

Executive

As Passed by the House

As Reported by Senate Finance and Financial Institutions

Local Government Provisions

1	MIS - 18	Advertisements and Internet Postings on County Websites	
No provision.		No provision.	<div><div>R.C.</div><div>9.03, 305.20, 307.12, 307.121,</div><div>Permits a board of county commissioners to authorize commercial advertising on a county's web site, and specifies the information that must be included in the resolution authorizing such advertising; requires that a board of county commissioners that authorizes commercial advertising on the county's web site to send a copy of the authorizing resolution to each county official who is authorized to place commercial advertisements on a county web site; requires the county official to notify the board if the official intends to implement the resolution; permits the county official to make requests for proposals for such advertising; and permits the board of county commissioners to enter into a contract with such an advertiser, who must pay a fee that is deposited into the county general fund.</div></div>
No provision.		No provision.	<div><div></div><div>Provides that for purposes of any statute or regulation that requires a county to publish a notice, advertisement, list, or other information more than once in a newspaper of general circulation, second and subsequent publications are satisfied by an internet posting if the notice otherwise complies with the publication requirement and its first newspaper publication includes a statement that the notice, advertisement, list, or other information is posted in its entirety on the county's internet web site and provides the county's internet address and instructions for accessing the notice on that web site.</div></div>

Miscellaneous Provisions			Main Operating Appropriations Bill		H. B. 1
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					Fiscal effect: Reduces advertising costs for political subdivisions and also potentially increases revenue gains for counties that contract with an advertiser.
2	MIS - 9	Reverse Internet Auctions			
			R.C. 9.314, 9.317		R.C. 9.314, 9.317
No provision.			Prohibits the state and political subdivisions from using internet reverse auctions to purchase supplies or services if the contract concerns the design, construction, alteration, repair, reconstruction, or demolition of a building, highway, road, street, alley, drainage system, water system, waterworks, ditch, sewer, sewage disposal plant, or any other structure or works of any kind.		Same as the House.
			Fiscal effect: It is uncertain how widely this bidding process is used on design and construction projects, and thus the effect on design and construction costs is unclear.		Fiscal effect: Same as the House.
3	MIS - 32	Force Accounts			
					R.C. 117.16, 117.162, 723.52, 723.53, 5517.02, 5543.19, 5575.01, 5579.10
No provision.			No provision.		Requires the Auditor of State to adjust the Department of Transportation, county, township, and municipal corporation force account limits by 25% of current limits and by consumer price indexes every year beginning in 2011.
No provision.			No provision.		Establishes scope of work limits allowing for use of force accounts for certain bridge and culvert construction performed in counties, townships, and nonchartered municipal corporations.

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No provision.			No provision.		<p>Specifies force account limits for certain county, township, and municipal projects, and reduces the scope of work limits for one year if a political subdivision violates its scope of work limits.</p> <p>Fiscal effect: Uncertain. Overall, the provision will increase force account limits and grant more flexibility to the Department of Transportation and political subdivisions when completing capital projects using their own resources.</p>
4	MIS - 24	Mandatory Cost Savings Programs for Exempt County Employees			
No provision.			No provision.		<p>R.C. 124.393</p> <p>Authorizes a county appointing authority to establish a mandatory cost savings program for its employees who are not subject to a collective bargaining agreement that includes a loss of pay or loss of holiday pay of not more than 80 hours during each of state fiscal years 2010 and 2011.</p>
No provision.			No provision.		<p>Authorizes a county appointing authority to establish a mandatory cost savings program for such employees after June 30, 2011, in the event of a fiscal emergency.</p>
5	MIS - 4	Contractor Compliance with Local Law			
No provision.			<p>R.C. 125.24, 153.013</p> <p>Requires contractors to comply with any workforce regulation or ordinance enacted by a political subdivision when performing a contract in that political subdivision when that contract is made by the state or is funded in whole or in part by state funds.</p>		No provision.

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Fiscal effect: If local workforce regulations or ordinances are more stringent than state regulations or laws, then the provision could result in greater costs for public improvements or goods and services.

6	MIS - 21	Regional Council of Governments	
	No provision.	No provision.	R.C. 167.081 Allows a regional council of governments, when applicable, to enter into a contract that establishes a unit price for, and provides upon a per unit basis, materials, labor, services, overhead, profit, and associated expenses for the repair, enlargement, improvement, or demolition of a building or structure if the contract is awarded pursuant certain competitive bidding procedures.
	No provision.	No provision.	Specifies that a public notice requirement pertaining to the contract must be considered to be met if certain newspaper notice and internet notice requirements are met.
	No provision.	No provision.	Permits a council member to participate in such a contract, but prohibits a council member from participating if it has received bids for the same work under another contract, unless the council's contract will enable the member to obtain the same work, upon the same terms, conditions, and specifications, at a lower price. Fiscal effect: Potentially reduces contract costs for regional councils of governments.

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MIS - 30

Alternative Form of County Government

R.C. 302.011, 302.012-302.015, 302.02-302.05, 302.081, 302.082, 302.09-302.14, 302.17-302.19, 302.201, 302.202, 302.204, 302.21, 302.22, 302.24

No provision.	No provision.	Requires the board of elections of any county having a population of 1.2 million or more, according to the 2000 federal decennial census (Cuyahoga County), to submit to the electors of the county, in the November 2009 election, the question of whether to adopt an alternative form of government to be known as the blended county government plan.
No provision.	No provision.	<div>Creates the blended county government plan that does the following:</div> <div><div>(1) Consists of a thirteen member county council elected by districts.</div><div>(2) Includes a county executive elected at large for a four year term.</div><div>(3) Combines the offices of county auditor, county treasurer, and county recorder into an elected office of chief financial officer.</div><div>(4) Creates the chief operating officer who is appointed by a vote of at least nine county council members and who oversees the offices of medical examiner, county engineer, and clerk of the court of common pleas.</div><div>(5) Replaces the elected office of county coroner with an</div></div>

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No provision.		No provision.	<p>appointed office of medical examiner, appointed by the chief operating officer with the approval of nine county council members.</p> <p>(6) Replaces the elected office of county engineer with an appointed office of county engineer, appointed by the chief operating officer with the approval of nine county council members.</p> <p>(7) Replaces the elected office of the clerk of the court of common pleas with an appointed clerk of the court of common pleas, appointed by the chief operating officer with the approval of nine county council members.</p> <p>(8) Retains the elected offices of county prosecutor and county sheriff.</p> <p>Amends current law to include a blended county government plan as an alternative form of county government.</p>
8	MIS - 14	Certain County Sheriff and Law Enforcement Accident Report Fees	
(1) No provision.		R.C. 311.17, 2949.17, 5502.12 (1) Increases certain fees that a sheriff charges for the service and return of certain writs and orders and for transporting convicted felons to state correctional institutions.	R.C. 311.17, 2949.17, 5502.12 (1) Same as the House.
(2) No provision.		(2) Requires a charge of \$4 for accident reports and \$4 for photos or any electronic format related to accident reports.	(2) Same as the House.
(3) No provision.		(3) No provision.	(3) Provides that if, after the bill's effective date, the State Highway Patrol is authorized to charge a fee in excess of \$4 for an accident report relating to an accident investigated by

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		<p>Fiscal effect: Likely: (1) minimal annual loss in accident report fee revenues collected by the State Highway Patrol, and (2) annual increase of uncertain magnitude in fees collected by various local law enforcement agencies.</p>		<p>the Patrol and all related reports and statements or a fee in excess of \$4 for photographs or other electronic formats related to an accident report, then a local law enforcement agency may charge that same fee for an accident report investigated by that law enforcement agency upon approval of the board of county commissioners of the county in which that law enforcement agency is located.</p> <p>Fiscal effect: Same as the House.</p>
9	MIS - 20	Use of Delinquent Tax and Assessment Collection Fund		
No provision.		No provision.		<p>R.C. 321.261</p> <p>Expands the allowable uses of the Delinquent Tax and Assessment Collection (DTAC) Fund by authorizing the board of commissioners of any county to use money in the county's DTAC Fund (derived from a 5% excise from delinquent tax collections) to fund residential mortgage foreclosure prevention efforts and to address foreclosure-related problems, provided that the amount spent for that purpose in any year does not result in the DTAC Fund reserve falling below 20% of the amount spent the preceding year to collect delinquent taxes (the original purpose of the DTAC Fund); authorizes the board of commissioners of any county to use DTAC money to assist cities, villages, and townships in nuisance abatement efforts and permits the board of county commissioners of any county to spend DTAC money for "land reutilization" if the county's investment advisory committee authorizes such spending.</p>
Miscellaneous Provisions		7		Prepared by the Legislative Service Commission 6/3/2009

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10	MIS - 12	County Land Reutilization Corporations	<p>R.C. <i>323.78, 1724.04</i></p> <p>No provision.</p> <p>Authorizes all counties, not just those with a population greater than 1.2 million (Cuyahoga County) to create a county land reutilization corporation to dispose of tax-delinquent real property, and to shorten the time allowed for delinquent property owners to redeem tax-foreclosed property before it is sold or otherwise disposed of by the county.</p> <p>Fiscal effect: The number of tax-delinquent properties acquired will depend on the available resources for each county land reutilization corporation.</p>		No provision.
11	MIS - 17	Municipal Solar Panel Revolving Loan Program	<p>No provision.</p> <p>No provision.</p> <p>No provision.</p>		<p>R.C. <i>717.25</i></p> <p>Authorizes a municipal corporation to establish a program to make low interest loans to residents of the municipal corporation so that they can install solar panels in their homes.</p> <p>Allows repayments by residents receiving the loans to be paid in installments, and, at the option of the resident, in the same manner as the repayment of special assessments.</p> <p>Fiscal effect: Potential revenue increase from interest earnings gained through loan repayments.</p>

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12	MIS - 10	Municipal Property Auctions			
			R.C. 721.15		R.C. 721.15
	No provision.		Reduces, from fifteen to ten, the minimum number of days for bidding when a nonchartered municipal corporation sells personal property by internet auction.		Same as the House.
13	MIS - 16	Park District Establishment of Building Departments			
	No provision.		No provision.		R.C. 1545.073
					Authorizes a board of park commissioners of a park district to create a building department to enforce the state nonresidential building code regarding existing and constructed buildings on park district property, so long as the building department is certified under section 3781.10 of the Revised Code, and prohibits a municipal, township, or county building department that has jurisdiction in the same location as a certified park district building department from exercising its enforcement authority regarding any buildings on the park district's property.
14	MIS - 22	Township Authority to Initiate a Civil Action to Abate a Public Nuisance			
	No provision.		No provision.		R.C. 3767.41
	No provision.		No provision.		Authorizes a township to be included among the current entities allowed to initiate a public nuisance action under the Public Nuisance Law, Chapter 3767.
					Provides that nothing in this provision of law authorizing the initiation of a civil action to abate a public nuisance shall be construed to limit or prohibit a municipal corporation or

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				township that has adopted an ordinance or resolution to participate in the fire loss claims program from receiving insurance proceeds under the program.
15	MIS - 23	Prevailing Wage Schedule of Wages		
No provision.			No provision.	R.C. 4115.04 Gives any public authority, rather than just the Department of Natural Resources, the option of including language in contracts to require wage rate determinations and updates to be obtained directly from the Department of Commerce through electronic or other means rather than attaching to the contract the schedule of wages that the public authority obtains from the Department of Commerce.
16	MIS - 11	Court Employee Collective Bargaining Exemption		
No provision.			R.C. 4117.01 Removes the exemption for employees and officers of the court and employees of the clerks of courts who perform a judicial function from the Public Employee Collective Bargaining Law. Fiscal effect: The impact on pay and benefits would depend on the terms of the collective bargaining contracts in jurisdictions where employees opt for representation.	No provision.

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17	MIS - 26	Firefighter Collective Bargaining	R.C. Specifies that, for the purposes of collective bargaining rights, a township, regardless of its population count, is considered a public employer with respect to permanent, full-time, paid members of its fire department. Fiscal effect: Townships that currently do not engage in collective bargaining with firefighters may have to engage in collective bargaining with certain firefighters.		No provision.
18	MIS - 31	Angle Parking on State Routes within Municipal Corporations	Fiscal effect: Same as the Executive. No provision.		R.C. 4511.69 Provides that no angled parking space that is located on a state route within a municipal corporation is subject to elimination, irrespective of whether or not there is or is not at least 25 feet of unoccupied roadway width available for free-moving traffic at the location of that angled parking space, unless the municipal corporation approves of the elimination of the angled parking space. Fiscal effect: Uncertain.

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19	MIS - 29	Port Authority Plans			
					R.C. 4782.07, 4582.08, 4582.32, Section 745.50
	No provision.		No provision.		Restricts the current requirement for all port authorities to prepare a plan for future development, construction, and improvement of the port and its facilities to a requirement for such plans for port authority maritime facilities only, limits the effect of the plan on port authority financial instruments and contracts, and revises notification requirements.
	No provision.		No provision.		Clarifies that the amendment is intended to eliminate certain unintended effects that resulted from the enactment of S.B. 353 of the 127th General Assembly, in that, as enacted, unintentionally burdened the process by which Ohio port authorities promote their authorized purposes.
20	MIS - 5	County Boards of Revision Membership			
			R.C. 5715.02		R.C. 5715.02
	No provision.		Requires that a member of the board of county commissioners, rather than the president of the board of county commissioners be a member of the county board of revision.		Same as the House.
21	MIS - 19	Internet Publication of Tax-Delinquent Property Lists			
					R.C. 5721.03
	No provision.		No provision.		Authorizes county auditors to publish the list of tax-delinquent real property and related preliminary notices on a website instead of in a newspaper.

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						Fiscal effect: Reduces publication costs for counties.		
22	MIS - 8	Discounted or Reduced Water and Sewer Rates						
			R.C.	6103.01, 6103.02, 6117.01, 6117.02, 6119.011, 6119.091		R.C.	6103.01, 6103.02, 6117.01, 6117.02, 6119.011, 6119.091	
No provision.			Authorizes a board of county commissioners for a sewer district, and a board of trustees for a regional water and sewer district, to offer discounts or reductions on water and sewer rates, rentals, or charges to persons 65 years of age or older who are eligible for the homestead exemption or qualify as low- and moderate-income persons.		Same as the House.			
			Fiscal effect: Potential reduction in water and sewer revenues for districts that provide the discount, dependent upon the number of eligible residents.		Fiscal effect: Same as the House.			
23	MIS - 7	Ohio Commission on Local Government Reform and Collaboration						
			Sections: 610.30, 610.31					
No provision.			Requires that the Ohio Commission on Local Government Reform and Collaboration, when developing its recommendations, consider making annual financial reporting across local governments consistent for ease of comparison and aligning regional planning units across state agencies.		No provision.			

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24	MIS - 13	Land Conveyance from ODMH to Dayton Public School District/Dayton Board of Education	
		Section: 753.20	
	No provision.	Conveys about 45 acres from the state (DMH) to the Dayton Public School District.	No provision.
	No provision.	Specifies that the cost of the above conveyance is to convey about 9 acres of land adjacent to the remaining Twin Valley Behavioral Healthcare - Dayton Campus from the Dayton Public School District to the state subject to certain conditions; if the conditions are not met, in lieu of conveying the 9 acres to the state, requires the school district to pay \$1,175,000, into the Mental Health Trust Fund (Fund 4P90) for the 45 acres of land.	No provision.
	No provision.	Requires the Auditor of State, with the Attorney General's assistance, to prepare a deed stating the consideration, and requires the school district to present the deed for recording in the Montgomery County Recorder's office and pay all costs associated with conveyance of the real estate transferred to the state, including recordation costs of the deed.	No provision.
	No provision.	Prohibits the school district, during any period that any bonds issued by the state to finance or refinance all or a portion of the real estate are outstanding, from using any portion of the real estate for a private business use without the state's prior written consent.	No provision.
		Fiscal effect: Reduces DMH's land maintenance costs and increases costs to the school district to meet the conditions of the conveyance.	

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MIS - 28

Land Conveyance - Butler County

No provision.	No provision.	Section: 753.40 Authorizes the Governor to execute a deed in the name of the state conveying Fairfield Village Realty, LLC, and its successors and assigns, all of the state's right, title, and interest in certain real estate located in Butler County.
No provision.	No provision.	States that the consideration for the conveyance is \$450,000 and that additional consideration for the conveyance is a Cognovit Promissory Purchase Note between the grantee and Empowering People, Inc., the licensed operator of the facility for \$5 million.
No provision.	No provision.	Permits credits against Cognovit Promissory Purchase Note for certain completed improvements and development obligations and requires forgiveness of the balance of the Note if certain obligations are met.
No provision.	No provision.	Requires the real estate to be sold as an entire tract and not in parcels through a Governor's Deed and that any personal property or chattels located on the real estate be transferred to the grantee through a bill of sale.
No provision.	No provision.	Requires the Governor's Deed to contain deed restrictions that prohibit, within five years from the date of closing, the grantee from transferring the real estate to a third party or assigning its interest in the real estate to a third party, except in the case of death or disability of the grantee's owner, without the prior written approval of ODMR/DD.
No provision.	No provision.	Requires the Auditor of State, with the assistance of the Attorney General, to prepare a Governor's Deed to the real estate.

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No provision.	No provision.	Requires the grantee to present the Governor's Deed for recording in the Office of the Butler County Recorder.
No provision.	No provision.	Requires the grantee to pay the costs of the conveyance of the real estate.
No provision.	No provision.	States that the authority for this land conveyance expires two years after the effective date of this section of the bill.

26	MIS - 25	Land Conveyance - Jackson County	
No provision.	No provision.	Section: 753.50 Authorizes the conveyance of state-owned real estate in Jackson County, used by the Ohio Agricultural Research and Development Center, to the Jackson City Schools Board of Education. Specifies that the consideration of the conveyance is for the Jackson City Schools Board of Education to convey certain Board-owned real estate to the state.	

Other Provisions			
27	MIS - 27	Protected Public Record Status for Investigators of the BCII	
			R.C. 149.43, 149.45, 319.28, 319.54
No provision.		No provision.	Includes BCII investigators among those whose residential and familial information is exempt from disclosure as a public record under current law.
No provision.		No provision.	Requires county auditors to use the initials of protected persons, not only on the general tax list and duplicate, but also on any record made available by the county auditor to

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				the general public on the Internet or a publicly accessible database.
28	MIS - 15	Appeals-Stay of Execution and Supersedeas Bonds		
(1) No provision.			(1) No provision.	<p>R.C. 2505.09, 2505.12, and 2505.122</p> <p>(1) Provides that, generally, the perfection of an appeal, including an administrative appeal, does not operate as a stay of execution until such a stay has been obtained pursuant to the Rules of Appellate Procedure or in another applicable manner and a supersedeas bond is executed by the appellant to the appellee, with sufficient sureties and in a sum that is not less than, if applicable, the cumulative total for all claims covered by the final order, judgment, or decree plus interest involved, except that the bond cannot exceed \$50 million excluding interest and costs, as directed by the court that rendered the final order, judgment, or decree that is sought to be superseded or by the court to which the appeal is taken.</p>
(2) No provision.			(2) No provision.	<p>(2) Clarifies an existing provision exempting an appellant from giving a supersedeas bond in connection with any perfection of an appeal by any of the parties specified in existing law or any perfection of an administrative-related appeal of a final order that is not for the payment of money.</p>
(3) No provision.			(3) No provision.	<p>(3) Modifies the requirements for a supersedeas bond executed by an appellant who obtains a stay of execution pending the appeal of a final order, adjudication, or decision of the court.</p> <p>Fiscal effect: Uncertain.</p>