



**CORRECTED VERSION**

***Synopsis of Senate Committee Amendments\****

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*Legislative Service Commission*

**Sub. H.B. 420**

127th General Assembly  
(S. Finance & Financial Institutions)

**Governmental transparency**

Removes the requirements that (1) the Director of the Office of Budget and Management (OBM) develop, in consultation with the Governor, state agency best practices management standards, (2) the Director establish state agency transparency and performance measures, and (3) the Director assess and post agency progress regarding the standards and measures on-line.

Removes the requirements that OBM (1) assess once every 24 months each state program to determine, among other things, its effectiveness and to recommend improvements and (2) design a questionnaire and rating system to indicate a program's overall performance.

Adds a provision authorizing the Governor to direct certain state departments to develop departmental goals and metrics to further the gubernatorial leadership agenda and requires periodic posting of performance measures on the Governor's web site.

Removes the provisions requiring each state agency to designate a senior real property officer to develop and implement an agency asset management plan and to monitor the agency's real property assets.

Removes the provisions establishing the Ohio Real Property Council within OBM to develop guidance for, facilitate the success of, and assist in the development and implementation of each agency's asset management plan and to establish performance measures to determine the effectiveness of state real property management.

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\* This synopsis does not address amendments that may have been adopted on the Senate floor.

Replaces the provision requiring OBM to develop and maintain a database of all real property under the custody and control of the state with a provision requiring the Treasurer of State to develop and maintain such a database.

Creates the Ohio Geographically Referenced Information Program Council and requires the Council to develop a real property management plan and a real property inventory.

Removes the requirements that OBM (1) establish and maintain a web site containing information about the receipt of certain state awards, (2) provide for public comment regarding web site's utility and suggested improvements, and (3) submit an annual report regarding the web site to the General Assembly.

Requires the Department of Administrative Services (DAS) to establish and maintain a web site with information on certain contracts awarded by the state and requires DAS to submit an annual report regarding its implementation of the web site to the General Assembly.

Requires the Attorney General to monitor the compliance of entities receiving state awards for economic development with any terms and conditions of such awards and requires the Attorney General to pursue available remedies and recoveries for noncompliance.

Requires agencies awarding state grants to establish and maintain web sites with certain information about those grants and receiving entities, and requires DAS to establish and maintain a web site providing links to the state grants web sites of individual agencies.

Removes the provision requiring OBM to establish and maintain a searchable web site containing detailed information on appropriation earmarks.

### **County law libraries**

Creates in each county a county law library resources board to provide legal research, reference, and a library to the county and its municipal corporations, townships, and courts, and sets forth the board's membership and requirements.

Creates a county law library resources fund in each county treasury to receive all revenue required to be deposited into the fund, appropriated to the fund from the general fund by the board of county commissioners, or from a gift or bequest.

Requires a library resources board to prepare an annual estimate of revenue and expenditures of the board beginning with calendar year 2010, that must clearly state the course of the revenue and include a specific request for moneys to be appropriated for the ensuing fiscal year.

Allows the boards of county commissioners of two or more adjacent counties to form a multi-county law library resources commission to carry out any or all of the duties and responsibilities conferred upon a library resources board.

Requires that during calendar year 2009 the board of county commissioners compensate the librarian and up to two assistant librarians and pay for the space and utilities in the county courthouse or other building that the board of trustees of the law library association provides for the use of the law library, and repeals the law establishing those responsibilities in other years effective December 31, 2009.

Requires that beginning January 1, 2010, the allowance to law libraries from fines and penalties collected in municipal courts, county courts, courts of common pleas, and probate courts and from fines and penalties for violations of liquor laws and state traffic laws be deposited in the county law library resources fund.

Creates a Statewide Consortium of County Law Library Resources Boards comprised of the library resources boards of each county and creates a Consortium Board and specifies its membership and responsibilities.

Creates the Statewide Consortium of County Law Library Resources Boards Fund.

Reconstitutes the Task Force on Law Library Associations to facilitate the changes in county law library management under the bill.

Requires a law library association, on or before January 1, 2010, to transfer all unspent fines and penalties in the law library's general fund, retained moneys, and all personal property purchased with such funds to the library resources board in the county where the law library association is located.

Requires the law library association to retain all dedicated moneys or personal property that were not purchased with the fines and penalties in the law library's general revenue fund or retained moneys fund.

### **Education**

Replaces effective July 1, 2008, the existing statutory sanctions for school districts and buildings that consistently fail to make adequate yearly progress (AYP) with a requirement for school districts, community schools, and STEM schools that do not make AYP for two consecutive school years (or, in the case of districts, that contain a school building that does not make AYP for two consecutive school years) to implement corrective actions specified in the Department of Education's Model of Differentiated Accountability.

Requires the recalculation of the local share of a current project under the Classroom Facilities Assistance Program (CFAP) for certain school districts that

previously received assistance under CFAP or the Exceptional Needs School Facilities Assistance Program within the prior 20-year period.

Allows the Board of Regents to use certain money in the Ohio Outstanding Scholarship Payment Fund and the Ohio Priority Needs Fellowship Programs Payment Fund to support state financial aid for higher education provided pursuant to the Ohio Instructional Grant Program and the Ohio College Opportunity Grant Program.

### **Assisted living program**

Revises the Assisted Living Program's home first component.

Authorizes the establishment of one or more waiting lists for the Assisted Living Program.

Requires that a residential care facility have a valid Medicaid provider agreement authorizing the facility's participation in the Assisted Living Program in order for an individual to be permitted to reside there while participating in the program.

### **Tax increment financing**

Reauthorizes township use of tax increment financing revenue for public safety expenses.

### **County retirement incentive plans**

Sets forth that the cost of a retirement incentive plan established by a county or county agency is an allowable use of federal funds, provided that more than 15% of the agency's employees do not participate.

### **Municipal energy conservation**

Expands the list of allowable municipal energy conservation measures to include (1) construction of a new building or infrastructure, or installation or installation modification in, or remodeling of, existing infrastructure, (2) a heating and cooling system, (3) a metering system or any other construction, modification, installation, or remodeling of a water, electric, gas, or other municipally supplied utility system, and (4) any construction a municipal corporation considers an energy conservation measure.

Establishes new, statutory competitive bidding and request for proposal (RFP) procedures that a municipal corporation can follow to implement energy conservation measures, in lieu of following procedures set forth in its charter or ordinances or in other existing authority.

Requires RFP proposal submissions from at least three vendors.

Specifies the standards a municipal corporation must use to award an energy conservation measure contract under the competitive bidding or RFP process.

Exempts from competitive bidding requirements interest and financing term provisions of an installment payment contract for municipal installation of energy conservation measures.

Requires an installment payment contract for municipal energy conservation measures to contain specified provisions regarding the timing of municipal payment on the contract.

Changes the maximum maturity for a municipal energy conservation bond from its current ten years, to a range of 5-30 years, depending on the estimated life or period of usefulness of the energy conservation improvements.

### **State program information**

Establishes the Governor's Policy Information Working Group to consider and recommend policies and procedures for state agencies regarding the identification, collection, and dissemination to the public of state program information.

### **Senate officer compensation**

Specifies compensation for Senate officers.

### **Municipal court judges**

Changes the procedure for nominating Portage County municipal judges.

Requires one full-time judge be elected for the Hillsboro Municipal Court instead of one part-time judge.

### **Alcoholic beverage franchises**

Requires a manufacturer or supplier of alcoholic beverages to, under certain circumstances, compensate a distributor before assigning the distributor's territory for a particular product or brand to another distributor.

### **Sales and use tax exemption**

Removes a requirement that aircraft repair, remodeling, replacement, and maintenance services be performed at a Federal Aviation Administration certified repair station to qualify for an exemption from sales and use tax.

**Attest service contract provisions--arbitration**

Permits an attest service contract with an independent accountant employed to audit a public office to include provisions governing arbitration or alternative dispute resolution.

**North Olmsted Welcome House**

Exempts the North Olmsted Welcome House from provisions of current law that impose numerous restrictions and requirements on public improvements.

**Land conveyances**

Authorizes the conveyance of state-owned real estate in Clermont County to the Williamsburg Local School District.

Authorizes the conveyance of state-owned real estate in Franklin County to Res-Care Ohio, Inc.

Authorizes the conveyance of state-owned real estate in Gallia County that is no longer needed for state purposes.

Authorizes the conveyance of state-owned real estate in Gallia County to the City of Gallipolis.

Authorizes the conveyance of state-owned real estate in Greene County to Tawawa Community Development Corporation.

Authorizes the conveyance of state-owned real estate to the Board of Trustees of Cambridge Township, Guernsey County.

Authorizes the conveyance of state-owned real estate in Guernsey County to Cambridge Real Estate Holdings, LLC.

Authorizes the conveyance of state-owned real estate in Huron County to the City of Norwalk.

Authorizes the conveyance of state-owned real estate in Lucas County to The University of Toledo Foundation.

Authorizes the conveyance of state-owned real estate in Mercer County to Mr. Charles Knapke.

Authorizes the conveyance of state-owned real estate in Montgomery County to the Dayton Public School District/Dayton Board of Education.

Authorizes the conveyance of state-owned real estate in Pickaway County to the Scioto Township Board of Trustees.

Authorizes the conveyance of state-owned real estate in Preble County to the Preble Shawnee Local School District.

Authorizes the conveyance of Delaware Armory, Ashland Armory, and Mansfield Armory properties to future buyers.

Revises the legal description of certain armory property in Ashtabula County that the Governor is currently authorized to convey to future buyers.

**Miscellaneous**

Makes appropriations.

Declares an emergency.