

# Attorney General

**Senate Finance and Financial Institutions Committee**

*Jamie L. Slotten, Budget Analyst  
Legislative Service Commission*

*May 8, 2003*

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# **LSC Redbook for the Attorney General**

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### **Attachments:**

**Compare Document: Permanent and Temporary Law,  
As Introduced to As Passed by the House**

**LSC Budget Spreadsheet, Executive to House Passed Comparison**

*May 8, 2003*

Note: The estimated General Revenue Fund (GRF) spending for FY 2003 used in this LSC Redbook reflects the 2.5% reduction made as a result of the Governor's January 22, 2003 budget cut order. The executive reduction was applied across-the-board to FY 2003 GRF appropriations, subject to certain exceptions. Subsequent to such reductions (and not reflected in the Redbook), state agencies were permitted to reallocate the amount that each of their GRF appropriation line items was reduced, while still absorbing the 2.5% budget cut within the total amount of their GRF appropriations.

# Attorney General

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- Reorganization underway
- Focus on maintaining current level of law enforcement assistance and legal services
- GRF expenditure reductions relied largely on many one-time and temporary measures

## OVERVIEW

### Duties and responsibilities

The Office of the Attorney General is involved in the state's justice and corrections system in a variety of ways including, but not limited to, the following:

- Providing legal representation to and initiating litigation on behalf of statewide elected officials (including the Ohio General Assembly), all state departments, agencies, boards, and commissions.
- Issuing formal opinions on questions submitted by state officials and agencies, as well as county prosecutors.
- Initiating legal proceedings in areas related to environmental protection, consumer fraud, antitrust, Medicaid fraud, workers' compensation fraud, and patient abuse and neglect.
- Providing Ohio's 1,200-plus law enforcement agencies with training, investigative, technological, financial, prosecutorial, and other assistance available through such arms as the Ohio Peace Officer Training Academy (POTA), the Bureau of Criminal Identification and Investigation (BCII), the Ohio Organized Crime Investigations Commission (OCIC), the Community Police Match and Law Enforcement Assistance Program, and the Capital Crimes Section.
- Administering the state's victim assistance efforts, most notably the Victims of Crime Compensation Program.

### Revenue and spending

In the *Facts and Figures* section that appears later in this analysis, the reader will find two tables that provide a more detailed picture of the Office of the Attorney General's annual revenue streams and related spending. Some of the notable aspects of those annual revenues and spending are summarized below.

### **Revenues**

The Office of the Attorney General's GRF funding, as measured by spending group, from actual FY 2000 disbursements through recommended FY 2005 appropriations will have increased by \$6.6 million, or 11.4%. During that same six-year period, the GRF portion of the Office of the Attorney General's budget will have dropped from 45.5% down to 37.1%. The Office of the Attorney General has filled that difference by tapping into other non-GRF funds, most noticeably the revenue-generating capability of its accounts lodged in the State Special Revenue Fund Group.

### **Spending**

Over the six-year period covering actual FY 2000 disbursements through recommended FY 2005 appropriations, roughly 75%, or three-quarters, of the Office of the Attorney General's annual spending will have gone to finance operating expenses (personal services, purchased personal services, maintenance, and equipment). This reflects the fact that the performance of the Office of the Attorney General's duties and responsibilities are relatively labor-intensive.

### **FY 2002-2003 biennium**

#### **GRF expenditure reductions**

Over the course of the current biennium, the Office of the Attorney General's total GRF appropriations were reduced by \$3.97 million in FY 2002 and by \$3.69 million in FY 2003. The Office of the Attorney General was able to absorb the GRF expenditure reductions by: (1) leaving vacant staff positions unfilled, particularly in the legal services area, (2) tapping one-time federal project grant funding, (3) utilizing one-time moneys collected from court-ordered settlements, and (4) temporarily transferring GRF operating expenses to other non-GRF state funds.

#### **Highlights**

In the original FY 2004-2005 biennial budget request submitted to the Office of Budget and Management, outgoing Attorney General Betty Montgomery offered the following as highlights of the current FY 2002-2003 biennium:

- Made advancements in the delivery of law enforcement services, somewhat aided by the availability of one-time federal project grants.
- Initiated the Ohio WebCheck, an Internet-based civilian background check program.
- Opened the third of three new state forensic and crime laboratories – the Northeast Forensic Laboratory and Training Center in Richfield, Ohio (operational August 2001).
- Constructed and equipped a 3,000 square foot, two-story situational training facility at the Peace Officer Training Academy in London, Ohio.
- Created the Computer Crime Task Force to assist county prosecutors and to educate schools, businesses, and citizens about the growing virtual world of Internet computer crime.
- Continued to make changes to the Victims of Crime Compensation Program, which was transferred to the Office of the Attorney General from the Court of Claims effective July 1, 2000 (FY 2001).

**Executive recommendation**

**Budget request**

The biennial budget request submitted by outgoing Attorney General Betty Montgomery asked for total GRF funding of \$62.6 million and \$67.1 million in FYs 2004 and 2005, respectively, for the purpose of maintaining the current level of legal and law enforcement services. The requested amounts would have restored the Office of the Attorney General to the FY 2003 level of funding and services that was originally appropriated pursuant to Am. Sub. H.B. 94, the main operating appropriations act of the 124th General Assembly. Also included was a supplemental GRF funding request to fully cover statutory county prosecutor and county sheriff pay supplements.

**Budget recommendation**

**GRF operating expenses.** The executive budget recommended \$60.9 million, or \$1.6 million less than requested, and \$64.0 million, or \$3.1 million less than requested, for FYs 2004 and 2005, respectively. The Office of the Attorney General intends to work within the executive recommended amount of GRF funding by realigning, reallocating, and reducing officewide operating expenses while also trying to maintain the current level of law enforcement and legal services.

**Pay supplements.** Supplemental GRF funding totaling \$67,927 and \$579,285 was requested for FYs 2004 and 2005, respectively, to fully cover statutory county prosecutor and county sheriff pay supplements (described in more detail below). The supplemental request was fully funded under the executive recommended budget.

- **County sheriffs.** Under the Revised Code, in addition to the annual compensation that a county sheriff receives under section 325.06 of the Revised Code for performing the duties of sheriff prescribed by law, each county sheriff, in consideration of the impact of Am. Sub. S.B. 2 of the 121st General Assembly on the workload of the county sheriff, receives an additional amount equal to one-eighth of the annual compensation that the county sheriff receives under section 325.06 of the Revised Code. The supplemental compensation is payable from the county treasury every two weeks if adequate funds have been appropriated for the purpose by the General Assembly.
- **County prosecutors.** Current law requires that the state pay additional compensation to a prosecuting attorney of a county with a population of 70,000 or less who elects not to engage in the private practice of law. The payment equals 40% of the difference between the prosecuting attorney's compensation under the salary schedule and what the compensation would be if the prosecuting attorney did engage in the private practice of law. The state payment is in the form of a reimbursement to the county for paying the compensation to the prosecuting attorney. The Office of the Attorney General makes the payments on a semiannual basis, and the payment includes the county's retirement contribution and Medicare Part A payments related to the prosecutor's additional compensation, if the funds are available. Currently 36 county prosecutors are eligible to receive the state pay supplement.

## ANALYSIS OF EXECUTIVE PROPOSAL

### Office of the Attorney General

**Purpose:** To provide legal representation to state entities and elected officials and to provide assistance to local and federal law enforcement agencies.

The Office of the Attorney General is a single program series agency, composed of almost 30 divisions, sections, units, and organizations that perform various legal representation and law enforcement-related duties. A more detailed description of these entities and their duties may be obtained through the Office of the Attorney General's website at <http://www.ag.state.oh.us>. For the purposes of this analysis, these entities are grouped into seven sub-program areas as follows: (1) officewide operations, (2) civil litigation, (3) criminal justice assistance, (4) agency counsel, (5) victim assistance, (6) redistribution funds and (7) education. The following table displays the seven sub-program areas, including the total amount of funding recommended in the executive budget for FYs 2004 and 2005.

Sub-Program Area	FY 2004	FY 2005
Officewide Operations	\$ 75,871,919	\$ 78,909,417
Civil Litigation	\$ 17,992,302	\$ 17,992,302
Criminal Justice Assistance	\$ 14,575,432	\$ 14,842,887
Agency Counsel	\$ 9,144,839	\$ 9,144,839
Victim Assistance	\$ 45,509,635	\$ 46,387,698
Redistribution Funds	\$ 1,348,830	\$ 1,348,830
Education Programs	\$ 4,121,364	\$ 4,122,145
<b>Total Recommended Funding</b>	<b>\$168,564,321</b>	<b>\$172,748,118</b>

Because of the nature of the Office of the Attorney General's activities and budget structure, it is not always possible to associate a particular line item exclusively with a particular division, section, unit, or organization. In fact, many of the Office of the Attorney General's line items, most notably 055-321, Operating Expenses, and 055-612, General Reimbursement, fund a host of legal and law enforcement-related activities. With that caveat in mind, for the purposes of this analysis, all of the Office of the Attorney General's line items that were recommended for funding in the executive budget are grouped into one of seven sub-program areas. Each of the seven sub-program areas is discussed in more detail below.

- **OFFICEWIDE OPERATIONS**
- **CIVIL LITIGATION**
- **CRIMINAL JUSTICE ASSISTANCE**
- **AGENCY COUNSEL**
- **VICTIM ASSISTANCE**
- **REDISTRIBUTION FUNDS**
- **EDUCATION PROGRAMS**

**Officewide Operations**

**Sub-Program Description:** The Officewide Operations sub-program essentially captures the two major line items that finance the entire range of legal and law enforcement-related tasks performed by the Office of the Attorney General, including, but not limited to, the Bureau of Criminal Identification and Investigation (BCII) and the Ohio Peace Officer Training Academy (POTA).

**Funding Source:** (1) GRF, (2) \$15 fee for civilian background checks, (3) reimbursement payments from various state agencies for the performance of legal services by the Office of the Attorney General, and (4) court-ordered reimbursement for legal and investigative costs

**Line Items:** The line items associated with the Officewide Operations sub-program area and their recommended funding levels are detailed in the table below.

Fund	ALI	Title	FY 2004	FY 2005
GRF	055-321	Operating Expenses	\$57,001,723	\$60,039,221
GSF (106)	055-612	General Reimbursement	\$18,870,196	\$18,870,196
<b>Total Funding: Officewide Operations</b>			<b>\$75,871,919</b>	<b>\$78,909,417</b>

**Implication of the Executive Recommendation:** Under the Governor’s budget, the Office of the Attorney General received \$1.6 million and \$3.1 million in FYs 2004 and 2005, respectively, less in funding for GRF line item, Operating Expenses, than was requested for the sole purpose of maintaining its current level of services. The Office of the Attorney General intends to work within the executive recommended amount of GRF funding by realigning, reallocating, and reducing officewide operating expenses while also trying to maintain the current level of law enforcement and legal services.

**Earmarking:** None

**Permanent and Temporary Law:** Temporary law requires the Director of Budget and Management to transfer appropriation authority from GRF line item 055-321, Operating Expenses, to GRF line item 055-406, Community Police Match and Law Enforcement Assistance, when requested to do so by the Office of the Attorney General. Appropriation authority so transferred is to be used by the Office of the Attorney General to pay operating expenses and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities.

**Civil Litigation**

**Sub-Program Description:** The Office of the Attorney General is authorized to enforce state laws, and in certain cases federal laws, that regulate the marketplace as it relates to business and consumer transactions, including the collection of overdue taxes and fees for various state agencies. The line items grouped under the Civil Litigation sub-program capture those specifically tied to regulating the marketplace.

**Funding Source:** (1) up to 11% on all claims due to the state, and (2) various annual fees, civil penalties, court-ordered cost reimbursements, and court settlements and judgments collected by the Consumer Protection, Charitable Foundations, and Antitrust sections

**Line Items:** The line items associated with the Civil Litigation sub-program area and their recommended funding levels are detailed in the table below.

Fund	ALI	Title	FY 2004	FY 2005
GSF (418)	055-615	Charitable Foundations	\$ 1,899,066	\$ 1,899,066
GSF (420)	055-603	Attorney General Antitrust	\$ 446,449	\$ 446,449
GSF (4Y7)	055-608	Title Defect Rescission	\$ 570,623	\$ 570,623
GSF (5A9)	055-618	Telemarketing Fraud Enforcement	\$ 52,378	\$ 52,378
GSF (631)	055-637	Consumer Protection Enforcement	\$ 1,373,832	\$ 1,373,832
SSR (419)	055-623	Claims Section	\$13,649,954	\$13,649,954
<b>Total Funding: Civil Litigation</b>			<b>\$17,992,302</b>	<b>\$17,992,302</b>

**Implication of the Executive Recommendation:** The executive budget fully funded the amounts that the Office of the Attorney General requested for the purpose of maintaining the current level of civil litigation services.

**Earmarking:** None

**Permanent and Temporary Law:** None

**Criminal Justice Assistance**

**Sub-Program Description:** The Office of the Attorney General has various responsibilities in the criminal justice area, including the provision of training, investigative, and technical assistance to local law enforcement agencies. The Criminal Justice sub-program captures all of the line items that track exclusively to the Office of the Attorney General’s law enforcement-related activities.

**Funding Source:** (1) GRF, (2) federal grants, (3) program tuition collected by the Ohio Peace Officer Training Academy, (4) annual fees collected by the Ohio Peace Officer Training Commission, and (5) forfeited assets and cost reimbursements

**Line Items:** The line items associated with the Criminal Justice sub-program area and their recommended funding levels are detailed in the table below.

Fund	ALI	Title	FY 2004	FY 2005
GRF	055-406	Community Police/Law Enforcement Assist	\$ 2,344,959	\$ 2,344,959
GRF	055-411	County Sheriffs	\$ 731,879	\$ 736,929
GRF	055-415	County Prosecutors	\$ 717,182	\$ 723,490
GSF (4Z2)	055-609	BCI Asset Forfeiture & Cost Reimbursement	\$ 332,109	\$ 332,109
GSF (421)	055-617	Police Officers' Training Academy Fee	\$ 1,193,213	\$ 1,193,213
GSF (590)	055-633	Peace Officer Private Security Fund	\$ 98,370	\$ 98,370
FED (306)	055-620	Medicaid Fraud Control	\$ 2,882,970	\$ 2,969,459
FED (3E5)	055-638	Anti-Drug Abuse	\$ 1,923,400	\$ 1,981,102
FED (3R6)	055-613	Attorney General Federal Funds	\$ 3,730,191	\$ 3,842,097
SSR (659)	055-641	Solid & Hazardous Waste Investigations	\$ 621,159	\$ 621,159
<b>Total Funding: Criminal Justice Assistance</b>			<b>\$14,575,432</b>	<b>\$14,842,887</b>

**Implication of the Executive Recommendation:** The executive budget fully funded the amounts that the Office of the Attorney General requested for the purpose of maintaining the current level of law enforcement services.

**Earmarking:** None

**Permanent and Temporary Law:** Temporary law requires the Director of Budget and Management to transfer appropriation authority from GRF line item 055-321, Operating Expenses, to GRF line item 055-406, Community Police Match and Law Enforcement Assistance, when requested to do so by the Office of the Attorney General. Appropriation authority so transferred is to be used by the Office of the Attorney General to pay operating expenses and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities.

**Agency Counsel**

**Sub-Program Description:** Although the Office of the Attorney General provides legal services to numerous state agencies, the Agency Counsel sub-program captures the legal services reimbursement payments deposited into non-GRF funds that are traceable to work performed for the Ohio Civil Rights Commission, the Bureau of Workers' Compensation, the Ohio Industrial Commission, and part of the Department of Job and Family Services formerly known as the Ohio Bureau of Employment Services.

**Funding Source:** Agency reimbursement payments for legal services performed by various sections of the Office of the Attorney General; not depicted here is the GRF funding drawn from line item 055-321, Operating Expenses, that supports the Civil Rights section

**Line Items:** The line items associated with the Agency Counsel sub-program area and their recommended funding levels are detailed in the table below.

Fund	ALI	Title	FY 2004	FY 2005
FED (381)	055-611	Civil Rights Legal Service	\$ 390,815	\$ 390,815
GSF (107)	055-624	Employment Services	\$ 984,396	\$ 984,396
GSF (195)	055-660	Workers' Compensation Section	\$7,769,628	\$7,769,628
<b>Total Funding: Agency Counsel</b>			<b>\$9,144,839</b>	<b>\$9,144,839</b>

**Implication of the Executive Recommendation:** The executive budget essentially provides a continuation level of funding in each fiscal year of the next biennium for the Office of the Attorney General's Civil Rights, Employment Services, and Workers' Compensation sections.

**Earmarking:** None

**Permanent and Temporary Law:** Temporary law stipulates that Fund 195 will receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund the legal services provided by the Office of the Attorney General to those two state agencies. The Bureau of Workers' Compensation payments are supposed to include moneys for support of the Office of the Attorney General's Workers' Compensation Fraud Unit. Also included is a provision requiring that the Office of the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission mutually agree upon the amount of the quarterly payments.

**Victim Assistance**

**Sub-Program Description:** The Office of the Attorney General assists the victims of crime in two major ways. First, the Crime Victims Compensation section investigates applications for compensation filed under Ohio's Crime Victims Compensation Law, a law that provides for payment to victims of violent crime to cover certain losses. Upon completing the investigation, the office renders a decision and sends payment to the victim and/or the victim's providers. Second, the Crime Victims Assistance Office administers state and federal grants to local crime victim assistance programs.

**Funding Source:** (1) Court costs collected from individuals convicted of a misdemeanor or felony, and (2) federal formula grant

**Line Items:** The line items associated with the Victim Assistance sub-program area and their recommended funding levels are detailed in the table below.

Fund	ALI	Title	FY 2004	FY 2005
SSR (417)	055-621	Domestic Violence Shelters	\$ 14,492	\$ 14,492
SSR (402)	055-616	Victims of Crime	\$27,933,893	\$27,933,893
FED (383)	055-634	Crime Victims Assistance	\$17,561,250	\$18,439,313
<b>Total Funding: Victim Assistance</b>			<b>\$45,509,635</b>	<b>\$46,387,698</b>

**Implication of the Executive Recommendation:** The executive budget fully funded the amounts that the Office of the Attorney General requested for the purpose of maintaining the current level of victim assistance services.

**Earmarking:** None

**Permanent and Temporary Law:** None

**Redistribution Funds**

**Sub-Program Description:** The Office of the Attorney General holds certain moneys as custodian or agent. All of the funds are distributed to individuals, corporations, private organizations, other state funds, or local governmental units. Revenues and disbursements from the related line items are rather unpredictable. Generally, the appropriations for the line items reflect continuation funding or an estimate based on historical spending needs.

**Funding Source:** Primarily court-ordered judgments and settlements

**Line Items:** The line items associated with the Redistribution Funds sub-program area and their recommended funding levels are detailed in the table below.

Fund	ALI	Title	FY 2004	FY 2005
090 (R42)	055-601	Organized Crime Commission Account	\$ 200,000	\$ 200,000
090 (R03)	055-629	Bingo License Refunds	\$ 5,200	\$ 5,200
090 (R18)	055-630	Consumer Frauds	\$ 750,000	\$ 750,000
090 (R04)	055-631	General Holding Account	\$ 275,000	\$ 275,000
090 (R05)	055-632	Antitrust Settlements	\$ 10,400	\$ 10,400
GSF (629)	055-636	Corrupt Activity Investigation & Prosecution	\$ 108,230	\$ 108,230
<b>Total Funding: Redistribution Funds</b>			<b>\$1,348,830</b>	<b>\$1,348,830</b>

**Implication of the Executive Recommendation:** The accounts in the Redistribution Funds sub-program consist of moneys held by the Office of the Attorney General as custodian or agent. All of the moneys are distributed to individuals, corporations, private organizations, other state funds, or local government units. Revenues and disbursements from the accounts are unpredictable. The revenues deposited to the accounts are largely unexpected one-time settlements, which in turn typically lead to one-time spikes in annual revenues and spending. This effect on cash flow activity was clearly viewable in the case of General Holding Account (Fund R04) and Consumer Frauds (R18) funds over the last few fiscal years. Generally the executive recommended appropriations reflect continuation funding or are based on historical spending needs.

**Earmarking:** None

**Permanent and Temporary Law:** Temporary law reiterates that the proceeds, fines, and penalties deposited to the credit of the Corrupt Activity Investigation and Prosecution Fund (Fund 629) be disposed of as provided for under current law (section 2923.35 of the Revised Code). The temporary law also allows for an automatic increase in the Fund's appropriation authority if necessary, without the need of any other further legislative action or Controlling Board approval.

**Education Programs**

**Sub-Program Description:** Although the Office of the Attorney General is charged with performing numerous education-related functions, the Education sub-program captures the two line items that exclusively finance education activities.

**Funding Source:** (1) GRF, and (2) \$75 of \$425 driver's license reinstatement fee

**Line Items:** The two line items exclusively associated with the Education sub-program area and their recommended funding levels are detailed in the table below.

Fund	ALI	Title	FY 2004	FY 2005
GRF	055-405	Law -Related Education	\$ 193,402	\$ 194,183
SSR (4L6)	055-606	DARE	\$3,927,962	\$3,927,962
<b>Total Funding: Education Programs</b>			<b>\$4,121,364</b>	<b>\$4,122,145</b>

**Implication of the Executive Recommendation:** The executive budget essentially provides a continuation level of funding in each fiscal year of the next biennium for the subsidy that is distributed to the Ohio Center for Law-Related Education, as well as for grants that are disbursed to law enforcement in support of Drug Abuse Resistance Education (DARE) programs in public schools.

**Earmarking:** Temporary law instructs the Office of the Attorney General to distribute the funds appropriated to GRF line item 055-405, Law-Related Education, directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students and accessing additional public and private money for new programs. The amounts so earmarked total \$193,402 in FY 2004 and \$194,183 in FY 2005.

**Permanent and Temporary Law:** None

## ADDITIONAL FACTS AND FIGURES

Office of the Attorney General Staffing Levels*						
Division/Section	FY 2000	FY 2001*	FY 2002*	FY 2003*	FY 2004*	FY 2005*
Administration	98	112	114	7	7	7
Antitrust	13	15	15	12	12	12
Appeals	----	----	----	2	2	2
BCII	287	307	307	309	309	309
Business Counsel	----	----	----	4	4	4
Business & Government Relations	----	39	39	----	----	----
Capital Crimes	12	16	16	16	16	16
Charitable	33.5	34	34	----	----	----
Charitable Organizations	----	----	----	35	35	35
Chief Counsel	----	14	14	1	1	1
Civil Rights	13	17	17	15	15	15
Collections Enforcement	----	----	----	112	112	112
Communications	----	----	----	7	7	7
Constituent Affairs	----	----	----	8	8	8
Constitutional Offices	----	----	----	18	18	18
Consumer	----	94	94	----	----	----
Consumer Protection	----	----	----	86	86	86
Corrections	----	40	40	----	----	----
Corrections Litigation	----	----	----	42	42	42
Court of Claims	----	35	35	33	33	33
Crime Victims	64	84	84	94	94	94
Criminal Justice	----	----	----	2	2	2
Data Systems	----	28	28	----	----	----
Education	15	18	18	17	17	17
Employment Law	22	22	22	18	18	18
Employment Services	14	11	11	----	----	----
Environmental Enforcement	62	64	64	62	62	62
Executive Agencies	----	----	----	38	38	38
Fiduciary & Public Integrity	----	----	----	1	1	1
Finance	----	----	----	11	11	11
First Assistant Attorney General	----	----	----	24	24	24
General Services	----	----	----	32	32	32
Health and Human Services	34	37	37	47	47	47
Health Care Fraud	42	47	47	46	46	46
Human Resources	----	----	----	17	17	17
Information Technology	----	----	----	28	28	28
Juvenile Justice	7	12	12	----	----	----
Labor	5	6	6	----	----	----
Ohio Organized Crime Commission	16.5	19	19	18	18	18

<b>Office of the Attorney General Staffing Levels*</b>						
<b>Division/Section</b>	<b>FY 2000</b>	<b>FY 2001*</b>	<b>FY 2002*</b>	<b>FY 2003*</b>	<b>FY 2004*</b>	<b>FY 2005*</b>
Ohio Peace Officer Training Academy	55	55	62	61	61	61
Opinions	6	6	6	6	6	6
Policy	40.5	36	36	----	----	----
Policy & Legislative	----	----	----	4	4	4
Program Development	----	----	----	2	2	2
Public Affairs	----	----	----	9	9	9
Public Protection	----	----	----	1	1	1
Revenue Recovery	127.5	114	114	----	----	----
Special Counsel	6	8	8	6	6	6
State Solicitor	----	----	----	3	3	3
Taxation	11	10	10	9	9	9
Transportation	----	----	----	29	29	29
Workers' Compensation	94	87	87	83	83	83
<b>Totals</b>	<b>1,297</b>	<b>1,387*</b>	<b>1,398*</b>	<b>1,375*</b>	<b>1,375*</b>	<b>1,375*</b>

\*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FYs 2001 through 2005 are estimates.

Upon taking office in January 2003, Attorney General Jim Petro initiated an assessment of the agency with the intent of streamlining and consolidating operations, cutting costs, and reducing staff. Since that time, the Office of the Attorney General has reorganized by realigning staff, redefining current divisions and sections, and adding or removing divisions and sections. The organizational units and related staffing levels in the above table for FYs 2003 through 2005 reflect the Office the Attorney General's plans as of February 2003. As the reorganization and restructuring of the Office of the Attorney General appears to be an ongoing process, the units of work (divisions, sections, and so forth) and related staffing levels as captured in the above table may change.

<b>Office of the Attorney General Spending by Fund Group*</b>						
<b>Fund Group</b>	<b>FY 2000</b>	<b>FY 2001</b>	<b>FY 2002</b>	<b>FY 2003*</b>	<b>FY 2004*</b>	<b>FY 2005*</b>
General Revenue (GRF)	\$ 57,460,184	\$ 60,802,853	\$ 59,656,979	\$ 58,085,064	\$ 60,989,145	\$ 64,038,782
General Services (GSF)	\$ 24,565,663	\$ 25,135,521	\$ 28,135,670	\$ 40,398,490	\$ 33,698,490	\$ 33,698,490
Federal Special (FED)	\$ 19,009,821	\$ 19,481,710	\$ 21,910,299	\$ 24,954,483	\$ 26,488,626	\$ 27,622,786
State Special (SSR)	\$ 23,556,058	\$ 31,581,024	\$ 37,619,826	\$ 47,507,052	\$ 46,147,460	\$ 46,147,460
Agency Fund (AGY)	\$ 87,708	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Holding Account (090)	\$ 1,675,215	\$ 7,691,467	\$ 2,813,879	\$ 1,640,600	\$ 1,240,600	\$ 1,240,600
<b>Totals</b>	<b>\$126,354,649</b>	<b>\$144,692,575</b>	<b>\$150,136,653</b>	<b>\$172,585,689</b>	<b>\$168,564,321</b>	<b>\$172,748,118</b>

\*The spending amounts in FY 2003 are estimates, while those for FYs 2004 and 2005 are based on the next biennial budget as proposed by the Governor.

The Office of the Attorney General's total spending will have increased by \$46.4 million, or 36.7%, over the six-year period covering actual FY 2000 disbursements through recommended FY 2005 appropriations.

Over that same six-year period, the Office of the Attorney General's GRF funding will have increased by \$6.6 million, or 11.4%. While the amount of GRF funding will have risen over time, its percentage of the Office of the Attorney General's budget will have declined from 45.5% down to 37.1%.

<b>Office of the Attorney General Spending by Type of Expense*</b>						
<b>Expense Type</b>	<b>FY 2000</b>	<b>FY 2001</b>	<b>FY 2002</b>	<b>FY 2003*</b>	<b>FY 2004*</b>	<b>FY 2005*</b>
Personal Services	\$ 78,526,240	\$ 80,913,540	\$ 85,439,353	\$ 99,047,932	\$ 93,182,313	\$ 96,685,015
Purchased Services	\$ 3,483,385	\$ 4,752,045	\$ 4,737,699	\$ 7,193,986	\$ 6,965,044	\$ 6,652,712
Maintenance	\$ 16,673,837	\$ 20,362,002	\$ 20,416,635	\$ 22,717,762	\$ 22,843,181	\$ 22,911,995
Equipment	\$ 5,220,537	\$ 4,341,279	\$ 3,882,562	\$ 6,396,145	\$ 4,924,233	\$ 4,968,912
Subsidy	\$ 20,274,761	\$ 19,087,605	\$ 20,777,237	\$ 22,553,168	\$ 25,398,691	\$ 26,278,625
Capital Improvements	\$ 9,100	\$ 59,162	\$ 164,740	\$ 2,714	\$ 0	\$ 0
Transfer	\$ 2,166,789	\$ 15,176,948	\$ 14,718,432	\$ 14,673,982	\$ 15,250,859	\$ 15,250,859
<b>Totals</b>	<b>\$126,354,649</b>	<b>\$144,692,581</b>	<b>\$150,136,658</b>	<b>\$172,585,689</b>	<b>\$168,564,321</b>	<b>\$172,748,118</b>

\*The spending amounts in FY 2003 are estimates, while those for FYs 2004 and 2005 are based on the next biennial budget as proposed by the Governor.

Captured in the above table is the fact that over one-half of the Office of the Attorney General's annual spending is on personal services, essentially expenses associated with staff salaries and fringe benefits, highlighting that the Office of the Attorney General is in a labor-intensive business.

## **PERMANENT AND TEMPORARY LAW**

This section describes permanent and temporary law provisions contained in the executive budget that explicitly affect the duties, responsibilities, or fiscal operations of the Office of the Attorney General.

### **Permanent Law Provisions**

There do not appear to be any permanent law provisions in the executive budget that explicitly affect the duties, responsibilities, or fiscal operations of the Office of the Attorney General.

### **Temporary Law Provisions**

The temporary law provisions contained in the executive budget directly affecting the operations of the Office of the Attorney General are described in more detail below.

#### **Law-Related Education (GRF line item 055-405)**

Temporary law instructs the Office of the Attorney General to distribute the funds appropriated to GRF line item 055-405, Law-Related Education, directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students and accessing additional public and private money for new programs. The amounts so earmarked total \$193,402 in FY 2004 and \$194,183 in FY 2005. The GRF line item and related temporary law first appeared in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993. An analogous GRF line item and related temporary law are part of The Judiciary/Supreme Court budget (line item 005-406, Law-Related Education, with recommended appropriations of \$209,836 in FY 2004 and \$216,131 in FY 2005).

The Ohio Center for Law-Related Education is a nonprofit organization that delivers a variety of law-related and citizenship education services – both programs and materials – to teachers and students of primary and secondary schools, and draws its financial support from a mix of public and private sources. Its major statewide efforts include the Ohio Mock Trial Program, the Ohio Government in Action Project, and the Youth for Justice Summit, as well as an annual statewide law and citizenship conference.

#### **Workers' Compensation Section (Fund 195)**

Temporary law stipulates that Fund 195 will receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund the legal services provided by the Office of the Attorney General to those two state agencies. The Bureau of Workers' Compensation payments are supposed to include moneys for support of the Office of the Attorney General's Workers' Compensation Fraud Unit. Also included is a provision requiring that the Office of the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission mutually agree upon the amount of the quarterly payments.

#### **Corrupt Activity Investigation and Prosecution (Fund 629)**

Temporary law reiterates that the proceeds, fines, and penalties deposited to the credit of the Corrupt Activity Investigation and Prosecution Fund (Fund 629) be disposed of as provided for under current law (section 2923.35 of the Revised Code). The temporary law also allows for an automatic increase in the fund's appropriation authority if necessary, without the need of any other further legislative action or Controlling Board approval.

**Community Police Match and Enforcement Assistance (GRF transfers)**

Temporary law requires the Director of Budget and Management to transfer appropriation authority from GRF line item 055-321, Operating Expenses, to GRF line item 055-406, Community Police Match and Law Enforcement Assistance, when requested to do so by the Office of the Attorney General. Appropriation authority so transferred is to be used by the Office of the Attorney General to pay operating expenses and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities. Temporary law to this effect first appeared in the Office of the Attorney General's budget contained in Am. Sub. H.B. 283, the main operating appropriations act covering FYs 2000 and 2001.

## REQUESTS NOT FUNDED

The difference, or variance, between what the Office of the Attorney General requested for its biennial budget and the Governor’s recommended funding level, is summarized in the table below.

Continuation Services Funding						
Fund/ Line Item	FY 2004 Requested	FY 2004 Recommended	Difference	FY 2005 Requested	FY 2005 Recommended	Difference
GRF/055-321	\$58,565,723	\$57,001,723	(\$1,564,000)	\$63,118,328	\$60,039,221	(\$3,079,107)
659/055-641	\$ 680,751	\$ 621,159	(\$ 59,592)	\$ 680,751	\$ 621,159	(\$ 59,592)
TOTALS	\$59,246,474	\$57,622,882	(\$1,623,592)	\$63,799,079	\$60,660,380	(\$3,138,699)

The agency’s original budget request was submitted by Attorney General Betty Montgomery in December 2002 and focused on maintaining current service levels relative to supporting law enforcement and providing legal services to various state agencies and elected officials. No new programs or initiatives were proposed in the biennial budget request. In January 2003, Jim Petro succeeded Betty Montgomery as Attorney General and immediately initiated an officewide assessment of the agency with the intent of streamlining and consolidating operations, cutting costs, and reducing staff. Since that time, the Office of the Attorney General has reorganized by realigning staff, redefining current divisions and sections, and adding or removing divisions and sections. Attorney General Petro’s primary focus is unchanged from that of his predecessor: maintaining current service levels relative to supporting law enforcement and providing legal services to various state agencies and elected officials.

That said, the executive budget fully funded the Office of the Attorney General’s biennial budget request, with two exceptions (noted in the above table) as follows:

- (1) General Revenue Fund line item 055-321, Operating Expenses received \$1.6 million and \$3.1 million in FYs 2004 and 2005, respectively, less in funding than was requested for the sole purpose of maintaining current service levels. In the coming months, the Office of the Attorney General will be reviewing the structure and organization of the office with the intention of creating a more efficient and cost-effective operation. As a result, the Office of the Attorney General anticipates being able to work within the executive recommended level of GRF funding for operating expenses with little, if any, effect on current service and staffing levels.
- (2) Non-GRF line item 055-641, Solid and Hazardous Waste Background Investigations, received roughly \$60,000 less in funding than was requested in each fiscal year for the sole purpose of maintaining current service levels. The recommended funding levels in each year are a more accurate reflection of the line item’s future cash flow activity. The reduced funding levels should not affect the delivery of environmental enforcement services.

## General Revenue Fund

### GRF 055-321 Operating Expenses

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$52,924,131	\$56,554,322	\$55,986,211	\$54,585,938	<b>\$53,885,937</b>	<b>\$53,885,937</b>
	6.9%	-1.0%	-2.5%	-1.3%	0.0%

**Source:** GRF

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 204 of the 113th G.A., the main operating appropriations act covering FYs 1980 and 1981)

**Purpose:** The line item funds payroll, personal services contract, maintenance, and equipment costs associated with the Office of the Attorney General's provision of: (1) legal representation, and (2) investigative and technical assistance and training to the law enforcement community.

### GRF 055-405 Law-Related Education

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$190,164	\$195,489	\$196,793	\$184,870	<b>\$0</b>	<b>\$0</b>
	2.8%	0.7%	-6.1%	<b>-100.0%</b>	<b>N/A</b>

**Source:** GRF

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 298 of the 119th G.A., the main operating appropriations act covering FYs 1992 and 1993)

**Purpose:** Temporary law contained in all of the main operating appropriation acts since the 119th General Assembly requires the funds appropriated to this GRF special purpose account "...be distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students and accessing additional public and private money for new programs." An analogous GRF special purpose account and related temporary law are part of The Judiciary/Supreme Court budget (line item 005-406, Law-Related Education).

The Ohio Center for Law-Related Education is a non-profit, nonpartisan organization sponsored by the Supreme Court of Ohio, the Office of the Attorney General, the Ohio State Bar Association, and the American Civil Liberties Union of Ohio Foundation. The center delivers a variety of law-related education services (programs and materials) to students and teachers of primary and secondary schools, and draws its financial support from a mix of public and private sources. Its major statewide efforts include the Ohio Mock Trial Program and the Ohio Government in Action Project.

**GRF 055-406 Community Police Match and Law Enforcement Assistance**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$3,261,208	\$2,875,502	\$2,350,494	\$2,258,843	<b>\$2,258,843</b>	<b>\$2,258,843</b>
	-11.8%	-18.3%	-3.9%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GRF

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on June 5, 1995)

**Purpose:** Pursuant to temporary law, the GRF special purpose account is used to pay operating expenses of the Office of the Attorney General and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities.

The original purpose of the special purpose account was to award grants that assisted counties, municipalities, townships, and state-assisted or state-supported institutions of higher education in satisfying the 25 percent matching requirement for the draw down of federal funds used to hire additional law enforcement officers under the Community Oriented Policing (COPS) program. Moneys for this purpose first appeared in the Controlling Board's budget (GRF line item 911-422, Community Police Officers) that were eventually transferred to the Office of the Attorney General, which actually controlled its distribution.

Am. Sub. H.B. 215 of the 122nd G.A., the main operating appropriations act covering FYs 1998 and 1999, changed the name of the special purpose account from Community Police Match to Community Police Match and Law Enforcement Assistance to allow the moneys to be given as grants to local law enforcement for the improvement of technology and equipment, and to provide support for the Office of the Attorney General's criminal task force investigations. No FY 2000 and FY 2001 appropriations were included in Am. Sub. H.B. 283 of the 123rd G.A., although temporary law was included permitting the transfer of appropriation authority from the Office of the Attorney General's GRF line item 055-321, Operating Expenses, to the special purpose account.

**GRF 055-411 County Sheriffs**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$589,654	\$619,291	\$611,198	\$574,168	<b>\$574,168</b>	<b>\$574,168</b>
	5.0%	-1.3%	-6.1%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GRF

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 325.06(C) (originally established by Am. Sub. H.B. 408 of the 121st G.A., an act that increased the compensation of elected officials)

**Purpose:** The moneys in the GRF special purpose account are for the purpose of supplementing the annual compensation of county sheriffs. Under the Revised Code, in addition to the annual compensation that a county sheriff receives under ORC 325.06 for performing the duties of sheriff prescribed by law, each county sheriff, in consideration of the impact of Am. Sub. S.B. 2 of the 121st G.A. on the workload of the county sheriff, receives an additional amount equal to one-eighth of the annual compensation that the county sheriff receives under ORC 325.06. The supplemental compensation is payable from the county treasury every two weeks if adequate funds have been appropriated for the purpose by the General Assembly.

The Office of the Attorney General is required to certify the adequacy of such funds to the fiscal officer of each county. Semiannually, the fiscal office of each county must then certify to the Office of the Attorney General the amount of supplemental compensation paid, including the related amount of county contributions made to the sheriff's retirement plan and county payments to the federal government for Medicare Part A. After determining the accuracy of the amount certified, the Office of the Attorney General reimburses the county if funds are available.

**GRF 055-415 County Prosecutors**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$495,027	\$558,249	\$512,283	\$481,245	<b>\$481,245</b>	<b>\$481,245</b>
	12.8%	-8.2%	-6.1%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GRF

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 325.111 (originally established by Am. Sub. H.B. 408 of the 121st G.A., an act that increased the compensation of elected officials)

**Purpose:** The moneys in the GRF special purpose account are for the purpose of supplementing the annual compensation of certain county prosecutors. Current law allows the prosecuting attorney of a county with a population of 70,000 or less the same opportunity to elect not to engage in private practice that the prosecuting attorney in a larger county has, and to be paid accordingly. The salary and the amount for expenses that a prosecuting attorney who elects not to engage in private practice receives are substantially greater than the salary and amount for expenses that a prosecuting attorney who elects to engage in private practice.

Current law requires that the state pay additional compensation to a prosecuting attorney of a county with a population of 70,000 or less who elects not to engage in the private practice of law. The payment equals 40 percent of the difference between the prosecuting attorney's compensation under the salary schedule and what the compensation would be if the prosecuting attorney did engage in the private practice of law. The state payment is in the form of a reimbursement to the county for paying the compensation to the prosecuting attorney. The Office of the Attorney General makes the payments on a semiannual basis, and the payment includes the county's retirement contribution and Medicare Part A payments related to the prosecutor's additional compensation, if the funds are available. The county fiscal officer must deposit the state payments in the county treasury.

**General Services Fund Group**

**106 055-612 General Reimbursement**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$12,536,124	\$12,452,147	\$15,685,240	\$23,370,196	<b>\$18,870,196</b>	<b>\$18,870,196</b>
	-0.7%	26.0%	49.0%	<b>-19.3%</b>	<b>0.0%</b>

**Source:** GSF: (1) Reimbursement payments for legal services rendered to state agencies, (2) civilian record check fees charged by the Bureau of Criminal Identification and Investigation (BCII) to political subdivisions, private businesses, school districts, and other state agencies (a \$15 fee from which law enforcement agencies are exempted), and (3) court-ordered reimbursements for legal and investigative costs

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 109.11 (originally established by Controlling Board on August 25, 1972)

**Purpose:** All moneys in the fund are used principally to cover the payroll expenses of attorneys who provide legal services to other state agencies and to support operating expenses of BCII.

**107 055-624 Employment Services**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$927,862	\$797,884	\$763,873	\$1,284,396	<b>\$984,396</b>	<b>\$984,396</b>
	-14.0%	-4.3%	68.1%	<b>-23.4%</b>	<b>0.0%</b>

**Source:** GSF: Payments pursuant to a contract between the Office of the Attorney General and the Department of Job & Family Services (originated as a contract with the Ohio Bureau of Employment Services prior to its merger with the Department of Human Services)

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on August 1, 1983)

**Purpose:** All moneys in the fund support operation of the Office of the Attorney General's Employment Services Section, which handles unemployment compensation collection and litigation matters.

**195 055-660 Workers' Compensation Section**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$6,506,920	\$6,761,243	\$6,900,975	\$7,769,628	<b>\$7,769,628</b>	<b>\$7,769,628</b>
	3.9%	2.1%	12.6%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GSF: Payments at the beginning of each quarter of each fiscal year from the Bureau of Workers' Compensation (BWC) and the Ohio Industrial Commission (OIC)

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 171 of the 117th G.A., the main operating appropriations act covering FYs 1988 and 1989)

**Purpose:** The moneys in the fund are used to cover costs incurred by the Office of the Attorney General's Workers' Compensation Section in providing legal counsel and representation to BWC and OIC during the ensuing quarter. Starting with FY 1994, payments from BWC increased to cover a fraud unit that was created pursuant to Am. Sub. H.B. 107 of the 120th G.A.

**418 055-615 Charitable Foundations**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$1,359,769	\$2,249,898	\$1,514,827	\$2,499,066	<b>\$1,899,066</b>	<b>\$1,899,066</b>
	65.5%	-32.7%	65.0%	<b>-24.0%</b>	<b>0.0%</b>

**Source:** GSF: (1) Annual financial reporting fees charged to charitable trusts, which range from \$0 to \$200, and are based on the size of the charitable trust's assets, (2) proceeds obtained from the sale of the charitable foundations directory, (3) annual registration fees assessed charitable organizations, which are based on total annual contributions, (4) annual registration fees paid by fund-raising counsel and professional solicitors, (5) forfeited bonds of fund-raisers and professional solicitors, (6) court awards of costs and attorney's fees, (7) civil penalties assessed under Chapter 1716. of the Revised Code, and (8) effective April 3, 2004, pursuant to Am. Sub. H.B. 512 of the 124th G.A., all license fees received for the licensing of bingo operators, distributors of bingo supplies, and manufacturers of bingo supplies

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 109.32 (originally established by Am. H.B. 347 of the 111th G.A.; amended by Am. Sub. H.B. 486 of the 118th G.A.)

**Purpose:** The moneys in the fund support expenses of the Office of the Attorney General's Charitable Foundation Section, which regulates charities operating in the state and licenses charitable bingo games. The expenses of the section in excess of moneys available in this fund are paid out of GRF line item 055-321, Operating Expenses. Effective April 3, 2004, Am. Sub. H.B. 512 of the 125th G.A., requires that all annual license fees received from bingo game operators, distributors, or manufacturers and credited to the fund be used by the Office of the Attorney General, or any local law enforcement agency in cooperation with the Office of the Attorney General, to administer and enforce the Charitable Gambling Law.

**420 055-603 Attorney General Antitrust**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$150,783	\$235,005	\$206,259	\$446,449	<b>\$446,449</b>	<b>\$446,449</b>
	55.9%	-12.2%	116.5%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GSF: Ten percent of all antitrust recoveries obtained by the Office of the Attorney General from settlements or court judgments; all related civil penalties, attorney's fees, and reimbursements of investigative, litigation, or expert witness costs

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 109.82 (originally established by Controlling Board on February 25, 1972)

**Purpose:** The moneys in the fund are used solely for expenses of the Office of the Attorney General's Antitrust Section, which enforces state and federal antitrust laws. The expenses of the section in excess of the moneys available in the fund are paid out of GRF line item 055-321, Operating Expenses.

**421 055-617 Police Officers' Training Academy Fee**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$1,035,437	\$1,142,530	\$1,086,578	\$1,193,213	<b>\$1,193,213</b>	<b>\$1,193,213</b>
	10.3%	-4.9%	9.8%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GSF: Tuition charged to state and local law enforcement officers (or their departments) for various law enforcement training programs operated by the Ohio Peace Officer Training Academy (POTA)

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on November 14, 1975)

**Purpose:** The moneys in the fund partially cover POTA's cost of operating each training program, with the remainder of those costs typically being covered by GRF line item 055-321, Operating Expenses.

**4Y7 055-608 Title Defect Rescission**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$78,244	\$70,160	\$165,526	\$870,623	<b>\$570,623</b>	<b>\$570,623</b>
	-10.3%	135.9%	426.0%	<b>-34.5%</b>	<b>0.0%</b>

**Source:** GSF: (1) \$150 annual fee collected from licensed motor vehicle dealers until the balance in the fund reaches \$300,000, (2) proceeds of all sales conducted and collections obtained by the Office of the Attorney General under ORC 4505.181(D), and (3) recoveries obtained by the Office of the Attorney General in actions filed under ORC 1345.07 for violations of ORC 4505.181

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 1345.52 (originally established by Am. Sub. S.B. 182 of the 121st G.A.)

**Purpose:** The moneys in the fund are used solely for maintaining and administering the fund, providing restitution pursuant to section 4505.181(D) of the Revised Code to retail purchasers of motor vehicles who suffer damages due to failure of a motor vehicle dealer or person acting on behalf of such a dealer to comply with that section, and pursuit of deficiencies in the fund caused by the failure of motor vehicle dealers to comply with divisions (A), (B), and (G) of section 4505.181 of the Revised Code.

**4Z2 055-609 BCI Asset Forfeiture and Cost Reimbursement**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$396,946	\$458,694	\$434,452	\$1,332,109	<b>\$332,109</b>	<b>\$332,109</b>
	15.6%	-5.3%	206.6%	<b>-75.1%</b>	<b>0.0%</b>

**Source:** GSF: (1) Moneys awarded to the Bureau of Criminal Identification and Investigation (BCII) as a result of shared federal asset forfeiture, and (2) state and local moneys designated as restitution for reimbursement of the costs of investigations

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on January 13, 1997)

**Purpose:** The moneys in the fund are used primarily for BCII maintenance and equipment costs. Prior to FY 1998, the moneys were deposited in the state treasury to the credit of Fund 106, General Reimbursement. The separation of these BCII asset forfeiture and investigative cost reimbursement moneys from Fund 106's revenue stream allowed for better tracking of these moneys and complied with federal guidelines requiring that asset forfeitures be accounted for separately.

**590 055-633 Peace Officer Private Security Fund**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$63,439	\$53,371	\$50,710	\$98,370	<b>\$98,370</b>	<b>\$98,370</b>
	-15.9%	-5.0%	94.0%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GSF: Fees paid to the Ohio Peace Officer Training Commission by: (1) applicants for approval of a private police training program (\$125), a basic firearms training program (\$100), or a firearms requalification training program or instructor (\$50), (2) persons who satisfactorily complete a private police training program (\$15) or a basic firearms training program (\$10), and (3) persons who satisfactorily requalify in firearms use (a \$5 fee required under ORC 4749.10)

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 109.78 (originally established by Am. Sub. H.B. 402 of the 116th G.A.)

**Purpose:** The moneys in the fund are used by the Ohio Peace Officer Training Commission to administer: (1) the training program to qualify persons for positions as special police, security guards, or other private employment in a police capacity (division (A) of section 109.78 of the Revised Code), and (2) the training program in basic firearms and the training program in firearms requalification (division (B) of section 109.78 of the Revised Code).

**5A9 055-618 Telemarketing Fraud Enforcement**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$0	\$0	\$0	\$52,378	<b>\$52,378</b>	<b>\$52,378</b>
	N/A	N/A	N/A	<b>0.0%</b>	<b>0.0%</b>

**Source:** GSF: Non-refundable \$250 initial registration and annual renewal fees paid by telephone solicitors (promulgated under OAC 109:4-6-04)

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 4719.17 (originally established by Am. Sub. S.B. 214 of the 121st G.A.)

**Purpose:** The moneys in the fund are to be used by the Office of the Attorney General's Consumer Protection Section for the administration and enforcement of the state's telephone solicitor registration program (sections 4719.01 to 4719.18 of the Revised Code), and also for educational activities that advance the purposes of those sections of the Revised Code.

**629 055-636 Corrupt Activity Investigation and Prosecution**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$0	\$0	\$482,655	\$108,230	<b>\$108,230</b>	<b>\$108,230</b>
	N/A	N/A	-77.6%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GSF: (1) Proceeds of all property forfeited pursuant to ORC 2923.32, excluding, if applicable, ten percent of the proceeds of all property ordered forfeited by a juvenile court pursuant to ORC 2923.32, and (2) all fines and civil penalties imposed on persons engaged in a pattern of corrupt activity pursuant to ORC 2923.32 and 2923.34

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 2923.35(D)(1)(b) (originally established by Am. Sub. H.B. 5 of the 116th G.A.)

**Purpose:** All moneys held in the fund are disbursed, in accordance with a court order, to persons injured by, and to those state and local law enforcement agencies that conducted the investigation or prosecution of, the corrupt activity. Temporary law first inserted in Am. Sub. S.B. 351, a supplemental/reappropriations bill of the 119th G.A., allows for the automatic increase in this fund's appropriation authority, as necessary, thus eliminating the need to request approval of such increases from the Controlling Board or through other legislative action.

**631 055-637 Consumer Protection Enforcement**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$1,510,139	\$914,589	\$844,574	\$1,373,832	<b>\$1,373,832</b>	<b>\$1,373,832</b>
	-39.4%	-7.7%	62.7%	<b>0.0%</b>	<b>0.0%</b>

**Source:** GSF: (1) Three-fourths of the amount of civil penalties ordered and paid pursuant to ORC 1345.07 (Consumer Practices Act), (2) all costs awarded to the Office of the Attorney General and three-fourths of the amount of civil penalties ordered pursuant to ORC 4549.48, and (3) all surety bond moneys unclaimed under ORC 4549.50; latter two revenue sources related to the state's Odometer Rollback and Disclosure Act

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 1345.51 (originally established by Am. Sub. H.B. 382 of the 116th G.A.)

**Purpose:** All moneys in the fund are used by the Office of the Attorney General's Consumer Protection Section to enforce laws regulating consumer/business transactions.

**Federal Special Revenue Fund Group**

**306 055-620 Medicaid Fraud Control**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$2,255,827	\$2,213,990	\$2,269,012	\$2,765,015	<b>\$2,882,970</b>	<b>\$2,969,459</b>
	-1.9%	2.5%	21.9%	<b>4.3%</b>	<b>3.0%</b>

**Source:** FED: CFDA 93.775, State Medicaid Fraud Control Units

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on September 25, 1978)

**Purpose:** The federal funds are distributed as a formula grant by the U.S. Department of Health and Human Services and provide 75 percent matching funds to control provider fraud in statewide Medicaid programs. These funds support the Office of the Attorney General's Medicaid Fraud Control Unit, which conducts a statewide program of investigations and prosecutions of health care providers who abuse the state's plan for Medicaid and enforces Ohio's Patient Abuse and Neglect Law. The required 25 percent state match is paid from GRF line item 055-321, Operating Expenses.

**381 055-611 Civil Rights Legal Service**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$313,572	\$312,459	\$347,853	\$379,432	<b>\$390,815</b>	<b>\$390,815</b>
	-0.4%	11.3%	9.1%	<b>3.0%</b>	<b>0.0%</b>

**Source:** FED: Varying mix of GRF and federal funds transferred quarterly from the Ohio Civil Rights Commission, with amount of the latter determined by the available cash in the Commission's Fund 334, Federal Programs, which draws its money from CFDA 30.002, Employment Discrimination, and CFDA 14.401, Fair Housing Assistance Program

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on May 19, 1972)

**Purpose:** The moneys in the fund are considered a reimbursement for legal services rendered by the Office of the Attorney General's Civil Rights Section, which represents the Ohio Civil Rights Commission in discrimination cases. Historically, the reimbursement payments have covered approximately 30 percent of the section's operating expenses, with the remaining 70 percent being covered by GRF line item 055-321, Operating Expenses.

**383 055-634 Crime Victims Assistance**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$12,914,460	\$12,709,091	\$14,245,336	\$15,225,001	<b>\$17,561,250</b>	<b>\$18,439,313</b>
	-1.6%	12.1%	6.9%	<b>15.3%</b>	<b>5.0%</b>

**Source:** FED: CFDA 16.575, Crime Victim Assistance

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on May 12, 1986)

**Purpose:** The moneys deposited to the credit of the fund are received pursuant to a formula grant from the U.S. Department of Justice received pursuant to the federal Victims of Crime Act of 1984 (Public Law 98-473), which is in turn distributed by the Office of the Attorney General in the form of subsidies to aid qualified local offices and organizations that operate crime victim assistance programs. Eligible programs can be operated by either a public agency or a nonprofit organization, and must provide services to victims of crime.

**3E5 055-638 Anti-Drug Abuse**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$3,219,041	\$2,689,691	\$1,959,835	\$2,939,693	<b>\$1,923,400</b>	<b>\$1,981,102</b>
	-16.4%	-27.1%	50.0%	<b>-34.6%</b>	<b>3.0%</b>

**Source:** FED: Mix of federal criminal justice grants with varying durations and award amounts passed through the state's Office of Criminal Justice Services and the Department of Youth Services; bulk of grants have historically come from CFDA 16.579, Byrne Formula Grant Program; recent project grants from CFDA 16.523, Juvenile Accountability Incentive Block Grants (JAIBG), CFDA 16.554, National Criminal History Improvement Program (NCHIP), and CFDA 20.600, State and Community Highway Safety

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on December 7, 1987)

**Purpose:** The fund was created to serve as a depository for various anti-drug abuse and criminal justice improvement formula grants passed through the Office of Criminal Justice Services under Ohio's Anti-Drug Abuse Act of 1986. Recent project grants have been used to: (1) create a financial investigations unit to assist local task forces and law enforcement agencies with drug-related investigations and prosecutions, (2) purchase computer and state-of-the-art laboratory equipment for the Bureau of Criminal Identification and Investigation, (3) stage an annual law enforcement conference, and (4) fund audit, gang intelligence, and Safe School activities. The fund also serves as the depository for federal JAIBG moneys received through the Department of Youth Services. Current JAIBG monies are used for: (1) development of statewide criminal gang intelligence database, and (2) sponsorship for the annual Alternative Education Conference.

**3R6 055-613 Attorney General Federal Funds**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$306,921	\$1,556,479	\$3,088,262	\$3,645,342	<b>\$3,730,191</b>	<b>\$3,842,097</b>
	407.1%	98.4%	18.0%	<b>2.3%</b>	<b>3.0%</b>

**Source:** FED: Various grants awarded by the U.S. Department of Justice directly the Office of the Attorney General; federal grants awarded indirectly through the state's Office of Criminal Justice Services and the Department of Youth Services deposited in Fund 3E5; recent project grants from CFDA 16.710, Public Safety Partnership and Community Policing Grants ("COPS" Grants), and CFDA 16.564, Crime Laboratory Improvement Combined Offender DNA Index System Backlog Reduction

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on September 8, 1997)

**Purpose:** The fund was established to receive all federal grants awarded directly to the Office of the Attorney General, as opposed to federal funds that pass through the state's Office of Criminal Justice Services and the Department of Youth Services. The direct and pass through categories of federal funding were separated in order to provide a means for clearer management. Recent project grants have been awarded for: (1) Ohio WebCheck, an Internet-based program for civilian background checks, and (2) programs to improve the capability and capacity of crime laboratories to perform various types of forensic analysis and reduce the backlog of convicted offender DNA sample

## State Special Revenue Fund Group

**108 055-622 Crime Victims Compensation**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$4,515,067	\$129,636	\$0	\$0	<b>\$0</b>	<b>\$0</b>
	-97.1%		N/A	<b>N/A</b>	<b>N/A</b>

**Source:** SSR: Cash transferred from the Court of Claims' Fund 402, Victims of Crime/Reparations Fund; effective July 1, 2000, Am. Sub. S.B. 153 of the 123rd G.A. transferred control of Fund 402 from the Court of Claims to the Office of the Attorney General

**Legal Basis:** Discontinued line item (originally established by Controlling Board on October 13, 1982)

**Purpose:** The moneys in the fund represented maintenance payments made to the Office of the Attorney General's Crime Victims Services Section for expenses related to the investigation and recommendation of reparation awards to victims of crime pursuant to division (A) of ORC 2743.191. Effective July 1, 2000, pursuant to Am. Sub. S.B. 153 of the 123rd G.A., the need for the fund was eliminated as the Office of the Attorney General took control of the Victims of Crime Compensation Program and its revenue stream (Fund 402). Thus, as a result, the operating expenses of the Office of the Attorney General's Crime Victims Services Section are charged directly to Fund 402, which is now located in the Office of the Attorney General's budget.

**176 055-625 Victims Assistance Office**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$389,139	\$0	\$0	\$0	\$0	\$0
		N/A	N/A	N/A	N/A

**Source:** SSR: Cash that was transferred from the Court of Claims' Fund 402, Reparations Fund (a k a Victims of Crime Fund); effective July 1, 2000, Am. Sub. S.B. 153 of the 123rd G.A. transferred control of Fund 402 from the Court of Claims to the Office of the Attorney General

**Legal Basis:** Discontinued line item (originally established by Am. Sub. H.B. 238 of the 116th G.A.)

**Purpose:** The moneys in the fund were used for the operating expenses of the Office of the Attorney General's Crime Victims Assistance Office established pursuant to ORC 109.91. The office administers state and federal grants awarded to local crime victim assistance programs. Effective July 1, 2000, pursuant to Am. Sub. S.B. 153 of the 123rd G.A., the need for the fund was eliminated as the Office of the Attorney General took control of the Victims of Crime Compensation Program and its revenue stream (Fund 402). Thus, as a result, the operating expenses of the Office of the Attorney General's Crime Victims Assistance Office are charged directly to Fund 402, which is now located in the Office of the Attorney General's budget.

**177 055-626 Victims Assistance Programs**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$1,741,000	\$9,783	\$0	\$0	\$0	\$0
	-99.4%		N/A	N/A	N/A

**Source:** SSR: Cash transferred from the Court of Claims' Fund 402, Victims of Crime/Reparations Fund; effective July 1, 2000, Am. Sub. S.B. 153 of the 123rd G.A. transferred control of Fund 402 from the Court of Claims to the Office of the Attorney General

**Legal Basis:** Discontinued line item (originally established by Am. Sub. H.B. 238 of the 116th G.A.)

**Purpose:** The moneys in the fund were used to provide financial aid under ORC 109.91 and 109.92 to qualified local offices and organizations which operate crime victim assistance programs. (Eligible programs can be operated by either a public agency or a nonprofit organization and must provide services to victims of crime.) The Crime Victim Assistance Program was enacted by Am. Sub. S.B. 195 of the 115th G.A.

Effective July 1, 2000, pursuant to Am. Sub. S.B. 153 of the 123rd G.A., the need for the fund was eliminated as the Office of the Attorney General took control of the Victims of Crime Compensation Program and its revenue stream (Fund 402). Thus, as a result, the financial aid to crime victim assistance programs is charged directly to Fund 402, which is now located in the Office of the Attorney General's budget.

**402 055-616 Victims of Crime**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$0	\$16,293,873	\$21,988,957	\$27,933,893	<b>\$27,933,893</b>	<b>\$27,933,893</b>
	N/A	35.0%	27.0%	<b>0.0%</b>	<b>0.0%</b>

**Source:** SSR: (1) Court costs of \$30 and \$9 imposed, pursuant to ORC 2743.70, upon on an offender convicted of or pleading guilty to a felony or misdemeanor, other than a nonmoving traffic violation, (2) money collected by the state pursuant to its right of subrogation, (3) seventy-five dollars of the \$425 fee collected pursuant to ORC 4511.191 for the reinstatement of a driver's license that was suspended for operating a motor vehicle while under the influence of alcohol or drugs (OMVI), (4) portions of the proceeds of the sale of a vehicle forfeited under ORC 4503.234(D)(2), and (5) payments collected by the Department of Rehabilitation and Correction from prisoners who voluntarily participate in an approved work and training program; prior to FY 2001, the fund and revenue stream were controlled by the Court of Claims

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 2743.191 (originally established by Am. Sub. S.B. 153 of the 123rd G.A.)

**Purpose:** The moneys in the fund may be used for: (1) the payments of awards of reparations that are granted by the Office of the Attorney General, (2) the compensation of any personnel needed by the Office of the Attorney General to administer the Crime Victims Reparations Law, (3) the compensation of witnesses as provided in the Crime Victims Reparations Law, (4) other administrative costs of hearing and determining claims for an award of reparations by the Office of the Attorney General, (5) the costs of administering, and paying, the state's program for reimbursing hospitals and emergency medical facilities for conducting medical examinations related to sexual offenses (section 2907.28 of the Revised Code), (6) the costs of administering the state's program for the recovery of offender's profits (sections 2969.01 to 2969.06 of the Revised Code), (7) the costs of investigation and decision-making, (8) the provision of state financial assistance to victim assistance programs, (9) the cost of printing and distributing the Crime Victims Reparations Law pamphlet prepared by the Office of the Attorney General, and (10) the costs associated with the printing and providing of information cards or other printed materials to law enforcement agencies and prosecuting attorneys and with publicizing the availability of awards of reparations. In addition, moneys in the fund are transferred by the Director of Budget and Management to the Court of Claims' CLA Victims of Crime Fund (Fund 5K2) to match appropriations for the Court of Claims' appellate responsibilities.

**417 055-621 Domestic Violence Shelter**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$0	\$0	\$0	\$14,492	<b>\$14,492</b>	<b>\$14,492</b>
	N/A	N/A	N/A	<b>0.0%</b>	<b>0.0%</b>

**Source:** SSR: (1) \$17 marriage license surcharge collected in each county pursuant to ORC 3113.34 and distributed by county commissioners to eligible domestic violence; when county commissioners do not allocate all moneys collected in a calendar year, or a county does not have an eligible domestic violence shelter, the remaining funds are deposited into the fund, and (2) an additional \$32 filing fee collected in each county pursuant to ORC 2303.201(D) for each new action or proceeding for annulment, divorce, or dissolution of marriage action for the purpose of providing financial assistance to shelters for victims of domestic violence, with any funds that remain unallocated subject to the same provision that transfers unallocated marriage license fees for distribution by the Office of the Attorney General

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 3113.37(A) (originally established by Am. S.B. 46 of the 113th G.A.)

**Purpose:** The moneys in the fund are used only to provide financial assistance to shelters for victims of domestic violence.

**419 055-623 Claims Section**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$13,135,224	\$11,413,468	\$11,705,241	\$14,749,954	<b>\$13,649,954</b>	<b>\$13,649,954</b>
	-13.1%	2.6%	26.0%	<b>-7.5%</b>	<b>0.0%</b>

**Source:** SSR: Up to 11 percent of all amounts collected by the Office of the Attorney General on claims due the state

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 109.081 (originally established by Am. Sub. H.B. 291 of the 115th G.A.)

**Purpose:** The moneys in the fund are used for the payment of expenses incurred by the Office of the Attorney General.

**4L6 055-606 DARE**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$3,146,165	\$3,279,722	\$3,399,849	\$3,927,962	\$0	\$0
	4.2%	3.7%	15.5%	-100.0%	N/A

**Source:** SSR: \$75 of the \$425 driver's license reinstatement fee

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 4511.191(L)(2)(e) (originally established by Sub. S.B. 275 of the 119th G.A.)

**Purpose:** The moneys in the fund are used by the Office of the Attorney General to award grants to law enforcement agencies to establish and implement drug abuse resistance education programs in public schools. Grants awarded to a law enforcement agency may not be used to pay for more than 50 percent of the amount of the salaries of law enforcement officers who conduct drug abuse education programs in public schools. The Office of the Attorney General is permitted to use up to six percent of the revenue received to pay the costs it incurs in administering the grant program and in providing training and materials relating to drug abuse resistance education programs.

**659 055-641 Solid and Hazardous Waste Background Investigations**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$629,463	\$454,541	\$525,779	\$880,751	\$621,159	\$621,159
	-27.8%	15.7%	67.5%	-29.5%	0.0%

**Source:** SSR: Fees from applicants, permittees, or prospective owners of off-site waste hazardous waste facilities, solid waste disposal facilities, infectious waste facilities, solid waste transfer facilities, scrap tire monocell or monofill facilities, scrap tire recovery or storage facilities, and composting facilities; fee schedule promulgated under OAC 109:6-1-04, which includes a onetime initial disclosure statement fee, as well as an ongoing annual maintenance fee; initial disclosure statement fees range from \$1,000 to \$60,000, while maintenance fees run from \$1,000 to \$5,000

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 3734.42(C) (originally established by Am. Sub. H.B. 592 of the 117th G.A.)

**Purpose:** The moneys in the fund are used solely for paying the Office of the Attorney General's costs of administering and enforcing the investigative procedures authorized in ORC 3734.41 to 3734.47.

## Agency Fund Group

### 674 055-643 Asbestos Abatement Distribution

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$87,708	\$0	\$0	\$0	\$0	\$0
		N/A	N/A	N/A	N/A

**Source:** AGY: Moneys from the Manville Damage Settlement Trust created to handle property damage claims nationwide

**Legal Basis:** Discontinued line item (originally established by Section 44 of Am. Sub. S.B. 336 of the 118th G.A.)

**Purpose:** All proceeds received by the state as a result of claims filed by any state agency or state-supported or state-assisted institution of higher education for damages or costs resulting from asbestos abatement projects were held in the fund prior to distribution to those affected agencies and institutions.

## Holding Account Redistribution Fund Group

### R03 055-629 Bingo License Refunds

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$950	\$925	\$775	\$5,200	\$5,200	\$5,200
	-2.6%	-16.2%	571.0%	0.0%	0.0%

**Source:** 090: A small portion of the \$25, \$75, and \$100 bingo license application fees collected by the Office of the Attorney General annually; remainder deposited into the GRF

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on December 2, 1985)

**Purpose:** The holding account is used to provide bingo license refunds made necessary because of overpayment, reconsideration not to operate, or failure to qualify. The account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

### R04 055-631 General Holding Account

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$1,147,955	\$208,316	\$2,474,500	\$675,000	\$275,000	\$275,000
	-81.9%	1087.9%	-72.7%	-59.3%	0.0%

**Source:** 090: Moneys from court-ordered settlements in a variety of cases involving the Office of the Attorney General

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on December 2, 1985)

**Purpose:** The moneys in the holding account are distributed under the terms of the relevant court orders. The account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

**R05 055-632 Antitrust Settlements**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$0	\$0	\$0	\$10,400	<b>\$10,400</b>	<b>\$10,400</b>
	N/A	N/A	N/A	<b>0.0%</b>	<b>0.0%</b>

**Source:** 090: Moneys from court-ordered antitrust settlements in which the Office of the Attorney General represents the state or a political subdivision pursuant to ORC 109.81

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on December 2, 1985)

**Purpose:** Of the total antitrust settlement moneys received by the Office of the Attorney General, ten percent is transferred to the Attorney General Antitrust Fund (Fund 420) to assist in defraying the operational costs of the Antitrust Section. The remainder is distributed according to the terms of a court order. This account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

**R18 055-630 Consumer Frauds**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$326,310	\$7,282,227	\$238,810	\$750,000	<b>\$750,000</b>	<b>\$750,000</b>
	2131.7%	-96.7%	214.1%	<b>0.0%</b>	<b>0.0%</b>

**Source:** 090: Moneys from court-ordered judgments against sellers in actions brought by the Office of the Attorney General pursuant to ORC 1334.08, 1345.07(B), and 4549.48

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on December 2, 1985)

**Purpose:** All of the moneys in the fund are used to provide restitution to consumers who were victimized by the fraud that generated the court-ordered judgments which are deposited into the holding account. The account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

**R42 055-601 Organized Crime Commission Account**

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
\$200,000	\$200,000	\$99,794	\$200,000	<b>\$200,000</b>	<b>\$200,000</b>
	0.0%	-50.1%	100.4%	<b>0.0%</b>	<b>0.0%</b>

**Source:** 090: (1) Moneys paid to the state pursuant to a court judgment in a criminal case as reimbursement of expenses that the Organized Crime Investigations Commission or an organized crime task force established by the commission incurred in the investigation of the criminal activity upon which the prosecution of the criminal case was based, and (2) all investment earnings on moneys in the fund

**Legal Basis:** Section 25 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 177.011 (originally established by Controlling Board on June 1, 1992)

**Purpose:** The Organized Crime Investigations Commission uses the moneys in the fund to reimburse political subdivisions for the expenses the political subdivisions incur when their law enforcement officers participate in an organized crime task force.

## As Introduced

## As Passed by the House

**Subject: Elimination of the Drug Abuse Resistance Education (DARE) Programs Fund**

No provision.

**R.C. 4503.234, (and future version of 4503.234)  
4511.191 (and future version of 4511.191)**

Redirects the \$75 amount of the \$425 OMVI driver's license reinstatement fee that is currently deposited in the Attorney General's Drug Abuse Resistance Education Programs Fund (Fund 4L6) and eliminates the fund. Fiscal effect: The elimination of this revenue stream and related fund will mean an annual loss to the Attorney General of roughly \$3.5 million. The moneys in the fund are used by the Attorney General to award grants to local law enforcement agencies to establish and implement drug abuse resistance education programs in public schools. The Attorney General is permitted to use up to 6% of the revenue received to pay the costs it incurs in administering the grant program and in providing training and materials relating to drug abuse resistance education programs.

**As Introduced****As Passed by the House****Subject: Law-Related Education****Section: 20**

Earmarks all of the funds appropriated to GRF appropriation item 055-405, Law-Related Education, for distribution to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students and accessing additional public and private money for new programs. An analogous GRF appropriation item and related uncodified law are part of The Judiciary/Supreme Court's budget (appropriation item 005-406, Law-Related Education).

Fiscal effect: This uncodified law provision continues existing practice with regard to the moneys appropriated to appropriation item 055-405, Law-Related Education.

**Section: 20**

No provision.

**As Introduced****As Passed by the House****Subject: Workers' Compensation Section****Section: 20**

Requires that: (1) the prospective quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund the legal services provided by the Attorney General to those two state agencies be deposited in the state treasury to the credit of the Workers' Compensation Fund (Fund 195), (2) the prospective quarterly payments from the Bureau of Workers' Compensation include support for the Attorney General's Workers' Compensation Fraud Unit, (3) the prospective payments be subject to adjustment, and (4) the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission mutually agree upon the amount of the quarterly payments.

Fiscal effect: This uncodified law provision reflects current practice relative to the financing of certain legal services provided by the Attorney General to the Bureau of Workers' Compensation and the Ohio Industrial Commission.

**Section: 20**

No change.

**As Introduced****As Passed by the House****Subject: Corrupt Activity Investigation and Prosecution****Section: 20**

Requires appropriation item 055-636, Corrupt Activity Investigation and Prosecution (Fund 629), be used as provided for under current law (section 2923.35 of the Revised Code) to dispose of the proceeds, fines, and penalties deposited in the state treasury to the credit of the Corrupt Activity Investigation and Prosecution Fund (Fund 629), and allows for an automatic increase in the appropriation item's appropriation authority if determined that additional amounts are necessary.

Fiscal effect: This uncoded law provision reflects current practice relative to the handling of Fund 629's revenues and expenditures.

**Section: 20**

No change.

**As Introduced****As Passed by the House****Subject: Community Police Match and Law Enforcement Assistance****Section: 20**

Requires: (1) the Director of Budget and Management to transfer appropriation authority from the Attorney General's GRF appropriation item 055-321, Operating Expenses, to the Attorney General's GRF appropriation item 055-406, Community Police Match and Law Enforcement Assistance, when requested to do so by the Attorney General, and (2) the moneys so transferred must be used by the Attorney General to pay operating expenses and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities.

Fiscal effect: This uncodified law provision reflects existing authority that the Attorney General has relative to the transfer, and subsequent use, of funds from appropriation item 055-321, Operating Expenses, to appropriation item 055-406, Community Police Match and Law Enforcement Assistance.

**Section: 20**

No change.

## LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

<i>Fund ALI ALI Title</i>	<i>Estimated 2003</i>	<i>As Introduced 2004</i>	<i>House Sub Bill 2004</i>	<i>% Change Est. 2003 to House 2004</i>	<i>As Introduced 2005</i>	<i>House Sub Bill 2005</i>	<i>% Change House 2004 to House 2005</i>
<b>AGO Attorney General</b>							
GRF 055-321 Operating Expenses	\$54,585,938	\$ 57,001,723	\$ 53,885,937	-1.3%	\$ 60,039,221	\$ 53,885,937	0.0%
GRF 055-405 Law-Related Education	\$184,870	\$ 193,402	\$ 0	-100.0%	\$ 194,183	\$ 0	N/A
GRF 055-406 Community Police Match and Law Enforcement Assistance	\$2,258,843	\$ 2,344,959	\$ 2,258,843	0.0%	\$ 2,344,959	\$ 2,258,843	0.0%
GRF 055-411 County Sheriffs	\$574,168	\$ 731,879	\$ 574,168	0.0%	\$ 736,929	\$ 574,168	0.0%
GRF 055-415 County Prosecutors	\$481,245	\$ 717,182	\$ 481,245	0.0%	\$ 723,490	\$ 481,245	0.0%
<b>General Revenue Fund Total</b>	<b>\$ 58,085,064</b>	<b>\$ 60,989,145</b>	<b>\$ 57,200,193</b>	<b>-1.5%</b>	<b>\$ 64,038,782</b>	<b>\$ 57,200,193</b>	<b>0.0%</b>
106 055-612 General Reimbursement	\$23,370,196	\$ 18,870,196	\$ 18,870,196	-19.3%	\$ 18,870,196	\$ 18,870,196	0.0%
107 055-624 Employment Services	\$1,284,396	\$ 984,396	\$ 984,396	-23.4%	\$ 984,396	\$ 984,396	0.0%
195 055-660 Workers' Compensation Section	\$7,769,628	\$ 7,769,628	\$ 7,769,628	0.0%	\$ 7,769,628	\$ 7,769,628	0.0%
418 055-615 Charitable Foundations	\$2,499,066	\$ 1,899,066	\$ 1,899,066	-24.0%	\$ 1,899,066	\$ 1,899,066	0.0%
420 055-603 Attorney General Antitrust	\$446,449	\$ 446,449	\$ 446,449	0.0%	\$ 446,449	\$ 446,449	0.0%
421 055-617 Police Officers' Training Academy Fee	\$1,193,213	\$ 1,193,213	\$ 1,193,213	0.0%	\$ 1,193,213	\$ 1,193,213	0.0%
4Y7 055-608 Title Defect Rescission	\$870,623	\$ 570,623	\$ 570,623	-34.5%	\$ 570,623	\$ 570,623	0.0%
4Z2 055-609 BCI Asset Forfeiture and Cost Reimbursement	\$1,332,109	\$ 332,109	\$ 332,109	-75.1%	\$ 332,109	\$ 332,109	0.0%
590 055-633 Peace Officer Private Security Fund	\$98,370	\$ 98,370	\$ 98,370	0.0%	\$ 98,370	\$ 98,370	0.0%
5A9 055-618 Telemarketing Fraud Enforcement	\$52,378	\$ 52,378	\$ 52,378	0.0%	\$ 52,378	\$ 52,378	0.0%
629 055-636 Corrupt Activity Investigation and Prosecution	\$108,230	\$ 108,230	\$ 108,230	0.0%	\$ 108,230	\$ 108,230	0.0%
631 055-637 Consumer Protection Enforcement	\$1,373,832	\$ 1,373,832	\$ 1,373,832	0.0%	\$ 1,373,832	\$ 1,373,832	0.0%
<b>General Services Fund Group Total</b>	<b>\$ 40,398,490</b>	<b>\$ 33,698,490</b>	<b>\$ 33,698,490</b>	<b>-16.6%</b>	<b>\$ 33,698,490</b>	<b>\$ 33,698,490</b>	<b>0.0%</b>
306 055-620 Medicaid Fraud Control	\$2,765,015	\$ 2,882,970	\$ 2,882,970	4.3%	\$ 2,969,459	\$ 2,969,459	3.0%
381 055-611 Civil Rights Legal Service	\$379,432	\$ 390,815	\$ 390,815	3.0%	\$ 390,815	\$ 390,815	0.0%
383 055-634 Crime Victims Assistance	\$15,225,001	\$ 17,561,250	\$ 17,561,250	15.3%	\$ 18,439,313	\$ 18,439,313	5.0%
3E5 055-638 Anti-Drug Abuse	\$2,939,693	\$ 1,923,400	\$ 1,923,400	-34.6%	\$ 1,981,102	\$ 1,981,102	3.0%
3R6 055-613 Attorney General Federal Funds	\$3,645,342	\$ 3,730,191	\$ 3,730,191	2.3%	\$ 3,842,097	\$ 3,842,097	3.0%
<b>Federal Special Revenue Fund Group Total</b>	<b>\$ 24,954,483</b>	<b>\$ 26,488,626</b>	<b>\$ 26,488,626</b>	<b>6.1%</b>	<b>\$ 27,622,786</b>	<b>\$ 27,622,786</b>	<b>4.3%</b>
402 055-616 Victims of Crime	\$27,933,893	\$ 27,933,893	\$ 27,933,893	0.0%	\$ 27,933,893	\$ 27,933,893	0.0%

## LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

<i>Fund ALI ALI Title</i>	<i>Estimated 2003</i>	<i>As Introduced 2004</i>	<i>House Sub Bill 2004</i>	<i>% Change Est. 2003 to House 2004</i>	<i>As Introduced 2005</i>	<i>House Sub Bill 2005</i>	<i>% Change House 2004 to House 2005</i>
<b><i>AGO Attorney General</i></b>							
417 055-621 Domestic Violence Shelter	\$14,492	\$ 14,492	\$ 14,492	0.0%	\$ 14,492	\$ 14,492	0.0%
419 055-623 Claims Section	\$14,749,954	\$ 13,649,954	\$ 13,649,954	-7.5%	\$ 13,649,954	\$ 13,649,954	0.0%
4L6 055-606 DARE	\$3,927,962	\$ 3,927,962	\$ 0	-100.0%	\$ 3,927,962	\$ 0	N/A
659 055-641 Solid and Hazardous Waste Background Investigations	\$880,751	\$ 621,159	\$ 621,159	-29.5%	\$ 621,159	\$ 621,159	0.0%
<b>State Special Revenue Fund Group Total</b>	<b>\$ 47,507,052</b>	<b>\$ 46,147,460</b>	<b>\$ 42,219,498</b>	<b>-11.1%</b>	<b>\$ 46,147,460</b>	<b>\$ 42,219,498</b>	<b>0.0%</b>
R03 055-629 Bingo License Refunds	\$5,200	\$ 5,200	\$ 5,200	0.0%	\$ 5,200	\$ 5,200	0.0%
R04 055-631 General Holding Account	\$675,000	\$ 275,000	\$ 275,000	-59.3%	\$ 275,000	\$ 275,000	0.0%
R05 055-632 Antitrust Settlements	\$10,400	\$ 10,400	\$ 10,400	0.0%	\$ 10,400	\$ 10,400	0.0%
R18 055-630 Consumer Frauds	\$750,000	\$ 750,000	\$ 750,000	0.0%	\$ 750,000	\$ 750,000	0.0%
R42 055-601 Organized Crime Commission Account	\$200,000	\$ 200,000	\$ 200,000	0.0%	\$ 200,000	\$ 200,000	0.0%
<b>Holding Account Redistribution Fund Group Total</b>	<b>\$ 1,640,600</b>	<b>\$ 1,240,600</b>	<b>\$ 1,240,600</b>	<b>-24.4%</b>	<b>\$ 1,240,600</b>	<b>\$ 1,240,600</b>	<b>0.0%</b>
<b><i>Total All Budget Fund Groups</i></b>	<b>\$ 172,585,689</b>	<b>\$ 168,564,321</b>	<b>\$ 160,847,407</b>	<b>-6.8%</b>	<b>\$ 172,748,118</b>	<b>\$ 161,981,567</b>	<b>0.7%</b>