational activity to apply for approval to the State Approving Agency at the Ohio Department of Veterans Services, which is required under federal law to enable an eligible person or veteran to receive education benefits through the United States Department of Veterans Affairs.

Fiscal effect: Those state agencies that are not currently registering with the State Approving Agency may experience a one-time administrative cost increase. The State Approving Agency, housed in the Department of Veterans Services, will likely experience a commensurate administrative cost increase in order to process the approvals.

Executive

BWCCD9 Peer review committee

R.C. ***2305.25, 2305.252***

Expands the example in the definition of "peer review committee" to include a peer review committee of the Bureau of Workers' Compensation (BWC) or the Ohio Industrial Commission (OIC) that reviews the professional qualifications and performance of providers certified by BWC to participate in the Health Partnership Program (HPP).

Applies the continuing law peer review confidentiality requirements to a BWC peer review committee that reviews the professional qualifications and performance of providers certified by BWC to participate in the HPP.

Subjects such a committee's records and proceedings to discovery and court subpoena, and permits the proceedings and records to be admitted into evidence in a judicial or administrative action that is initiated, prosecuted, or adjudicated by BWC, and permits BWC to share those proceedings and records with specified governmental agencies involved in prosecuting, adjudicating, or investigating an alleged violation of applicable statutes and rules. Requires the recipient of such proceedings and records to take appropriate measures to maintain the confidentiality of the information.

Fiscal effect: Potential increase in administrative costs associated with the peer review process, including costs associated with any administrative action initiated, prosecuted, or adjudicated by BWC.

BWCCD1 Workers' Compensation Investment Committee duties

R.C. ***4121.129***

Requires the Workers' Compensation Investment Committee to review the performance of BWC's Chief Investment Officer and any investment consultants retained by the Administrator of Workers' Compensation to assure compliance with the approved investment policy and effective management of the workers' compensation funds, rather than to determine whether the best possible return on investments is achieved as required under current law.

Fiscal effect: None.

Executive

BWCCD10 Summary suspension of provider certification

R.C. ***4121.443***

Provides statutory authority for BWC to summarily suspend the certification of a provider to participate in the Health Partnership Program (BWC's managed care program) without a prior hearing if BWC determines any of the following apply to the provider: (1) The provider's professional license, certification, or registration has been revoked or suspended; (2) the provider has been convicted of or has pleaded guilty to workers' compensation fraud, engaging in a pattern of corrupt activity, or any other criminal offense related to the delivery of or billing for health care benefits; or (3) the continued participation by the provider in the Health Partnership Program presents a danger to the health and safety of claimants.

Prescribes procedures for a summary suspension, including provisions for a notice and a hearing. Prohibits a court from suspending the summary suspension order during pendency of any appeal filed under the Administrative Procedure Act.

Fiscal effect: None apparent, as BWC currently has similar authority which was adopted by rule. However, under current law, a court may suspend an order under certain circumstances.

BWCCD14 Payroll reporting and late payments

R.C. ***4123.26, 131.02, 4123.41, 4123.32***

Requires, for a policy year commencing on or after July 1, 2015, a private employer other than a Professional Employer Organization (PEO), to submit a payroll report on or before August 15 each year, unless otherwise specified by the Administrator in rules, and requires private employers to include for payroll reports submitted on or after July 1, 2015, the number of employees employed during the preceding policy year from July 1 through June 30.

Requires, beginning August 1, 2015, each PEO to submit a monthly payroll report and specifies the information the report must contain.

Eliminates the current law forfeiture penalty for failing to submit a payroll report and allows the Administrator to adopt rules setting forth a penalty, including exclusion from alternative rating plans and discount programs.

Revises requirements that apply to public sector payroll reports.

Requires late payments to be submitted to the Attorney General for collection 30 days after the employer fails to submit the actual payroll report.

Executive

Requires the Administrator to adopt a rule to increase the employer's late premium or assessment by 10% beginning policy year 2015, rather than the tiered penalty system used in current law, and requires, if a PEO fails to make a timely payment of premiums or assessments, the Administrator to revoke the PEO's registration under the PEO Law.

BWCCD5 Taxing district employer participation in the One Claim Program

R.C. ***4123.29***

Permits a state fund taxing district employer to participate in BWC's One Claim Program, under which an employer may mitigate the impact of a significant claim that would be a contributing factor in the taxing district employer being excluded from a group-rated plan.

Fiscal effect: Private state fund employers that are group rated may currently participate in the program. Allowing state fund taxing district employers to participate could allow them to maintain discounted premiums under a group-rated plan after having a significant claim that might otherwise disqualify them from the group-rated plan.

BWCCD11 Other-states' coverage

R.C. ***4123.292, 4123.01, 4123.26, 4123.29, 4123.82, Sections 803.40 and 815.10***

Requires "other states' insurance coverage" to cover both workers' compensation claims of employees who are in employment relationships localized in other states and claims that arise in a state or states other than Ohio where the employer has elected to obtain that coverage.

Allows the Administrator to provide limited other states' coverage, which provides workers' compensation coverage for employees who are in employment relationships localized in Ohio but who are temporarily working in another state.

Prescribes procedures the Administrator must follow to secure a vehicle through which to provide limited other-states' coverage, which is similar to how the Administrator selects the vehicle for other-states' coverage under current law.

Eliminates the requirement that an employer that has other-states' coverage segregate payroll on the employer's annual workers' compensation payroll report based upon whether an employee is covered under other-states' coverage, and requires any employer's annual payroll report to include payroll information only for employees localized in Ohio.

Executive

Allows the Administrator to adopt rules with respect to the information to be excluded from the calculation of an employer's state fund premium when the employer obtains other-states' coverage through the Administrator, rather than requiring the information to be excluded as under current law.

Fiscal effect: Because other states may refuse to recognize Ohio coverage of employees temporarily working in those states, Ohio employers pay higher Ohio rates for in-state coverage to cover out-of-state employees. This is because there is less Ohio payroll against which claim costs are charged with no corresponding reduction in claims, since claims from employees temporarily working out of state are generally reported in Ohio and paid by BWC.

BWCCD12 Workers' compensation premium payments

R.C. ***4123.35, 1516.31, 4123.01, 4123.29, 4123.291, 4123.322, 4123.34, 4123.35, 4123.37, 4123.40, 4123.41, 4123.411, 4123.54, 4123.83, 4125.05***

Requires, rather than permits, as under current law, the Administrator of Workers' Compensation to calculate workers' compensation premiums for all employers except state employers on a prospective, rather than retrospective, basis, beginning in policy year 2015.

Requires, except for professional employer organizations (PEOs), employers to pay premiums on an annual basis, rather than semiannually as under current law, and phases this requirement in for public employers. Requires PEOs to pay premiums on a monthly basis beginning July1, 2015.

Allows the Administrator to adopt rules to permit periodic premium payments and to set an administrative fee for these periodic payments.

Requires employers to pay premiums based on estimated payroll and make subsequent reconciliation payments based on actual payroll.

Requires the Administrator to determine whether an employer's account is in good standing to participate in the Group-Rating Program and modifies other eligibility requirements to reflect the prospective premium payment requirement.

Revises the discounts the Administrator may provide to reflect the change to a prospective system.

Requires the Administrator to adopt rules regarding premium amounts for employers that do not begin coverage at the beginning of a policy year.

Executive

Adjusts the calculation for payments to the Disabled Workers' Relief Fund made by private, state, and other public employers.

Allows a complying employer to appeal to an adjudicating committee other assessments made upon determining the employer is subject to Ohio's Workers' Compensation Law, rather than only the assessment of a premium under current law.

Expands current law procedures regarding a notice of assessment of a workers compensation premium, including the ability to object to the assessment and the ability to obtain a lien for failing to pay the assessment, to include other assessments made upon determining the employer is subject to Ohio's Workers' Compensation Law.

Fiscal effect: Switching to a prospective rather than retrospective payment system would result in some immediate costs to BWC. The agency plans on issuing credits to all employers in an amount equal to six months worth of premiums to allow employers to make their first prospective payment without having to make their final retrospective payment. These credits are estimated to cost approximately $900 million. Any additional operational costs or efficiencies and their impact on premiums will depend on rules and other guidelines adopted by BWC.

BWCCD3 Self-insured public employer actuarial reports

R.C. ***4123.353***

Eliminates among current law reporting requirements that apply to most self-insuring public employers a provision specifically requiring the preparation of an actuarial report certifying whether the reserved funds required under continuing law are sufficient to cover the costs the public employer may potentially incur to remain in compliance with Ohio's Workers Compensation Law, are computed in accordance with accepted loss reserving standards, and are fairly stated in accordance with sound loss reserving principles.

Fiscal effect: The provision eliminates the costs self-insured public employers incur for having annual actuarial reports prepared, although they would still be required to prepare annual reports on their loss reserves.

BWCCD13 Premium security deposits

R.C. ***4123.36, 4123.37, 4125.05***

Eliminates the requirement for most employers commencing coverage on or after July 1, 2015, to pay a premium security deposit.

Executive

Makes an employer a noncomplying employer immediately upon a transfer from the Premium Payment Security Fund Account to the State Insurance Fund due to the employer's account being uncollectible, rather than extending coverage for eight months as under current law.

Permits rather than requires, beginning July 1, 2015, the Administrator to adopt rules requiring a PEO security for workers' compensation premiums.

BWCCD6 Disabled Workers' Relief Fund assessments

R.C. ***4123.411***

Eliminates the requirement that BWC assess employers at least five cents per $100 of payroll to fund the Disabled Workers' Relief Fund for claims that occurred before January 1, 1987, but retains a maximum rate of ten cents per $100 of payroll to fund claims from that time period.

Fiscal effect: Potentially reduces revenue to the Disabled Workers' Relief Fund (Fund 8250) from employers assessed at the rate applicable to cover claims before January 1, 1987, commonly referred to as DWRF I claims. However, the payouts on these claims have been decreasing as the number of claimants declines. Assessments for claims after January 1, 1987, known as DWRF II, are not affected.

BWCCD2 Required actuarial analysis

R.C. ***4123.47***

Requires the Administrator of Workers' Compensation to have an actuarial analysis, rather than actuarial audits, of the State Insurance Fund and other workers' compensation funds made at least once a year. Requires that the analysis be performed by recognized, credentialed property or casualty actuaries, rather than recognized insurance actuaries as under current law.

Eliminates the requirement that the current-law audit specifically cover the premium rates, classifications, and all other matters involving the administration of the funds overseen by BWC.

Requires the Workers' Compensation Audit Committee to recommend to the Bureau of Workers' Compensation Board of Directors an actuarial firm, rather than an accounting firm as under current law, to perform the annual actuarial analysis.

Executive

Fiscal effect: None. This change appears to clarify existing practice. Continuing law requires that these costs be paid from the State Insurance Fund.

BWCCD8 Early payment for first fill prescriptions

R.C. ***4123.511, 4123.66***

Allows the Administrator of Workers' Compensation to adopt rules, with the advice and consent of the BWC Board of Directors, to specify the circumstances under which BWC may make immediate payment for the first fill of prescription drugs that occurs prior to the date the Administrator issues an initial determination order concerning the compensability of the claim, rather than making that payment during the later timeframes prescribed in current law.

Requires, if a claim is ultimately disallowed in a final administrative or judicial order, and if the employer is a state fund employer who pays assessments into the Surplus Fund Account, the first-fill payments to be charged to and paid from the Surplus Fund Account and not charged through the State Insurance Fund to the employer against whom the claim was filed.

Fiscal effect: Potentially allows for prescriptions to be paid more quickly than under current law and potentially increases payments made from the Surplus Fund Account within the State Insurance Fund.

BWCCD4 Assessments for violation of a specific safety requirement

R.C. ***4123.512***

Requires the Administrator to reimburse a state fund employer from the Surplus Fund Account for assessments paid by the employer for a violation of a specific safety requirement when it is ultimately determined that the employer did not violate a specific safety requirement.

Fiscal effect: Potentially increases payments made from the Surplus Fund Account, expenses that will therefore not be charged against an employer's experience.

Executive

BWCCD7 **Notice of a workers' compensation claim appeal**

R.C. ***4123.512, Section 803.50***

Requires that the notice of appeal of an Industrial Commission decision filed with a court of common pleas on or after the bill's effective date include the name of the Administrator of Workers' Compensation, in addition to the claimant and the employer as under current law.

Fiscal effect: None.

BWCCD16 **Interstate workers' compensation claims**

R.C. ***4123.54, 4123.01, Section 803.50***

Eliminates the requirement to obtain coverage under Ohio's Workers' Compensation Law for an out-of-state employee who temporarily works in Ohio if the employee's home state law lacks a provision similar to the Ohio law that exempts out-of-state employees who temporarily work in Ohio from the duty to obtain Ohio coverage.

Requires the Administrator of Workers' Compensation or a self-insuring employer to disallow an Ohio claim, instead of only recovering the compensation and benefits paid and crediting an employer's account as under continuing law, if either: (1) the claimant receives an award under Ohio law after previously pursuing the same claim in another state where the claimant received damages or a decision determined or adjudicated on the merits; or (2) the claimant receives an award under Ohio law and subsequently receives an award or damages under another state's law for the same claim.

Limits the ability to recover compensation, benefits, and specified costs to only the Administrator or a self-insuring employer, instead of allowing any employer to take such an action as under current law.

Eliminates the requirement that amounts awarded or recovered under another state's laws be credited on an Ohio award.

Adds an other-states' insurer as a party from whom the Administrator or self-insuring employer may recover compensation, benefits, and costs.

Requires the Administrator or a self-insuring employer to dismiss a claim for which the Administrator or self-insuring employer does not receive an election of coverage within the continuing law time period, rather than suspending the claim under current law.

Fiscal effect: Potential savings in claims payments from the State Insurance Fund if BWC can disallow claims.

Executive

BWCCD15 **Unencumbered cash balance in the Workers' Compensation Fund**

Section: ***610.10***
Amends Section 1 of H.B. 34

Eliminates uncodified law under the Bureau of Workers' Compensation budget for the FY 2014-FY 2015 biennium that requires any unencumbered cash balance in excess of $45.0 million in the Workers' Compensation Fund (Fund 7023) on June 30 of each fiscal year be used to reduce the administrative cost rate charged to employers.

Executive

DYSCD2 Report of child abuse or neglect of delinquent child to State Highway Patrol

R.C. ***2151.421, 5139.12***

(1) Requires a person who reports the abuse or neglect or threat of abuse or neglect of a child under 18 years of age or a mentally retarded, developmentally disabled, or physically impaired child under 21 years of age under current law to direct the report to the State Highway Patrol if the child is a delinquent child in the custody of an institution under the management and control of the Department of Youth Services (DYS) or a private entity under contract with DYS.

(2) Requires the Patrol, upon finding probably cause of the abuse, neglect, or threat, to report its findings to DYS, the court that ordered the delinquent child's custody to DYS, the public children services agency in the county of the child's residence or where the abuse, neglect, or threat occurred, and the Correctional Institution Inspection Committee.

(3) Adds a superintendent or regional administrator employed by DYS to the list of persons who are required under existing law to make reports of such abuse or neglect or threat of abuse or neglect.

Fiscal effect: None, largely codifying current practice.

DYSCD3 Placement of delinquents in community corrections facilities

R.C. ***2152.19, 5139.05, 5139.34, 5139.36, 5139.41***

Permits the Department of Youth Services to place a felony delinquent in the Department's custody directly into a community corrections facility without getting consent from the committing court.

Fiscal effect: Potential increase in annual operating expenses for community corrections facilities, the magnitude of which will depend on the number of felony delinquents placed in such a facility by the Department when the committing court would have otherwise not consented to the placement under current law. Any increase in expenses will be offset at least partially, or in whole, by additional funding from the Department.

Executive

DYSCD1 **Quality Assurance Program**

R.C. ***5139.45***

Establishes the Office of Quality Assurance and Improvement within the Department of Youth Services, provides that quality assurance records are confidential and are not public records, and provides circumstances for when quality assurance records may be disclosed and testimony may be provided concerning those records.

Fiscal effect: None, codifying current practice.

Note: An asterisk in the ALI Name column denotes a new ALI. Blank entries under appropriation columns denote ALIs with name changes only.

Agency	Fund Type	Fund	ALI	ALI Name	Enacted FY 2014	H.B. 472 FY 2014	FY 2014 $ Change	Enacted FY 2015	H.B. 472 FY 2015	FY 2015 $ Change
Main Operating Budget (H.B. 59 of the 130th General Assembly)										
DAS	GRF	GRF	100447	Administrative Building Lease Rental Payments	$85,847,800	$83,847,800	($2,000,000)	$91,059,600	$91,059,600	$0
	GRF Total						**($2,000,000)**			**$0**
DAS Total							**($2,000,000)**			**$0**
AGR	GRF	GRF	700418	Livestock Regulation Program	$1,108,071	$1,108,071	$0	$1,108,071	$1,259,484	$151,413
	GRF Total						**$0**			**$151,413**
AGR Total							**$0**			**$151,413**
AGO	GRF	GRF	055407	Tobacco Settlement Enforcement	$1,500,000	$1,500,000	$0	$1,500,000	$0	($1,500,000)
	GRF Total						**$0**			**($1,500,000)**
AGO	Non-GRF	1060	055612	General Reimbursement Attorney General Operating (New Name)						
AGO	Non-GRF	U087	055402	Tobacco Settlement Oversight, Administration, and Enforcement	$500,000	$500,000	$0	$500,000	$2,000,000	$1,500,000
	Non-GRF Total						**$0**			**$1,500,000**
AGO Total							**$0**			**$0**
COM	Non-GRF	5460	800639	Fire Department Grants	$2,198,802	$2,198,802	$0	$2,198,802	$5,198,802	$3,000,000
COM	Non-GRF	5PA0	800647	BUSTR Revolving Loan Program*	$0	$0	$0	$0	$3,000,000	$3,000,000
COM	Non-GRF	6530	800629	UST Registration/Permit Fee	$3,831,888	$2,331,888	($1,500,000)	$3,612,588	$2,112,588	($1,500,000)
	Non-GRF Total						**($1,500,000)**			**$4,500,000**
COM Total							**($1,500,000)**			**$4,500,000**
DEV	GRF	GRF	195905	Third Frontier Research & Development General Obligation Debt Service	$66,511,600	$61,911,600	($4,600,000)	$83,783,000	$78,483,000	($5,300,000)
DEV	GRF	GRF	195912	Job Ready Site Development General Obligation Debt Service	$15,498,400	$13,198,400	($2,300,000)	$19,124,500	$19,124,500	$0
	GRF Total						**($6,900,000)**			**($5,300,000)**
DEV Total							**($6,900,000)**			**($5,300,000)**
DDD	GRF	GRF	320415	Lease Rental Payments	$15,843,300	$14,743,300	($1,100,000)	$16,076,700	$16,076,700	$0
	GRF Total						**($1,100,000)**			**$0**
DDD Total							**($1,100,000)**			**$0**
EDU	GRF	GRF	200901	Property Tax Allocation - Education	$1,138,800,000	$1,126,800,000	($12,000,000)	$1,156,402,000	$1,146,402,000	($10,000,000)
	GRF Total						**($12,000,000)**			**($10,000,000)**
EDU	Non-GRF	5JC0	200629	Career Advising and Mentoring*	$0	$0	$0	$0	$10,000,000	$10,000,000
EDU	Non-GRF	5JC0	200654	Adult Career Opportunity Pilot Program*	$0	$0	$0	$0	$2,500,000	$2,500,000
	Non-GRF Total						**$0**			**$12,500,000**
EDU Total							**($12,000,000)**			**$2,500,000**
EPA	Non-GRF	3FH0	715693	Diesel Emission Reduction Grants	$10,000,000	$10,000,000	$0	$10,000,000	$2,500,000	($7,500,000)
	Non-GRF Total						**$0**			**($7,500,000)**
EPA Total							**$0**			**($7,500,000)**
FCC	GRF	GRF	230908	Common Schools General Obligation Debt Service	$351,806,100	$332,506,100	($19,300,000)	$377,364,700	$358,364,700	($19,000,000)
	GRF Total						**($19,300,000)**			**($19,000,000)**
FCC Total							**($19,300,000)**			**($19,000,000)**

Note: An asterisk in the ALI Name column denotes a new ALI. Blank entries under appropriation columns denote ALIs with name changes only.

Agency	Fund Type	Fund	ALI	ALI Name	Enacted FY 2014	H.B. 472 FY 2014	FY 2014 $ Change	Enacted FY 2015	H.B. 472 FY 2015	FY 2015 $ Change
DOH	GRF	GRF	440465	Federally Qualified Health Centers	$2,686,688	$2,686,688	$0	$2,686,688	$1,186,688	($1,500,000)
DOH	GRF	GRF	440516	Enhanced Primary Care Capacity*	$0	$0	$0	$0	$1,500,000	$1,500,000
	GRF Total						**$0**			**$0**
DOH	Non-GRF	2110	440613	Central Support Indirect Costs	$30,615,591	$30,615,591	$0	$31,052,469	$30,052,469	($1,000,000)
DOH	Non-GRF	5PE0	440659	Breast and Cervical Cancer Services*	$0	$0	$0	$0	$100,000	$100,000
DOH	Non-GRF	5BX0	440656	Tobacco Use Prevention	$1,450,000	$1,450,000	$0	$1,450,000	$6,350,000	$4,900,000
	Non-GRF Total						**$0**			**$4,000,000**
DOH Total							**$0**			**$4,000,000**
JFS	Non-GRF	4A90	600607	Unemployment Compensation Administration Fund	$9,006,000	$9,006,000	$0	$9,006,000	$12,506,000	$3,500,000
	Non-GRF Total						**$0**			**$3,500,000**
JFS Total							**$0**			**$3,500,000**
MHA	GRF	GRF	333415	Lease Rental Payments	$15,843,300	$14,743,300	($1,100,000)	$16,076,700	$16,076,700	$0
	GRF Total						**($1,100,000)**			**$0**
MHA	Non-GRF	1490	334609	Hospital - Operating Expenses	$28,190,000	$28,190,000	$0	$28,190,000	$30,190,000	$2,000,000
MHA	Non-GRF	1510	336601	Office of Support Services	$115,000,000	$115,000,000	$0	$115,000,000	$90,000,000	($25,000,000)
MHA	Non-GRF	3H80	333606	Demonstation Grants - Administration	$3,237,574	$3,237,574	$0	$3,237,574	$6,000,000	$2,762,426
MHA	Non-GRF	3A80	335613	Federal Grant - Community Mental Health Board Subsidy	$2,500,000	$2,500,000	$0	$2,500,000	$4,500,000	$2,000,000
MHA	Non-GRF	3H80	335606	Demonstration Grants	$5,428,006	$5,428,006	$0	$5,428,006	$11,000,000	$5,571,994
MHA	Non-GRF	3B10	652635	Community Legacy Medicaid Costs	$5,000,000	$5,000,000	$0	$0	$5,000,000	$5,000,000
MHA	Non-GRF	3J80	652609	Medicaid Legacy Costs Support	$3,000,000	$3,000,000	$0	$0	$3,000,000	$3,000,000
	Non-GRF Total						**$0**			**($4,665,580)**
MHA Total							**($1,100,000)**			**($4,665,580)**
DNR	GRF	GRF	725903	Natural Resources General Obligation Debt Service	$24,325,400	$24,325,400	$0	$25,443,000	$23,743,000	($1,700,000)
DNR	GRF	GRF	737321	Division of Soil and Water Resources	$4,782,704	$4,782,704	$0	$4,782,652	$4,631,239	($151,413)
	GRF Total						**$0**			**($1,851,413)**
DNR	Non-GRF	5180	725643	Oil and Gas Permit Fees Oil and Gas Regulation and Safety (New Name)						
DNR	Non-GRF	5180	725677	Oil and Gas Well Plugging	$1,500,000	$1,500,000	$0	$1,500,000	$2,500,000	$1,000,000
	Non-GRF Total						**$0**			**$1,000,000**
DNR Total							**$0**			**($851,413)**
OOD	GRF	GRF	415431	Office for People with Brain Injury Brain Injury (New Name)						
OOD	GRF	GRF	415506	Services for People with Disabilities Services for Individuals with Disabilities (New Name)						
	GRF Total						**$0**			**$0**
OOD	Non-GRF	3L10	415608	Social Security Special Programs/Assistance Social Security Vocational Rehabilitation (New Name)						

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Agency	Fund Type	Fund	ALI	ALI Name	Enacted FY 2014	H.B. 472 FY 2014	FY 2014 $ Change	Enacted FY 2015	H.B. 472 FY 2015	FY 2015 $ Change
OOD	Non-GRF	3L40	415617	Independent Living/Vocational Rehabilitation Programs						
				Vocational Rehabilitation Programs (New Name)						
OOD	Non-GRF	4W50	415606	Program Management Expenses						
				Program Management (New Name)						
	Non-GRF Total						**$0**			**$0**
OOD Total							**$0**			**$0**
PWC	GRF	GRF	150904	Conservation General Obligation Debt Service	$33,376,600	$26,676,600	($6,700,000)	$34,447,700	$34,447,700	$0
PWC	GRF	GRF	150907	State Capital Improvements General Obligation Debt Service	$227,810,300	$210,710,300	($17,100,000)	$228,948,900	$226,948,900	($2,000,000)
	GRF Total						**($23,800,000)**			**($2,000,000)**
PWC Total							**($23,800,000)**			**($2,000,000)**
BOR	GRF	GRF	235501	State Share of Instruction	$1,789,699,580	$1,789,699,580	$0	$1,818,225,497	$1,821,325,497	$3,100,000
BOR	GRF	GRF	235909	Higher Education General Obligation Debt Service	$221,168,700	$215,368,700	($5,800,000)	$248,822,000	$245,822,000	($3,000,000)
	GRF Total						**($5,800,000)**			**$100,000**
BOR Total							**($5,800,000)**			**$100,000**
DRC	GRF	GRF	501321	Institutional Operations	$883,768,015	$895,799,933	$12,031,918	$873,724,802	$900,215,085	$26,490,283
DRC	GRF	GRF	501405	Halfway House	$45,049,356	$48,399,340	$3,349,984	$46,024,108	$51,197,937	$5,173,829
DRC	GRF	GRF	501406	Lease Rental Payments	$104,099,500	$103,099,500	($1,000,000)	$99,534,800	$99,534,800	$0
DRC	GRF	GRF	501501	Community Residential Programs - CBCF	$63,345,972	$64,224,472	$878,500	$66,150,781	$69,453,455	$3,302,674
DRC	GRF	GRF	503321	Parole and Community Operations	$64,480,938	$66,102,094	$1,621,156	$65,029,680	$71,676,403	$6,646,723
DRC	GRF	GRF	505321	Institution Medical Services	$243,289,774	$239,397,895	($3,891,879)	$254,139,452	$251,994,058	($2,145,394)
	GRF Total						**$12,989,679**			**$39,468,115**
DRC Total							**$12,989,679**			**$39,468,115**
RDF	Non-GRF	7098	110642	Local Severance Tax Distributions*	$0	$0	$0	$0	$10,400,000	$10,400,000
	Non-GRF Total						**$0**			**$10,400,000**
RDF Total							**$0**			**$10,400,000**
TAX	GRF	GRF	110901	Property Tax Allocation - Taxation	$666,640,000	$658,640,000	($8,000,000)	$678,255,600	$673,255,600	($5,000,000)
	GRF Total						**($8,000,000)**			**($5,000,000)**
TAX	Non-GRF	2280	110628	Revenue Enhancement	$15,500,000	$15,500,000	$0	$17,500,000	$17,100,000	($400,000)
TAX	Non-GRF	5V80	110623	Property Tax Administration	$11,978,310	$11,978,310	$0	$11,978,310	$11,178,310	($800,000)
TAX	Non-GRF	4350	110607	Local Tax Administration	$20,000,000	$20,000,000	$0	$20,700,000	$20,300,000	($400,000)
TAX	Non-GRF	4380	110609	School District Income Tax	$5,802,044	$5,802,044	$0	$5,802,044	$5,402,044	($400,000)
	Non-GRF Total						**$0**			**($2,000,000)**
TAX Total							**($8,000,000)**			**($7,000,000)**
DVS	GRF	GRF	900321	Veterans' Homes	$27,369,946	$27,369,946	$0	$27,369,946	$26,992,608	($377,338)
DVS	GRF	GRF	900408	Department of Veterans Services	$2,001,823	$2,001,823	$0	$2,001,823	$2,379,161	$377,338
	GRF Total						**$0**			**$0**
DVS Total							**$0**			**$0**
Grand Total							**($68,510,321)**			**$18,302,535**

FY 2014-FY 2015 Appropriation Line Item (ALI) Adjustments

All Fund Groups

Note: An asterisk in the ALI Name column denotes a new ALI. Blank entries under appropriation columns denote ALIs with name changes only.

Agency	Fund Type	Fund	ALI	ALI Name	Enacted FY 2014	H.B. 472 FY 2014	FY 2014 $ Change	Enacted FY 2015	H.B. 472 FY 2015	FY 2015 $ Change
Total Appropriation Adjustments in H.B. 472 of the 130th General Assembly										
	GRF-State						*($67,010,321)*			*($4,931,885)*
	GRF-Federal						*$0*			*$0*
	GRF Total						*($67,010,321)*			*($4,931,885)*
	Non-GRF Total						($1,500,000)			$23,234,420
Grand Total							**($68,510,321)**			**$18,302,535**

Index

CAS / CD	Subject	Page
DAS	**Department of Administrative Services**	
DASCD1	Lease-leaseback agreements	1
DASCD2	Sale of excess or surplus supplies	2
DASCD3	Disability separation reinstatement deadline	1
DASCD4	Official public notice web site	2
AGE	**Department of Aging**	
AGECD1	MyCare Ohio Program activities	5
AGECD2	Criminal records checks for direct-care positions	4
AGR	**Department of Agriculture**	
AGRCD1	Amusement ride inspection fees	8
AGRCD2	Agricultural Pollution Abatement Program	6
AGO	**Attorney General**	
AGOCD1	Cash transfer from the Pre-Securitization Tobacco Payments Fund to the Tobacco Oversight Administration and Enforcement Fund	10
OBM	**Office of Budget and Management**	
OBMCD1	Shared services	11
OBMCD2	Appropriations related to grant reconciliation and close-out	11
OBMCD3	Reestablishing encumbrances that use outdated expense account codes	12
CAC	**Casino Control Commission**	
CACCD1	Appeals from orders of the Casino Control Commission	13
CACCD2	Casino Control commissioner salary	16
CACCD3	Regulation of skill-based amusement machines; casino-related changes	14
CDP	**Chemical Dependency Professionals Board**	
CDPCD1	Chemical dependency counselors – pathological and problem gambling endorsement	17
COM	**Department of Commerce**	
COMCD1	Division of Real Estate rulemaking for mass appraisal projects	21
COMCD2	Mortgage loan originator examinations	19
COMCD3	Nationwide Mortgage Licensing System and Registry reports	20
COMCD4	Underground Storage Tank Revolving Loan Fund	20
COMCD5	Compliance incentive programs	19
COMCD6	Fire department grants for MARCS equipment and services	21
DEV	**Development Services Agency**	
DEVCD1	Business relocation notices required when receiving certain state assistance	23
DEVCD2	Synchronization of economic development report due dates	22
DEVCD3	Governor's Office of Workforce Transformation -- Integrated state plan for federal adult basic literacy, career-technical education, and workforce development programs	23
DEVCD4	Evaluation of workforce programs by Governor's Office of Workforce Transformation	22
DEVCD5	Sports incentive grants	22
DDD	**Department of Developmental Disabilities**	
DDDCD1	Related party of supported living provider	25

CAS / CD	Subject	Page
DDDCD2	Surveys of residential facilities and supported living providers	25
DDDCD3	ICF/IID efficiency incentive payments	27
DDDCD4	ICF/IID Medicaid rate reduction due to cost report	26
DDDCD5	Adult services for persons with developmental disabilities	27
DDDCD6	County DD boards' supported living duties	28
DDDCD7	Meaning of "developmental disability" and eligibility for services	24
DDDCD8	Certification and registration of county DD board employees	28
DDDCD9	County DD board superintendent vacancy	27
DDDCD10	County DD board management employee vacancy	28
DDDCD11	Permitted disclosure of records	25
DDDCD12	Evidence-based interventions for autism spectrum disorder	24
DDDCD13	Conversion and reduction of ICF/IID beds	26

EDU Department of Education

EDUCD1	Diagnostic assessments	32
EDUCD2	Student career education and advising	34
EDUCD3	Career technical education - apprenticeship program	30
EDUCD4	Career advising and mentoring grant program	41
EDUCD5	Straight A grant funding	42
EDUCD6	Resident educator license renewal	31
EDUCD7	Cap and guarantee for JVSD established in FY 2015	31
EDUCD8	Academic distress commissions	33
EDUCD9	School Based Health Care Advisory Workgroup	41
EDUCD10	Targeted assistance funding	31
EDUCD11	Funding for career-technical education students	30
EDUCD12	Adult Career Opportunity Pilot Program	35
EDUCD13	Adult Career Opportunity Pilot Program	42
EDUCD14	Replacement of Post Secondary Enrollment Options with College Credit Plus	37
EDUCD15	Advanced standing programs	33
EDUCD16	Foundation Funding	43
EDUCD17	Compulsory school attendance and age and schooling certificates	36

EPA Environmental Protection Agency

EPACD1	Air Pollution Control Law corrective change	44
EPACD2	Lead materials in water infrastructure	45
EPACD3	Penalties for certain violations of the Water Pollution Control Law	46
EPACD4	Clean Diesel School Bus and Diesel Emissions Reduction Grant Programs	44

FCC Ohio Facilities Construction Commission

FCCCD1	Facilities construction commission cash transfer and fund abolishment	48
FCCCD2	School energy conservation projects	47
FCCCD3	Public construction "prompt pay" law	48
FCCCD4	Facilities Construction Commission temporary law	48

DOH Department of Health

DOHCD2	Various cash transfers and fund abolishments	49
DOHCD3	Tattoo and body piercing equipment sterilization	51
DOHCD4	Certificate of Need	49
DOHCD5	Physician and Dentist Loan Repayment Programs	50
DOHCD6	Cash transfer to the Tobacco Use Prevention Fund	51
DOHCD7	Ohio Public Health Advisory Board review of WIC Program changes	49

CAS / CD	Subject	Page
DOHCD8	Long-term care facility admitting sexual offenders	51
JFS	**Department of Job and Family Services**	
JFSCD1	Electronic filing of application for unemployment benefits	55
JFSCD2	Unemployment penalty	54
JFSCD3	Waiver of maximum unemployment rate	55
JFSCD4	Unemployment compensation fraudulent payment penalties credited to mutualized account	55
JFSCD5	Application of unemployment compensation repayments	56
JFSCD6	Registration requirement for unemployment compensation claimants	56
JFSCD7	Definition of "remuneration" for purposes of unemployment compensation	53
JFSCD9	Abolish inactive funds	54
JFSCD10	Office of Human Services Innovation	57
JFSCD11	Inspections and licensure of type B family day-care homes	56
JFSCD12	Disposal of a county public children services agency's paper records	52
JFSCD13	Permanency plan approval	52
JFSCD14	Intercept child support from lottery prize awards and casino winnings	52
JCR	**Joint Committee on Agency Rule Review**	
JCRCD1	Increase operational duration of emergency rules	58
JSC	**Judiciary / Supreme Court**	
JSCCD1	Use of surplus moneys in county and municipal Indigent Drivers Alcohol Treatment Funds and county and municipal Indigent Drivers Interlock and Alcohol Monitoring Funds	59
LOT	**Ohio Lottery Commission**	
LOTCD1	State Lottery Commissioner qualifications	60
LOTCD2	Elimination of Controlling Board approval for certain fees	60
LOTCD3	Statewide joint lottery games	60
MHC	**Manufactured Homes Commission**	
MHCCD1	Violations and failure to comply	61
MCD	**Department of Medicaid**	
MCDCD1	Cash transfer to the Residents Protection Fund	62
MCDCD2	Private party's participation in fingerprint database program	62
MHA	**Department of Mental Health and Addiction Services**	
MHACD1	Community mental health and drug addiction services for returning offenders	65
MHACD2	Conforming changes due to an agency name change	63
MHACD3	ADAMHS board member qualifications	63
MHACD4	Charge-back to mentally ill person's county of residence	63
MHACD5	Community Behavioral Health	64
MHACD6	Recovery Requires a Community Program	64
MHACD7	Start Talking! Initiative	65
DNR	**Department of Natural Resources**	
DNRCD1	Transfer of funds for oil and gas regulation and geological mapping	77
DNRCD2	Incidental taking permit	76
DNRCD3	DNR public notice requirements	66
DNRCD4	Application fee for permit to plug back an existing oil or gas well	69
DNRCD5	Emergency Planning and Community Right-to-Know Act requirements pertaining to oil and gas facilities	70
DNRCD6	Definition of "tract" in the Oil and Gas Law	67

CAS / CD	Subject	Page
DNRCD7	Nonresident deer permit and hunting license fees	76
DNRCD8	Material and substantial violations of Oil and Gas Law	67
DNRCD9	Administrative, suspension, and revocation orders under Oil and Gas Law	67
DNRCD10	Oil and gas registration and background information	68
DNRCD11	Brine transportation	71
DNRCD12	Civil penalties under Oil and Gas Law	73
DNRCD13	Criminal penalties and liability for response costs under Oil and Gas Law	73
DNRCD14	Soil erosion and sediment control - Operation and management plans	75
DNRCD15	Changes to mandatory pooling	72
DNRCD16	Use of Oil and Gas Well Fund for infrastructure	70
DNRCD17	Sale of DNR land, property, or water	66
DNRCD18	Use of capital funds	77

OOD Opportunities for Ohioans with Disabilities Agency

OODCD1	Office of Health Transformation	78
OODCD2	Vocational rehabilitation funding	78
OODCD4	Workforce integration task force	78

PRX State Board of Pharmacy

PRXCD1	Eliminates prohibition against imposing a charge to establish or maintain the Ohio Automated Rx Reporting System	81
PRXCD2	Licensing fees waived for veterans and active duty members of the armed forces	80
PRXCD3	Licensing period for terminal distributors of dangerous drugs	80
PRXCD4	Board of Pharmacy executive director requirements	80
PRXCD5	Administrator of Workers' Compensation and managed care organizations access to Ohio Automated Rx Reporting System information	81

DPS Department of Public Safety

DPSCD1	Infrastructure Protection Fund	82

PUC Public Utilities Commission of Ohio

PUCCD1	Pipeline safety forfeitures	83
PUCCD2	Energy efficiency requirement	85
PUCCD3	For-hire motor carrier tax receipts	84
PUCCD4	Uniform registration and permitting for transportation of hazardous materials	85
PUCCD5	Intermodal equipment providers	83
PUCCD6	Recovery of environmental remediation costs	84

PWC Public Works Commission

PWCCD1	Repayment of Clean Ohio Conservation Grants	86

BOR Ohio Board of Regents

BORCD1	Course and program sharing network	90
BORCD2	Educator preparation program accreditation	87
BORCD3	Cap on enrollment at state universities	90
BORCD4	SSI bridge funding for community colleges	91
BORCD5	Inventory of workforce development and training education programs	87
BORCD6	Increasing the number of programs available to adults without a diploma	94
BORCD7	Veterans and higher education	88
BORCD8	State community college treasurers	91
BORCD9	Community college tuition guarantee program	89
BORCD10	Postsecondary globalization liaison	90
BORCD11	FY 2015 funding formula for Ohio Technical Centers	91

CAS / CD	Subject	Page
BORCD12	Faculty workloads report	93
BORCD13	FY 2015 funding formula for community and technical colleges	92
BORCD14	Interstate reciprocity agreements for distance education	89

TAX Department of Taxation

TAXCD1	Due date of motor fuel tax reports and payments	106
TAXCD2	Changes to motor fuel tax for compliance with federal guidelines	105
TAXCD3	Rules related to tax filings and renaming of motor fuel receipts tax	104
TAXCD4	Interest on overpayments of natural gas distribution tax, kilowatt-hour tax, and tire fees	103
TAXCD5	Receipt of tax payments and documents	103
TAXCD6	Income tax rate reduction	96
TAXCD8	Tobacco Settlement Enforcement Fund elimination	102
TAXCD9	Job creation and retention credits against motor fuel receipts tax	101
TAXCD10	Computation of job creation tax credits	101
TAXCD11	Municipal job creation and retention tax credits	102
TAXCD12	Commercial activity tax rate increase	95
TAXCD13	Cigarette tax rate increase	100
TAXCD14	Historic Preservation Tax Credit taken against the CAT	95
TAXCD15	Other tobacco products tax rate increase	98
TAXCD16	Other tobacco products tax on E-cigarettes	99
TAXCD17	Other tobacco product tax filing and payment	100
TAXCD18	Sale of cigarette tax stamps by Tax Commissioner	99
TAXCD19	Increased personal income tax exemption amounts	97
TAXCD20	"Invest Ohio" income tax credit investment holding period	96
TAXCD21	Information sharing with Development Services Agency	104
TAXCD22	Research and development loan tax credit noncompliance	102
TAXCD23	Earned income tax credit	97
TAXCD24	Oil and gas severance tax revisions	106

DOT Department of Transportation

DOTCD1	Local government participation in ODOT contracts	108

DVS Department of Veterans Services

DVSCD1	Veterans law definition changes	109
DVSCD2	Additional duties of the Director of Veterans Services	109
DVSCD3	Veterans priority for license applications	110
DVSCD4	Veterans' education benefits	110

BWC Bureau of Workers' Compensation

BWCCD1	Workers' Compensation Investment Committee duties	111
BWCCD2	Required actuarial analysis	116
BWCCD3	Self-insured public employer actuarial reports	115
BWCCD4	Assessments for violation of a specific safety requirement	117
BWCCD5	Taxing district employer participation in the One Claim Program	113
BWCCD6	Disabled Workers' Relief Fund assessments	116
BWCCD7	Notice of a workers' compensation claim appeal	118
BWCCD8	Early payment for first fill prescriptions	117
BWCCD9	Peer review committee	111
BWCCD10	Summary suspension of provider certification	112
BWCCD11	Other-states' coverage	113
BWCCD12	Workers' compensation premium payments	114
BWCCD13	Premium security deposits	115

CAS / CD	Subject	Page
BWCCD14	Payroll reporting and late payments	112
BWCCD15	Unencumbered cash balance in the Workers' Compensation Fund	119
BWCCD16	Interstate workers' compensation claims	118
DYS	**Department of Youth Services**	
DYSCD1	Quality Assurance Program	121
DYSCD2	Report of child abuse or neglect of delinquent child to State Highway Patrol	120
DYSCD3	Placement of delinquents in community corrections facilities	120

Index of Cross References

CD Item	Subject	Page
AGR Department of Agriculture		
Also affected by the following item(s):		
DNRCD14	Soil erosion and sediment control - Operation and management plans	75
AGO Attorney General		
Also affected by the following item(s):		
DOHCD6	Cash transfer to the Tobacco Use Prevention Fund	51
DOHCD8	Long-term care facility admitting sexual offenders	51
JFSCD5	Application of unemployment compensation repayments	56
MCDCD2	Private party's participation in fingerprint database program	62
OBM Office of Budget and Management		
Also affected by the following item(s):		
JFSCD9	Abolish inactive funds	54
CAC Casino Control Commission		
Also affected by the following item(s):		
JFSCD14	Intercept child support from lottery prize awards and casino winnings	52
DEV Development Services Agency		
Also affected by the following item(s):		
TAXCD9	Job creation and retention credits against motor fuel receipts tax	101
TAXCD10	Computation of job creation tax credits	101
TAXCD11	Municipal job creation and retention tax credits	102
TAXCD20	"Invest Ohio" income tax credit investment holding period	96
TAXCD21	Information sharing with Development Services Agency	104
TAXCD22	Research and development loan tax credit noncompliance	102
DDD Department of Developmental Disabilities		
Also affected by the following item(s):		
AGECD2	Criminal records checks for direct-care positions	4
EDUCD9	School Based Health Care Advisory Workgroup	41
EDU Department of Education		
Also affected by the following item(s):		
DEVCD3	Governor's Office of Workforce Transformation -- Integrated state plan for federal adult basic literacy, career-technical education, and workforce development programs	23
DEVCD4	Evaluation of workforce programs by Governor's Office of Workforce Transformation	22
EPA Environmental Protection Agency		
Also affected by the following item(s):		
DNRCD5	Emergency Planning and Community Right-to-Know Act requirements pertaining to oil and gas facilities	70

CD Item	Subject	Page
GOV Office of the Governor		
Also affected by the following item(s):		
BORCD6	Increasing the number of programs available to adults without a diploma	94
DEVCD3	Governor's Office of Workforce Transformation -- Integrated state plan for federal adult basic literacy, career-technical education, and workforce development programs	23
DEVCD4	Evaluation of workforce programs by Governor's Office of Workforce Transformation	22
DOH Department of Health		
Also affected by the following item(s):		
AGECD2	Criminal records checks for direct-care positions	4
EDUCD9	School Based Health Care Advisory Workgroup	41
MCDCD1	Cash transfer to the Residents Protection Fund	62
REP House of Representatives		
Also affected by the following item(s):		
BORCD6	Increasing the number of programs available to adults without a diploma	94
OIC Ohio Industrial Commission		
Also affected by the following item(s):		
BWCCD7	Notice of a workers' compensation claim appeal	118

CD Item	Subject	Page
JFS Department of Job and Family Services		
Also affected by the following item(s):		
BORCD5	Inventory of workforce development and training education programs	87
BORCD6	Increasing the number of programs available to adults without a diploma	94
DEVCD3	Governor's Office of Workforce Transformation -- Integrated state plan for federal adult basic literacy, career-technical education, and workforce development programs	23
DEVCD4	Evaluation of workforce programs by Governor's Office of Workforce Transformation	22
EDUCD9	School Based Health Care Advisory Workgroup	41
JSC Judiciary / Supreme Court		
Also affected by the following item(s):		
MHACD4	Charge-back to mentally ill person's county of residence	63
LOT Ohio Lottery Commission		
Also affected by the following item(s):		
JFSCD14	Intercept child support from lottery prize awards and casino winnings	52
MCD Department of Medicaid		
Also affected by the following item(s):		
AGECD2	Criminal records checks for direct-care positions	4
EDUCD9	School Based Health Care Advisory Workgroup	41
MHACD6	Recovery Requires a Community Program	64

CD Item	Subject	Page
MHA Department of Mental Health and Addiction Services		
Also affected by the following item(s):		
EDUCD9	School Based Health Care Advisory Workgroup	41
JSCCD1	Use of surplus moneys in county and municipal Indigent Drivers Alcohol Treatment Funds and county and municipal Indigent Drivers Interlock and Alcohol Monitoring Funds	59
DNR Department of Natural Resources		
Also affected by the following item(s):		
AGRCD2	Agricultural Pollution Abatement Program	6
TAXCD24	Oil and gas severance tax revisions	106
DPS Department of Public Safety		
Also affected by the following item(s):		
DYSCD2	Report of child abuse or neglect of delinquent child to State Highway Patrol	120
BOR Ohio Board of Regents		
Also affected by the following item(s):		
DEVCD3	Governor's Office of Workforce Transformation -- Integrated state plan for federal adult basic literacy, career-technical education, and workforce development programs	23
DEVCD4	Evaluation of workforce programs by Governor's Office of Workforce Transformation	22
EDUCD12	Adult Career Opportunity Pilot Program	35
EDUCD13	Adult Career Opportunity Pilot Program	42
EDUCD14	Replacement of Post Secondary Enrollment Options with College Credit Plus	37
FCCCD3	Public construction "prompt pay" law	48

CD Item	Subject	Page
SEN Senate		
Also affected by the following item(s):		
BORCD6	Increasing the number of programs available to adults without a diploma	94
TOS Treasurer of State		
Also affected by the following item(s):		
TAXCD2	Changes to motor fuel tax for compliance with federal guidelines	105
TAXCD17	Other tobacco product tax filing and payment	100
TAXCD18	Sale of cigarette tax stamps by Tax Commissioner	99
BWC Bureau of Workers' Compensation		
Also affected by the following item(s):		
JFSCD7	Definition of "remuneration" for purposes of unemployment compensation	53
PRXCD5	Administrator of Workers' Compensation and managed care organizations access to Ohio Automated Rx Reporting System information	81

CD Item	Subject	Page
LOC Local Government Provisions		
Also affected by the following item(s):		
COMCD1	Division of Real Estate rulemaking for mass appraisal projects	21
DEVCD1	Business relocation notices required when receiving certain state assistance	23
DOTCD1	Local government participation in ODOT contracts	108
DYSCD3	Placement of delinquents in community corrections facilities	120
EPACD3	Penalties for certain violations of the Water Pollution Control Law	46
FCCCD3	Public construction "prompt pay" law	48
JFSCD12	Disposal of a county public children services agency's paper records	52
JSCCD1	Use of surplus moneys in county and municipal Indigent Drivers Alcohol Treatment Funds and county and municipal Indigent Drivers Interlock and Alcohol Monitoring Funds	59
MHACD1	Community mental health and drug addiction services for returning offenders	65
MHACD4	Charge-back to mentally ill person's county of residence	63
TAXCD11	Municipal job creation and retention tax credits	102

CD Item	Subject	Page