

COMPARISON DOCUMENT

Amended Substitute House Bill 114
129th General Assembly

Transportation Budget Bill
(FY 2012-FY 2013)

As Introduced
As Passed by the House
As Passed by the Senate
As Enacted

Legislative Service Commission
May 11, 2011

Executive

As Passed by the House

As Passed by the Senate

As Enacted

CACCD1 Cash Transfers between the GRF and the Casino Control Commission Operating Fund

No provision.

No provision.

Section: 512.60

Authorizes the Director of Budget and Management to transfer cash as necessary in FY 2011 and FY 2012 from the GRF to the Casino Control Commission Operating Fund (Fund 5HS0) for initial casino operating expenses of the Office of the Inspector General and the Ohio Ethics Commission. Requires the Director of Budget and Management to establish a repayment schedule for cash transfers from the fund to the GRF.

Fiscal effect: Temporary cash transfers between the GRF and SSR Fund 5HS0, to provide funding for supervising casino activities until license application fees and gross receipts taxes begin to be received. Three appropriation items are drawn from Fund 5HS0: 955321, Casino Control-Operating in the Casino Control Commission budget; 965609, Casino Investigations, in the Office of the Inspector General budget; and 146602, Casino Investigations, in the Ohio Ethics Commission budget.

Section: 512.60

Same as the Senate.

Fiscal effect: Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

COMCD3 Importation of Beer or Wine for Personal Use

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 4301.20 Allows an Ohio resident or a member of the U.S. armed forces who is 21 years of age or older to bring into the state for personal use no more than 4.5 liters of wine or 288 ounces (2.25 gallons) of beer in any 30-day period. Exempts such a person from any tax consent fee when the person physically possesses and accompanies the wine or beer into the state.</p>	<p>R.C. 4301.20 Same as the Senate.</p> <p>Fiscal effect: Same as the Senate.</p>
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COMCD1 Wine at Outdoor Performing Arts Centers

<p>No provision.</p>	<p>R.C. 4301.62 Modifies an acreage limit in current law to allow patrons to possess opened or unopened containers of wine on a D-2 liquor permit premises that is an outdoor performing arts center open from April 1 to October 31 and located on "not less than 150 acres" rather than on "not less than 800 acres," as under current law.</p>	<p>R.C. 4301.62 Same as the House.</p>	<p>R.C. 4301.62 Same as the House.</p>
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Executive	As Passed by the House	As Passed by the Senate	As Enacted
	<p>Fiscal effect: None, but potentially allows patrons to bring their own wine to other performing arts centers that are D-2 liquor permit holders as a result of the lower acreage requirement, instead of only the Blossom Music Center in Cuyahoga Falls, which recently sold 635 of 800 acres of land.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>

COMCD2 S Liquor Permits for Brand Owners or Importers of Beer

		R.C. 4303.232, 4301.10	R.C. 4303.232, 4301.10
(1) No provision.	(1) No provision.	(1) Authorizes an S liquor permit to be issued to certain brand owners and importers of beer, in addition to wine as in existing law, located inside or outside Ohio to allow those owners and importers to sell beer to personal consumers.	(1) Same as the Senate.
(2) No provision.	(2) No provision.	(2) Exempts manufacturers that produce and ship beer into Ohio and that hold an S liquor permit from the existing \$300 supplier registration fee (conforms with current law exempting wine manufacturers from this fee).	(2) Same as the Senate.
(3) No provision.	(3) No provision.	(3) Specifies that an S permit holder that does not sell its beer to wholesale distributors of beer in Ohio is not required to submit to the Division of Liquor Control territory designation forms (conforms with current law exempting B-2a and S permit holders that do not sell wine to wholesale distributors in this state from submitting to such forms)	(3) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(4) No provision.	(4) No provision.	<p>(4) Requires an S permit holder who sells beer to pay the appropriate taxes, including sales and use tax.</p> <p>Fiscal effect: Potential gain in revenue to the Liquor Control Fund (Fund 7043) and the GRF from various permit fees. Any new beer products intended to be sold in this state would be subject to a \$50 product registration fee, the revenue from which is deposited into Fund 7043. The \$25 fee for an S liquor permit is initially deposited into Fund 7043, though once each fiscal year, the revenue of such fees is transferred to the GRF. Potential minimal gain in various taxes associated with the sale of beer.</p>	<p>(4) Same as the Senate.</p> <p>Fiscal effect: Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

CEBCD1 Controlling Board Membership

<p>No provision.</p>	<p>R.C. 127.12 Permits the vice-chairpersons of the House Finance and Appropriations and Senate Finance Committees to serve regularly on the Controlling Board, alternatively to the chairpersons of those committees, as designated by the Speaker of the House and the Senate President. Fiscal effect: None.</p>	<p>R.C. 127.12 Same as the House. Fiscal effect: Same as the House.</p>	<p>R.C. 127.12 Same as the House. Fiscal effect: Same as the House.</p>
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Executive

As Passed by the House

As Passed by the Senate

As Enacted

DEVCD5 Prohibition on economic development assistance for gaming activities

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 122.014 Prohibits the Department of Development or any other entity that administers economic development programs or projects under certain sections of state law from providing economic development assistance to businesses conducting gaming activities or for project sites on which gaming activities will be conducted, and defines "gaming activities" as activities including or conducted in connection with casino gambling or pari-mutuel wagering.</p>	<p>R.C. 122.014 Same as the Senate.</p>
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DEVCD4 Definition of "Alternative Fuel" for Alternative Fuel Transportation Grants

<p>No provision.</p>	<p>R.C. 122.075 Applies the broader definition of "alternative fuel" from the Department of Administrative Services' fleet management law to the Department of Development's Alternative Fuel Transportation Grant Program, effectively adding E85 blend fuel, natural gas, liquefied petroleum gas, hydrogen, and other power sources including electricity to the list of alternative fuels eligible for the program.</p>	<p>R.C. 122.075 Same as the House.</p>	<p>R.C. 122.075 Same as the House.</p>
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Executive

As Passed by the House

As Passed by the Senate

As Enacted

DEVCD1 Roadwork Development Fund

Section: 207.10

(1) Requires the Roadwork Development Fund (Fund 4W00) to be used for road improvements associated with economic development projects to retain or attract businesses in Ohio. Defines "road improvements" as improvements to public roadway facilities located on, serving, or that are capable of serving a project site.

(2) Requires the Department of Transportation to provide funds in accordance with the guidelines and requirements of Department of Development appropriation item 195412, Business Development, including Controlling Board review and approval, as well as constitutional requirements for the use of motor fuel tax revenues. Permits the Department of Transportation to assist the Department of Development with project completion and to enter into contracts on behalf of the Department of Development. Permits funds to be used in conjunction with appropriation item 195412 or any other state funding for infrastructure improvements.

(3) Requires the Director of Budget and Management, pursuant to a plan submitted by the Director of Development or as otherwise determined, to set a cash transfer schedule to meet the needs of Fund 4W00,

Section: 207.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Section: 207.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Section: 207.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

and requires such transfers to be made according to the schedule from the Highway Operating Fund (Fund 7002).

DEVCD2 Transportation Improvement Districts

Section: 207.10

Requires \$250,000 in each fiscal year from Fund 4W00 appropriation item 195629, Roadwork Development, to be distributed to each of the Transportation Improvement Districts in Belmont, Butler, Clermont, Hamilton, Lorain, Medina, Montgomery, Muskingum, and Stark counties and to the Rossford Transportation Improvement District in Wood County.

Section: 207.10

Replaces the \$250,000 earmarks for individual Transportation Improvement Districts with a single earmark of \$2,750,000 in each fiscal year for Transportation Improvement Districts in general. Requires Transportation Improvement Districts to be certified as eligible by the Director of Development in order to receive funds, requires funds to be used for specific projects, and prohibits funds from covering the full cost of a project or any administrative costs.

No provision.

No provision.

DEVCD3 Security Deposit Fund Cash Transfer

Section: 207.10

Requires the Director of Budget and Management to transfer \$32,027.17 in cash from the Security Deposit Fund (Fund R052) to the Roadwork Development Fund (Fund 4W00).

Section: 207.10

Same as the Executive.

Section: 207.10

Same as the Executive.

Section: 207.10

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EDUCD2 ARRA Compliance Fund Transfers

No provision.

Section: 733.10

Requires the Superintendent of Public Instruction to certify to the Director of Budget and Management the amount of additional funding needed, if any, to comply with SFSP requirements under ARRA. Requires the Superintendent to identify encumbrances in the Department of Education's budget that are no longer needed. Requires the Director to transfer cash from the GRF to the ARRA Compliance Fund (Fund 5JA0) in the amount needed, first from appropriation items 200502, Pupil Transportation, and 200550, Foundation Funding, then from other GRF appropriations.

Fiscal effect: Restricts the amount transferred from GRF items other than 200502 and 200550, to \$20.0 million for FY 2010 and FY 2011. Requires ODE to seek Controlling Board approval if the needed transfer exceeds \$25.0 million for each fiscal year. If needed funds will be distributed to public schools on a per pupil basis.

Section: 733.10

Same as the Senate.

Fiscal effect: Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
JFSCD1 Cash Transfers from the Tobacco Use Prevention and Control Foundation Endowment Fund			
No provision.	<p>Sections: 610.10, 610.11</p> <p>Adds to the allowable uses of the dollars transferred from the Tobacco Use Prevention and Control Foundation Endowment Fund to the Child and Adult Protective Services Fund (Fund 5GV0), used by the Ohio Department of Job and Family Services, and previously appropriated in Am. Sub. H.B. 1 of the 128th General Assembly, any allowable service activity that county departments of job and family services must expend allocations received from GRF appropriation item 600533, Child, Family, and Adult Community & Protective Services.</p>	<p>Sections: 610.10, 610.11</p> <p>Same as the House.</p>	<p>Sections: 610.10, 610.11</p> <p>Same as the House.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
DNRCD1 FY 2011 Waterways Improvement Funding Increase			
No provision.	No provision.	<p data-bbox="1338 383 1588 412">Section: 610.10</p> <p data-bbox="1338 440 1919 602">Amends Section 343.10 of H.B. 1 of the 128th General Assembly to increase Fund 7086 appropriation item 725414, Waterways Improvement, by \$750,000 in FY 2011, from \$4,265,575 to \$5,015,575.</p> <p data-bbox="1338 621 1876 719">Fiscal effect: Provides an additional \$750,000 in FY 2011 funding for DNR's lake dredging program.</p>	<p data-bbox="1954 383 2201 412">Section: 610.10</p> <p data-bbox="1954 440 2233 469">Same as the Senate.</p> <p data-bbox="1954 621 2429 651">Fiscal effect: Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD19 Director of Public Safety and the Registrar of Motor Vehicles Grant Authority

R.C. 4501.02, 5502.011

Permits the Director of Public Safety and the Registrar of Motor Vehicles to apply for, allocate, disburse, and account for grants from federal, state, or private sources.

Fiscal effect: None.

R.C. 4501.02, 5502.011

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4501.02, 5502.011

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4501.02, 5502.011

Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD17 Clerk of Courts Title Fee Increases

R.C. 4501.06, 4505.09, 4519.59

Increases the \$15 fee that currently is charged for certain certificate of title and duplicate certificate of title to \$25 effective October 1, 2011, and requires the \$10 increase to be credited to the State Highway Safety Fund (Fund 7036).

Fiscal effect: This fee increase could, depending on the number of transactions in a given year, generate up to \$31.5 million or more annually for deposit in Fund 7036 to support the Highway Patrol.

No provision.

No provision.

No provision.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
DPSCD18 Bonds Issued Pursuant to Article VIII, Section 2g of the Ohio Constitution			
<p>R.C. 4501.06 Removes obsolete language relating to the State Highway Safety Fund (Fund 7036), the Highway Improvement Bond Retirement Fund, and bonds issued pursuant to Article VIII, Section 2g of the Ohio Constitution.</p>	<p>R.C. 4501.06 Same as the Executive.</p>	<p>R.C. 4501.06 Same as the Executive.</p>	<p>R.C. 4501.06 Same as the Executive.</p>
Fiscal effect: None.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
DPSCD25 Bureau of Motor Vehicles Next of Kin Information Form			
No provision.	<p>R.C. 4501.81 Provides that when a person submits an application to the Registrar of Motor Vehicles or a deputy registrar for a new or renewal driver's license, commercial driver's license, temporary instruction permit, motorcycle operator's license or endorsement, or identification card, the individual must be furnished with a next of kin information form on which the individual may list information for inclusion in the next of kin database of the Bureau of Motor Vehicles.</p>	<p>R.C. 4501.81 Same as the House.</p>	<p>R.C. 4501.81 Same as the House.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
	<p>Fiscal effect: The Bureau of Motor Vehicles' operating costs will increase by no more than \$100,000 annually in order to comply with this provision. The increased expenditures would likely be covered by moneys appropriated from the State Bureau of Motor Vehicles Fund (Fund 4W40).</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>
DPSCD31 Clerk of Court of Common Pleas Eligible to Act as Deputy Registrar			
	<p>R.C. 4503.03</p>	<p>R.C. 4503.03</p>	<p>R.C. 4503.03</p>
(1) No provision.	<p>(1) Allows a clerk of a court of common pleas in a county with a population greater than 40,000 to apply to the Registrar of Motor Vehicles to act under contract as a deputy registrar.</p>	<p>(1) Same as the House, but modifies the population threshold to between 40,000 and 50,000.</p>	<p>(1) Same as the Senate.</p>
(2) No provision.	<p>(2) No provision.</p>	<p>(2) Allows the Registrar, notwithstanding the county population restrictions governing a clerk of courts serving as a deputy registrar, to ask the clerk to serve as the deputy registrar for a county, if no person applies to act under contract as a deputy registrar in the county and the county auditor is not designated as a deputy registrar.</p>	<p>(2) Same as the Senate.</p>
	<p>Fiscal effect: Presumably, a clerk of a court of common pleas would not want to act as a deputy registrar if the revenues generated would exceed to operating costs. However, the magnitude by which the revenues would exceed those costs is uncertain.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD41 Deputy Registrar Credit

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 4503.03 Requires the Bureau of Motor Vehicles, as a daily adjustment, to credit to a deputy registrar \$3.50 for each damaged license plate or validation sticker the deputy registrar replaces as a service to a member of the public. Fiscal effect: Potential annual increase in expenditures from the State Bureau of Motor Vehicles Fund (Fund 4W40), depending on the number of such credits that are issued to deputy registrars per year.</p>	<p>R.C. 4503.03 Same as the Senate. Fiscal effect: Same as the Senate.</p>
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DPSCD44 Deputy Registrar Election to Local Office

<p>(1) No provision.</p>	<p>(1) No provision.</p>	<p>R.C. 4503.03 (1) Requires the Registrar of Motor Vehicles to continue a contract with a deputy registrar who, subsequent to being awarded a deputy registrar contract, is elected to an office of a county, township, city, village, or school district and also allows the Registrar to renew such a contract.</p>	<p>R.C. 4503.03 (1) Same as the Senate.</p>
<p>(2) No provision.</p>	<p>(2) No provision.</p>	<p>(2) Establishes that the political contribution limits that generally apply to a deputy registrar do not apply to a deputy registrar who is subsequently elected to one of those</p>	<p>(2) Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

offices.

Fiscal effect: None.

Fiscal effect: Same as the Senate.

DPSCD46 Deputy Registrar Vending Business

No provision.

No provision.

R.C. 4503.03

Permits a deputy registrar, in accordance with guidelines established by the Director of Public Safety, to operate or contract for the operation of a vending machine at a deputy registrar location if products of the vending machine are consistent with the functions of a deputy registrar.

Fiscal effect: Potential commission revenues for state or local governmental entities operating as a deputy registrar, as per the sales agreement with the vending machine company.

R.C. 4503.03

Same as the Senate.

Fiscal effect: Same as the Senate.

DPSCD47 Clerks of Court and County Auditor Performing Deputy Registrar Functions

No provision.

No provision.

R.C. 4503.03

Specifies that a county auditor or clerk of a court of common pleas who is performing deputy registrar functions is not required to file the political contribution disclosure form or pay the filing fee otherwise required for persons acting under contract as a deputy registrar.

R.C. 4503.03

Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		<p>Fiscal effect: Potential, at most minimal, annual loss in required annual filing statement fees that would otherwise be collected by the Registrar of Motor Vehicles for deposit in the state treasury to the credit of the GRF.</p>	<p>Fiscal effect: Same as the Senate.</p>
<p>DPSCD49 Deputy Registrar Accept Reinstatement Fees</p>			
		<p>R.C. 4503.03, 4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 4510.72, and 4511.191</p>	<p>R.C. 4503.03, 4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 4510.72, and 4511.191</p>
(1) No provision.	(1) No provision.	(1) Requires the Registrar of Motor Vehicles to adopt rules for a deputy registrar who requests such authority to collect reinstatement fees.	(1) Same as the Senate.
(2) No provision.	(2) No provision.	(2) Allows a deputy registrar who collects reinstatement fees to also collect a \$10 service fee of which the deputy retains \$8 and transmits \$2 to the Registrar for deposit into the State Bureau of Motor Vehicles Fund (Fund 4W40).	(2) Same as the Senate.
(3) No provision.	(3) No provision.	(3) Requires the Registrar to use the \$2 portion of the service fee to pay for deputy registrar equipment necessary in connection with accepting reinstatement fees.	(3) Same as the Senate.
(4) No provision.	(4) No provision.	(4) Requires the Registrar, not later than January 1, 2012, to ensure that at least one deputy registrar in each county has the necessary equipment and is able to accept reinstatement fees.	(4) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		<p>Fiscal effect: Additional service fee revenues are likely to be collected annually for deposit in the State Bureau of Motor Vehicles Fund (Fund 4W40), and additional, presumably one-time, expenditures will be made from the fund to pay for the equipment needed by participating deputy registrars. Additional revenues in the form of service fees, possibly exceeding minimal annually, may be collected by local jurisdictions acting as a deputy registrar.</p>	<p>Fiscal effect: Same as the Senate.</p>

DPSCD35 Co-location of Clerk of Court of Common Pleas and Deputy Registrar

	R.C. 4503.031	R.C. 4503.031	R.C. 4503.031
(1) No provision.	<p>(1) Requires the clerk of the court of common pleas to inform the Registrar of Motor Vehicles if space is available at any location at which the clerk has an office and requires the Registrar to give the appropriate deputy registrars located in that county the opportunity to use the space to carry out the deputy registrar's duties.</p>	<p>(1) Same as the House.</p>	<p>(1) Same as the House.</p>
(2) No provision.	<p>(2) Permits a clerk of the court of common pleas and a deputy registrar to occupy a location at which neither the clerk nor the deputy is an occupant, subject to the approval of the Registrar, who must give due consideration to all issues and aspects of the proposed arrangement, including security at the location and service to the public.</p>	<p>(2) Same as the House.</p>	<p>(2) Same as the House.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
	<p>Fiscal effect: Presumably, the clerk of court and a deputy registrar would not occupy the same location unless there was some savings in building operating expenses and there were not significant concerns related to security and services.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>
DPSCD30 County Auditor Designated to Act as Deputy Registrar			
<p>No provision.</p>	<p>R.C. 4503.037 Allows a county auditor who is designated to act as a deputy registrar and the clerk of courts to allocate motor vehicle-related duties between the respective offices under certain circumstances. Fiscal effect: Presumably, a county auditor and the clerk of courts would not enter into such an arrangement unless a savings effect were produced. The potential annual magntiude of such a savings effect is uncertain.</p>	<p>R.C. 4503.037 Same as the House. Fiscal effect: Same as the House.</p>	<p>R.C. 4503.037 Same as the House. Fiscal effect: Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD33 Motor Vehicle Registration Late Fee Exemption

<p>No provision.</p>	<p>R.C. 4503.04 Exempts farm trucks and farm buses from the \$20 motor vehicle registration late fee and requires the waiver of that late fee in any case involving the registration of a motor vehicle that is used on a seasonal basis if sufficient proof of such seasonal use accompanies the registration application for the vehicle. Fiscal effect: The State Highway Safety Fund (Fund 7036) could lose up to \$1.26 million or more annually in late fee revenues that might have otherwise been collected.</p>	<p>R.C. 4503.04 Same as the House. Fiscal effect: Same as the House.</p>	<p>R.C. 4503.04 Same as the House. Fiscal effect: Same as the House.</p>
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DPSCD45 Noncommercial Trailers

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 4503.04, 4501.01 Clarifies the definition of "noncommercial trailer" and permits a noncommercial trailer to have a gross weight of not greater than 10,000 pounds. Fiscal effect: Uncertain.</p>	<p>R.C. 4503.04, 4501.01 Same as the Senate. Fiscal effect: Same as the Senate.</p>
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Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD21 Uses of "Share the Road" License Plate Contributions

R.C. 4503.521

Permits the \$5 contribution that a person pays when obtaining "Share the Road" license plates to be used to create and distribute bicycle safety education materials rather than just to distribute a booklet on proper methods and procedures of riding bicycles on the streets and highways.

Fiscal effect: None.

R.C. 4503.521

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4503.521

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4503.521

Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD38 Glen Helen Special License Plate

(1) No provision.

(1) No provision.

R.C. 4503.564, 4501.21

(1) Creates a Glen Helen Nature Preserve special license plate available to anyone for a contribution of \$15 (plus all standard taxes, fees, and the \$10 additional fee to be deposited to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W40) for services in issuing the plate).

R.C. 4503.564, 4501.21

(1) Same as the Senate.

(2) No provision.

(2) No provision.

(2) Directs that the \$15 contribution be paid to the License Plate Contribution Fund (Fund 5V10) for distribution to the Glen Helen Ecology Institute to pay expenses related to the Glen Helen Nature Preserve.

(2) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		<p>Fiscal effect: Potential annual gain in revenue to Fund 4W40 and Fund 5V10, dependent on the number of license plates sold.</p>	<p>Fiscal effect: Same as the Senate.</p>
<p>DPSCD20 Registration of Apportionable Motor Vehicles</p>			
<p>R.C. 4503.62</p>	<p>R.C. 4503.62</p>	<p>R.C. 4503.62</p>	<p>R.C. 4503.62</p>
<p>(1) Requires the Registrar of Motor Vehicles to adopt rules to establish a program to permit the registration of apportionable motor vehicles over the Internet no later than December 31, 2012.</p>	<p>(1) Same as the Executive, except changes the date by which the Registrar must adopt rules to December 31, 2011.</p>	<p>(1) Same as the House.</p>	<p>(1) Same as the House.</p>
<p>(2) Permits the program to provide for the registration of nonapportionable commercial vehicles over the Internet.</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>
<p>(3) Requires the program to provide an option for the payment of all registration taxes and fees by use of a financial transaction device.</p>	<p>(3) Same as the Executive.</p>	<p>(3) Same as the Executive, except requires that the Bureau of Motor Vehicles not pay any costs nor retain any fees associated with the use of a financial transaction device.</p>	<p>(3) Same as the Senate.</p>
<p>(4) Permits, if the Director of Public Safety approves, the Registrar to contract with a third party to accept and process payments on behalf of the Bureau of Motor Vehicles.</p>	<p>(4) Same as the Executive.</p>	<p>(4) Same as the Executive.</p>	<p>(4) Same as the Executive.</p>
<p>Fiscal effect: The cost for the Bureau of Motor Vehicles to develop, implement, and maintain the required Internet Registration Program is uncertain.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD39 Prince Hall Freemason Special License Plate Contribution

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 4503.701, 4501.21 Establishes a \$15 contribution for issuance of the existing Prince Hall Freemason special license plate to be deposited to the credit of the License Plate Contribution Fund (Fund 5V10), to be used by the Prince Hall Grand Lodge of Free and Accepted Masons of Ohio for scholarship purposes. Fiscal effect: Potential annual gain in revenue for Fund 5V10, depending on the number of license plates sold.</p>	<p>R.C. 4503.701, 4501.21 Same as the Senate. Fiscal effect: Same as the Senate.</p>
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DPSCD37 Realtor Special License Plate

<p>(1) No provision.</p>	<p>(1) No provision.</p>	<p>R.C. 4503.751, 7501.21 (1) Creates a realtor special license plate, available to persons who are members of a national, state, or local association of realtors, for a contribution of \$15 (plus all standard taxes, fees, and the \$10 additional fee to be deposited to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W40) for services in issuing the plate).</p>	<p>R.C. 4503.751, 7501.21 (1) Same as the Senate.</p>
<p>(2) No provision.</p>	<p>(2) No provision.</p>	<p>(2) Directs that the \$15 contribution be paid to the License Plate Contribution Fund (Fund 5V10) for distribution to the Ohio Association of Realtors, which is directed to deposit the contributions into a property disaster relief</p>	<p>(2) Same as the Senate.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		fund maintained under the Ohio Realtors Charitable and Education Foundation. Fiscal effect: Potential annual gain in revenue to Fund 4W40 and Fund 5V10, dependent on the number of license plates sold.	Fiscal effect: Same as the Senate.
DPSCD36 "Teen Driver Education" License Plates			
<p>R.C. 4503.94, 4501.14 (Repealed), and 4501.21</p> <p>(1) Requires the contributions the Registrar of Motor Vehicles collects from persons who obtain "Teen Driver Education" license plates to be deposited to the credit of the existing License Plate Contribution Fund (Fund 5V10) instead of the Teen Driver Education License Plate Fund.</p> <p>(2) Eliminates the Teen Driver Education License Plate Fund, but continues to require that the Registrar pay the contributions to the Michelle's Leading Star Foundation to fund the rental, lease, or purchase of the simulated driving curriculum of the Foundation by boards of education of city, exempted village, local, and joint vocational school districts.</p> <p>Fiscal effect: None.</p>	<p>R.C. 4503.94, 4501.14 (Repealed), and 4501.21</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>R.C. 4503.94, 4501.14 (Repealed), and 4501.21</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>R.C. 4503.94, 4501.14 (Repealed), and 4501.21</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD28 Application for a Certificate of Title by an Electronic Motor Vehicle Dealer

<p>No provision.</p>	<p>R.C. 4505.06 Requires the Registrar of Motor Vehicles, not later than 60 days after the effective date of the bill, to enable all electronic motor vehicle dealers to electronically file applications for certificates of title on behalf of purchasers of motor vehicles directly with the Registrar and not through a third party. Fiscal effect: The Bureau of Motor Vehicles anticipates that the cost to permit the electronic filing of such applications will result in approximately \$834,000 in one-time costs.</p>	<p>R.C. 4505.06 Same as the House, except changes the deadline to implement to not later than December 31, 2011. Fiscal effect: Same as the House.</p>	<p>R.C. 4505.06 Same as the Senate. Fiscal effect: Same as the House.</p>
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DPSCD51 Power of Attorney for Certificate of Title

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 4505.08 Allows a clerk of a court of common pleas, in accordance with rules adopted by the Registrar of Motor Vehicles, to issue a certificate of title applied for by an agent of a licensed motor vehicle dealer when that agent has a properly executed power of attorney from the dealer. Fiscal effect: None.</p>	<p>R.C. 4505.08 Same as the Senate. Fiscal effect: Same as the Senate.</p>
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Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD15 Title Defect Recision Fund and Certain Automated Title Processing Fund Certificate of Title Fees

Section: 755.20

R.C. 4505.09

R.C. 4505.09

R.C. 4505.09

(1) Reduces, until July 1, 2013, the fee paid for each certificate of title issued to a motor vehicle dealer for resale purposes from \$5 to \$4.50, and the amount of each fee for a certificate of title issued to a motor vehicle dealer for resale purposes that is distributed to the Automated Title Processing Fund (Fund 8490) from \$2 to \$1.50 and (2) establishes, until July 1, 2013, a \$0.50 fee collected at the time a certificate of title is issued to a licensed motor vehicle dealer for resale purposes that is paid into the Title Defect Recision Fund (Fund 4Y70) used by the Office of the Attorney General.

Same as the Executive, except makes the provision permanent.

Same as the House.

Same as the House.

Fiscal effect: The annual revenue loss to Fund 8490 and the resulting revenue gain to Fund 4Y70 is estimated at \$400,000 in each of FYs 2012 and 2013.

Fiscal effect: Same as the Executive, except makes the revenue effect on the two state funds permanent.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

DPSCD16 Elimination of the Late Fee for Driver's License Renewals

R.C. 4506.08, 4507.23

R.C. 4506.08, 4507.23

R.C. 4506.08, 4507.23

R.C. 4506.08, 4507.23

Eliminates the \$20 late fee that is imposed if a driver or commercial driver license is renewed more than seven days after its expiration date.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: The late fee for driver's licenses generates approximately 25% of the total annual amount of late fee revenues (for both driver licenses and motor vehicle registrations). In calendar year (CY) 2010, the revenue from driver's license late fees amounted to approximately \$4,000,000. As people become aware of the late fee and more promptly renew a license to avoid its imposition, the annual revenue loss to the Department and, more specifically, the State Highway Safety Fund (Fund 7036), in future years would likely be lower than the \$4,000,000 received in CY 2010.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>
<p>DPSCD27 Motorcycle Temporary Instruction Permits and Parking</p>			
	<p>R.C. 4507.05, 4511.53, and 4511.69</p>	<p>R.C. 4507.05, 4511.53, and 4511.69</p>	<p>R.C. 4507.05, 4511.53, and 4511.69</p>
<p>(1) No provision.</p>	<p>(1) Codifies motorcycle operation restrictions that apply to motorcycle temporary instruction permit holders.</p>	<p>(1) Same as the House.</p>	<p>(1) Same as the House.</p>
<p>(2) No provision.</p>	<p>(2) Permits a motorcycle operator to back the motorcycle into an angled parking space.</p>	<p>(2) Same as the House.</p>	<p>(2) Same as the House.</p>
	<p>Fiscal effect: Negligible.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD23 Deposit of Immobilizing and Disabling Device Certification Payments

R.C. 4510.43

Requires that a manufacturer's payment to the Director of Public Safety for certifying its immobilizing or disabling device be credited to the existing state Indigent Drivers Alcohol Treatment Fund (Fund 7049) used by the Ohio Department of Alcohol and Drug Addiction Services rather than to the Drivers' Treatment and Intervention Fund, which no longer exists.

Fiscal effect: A negligible amount of additional revenue may be generated annually for deposit in Fund 7049.

R.C. 4510.43

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4510.43

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4510.43

Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD24 Windshield Display of Electronic Devices

R.C. 4513.24

Allows the display of an electronic tolling transponder (used on the Ohio Turnpike for E-ZPass) in the lower corner of the front windshield of a motor vehicle as an exception to the general prohibition against the display of material on the windshield.

Fiscal effect: None.

R.C. 4513.24

Same as the Executive, except allows the placement of any electronic device on or inside a windshield subject to certain restrictions.

Fiscal effect: Same as the Executive.

R.C. 4513.24

Same as the House.

Fiscal effect: Same as the Executive.

R.C. 4513.24

Same as the House.

Fiscal effect: Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
DPSCD50 Seat Belt Education Fund and Trauma and Emergency Medical Services Fund			
(1) No provision.	(1) No provision.	<p>R.C. 4513.263, Section 205.10</p> <p>(1) Abolishes the Seat Belt Education Fund (Fund 8440), which is used by the Department of Public Safety to pay for its seat belt education program and requires those portions of fines for seat belt violations that currently are deposited into Fund 8440 to be deposited into the Trauma and Emergency Medical Services Fund (Fund 83M0).</p>	<p>R.C. 4513.263, Section 205.10</p> <p>(1) Same as the Senate.</p>
(2) No provision.	(2) No provision.	<p>(2) Requires the Director of Budget and Management to: (a) transfer the unexpended and unencumbered cash balance in Fund 8440 to Fund 83M0, (b) cancel any existing encumbrances against Fund 8440, and (c) reestablish those cancelled encumbrances against Fund 83M0. Appropriates those reestablished encumbered amounts, and abolishes Fund 8440.</p>	(2) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: Eliminates Fund 8440's revenue stream and statutory purpose, which requires that the Department of Public Safety use the money to establish a seat belt education program. Increases Fund 83M0's annual revenue stream by up to \$400,000 or more annually, the statutory purpose of which is to support administrative expenses of Public Safety's Division of Emergency Medical Services and the State Board of Emergency Medical Services.</p>			
<p>DPSCD48 Disposal of Vehicles in the Possession of Law Enforcement</p>			
<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 4513.61 Prohibits a sheriff or police chief from charging to file an affidavit related to disposing of a vehicle the sheriff or chief ordered into storage. Fiscal effect: Potential annual loss in revenues for those county and municipal law enforcement agencies that currently charge a fee to file an affidavit.</p>	<p>R.C. 4513.61 Same as the Senate. Fiscal effect: Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD26 Construction Equipment Auction License

R.C. 4517.01, 4517.02, 4517.16, 4517.17, 4517.171, 4517.18, and 4517.33

R.C. 4517.01, 4517.02, 4517.16, 4517.17, 4517.171, 4517.18, and 4517.33

R.C. 4517.01, 4517.02, 4517.16, 4517.17, 4517.171, 4517.18, and 4517.33

(1) No provision.

(1) Establishes a construction equipment auction license to be administered by the Registrar of Motor Vehicles in the same manner as motor vehicle dealer licenses.

(1) Same as the House, except requires that rules for a construction equipment auction license be specific to that license and distinct from other dealer licensing rules.

(1) Same as the Senate.

(2) No provision.

(2) Establishes eligibility for the license, including physical requirements for a place of business and acceptable percentages of the business that may derive from selling large equipment compared to smaller motor vehicles.

(2) Same as the House.

(2) Same as the House.

(3) No provision.

(3) Prohibits any person from auctioning large construction or transportation equipment unless the person is a construction equipment auctioneer or is a motor vehicle auction owner who uses a licensed auctioneer.

(3) Same as the House.

(3) Same as the House.

(4) No provision.

(4) Establishes license application procedures, including a fee of \$7,500 to be assessed every five years to be deposited to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W40).

(4) Same as the House.

(4) Same as the House.

(5) No provision.

(5) Allows the Registrar to deny or revoke a license based on specified personal and business standards.

(5) Same as the House.

(5) Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(6) No provision.	<p>(6) Establishes standards for a licensee to sell equipment at auction, including a requirement to have title present for all vehicles sold at auction, a limit on the number of auctions that can be held annually, and the ability to sell vehicles with a manufacturer's statement of origin when authorized by the vehicle manufacturer, and penalties for violating the standards.</p> <p>Fiscal effect: The Department of Public Safety anticipates that these provisions will generate minimal revenues and expenditures annually.</p>	<p>(6) Same as the House, except removes the limit on the number of auctions that can be held annually and prohibits selling vehicles with a manufacturer's statement of origin.</p> <p>Fiscal effect: Same as the House.</p>	<p>(6) Same as the Senate.</p> <p>Fiscal effect: Same as the House.</p>

DPSCD52 Sale of Motor Vehicles by Leasing or Renting Dealers

		R.C. 4517.03	R.C. 4517.03
No provision.	No provision.	<p>Establishes two additional exceptions to the general requirement of current law for a motor vehicle leasing dealer or renting dealer to own a vehicle for 90 days before selling it: (1) allows a motor vehicle leasing dealer to sell a motor vehicle previously titled to an ultimate purchaser to another licensed motor vehicle dealer (that is, a person with a title to a vehicle was not operating the vehicle under a lease from a leasing dealer) and (2) allows a motor vehicle leasing dealer to sell a motor vehicle when the motor vehicle has been titled in the dealer's name (or in the name of an affiliated entity) in this state or another state for a cumulative period of 90 days.</p>	Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		Fiscal effect: None.	Fiscal effect: Same as the Senate.

DPSCD22 Public Safety Participation in the Retained Applicant Fingerprint Database for Licensed Private Investigators and Security Guards

R.C. 4749.031

Requires: (1) the Department of Public Safety to participate in receiving notifications through the Bureau of Criminal Identification and Investigation's (BCII) Retained Applicant Fingerprint (RAP) Database of the arrest or conviction of licensed private investigators and security guard providers and (2) license applicants to pay any initial or annual fee established by BCII for the continuous record monitoring services.

Fiscal effect: BCII currently charges each individual entered into the RAP Database an initial \$5 fee and annual fee of \$5 thereafter. BCII would likely collect up to \$150,000 or more annually from up to 30,000 or more private investigators and security guard providers (30,000 x \$5). Those moneys would be deposited to the credit of the General Reimbursement Fund (Fund 1060) used by the Attorney General and will likely be sufficient cover any additional RAP Database operating expenses BCII incurs in monitoring the criminal records of licensed private investigators and security guard providers.

R.C. 4749.031

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4749.031

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4749.031

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD42 Motor Vehicle Accident Reports

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 5502.11 Increases from \$400 to \$1,000 the property damage amount resulting from a motor vehicle accident that triggers the requirement that the law enforcement agency that investigated the accident forward a written report of the accident to the Director of Public Safety. Fiscal effect: There is a likely savings effect produced for local law enforcement agencies and Public Safety staff in terms of the amount of time and effort that each respective group expends annually in performing this required reporting duty.</p>	<p>R.C. 5502.11 Same as the Senate. Fiscal effect: Same as the Senate.</p>
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DPSCD43 Powers and Duties of the State Highway Patrol

<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 5503.02 Permits a state highway patrol trooper to render emergency assistance to another peace officer if the peace officer requests emergency assistance at a particular location and the state highway patrol trooper arrives at that location prior to the peace officer's arrival and the circumstances observed by the state highway patrol trooper reasonably indicate that emergency assistance is appropriate.</p>	<p>R.C. 5503.02 Same as the Senate.</p>
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Executive	As Passed by the House	As Passed by the Senate	As Enacted
		Fiscal effect: None, as it likely codifies current practice.	Fiscal effect: Same as the Senate.
DPSCD1 Motor Vehicle Registration			
<p>Section: 205.10</p> <p>(1) Permits the Registrar of Motor Vehicles to deposit certain motor vehicle registration fee revenues to meet the cash needs of the State Bureau of Motor Vehicles Fund (Fund 4W40).</p> <p>(2) Requires the revenues deposited in (1) above be used to support, in part, appropriations for operating expenses and defray the cost of manufacturing and distributing license plates and license plate stickers and enforcing the law relative to the operating and registration of motor vehicles.</p> <p>(3) Requires certain state motor vehicle registration revenues be paid into Fund 4W40 before being paid into any other fund.</p> <p>(4) Requires the deposit of revenues to meet the cash needs be in approximate equal amounts on a monthly basis or as otherwise determined by the Director of Budget and Management pursuant to a plan submitted by the Registrar.</p>	<p>Section: 205.10</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p>	<p>Section: 205.10</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p>	<p>Section: 205.10</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD2 Capital Projects

Section: 205.10

Permits the Registrar of Motor Vehicles to transfer cash from the State Bureau of Motor Vehicles Fund (Fund 4W40) to the State Highway Safety Fund (Fund 7036) to meet its obligations for two specified capital projects (headquarters building and warehouse facility).

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

DPSCD3 OBA Bond Authority/Lease Rental Payments

Section: 205.10

Requires HSF Fund 7036 appropriation item 761401, Lease Rental Payments, be used to make lease payments to the Ohio Building Authority (OBA), and permits the OBA, with approval of the Director of Budget and Management, to lease capital facilities to the Department of Public Safety.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD4 Hilltop Transfer

Section: 205.10

Requires the Director of Public Safety to determine, per an agreement with the Director of Transportation, the latter's share of the debt service payments made out of the State Highway Safety Fund (Fund 7036) appropriation item 761401, Lease Rental Payments, that relates to Transportation's portion of the Hilltop Building Project, and requires the Director of Budget and Management to transfer that share in cash from the Highway Operating Fund (Fund 7002) to Fund 7036.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD5 Cash Transfers Between Funds

Section: 205.10

Permits the Director of Budget and Management, upon the request of the Director of Public Safety, to approve the transfer of cash between the following six funds: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Homeland Security Fund (Fund 5DS0), the Investigations Fund (Fund 5FL0), the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30), the Justice Program Services Fund (Fund 4P60), and the State Bureau of Motor Vehicles Fund (Fund 4W40).

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

DPSCD6 Cash Transfers of Seat Belt Fine Revenues

Section: 205.10

Permits the Controlling Board, upon the request of the Director of Public Safety, to transfer cash between the following four funds that receive fine revenues from enforcement of the mandatory seat belt law: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Elementary School Program Fund (Fund 83N0), the Trauma and Emergency Medical Services Grants Fund (Fund 83P0), and the Seat Belt Education Fund (Fund 8440).

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive, except removes the Seat Belt Education Fund (Fund 8440) from the list of funds.

Section: 205.10

Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD7 State Disaster Relief

Section: 205.10

Permits the State Disaster Relief Fund (Fund 5330):

(1) To accept cash and appropriations transferred from Controlling Board appropriation items for Ohio Emergency Management Agency (Ohio EMA) disaster response costs and disaster program management costs.

(2) To accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio EMA public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for disaster-related costs.

(3) To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments.

(4) To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments.

(5) To accept disaster-related reimbursement from federal, state, and local governments, and permits the Director of Budget and Management to transfer cash

Section: 205.10

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Section: 205.10

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Section: 205.10

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>from reimbursements to other state funds from which transfers were originally approved by the Controlling Board.</p> <p>(6) To accept transfers of cash and appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program, for disasters declared by the Governor, and the State Individual Assistance Program for disasters declared by the Governor and the federal Small Business Administration, and requires the Ohio EMA to publish and make available application packets outlining procedures for the State Disaster Relief Program and the State Individual Assistance Program.</p>	<p>(6) Same as the Executive.</p>	<p>(6) Same as the Executive.</p>	<p>(6) Same as the Executive.</p>
DPSCD8 Justice Assistance Grant Fund			
<p>Section: 205.10</p> <p>Requires that the federal payments made to the state for the Byrne Justice Assistance Grants Program under Title II of Division A of the American Recovery and Reinvestment Act of 2009 be deposited to the credit of the Justice Assistance Grant Fund (Fund 3DE0).</p>	<p>Section: 205.10</p> <p>Same as the Executive.</p>	<p>Section: 205.10</p> <p>Same as the Executive.</p>	<p>Section: 205.10</p> <p>Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD9 Federal Stimulus - Justice Programs

Section: 205.10

Requires that the federal payments made to the state for the Violence Against Women Formula Grant under Title II of Division A of the American Recovery and Reinvestment Act of 2009 be deposited to the credit of the Federal Stimulus - Justice Programs Fund (Fund 3DH0).

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

DPSCD10 Transfer from State Fire Marshal Fund to Emergency Management Agency Service and Reimbursement Fund

Section: 205.10

Requires: (1) the Director of Budget and Management to transfer \$200,000 in cash in each of FYs 2012 and 2013 from the State Fire Marshal Fund (Fund 5460) used by the Department of Commerce to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) used by the Department of Public Safety and (2) the transferred cash to be distributed to the Ohio Task Force One - Urban Search and Rescue Unit and other urban search and rescue programs around the state.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD11 Family Violence Prevention Fund

Section: 205.10

Requires: (1) the first \$750,000 in revenues received to the credit of the Family Violence Prevention Fund (Fund 5BK0) in each fiscal year be appropriated to SSR appropriation item 768689, Family Violence Shelter Programs, (2) the next \$400,000 in revenues received in each fiscal year be appropriated to SSR appropriation item 768687, Criminal Justice Services - Operating, and (3) any remaining revenues received be appropriated to SSR appropriation item 768689, Family Violence Shelter Programs, with the approval of the Controlling Board, to be disbursed as grants to family violence shelters in Ohio.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

DPSCD12 SARA Title III HAZMAT Planning

Section: 205.10

Authorizes the SARA Title III HAZMAT Planning Fund (Fund 6810) to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under R.C. Chapter 3750.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD13 Collective Bargaining Increases

Section: 205.10

Permits the Controlling Board, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of the Director of Budget and Management, to increase the appropriation for any fund (except the General Revenue Fund) as necessary for the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under R.C. Chapter 4117. and, for exempt employees, under R.C. 124.152.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

DPSCD14 Cash Balance Fund Review

Section: 205.10

Requires the Director of Budget and Management to review in each of FYs 2012 and 2013, the cash balances for each fund in the State Highway Safety Fund Group, except the State Highway Safety Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund 4W40), and recommend to the Controlling Board an amount to be transferred from each of those funds to the credit of Fund 7036 or Fund 4W40, as appropriate.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD34 Cash Transfers from State Bureau of Motor Vehicles Fund to State Highway Safety Fund

<p>No provision.</p>	<p>Section: 205.10 Requires the Director of Budget and Management to transfer cash in the amount of \$6,675,207 by April 1, 2012 and \$7,643,657 by April 1, 2013 from the State Bureau of Motor Vehicles Fund (Fund 4W40) to the State Highway Safety Fund (Fund 7036).</p>	<p>No provision.</p>	<p>No provision.</p>
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DPSCD40 Cash Transfers to Security, Investigations, and Policing Fund

<p>No provision.</p>	<p>No provision.</p>	<p>Section: 205.10 Permits the Director of Budget and Management, upon the written request of the Director of Public Safety, to transfer cash from the Continuing Professional Training Fund (Fund 5Y10), the State Highway Patrol Contraband, Forfeiture, and Other Fund (Fund 83C0), and the Highway Safety Salvage and Exchange Highway Patrol Fund (Fund 8410) to the Security, Investigations, and Policing Fund (Fund 8400).</p>	<p>Section: 205.10 Same as the Senate.</p>
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Executive

As Passed by the House

As Passed by the Senate

As Enacted

DPSCD32 Cash Transfers from the International Registration Plan Distribution Fund to the State Highway Safety Fund

	Section: 515.50	Section: 512.50	Section: 512.50
No provision.	Requires the Director of Budget and Management to transfer cash in the amount of \$25 million in FY 2012 and \$24 million in FY 2013 from the International Registration Plan Distribution Fund (Fund 7050) to the State Highway Safety Fund (Fund 7036).	Same as the House, except changes the mechanism by requiring the Director of Public Safety to make deposits of money from the International Registration Plan Distribution Fund (Fund 7050) to the State Highway Safety Fund (Fund 7036) until the cumulative total in FY 2012 reaches \$25 million and in FY 2013 reaches \$24 million. (The net fiscal effect is the same.)	Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

PUCCD1 Transportation of Certain Radioactive Materials

	R.C. 4905.801, 4163.07, 4905.802	R.C. 4905.801, 4163.07, 4905.802	R.C. 4905.801, 4163.07, 4905.802
No provision.	<p>Repeals the provision that requires a person shipping, or who causes to be shipped, certain radioactive material within or through this state to pay a fee to the Public Utilities Commission at least four days prior to the date of shipment. Current statute levies a fee of \$2,500 for each shipment by motor carrier, \$4,500 for a cask shipped by rail, and \$3,000 for each additional cask shipped by rail by the same entity in the same shipment, and establishes civil penalties for violating the fee requirement.</p> <p>Fiscal effect: Minimal loss of revenue to the Radioactive Waste Transportation Fund (Fund 5HD0). The existing fee provision was originally enacted in FY 2010, and yielded approximately \$35,000 in revenue to Fund 5HD0 through FY 2010 and the first seven months of FY 2011. Corresponding expenditures from the fund were less than \$5,000.</p>	<p>Same the House but only the shipper, as opposed to the carrier or the shipper, is required to provide notice to the Emergency Management Agency within the Department of Public Safety.</p> <p>Fiscal effect: Same as the House.</p>	<p>Same as the Senate.</p> <p>Fiscal effect: Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

PWCCD4 Cuyahoga County Public Works Integrating Committee

R.C. 164.04

Permits two members of the District One (Cuyahoga County) Public Works Integrating Committee to be appointed by the Chief Executive Officer of Cuyahoga County, in addition to any who were appointed by the Board of County Commissioners, which ceased to exist on January 1, 2011.

R.C. 164.04

Same as the Executive.

R.C. 164.04

Same as the Executive.

R.C. 164.04

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

PWCCD5 State Capital Improvements Program

R.C. **164.08, Sections 209.20, 209.21, 209.30, 209.40, and 209.50**

R.C. **164.08, Sections 209.20, 209.21, 209.30, 209.40, and 209.50**

R.C. **164.08, Sections 209.20, 209.21, 209.30, 209.40, and 209.50**

(1) No provision.

(1) Revises the formula for allocating, in each program year, the proceeds of obligations issued for public infrastructure capital improvements under the State Capital Improvements Program (SCIP) by (a) increasing, from \$12 million to \$15 million, the amount that must first be allocated to villages and certain townships (referred to as the SCIP Small Government program) and (b) by increasing, from \$2.5 million to \$3 million, the amount that may next be allocated to local subdivisions for projects the Director of PWC believes are necessary for the immediate preservation of the health, safety, and welfare of the citizens of those local subdivisions (referred to as the SCIP Emergency Funds program).

(1) Same as the House.

(1) Same as the House.

(2) No provision.

(2) Requires Fund 7038 capital appropriation item C15000, Local Public Infrastructure, to be used in accordance with sections 164.01 to 164.12 of the Revised Code and permits the Director of PWC to certify to the Director of OBM that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. Appropriates such amounts if the Director of OBM determines that investment earnings are available to

(2) Same as the House.

(2) Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(3) No provision.	support additional appropriations. (3) Authorizes the issuance of up to \$150 million in general obligation bonds to assist in the financing of local subdivision capital improvements projects through SCIP. Credits bond proceeds to the State Capital Improvements Fund (Fund 7038).	(3) Same as the House.	(3) Same as the House.
(4) No provision.	(4) Requires Fund 7040 capital appropriation C15030, Revolving Loan, to be used in accordance with sections 164.01 to 164.12 of the Revised Code and requires revenues to Fund 7040 to consist of all repayments of loans made to local subdivisions for capital improvements, investment earnings, and moneys obtained from federal or private grants or from other sources for the purpose of making loans to finance or assist in the financing of local capital improvement projects.	(4) Same as the House.	(4) Same as the House.
(5) No provision.	(5) Specifies that the appropriations from the State Capital Improvements Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) must be released upon a presentation of a request to release the funds by the Director of PWC to the Director of OBM, thus exempting Fund 7038 and Fund 7040 appropriations from the requirement that they be released by the Controlling Board.	(5) Same as the House.	(5) Same as the House.
(6) No provision.	(6) Specifies that Fund 7038-funded capital improvements are determined to be capital improvements and capital facilities for local subdivision capital improvement projects and	(6) Same as the House.	(6) Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
	<p>designates the capital improvements as capital facilities for which the proceeds of SCIP general obligations may be used.</p> <p>Fiscal effect: Makes SCIP capital appropriations of \$150 million and SCIP Revolving Loan Program capital appropriations of \$49 million for the FY 2011-FY 2012 biennium. Makes adjustments to the SCIP Small Government and Emergency Funds program set-asides in proportion to the scheduled increase in SCIP issuance authority from \$120 million to \$150 million beginning in FY 2012 (Program Year 25 of SCIP).</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>
PWCCD1 Public Works Operating Expenses			
<p>Section: 209.10</p> <p>Requires Fund 7038 appropriation item 150321, State Capital Improvements Program-Operating Expenses, to be used by the Ohio Public Works Commission to administer the State Capital Improvement Program under sections 164.01 to 164.16 of the Revised Code.</p>	<p>Section: 209.10</p> <p>Same as the Executive.</p>	<p>Section: 209.10</p> <p>Same as the Executive.</p>	<p>Section: 209.10</p> <p>Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

PWCCD2 District Administration Costs**Section: 209.10**

Authorizes the Director of the Public Works Commission to use investment earnings from the State Capital Improvements Fund (Fund 7038) and the Local Transportation Improvement Program Fund (Fund 7052) for administrative costs incurred by individual District Public Works Integrating Committees. Permits no more than \$1,235,000 per fiscal year to be made available for reimbursement and prohibits any of the 19 Districts from receiving more than \$65,000 per fiscal year for these costs.

Section: 209.10

Same as the Executive.

Section: 209.10

Same as the Executive.

Section: 209.10

Same as the Executive.

PWCCD3 Reappropriations**Section: 209.10**

Reappropriates unencumbered appropriations from the Local Transportation Improvement Program Fund (Fund 7052) from Am. Sub. H.B. 2 of the 128th General Assembly for use during FY 2012 and FY 2013 for the same purpose.

Fiscal effect: Allows PWC to continue to use unencumbered funds from prior fiscal years for various local road and bridge projects.

Section: 209.10

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 209.10

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 209.10

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

BORCD3 University of Cincinnati Capital Appropriations

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	Section: 610.20 Amends H.B. 462 of the 128th General Assembly to transfer Cincinnati State capital appropriation item C36120, Blue Ash City Conference Center, with an appropriation of \$150,000, to University of Cincinnati capital appropriation item C26657, Blue Ash City Conference Center, with an appropriation of \$150,000.	Section: 610.20 Same as the Senate.

BORCD4 Cuyahoga Community College Capital Appropriations

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	Section: 610.20 Amends H.B. 462 of the 128th General Assembly to make the following changes:	Section: 610.20 Same as the Senate.
No provision.	No provision.	Transfers Cultural Facilities Commission capital appropriation item C371S1, Museum of Contemporary Art Cleveland, with an appropriation of \$450,000, to Cuyahoga Community College capital appropriation item C37834, Museum of Contemporary Art Cleveland, with an appropriation of \$450,000.	Same as the Senate.
No provision.	No provision.	Transfers Cultural Facilities Commission capital appropriation item C371U5, Cleveland Zoological Society, with an appropriation of \$150,000, to Cuyahoga Community College capital appropriation	Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	<p>item C37833, Cleveland Zoological Society, with an appropriation of \$150,000.</p> <p>Creates Cuyahoga Community College capital appropriation item C37835, Western Reserve Historical Society, with an appropriation of \$2,800,000. Cancels encumbrances against Cultural Facilities Commission capital appropriation item C371A9, Western Reserve Historical Society, and reestablishes them against Cuyahoga Community College capital appropriation item C37835, Western Reserve Historical Society.</p>	Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

TAXCD1 CAT Exemption for Certain Transactions Involving Petroleum Products

	R.C. 5751.01	R.C. 5751.01	R.C. 5751.01
No provision.	<p>Exempts from the commercial activity tax amounts realized from exchanges of petroleum products between motor fuel dealers if the dealers receive no monetary compensation from the exchange and delivery occurs at a refinery, terminal, pipeline, or marine vessel. Applies retrospectively to July 1, 2005.</p>	<p>Same as the House.</p>	<p>Same as the House.</p>
	<p>Fiscal effect: Reduces revenues from the CAT by several millions per year. Additional revenue losses, potentially in the millions, from the refund feature. CAT revenues in the next biennium are earmarked mostly for reimbursing school districts and other local governments for the reduction and phase out of most tangible personal property taxes. The reduction in revenues from the CAT will reduce distributions to the School District Tangible Property Tax Replacement Fund (Fund 7047) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081). Under current law, the GRF is to subsidize the funds if CAT revenues are insufficient for the required reimbursements.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
TAXCD2 Real Property Tax Exemption			
No provision.	No provision.	<p>Section: 757.20</p> <p>Requires the Tax Commissioner to order real property owned by the state of Ohio to be placed on the tax exempt list, notwithstanding failure to comply with requirements pertaining to exemption in Chapter 5713 or section 5715.27 of the Revised Code, if the property satisfies other qualifications for tax exemption.</p> <p>Fiscal effect: Will reduce real property tax revenue to units of local government. LSC does not have an estimate of the amount of this revenue loss.</p>	<p>Section: 757.20</p> <p>Same as the Senate.</p> <p>Fiscal effect: Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD1 Traffic Generator Sign Program

R.C. 4511.108

(1) Allows the Director of DOT to contract with any person to operate, construct, maintain, or market the traffic generator sign (brown signs) program used to promote areas of recreational and cultural interest.

(2) Permits the Director to consider the skill, expertise, prior experience, and other qualifications of each applicant in awarding the contract.

(3) Requires any contract to allow for a reasonable profit by the successful applicant.

(4) Directs money collected from fees for participating in the program to the Highway Operating Fund (Fund 7002).

Fiscal effect: Potential gain in revenue to the Highway Operating Fund (Fund 7002).

R.C. 4511.108

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but specifies that the contract may allow for a reasonable profit by the successful applicant, thereby making this language consistent with that governing the Business Logo ("Blue Sign") program.

(4) Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4511.108

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the House.

(4) Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 4511.108

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the House.

(4) Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD2 Revocation of Overweight Vehicle Permits

R.C. 4513.34

Gives the Director of DOT and local authorities the power to deny or revoke an overweight or oversize vehicle permit if the permit holder violates the terms or conditions of the permit, rather than their current authority to withhold permits.

No provision.

No provision.

No provision.

Fiscal effect: No apparent direct fiscal effect, although this provision could help in limiting potential roadway damage caused by vehicle operators violating the terms of their permits. This new authority would apply most commonly to multi-day permits (permits covering 90 or 365-day periods, for example).

DOTCD3 Reimbursement of a Utility for Certain Relocation Costs

R.C. 5501.51

Restricts the utility relocation costs necessitated by the construction of a highway project for which a utility may claim reimbursement to those costs that are eligible for reimbursement under federal law.

R.C. 5501.51

Same as the Executive.

R.C. 5501.51

No provision.

R.C. 5501.51

No provision.

No provision.

No provision.

Adds cable operators, electric cooperatives, and municipal electric utilities to those utilities that are eligible to be reimbursed when their facilities must be relocated due to

Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: Potential reduction in utility reimbursements to the extent that utility companies currently request reimbursement for costs that are not eligible under federal law.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>the construction of a highway project. Fiscal effect: Potential increase in reimbursements to utilities.</p>	<p>Fiscal effect: Same as the Senate.</p>
<p>DOTCD4 Investigations of Incidents by Transit Systems Operating a Rail Fixed Guideway System</p>			
<p>R.C. 5501.55 Makes a report that results from the investigation of an incident by a transit agency operating a rail fixed guideway system confidential and not subject to disclosure under the Public Records Law. Fiscal effect: None. The change is in response to a recent court ruling that current law does not protect investigations of incidents by rail fixed guideway authorities.</p>	<p>R.C. 5501.55 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>R.C. 5501.55 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>R.C. 5501.55 Same as the Executive. Fiscal effect: Same as the Executive.</p>
<p>DOTCD5 Public-Private Partnership Authority</p>			
<p>R.C. 5501.70, 5501.71-5501.83 (1) Authorizes DOT to enter into public-private agreements based on solicited and unsolicited proposals from private entities relating to transportation facilities.</p>	<p>(1) No provision.</p>	<p>R.C. 5501.70, 5501.71-5501.83, 5531.12, and 5531.18 (1) Same as the Executive.</p>	<p>R.C. 5501.70, 5501.71-5501.83, 5531.12, and 5531.18 (1) Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>(2) Establishes the procedures for selecting a proposal and the terms of an agreement, including grounds for terminating an agreement.</p>	<p>(2) No provision.</p>	<p>(2) Same as the Executive, but also requires that DOT consider the extent that a private entity's proposal (a) addresses the needs identified in a state, regional, or local transportation plan, and (b) is on the transportation improvement program for the affected metropolitan planning organization or the state transportation improvement program. In addition, adds that a public-private agreement must provide for the disposition of the facility upon completion of the agreement.</p>	<p>(2) Same as the Senate.</p>
<p>(3) Allows affected local governments to participate in a public-private agreement.</p>	<p>(3) No provision.</p>	<p>(3) Same as the Executive.</p>	<p>(3) Same as the Executive.</p>
<p>(4) Allows State Infrastructure Bank obligations to be issued to fund the development or financing of a transportation facility.</p>	<p>(4) No provision.</p>	<p>(4) Same as the Executive.</p>	<p>(4) Same as the Executive.</p>
<p>(5) Allows DOT to combine federal, state, local, and private funds to finance a transportation facility operated under a public-private partnership and authorizes DOT to (a) accept federal grants, loans, or other financial assistance, (b) enter into any necessary agreements for the federal funds, and (c) accept any grant, donation, gift, or other form of conveyance of land, money, other real or personal property, or other item of value from any source.</p>	<p>(5) No provision.</p>	<p>(5) Same as the Executive, but adds that DOT must comply with any requirements and restrictions governing the use of federal, state, local, and private funds, including maintaining the funds separately when necessary.</p>	<p>(5) Same as the Senate.</p>
<p>(6) Exempts transportation facilities operated under a public-private agreement from state taxes and local property taxes.</p>	<p>(6) No provision.</p>	<p>(6) Same as the Executive.</p>	<p>(6) Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>(7) Allows DOT to use eminent domain to acquire property, rights-of-way, or other rights in property for transportation projects that are part of a public-private initiative.</p>	<p>(7) No provision.</p>	<p>(7) Same as the Executive, but (a) clarifies that DOT must use eminent domain authority in the same manner and for the same transportation purposes established in R.C. 5519.01, (b) specifies that if DOT proposes to use eminent domain authority at the request of a private entity, the acquisition of property must be by DOT in accordance with the Appropriation of Property Law (R.C. Chapter 163.) and only if the Director of DOT first makes a finding that the acquisition of property is for a public transportation use and serves the public transportation purposes of sections 5501.70 to 5501.83 of the bill, and (c) requires the Director of DOT to require that the private party pay the costs of the acquisition of private property.</p>	<p>(7) Same as the Senate.</p>
<p>(8) Provides that all state and local law enforcement officers (a) have the same powers and jurisdiction within the limits of the transportation facility operated under a public-private agreement as they have in their respective jurisdictions and (b) access to the facility at any time for the purpose of exercising their powers and jurisdiction.</p>	<p>(8) No provision.</p>	<p>(8) Same as the Executive.</p>	<p>(8) Same as the Executive.</p>
<p>(9) Grants DOT rule-making authority to carry out the purposes of the public-private agreements.</p>	<p>(9) No provision.</p>	<p>(9) Same as the Executive.</p>	<p>(9) Same as the Executive.</p>
<p>(10) No provision.</p>	<p>(10) No provision.</p>	<p>(10) Eliminates the Ohio Transportation Finance Commission, which is a seven-member body required to approve all DOT tolling projects. Instead, allows the Director of DOT to approve toll projects.</p>	<p>(10) Same as the Senate.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>(11) No provision.</p> <p>Fiscal effect: Provides DOT additional ways to finance, construct, operate, or maintain transportation projects. The specific fiscal effects will depend on the terms of each public-private partnership arrangement.</p>	<p>(11) No provision.</p>	<p>(11) Broadens the restriction on ODOT's current tolling authority relative to existing roads by establishing that the tolling authority cannot be construed to permit tolls to be charged on existing nontoll public roads (rather than just highways).</p> <p>Fiscal effect: Same as the Executive.</p>	<p>(11) Same as the Senate.</p> <p>Fiscal effect: Same as the Executive.</p>

DOTCD6 Outdoor Advertising Control by Local Zoning Authorities

R.C. 5516.11

(1) Declares that the state law that governs outdoor advertising along interstate and state primary highways does not affect the authority of local zoning authorities to establish rules and regulations controlling the size, lighting, and spacing of outdoor advertising devices within commercial and industrial areas.

(1) No provision.

(1) No provision.

(1) No provision.

(2) Allows the Director of DOT to certify to the Federal Highway Administration that a zoning authority has established rules and regulations controlling outdoor advertising devices that are consistent with (not equivalent and consistent with, as under current law) the intent of the Highway Beautification Act of 1965, and establishes that upon certification, the rules are

(2) No provision.

(2) No provision.

(2) No provision.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>accepted in lieu of the statutory provisions governing outdoor advertising.</p> <p>(3) Eliminates a current requirement that a zoning authority furnish DOT with a copy of new comprehensive zoning rules or regulations adopted.</p> <p>Fiscal effect: By allowing greater local control over outdoor advertising, this will reduce state compliance costs associated with the Highway Beautification Act of 1965. These state costs are covered by outdoor advertising permit fees that are deposited into the Highway Operating Fund (Fund 7002) and which generate approximately \$1 million in revenue every two years. Local governments are likely to gain revenue from issuing permits.</p>	<p>(3) No provision.</p>	<p>(3) No provision.</p>	<p>(3) No provision.</p>

DOTCD7 Design-Build Contracting Authority

<p>R.C. 5517.011</p> <p>(1) Permanently authorizes DOT to use a value-based selection process for design-build projects, combining technical qualifications and competitive bidding elements, instead of for only FY 2010-FY 2011 under current law.</p> <p>(2) Establishes that the amount of money that may be spent on design-build projects per fiscal year cannot exceed \$1 billion, rather than \$1 billion for the current</p>	<p>(1) No provision.</p> <p>(2) No provision.</p>	<p>R.C. 5517.011</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p>	<p>R.C. 5517.011</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p>
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Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>biennium and \$250 million per biennium thereafter under existing law.</p> <p>(3) Authorizes DOT to pay compensation for a preliminary design concept to an unsuccessful bidder, but limits to compensation from exceeding the value of the concept.</p> <p>Fiscal effect: This contract type would presumably be used where it improves project delivery efficiencies and reduces overall design and construction costs for the state.</p>	<p>(3) No provision.</p>	<p>(3) Same as the Executive, but specifies that compensation may be provided to not more than two bidders who, after the successful bidder, submitted the next best bids.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>(3) Same as the Senate.</p> <p>Fiscal effect: Same as the Executive.</p>
DOTCD8 Confidentiality of Certain Portions of DOT Cost Estimates			
<p>R.C. 5525.15</p> <p>Provides that, for a DOT construction project, unit price components of the official engineer's estimate of the project's costs are not public records even after the bid opening for the project has occurred.</p> <p>Fiscal effect: No direct fiscal effect apparent.</p>	<p>R.C. 5525.15</p> <p>Same as the Executive, but restores the authority of the Director of DOT to declare that, prior to the bid opening for a DOT construction project, the estimate of the cost of the project is confidential information.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>R.C. 5525.15</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>R.C. 5525.15</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD36 Vehicle Weight Limit Allowances

R.C. 5577.042

R.C. 5577.042

R.C. 5577.042

No provision.

Makes the following changes to the law allowing certain vehicles to exceed statutory weight limits by 7.5% on non-interstate highways under certain conditions without penalty:

Revises the vehicle weight tolerance limits as follows:

Same as the Senate.

(1) No provision.

(1) Extends the weight allowance to (a) a surface mining vehicle transporting minerals from the place where the minerals are removed from the earth to the first place where the minerals are transferred from the vehicle and (b) a vehicle transporting hot mix asphalt material from the place where the material is first mixed to the paving site where the material is discharged

(1) Same as the House, but limits the maximum vehicle weight tolerance to 5% for surface mining trucks and vehicles transporting hot mix asphalt and adds vehicles transporting concrete from the place where the material is first mixed to the site where the material is discharged to the list of vehicles eligible for the 5% weight tolerance.

(1) Same as the Senate.

(2) No provision.

(2) Extends the application of the weight tolerance for log trucks transporting timber to forest product trucks transporting logs, chips, sawdust, mulch, bark, pulpwood, biomass, and firewood.

(2) Same as the House, but limits the vehicle weight tolerance to 5% for vehicles transporting chips, sawdust, mulch, bark, pulpwood, biomass, or firewood (log trucks transporting timber would still be eligible for the 7.5% weight tolerance).

(2) Same as the Senate.

(3) No provision.

(3) Adds manure, turf, sod, and silage to the list of qualifying farm commodities that currently includes livestock, bulk milk, corn, soybeans, tobacco, and wheat that may be transported on a farm truck.

(3) Same as the House, but limits the weight tolerance to 5% for vehicles transporting manure, turf, sod, or silage from the site where the material is first produced to the first place of delivery (vehicles transporting farm commodities, including livestock, bulk milk, corn, soybeans, tobacco, and wheat would still be eligible for the 7.5% weight tolerance).

(3) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>(4) No provision.</p>	<p>(4) Establishes that no wheel or axle load limits apply if the specified vehicles do not exceed 7.5% of the gross vehicle weight limits.</p> <p>Fiscal effect: Potentially reduces fines levied on vehicles exceeding statutory maximum vehicle weights. Allowing more types and loads of vehicles to take advantage of the 7.5% weight tolerance may increase the wear and tear on non-interstate roadways, potentially increasing road maintenance costs.</p>	<p>(4) Same as the House, but specifies that no wheel or axle load limits apply to the following vehicles if they do not exceed gross vehicle weight limits by 5%: surface mining trucks transporting minerals; vehicles transporting hot mix asphalt materials; vehicles transporting manure, turf, sod, or silage; and vehicles transporting chips, sawdust, mulch, bark, pulpwood, biomass, or firewood; and adds vehicles transporting concrete, which were not included in the House Passed version.</p> <p>Fiscal effect: Same as the House, though a lower weight tolerance of 5% would apply to the vehicles described above, potentially reducing the increase on roadway wear and tear.</p>	<p>(4) Same as the Senate.</p> <p>Fiscal effect: Same as the Senate.</p>

DOTCD9 Public Access Roads for DNR Facilities

Section: 203.20	Section: 203.20	Section: 203.20	Section: 203.20
<p>Earmarks \$5 million in each fiscal year from Highway Operating Fund appropriation item 772421, Highway Construction - State, for the construction, reconstruction, or maintenance of public access roads, including support features, to and within state facilities owned or operated by the Department of Natural Resources.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD10 Public Access Roads for Parks and Expositions Commission Facilities

Section: 203.30

Earmarks \$2,228,000 in each fiscal year from Highway Operating Fund appropriation item 772421, Highway Construction - State, for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

Allows the Department of Transportation to use Highway Operating Fund appropriation item 772421, Highway Construction - State, to perform related roadwork on behalf of the Ohio Expositions Commission at the state fairgrounds.

Section: 203.30

Same as the Executive.

Same as the Executive.

Section: 203.30

Same as the Executive.

Same as the Executive.

Section: 203.30

Same as the Executive.

Same as the Executive.

DOTCD34 Sharonville Rail Yard Study

No provision.

Section: 203.30.10

Earmarks \$25,000 from SSR Fund 4N40 appropriation item 776664, Rail Transportation - Other, for a study of the capacity and design of the Sharonville Rail Yard. Specifies that the study is also to include recommendations for possible improvements to or redesign of the rail yard.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD38 Transportation Improvement Districts

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		Section: 203.30.20	Section: 203.30.20
(1) No provision.	(1) No provision.	(1) Earmarks \$3.5 million in each fiscal year from HOF Fund 7002 appropriation item 772421, Highway Construction - State, to be made available for distribution to transportation improvement districts (TIDs) that have facilitated funding for the cost of a project or project in conjunction with other governmental agencies.	(1) Same as the Senate.
(2) No provision.	(2) No provision.	(2) Requires a TID to submit requests for project funding to DOT no later than September 1 of each fiscal year and requires DOT to notify the TID whether it has approved or disapproved the project funding request within 90 days after the day the request was submitted by the TID.	(2) Same as the Senate.
(3) No provision.	(3) No provision.	(3) Prohibits any DOT funding provided to a TID from being used for administrative costs. Requires the funding to be used for a specific project or projects. Prohibits the total amount of a project's cost from being fully funded by the DOT funds. Further, limits the total amount of DOT funding for each project to 10% of total project costs or \$250,000 per fiscal year, whichever is greater. Specifies that TIDs co-sponsoring a specific project may individually apply for up to \$250,000 for that project, but prohibits DOT funds from providing more than 10% of a project's total costs.	(3) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(4) No provision.	(4) No provision.	(4) Permits DOT funds for TIDs to be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of a specific project and other project costs under certain circumstances. Requires DOT to reimburse a TID for such expenditures upon receipt of a copy of an invoice for work performed on a specific project.	(4) Same as the Senate.
(5) No provision.	(5) No provision.	<p>(5) Requires any TID requesting DOT funds to register with DOT. Permits DOT to register a TID only if the TID has a specific, eligible project and allows DOT to cancel the registration of a TID that is not eligible to receive DOT funds. Prohibits DOT from providing funds to a TID if the TID is not registered.</p> <p>Fiscal effect: To accommodate this earmark, the bill increases DOT HOF Fund 7002 appropriation item 772421, Highway Construction - State, by \$3.5 million each fiscal year and correspondingly decreases Department of Development SSR Fund 4W00 appropriation item 195629, Roadwork Development, by \$3.5 million each fiscal year.</p>	<p>(5) Same as the Senate.</p> <p>Fiscal effect: Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD11 Issuance of Bonds

Section: 203.40

Authorizes the issuance of \$123 million in state highway bonds for highway purposes. Credits bond proceeds to the Highway Capital Improvement Fund (Fund 7042).

Section: 203.40

Same as the Executive.

Section: 203.40

Same as the Executive.

Section: 203.40

Same as the Executive.

DOTCD12 Transfer of Highway Operating Fund Appropriations

Section: 203.50

Allows the Director of OBM to approve requests for transfer of Highway Operating Fund appropriations for highway planning and research, highway construction and GARVEE debt service, highway maintenance, federal public transportation programs, rail grade crossings, aviation, and administration. Requires such transfers to be reported to the Controlling Board.

Fiscal effect: Provides DOT with cash management flexibility during emergency situations or unforeseen conditions over the biennium.

Section: 203.50

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 203.50

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 203.50

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
DOTCD13 Transfer of Appropriations - Federal Highway, Transit, Aviation, and Rail and Local Transit			
<p>Section: 203.50 Allows the Director of OBM to approve requests for the transfer of appropriations between appropriation items 772422, Highway Construction - Federal, 775452, Public Transportation - Federal, 775454, Public Transportation - Other, 775459, Elderly and Disabled Special Equipment, 776475, Federal Rail Administration, and 777472, Airport Improvements - Federal. Requires that the transfers be reported to the Controlling Board.</p> <p>Fiscal effect: Provides DOT with cash management flexibility.</p>	<p>Section: 203.50 Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
DOTCD14 Transfer of Appropriations - ARRA			
<p>Section: 203.50</p> <p>Allows the Director of OBM to approve requests for the transfer of appropriations between appropriation items 771412, Planning and Research - Federal, 772422, Highway Construction - Federal, 772424, Highway Construction - Other, 775452, Public Transportation - Federal, 776462, Grade Crossings - Federal, and 777472, Airport Improvements - Federal, based on the requirements of the American Recovery and Reinvestment Act that apply to the money appropriated. Requires that the transfers be reported to the Controlling Board.</p>	<p>Section: 203.50</p> <p>Same as the Executive.</p>	<p>Section: 203.50</p> <p>Same as the Executive.</p>	<p>Section: 203.50</p> <p>Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD15 Transfer of Appropriations and Cash - State Infrastructure Bank

Section: 203.50

Allows the Director of OBM to transfer appropriations and cash in the State Infrastructure Bank (SIB) funds used by DOT, including transfers between fiscal years 2012 and 2013. Allows the Director of OBM to transfer appropriations between the Highway Operating Fund (Fund 7002) to SIB funds. Specifies that transfers from the SIB funds to Fund 7002 can only be up to the amounts originally transferred to the SIB funds. Prohibits transfers between modes and different funding sources. Requires such transfers to be reported to the Controlling Board.

Fiscal effect: Provides DOT with cash management flexibility to transfer these funds where needed.

Section: 203.50

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 203.50

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 203.50

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD16 Transfer of Appropriations and Cash - Tolling Funds

Section: 203.50

Allows the Director of OBM to transfer appropriations and cash of the Ohio Toll Fund, including transfers between FY 2012 and FY 2013. Requires that the transfers be reported to the Controlling Board.

Section: 203.50

Same as the Executive.

Section: 203.50

Same as the Executive.

Section: 203.50

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: Provides DOT with cash management flexibility to transfer these funds where needed.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>
<p>DOTCD17 Increasing Appropriations - State Funds</p>			
<p>Section: 203.50 Allows the Controlling Board to increase appropriations from the Highway Operating Fund (Fund 7002) in the event that receipts or unexpended balances credited to Fund 7002 exceed the estimates upon which the appropriations have been made. Fiscal effect: Allows DOT to use additional moneys that are credited to Fund 7002 over the biennium, such as additional motor fuel tax revenues.</p>	<p>Section: 203.50 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive. Fiscal effect: Same as the Executive.</p>
<p>DOTCD18 Increasing Appropriations - Federal and Local Funds</p>			
<p>Section: 203.50 Allows the Controlling Board to increase appropriations of federal or local moneys from the Highway Operating Fund (Fund 7002).</p>	<p>Section: 203.50 Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: Allows DOT to use receipts or unexpected balances, apportionments, or allocations made available from the federal government and local governments that exceed appropriations. Such a case may be when allocations from the federal Highway Trust Fund are greater than expected or local participation amounts are more than budgeted.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>
<p>DOTCD19 Reappropriations</p>			
<p>Section: 203.50 Requires that all appropriations of the Highway Operating Fund (Fund 7002), Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds remaining unencumbered at the end of FY 2011 and FY 2012 be reappropriated in FY 2012 and FY 2013, respectively. Requires these amounts to be reported to the Controlling Board.</p> <p>Fiscal effect: Allows DOT to continue to use unencumbered funds from prior fiscal years for various transportation projects.</p>	<p>Section: 203.50 Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Section: 203.50 Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD20 Liquidation of Unforeseen Liabilities

Section: 203.50

Allows for any Highway Operating Fund (Fund 7002) appropriation, unless restricted by law, to be used to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

Section: 203.50

Same as the Executive.

Section: 203.50

Same as the Executive.

Section: 203.50

Same as the Executive.

DOTCD21 Maintenance of Interstate Highways

Section: 203.60

Authorizes DOT to provide maintenance on interstate highways located within the boundaries of municipal corporations and to reimburse municipalities for their costs in providing such maintenance if there are agreements to do so.

Section: 203.60

Same as the Executive.

Section: 203.60

Same as the Executive.

Section: 203.60

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD22 Public Transportation Highway Purpose Grants

Section: 203.70

Allows the Director of DOT to use state motor fuel tax revenues to match federal grants to support local or state funded public transportation highway projects, including the construction and repair of high-occupancy vehicle lanes; the acquisition and construction of park and ride facilities and transit loops; and repair of bridges used by public transportation vehicles. Prohibits motor fuel tax revenues from being used for operating assistance or for the purchase of vehicles, equipment, or maintenance of facilities

Section: 203.70

Same as the Executive.

Section: 203.70

Same as the Executive.

Section: 203.70

Same as the Executive.

DOTCD23 ARRA Highway Infrastructure or Transit Funds

Section: 203.80

Requires the federal payments for highway infrastructure and transit agencies under ARRA to be credited to the Highway Operating Fund (Fund 7002).

Fiscal effect: Permits DOT to continue directing federal reimbursement received for highway and transit projects funded by ARRA to Fund 7002.

Section: 203.80

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 203.80

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 203.80

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD24 Authorization for Ohio Building Authority and OBM to Effectuate Certain Lease Rental Payments

Section: 509.10

Requires the Director of OBM to initiate and process payments from lease rental payment appropriation items during the FY 2012-FY 2013 biennium, pursuant to lease agreements for bonds or notes issued under Section 2i of Article VIII, Ohio Constitution and Chapter 152. of the Revised Code. Requires payments to be made upon certification by the Ohio Building Authority of the dates and amounts due on those dates.

Section: 509.10

Same as the Executive.

Section: 509.10

Same as the Executive.

Section: 509.10

Same as the Executive.

DOTCD25 Lease Payments to OBA and Treasurer

Section: 509.20

Provides for increased appropriations for certain lease payments to the Ohio Building Authority (OBA) or the Treasurer of State should additional appropriations be necessary.

Section: 509.20

Same as the Executive.

Section: 509.20

Same as the Executive.

Section: 509.20

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD26 Transfers of Cash Between the Highway Operating Fund and the Highway Capital Improvement Fund

Section: 511.10

Allows the Director of OBM to transfer cash from the Highway Operating Fund (Fund 7002) to the Highway Capital Improvement Fund (Fund 7042). Allows the Director of OBM to transfer from Fund 7042 to Fund 7002 up to the amounts previously transferred to Fund 7042.

Section: 515.10

Same as the Executive.

Section: 512.10

Same as the Executive.

Section: 512.10

Same as the Executive.

DOTCD27 Monthly Transfers to Gasoline Excise Tax Fund

Section: 511.20

Requires the Director of OBM to transfer cash in equal monthly increments totaling \$163,918,656 in FY 2012 and in equal monthly increments totaling \$170,424,912 in FY 2013 from the Highway Operating Fund (Fund 7002) to the Gasoline Excise Tax Fund (Fund 7060) and specifies how these amounts are to be distributed to municipalities, counties, and townships.

Section: 515.20

Same as the Executive.

Section: 512.20

Same as the Executive.

Section: 512.20

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: Provides transfers of motor fuel tax revenues to local governments for road and bridge projects in the following percentages pursuant to a statutory formula: 42.86% to municipalities, 37.14% to counties, and 20.0% to townships. For the FY 2010-FY 2011 biennium, the transfers were set at \$183,493,000 annually. The lower amounts for the FY 2012-FY 2013 biennium are the result of the increased principal and interest payments DOT incurred in borrowing \$200 million to recoup the same amount transferred from Fund 7002 to the Public Works Commission (PWC) for local road and bridge projects. The additional amounts for PWC were authorized by H.B. 554, the Jobs Stimulus Bill of the 127th General Assembly.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD28 Deputy Inspector General for ODOT Fund Transfers

Section: 511.30

Requires the Director of OBM to make semiannual transfers of cash of \$200,000, occurring on July 1 and January 1 in each fiscal year, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0) in order to fund the Deputy Inspector General's duties.

Section: 515.30

Same as the Executive.

Section: 512.30

Same as the Executive.

Section: 512.30

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Permits the Inspector General, with the consent of the Director of OBM, to seek Controlling Board approval for additional transfers of cash and an increase in the amount appropriated from Fund 5FA0 appropriation item 965603, Deputy Inspector General for ODOT, in the amount of the additional transfers if additional amounts of cash and appropriation are necessary.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
DOTCD29 Cash Transfer to the GRF			
<p>Section: 511.40 Transfers the cash balance of the Transit Capital Fund (Fund 5E70) as of June 30, 2011 to the GRF. Fiscal effect: GRF gain of approximately \$300.</p>	<p>Section: 515.40 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>Section: 512.40 Same as the Executive. Fiscal effect: Same as the Executive.</p>	<p>Section: 512.40 Same as the Executive. Fiscal effect: Same as the Executive.</p>
DOTCD39 Performance Audit of DOT			
<p>No provision.</p>	<p>No provision.</p>	<p>Section: 701.10 Requires the Auditor of State to conduct a performance audit of DOT.</p>	<p>Section: 701.10 Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: Increase in expenditures for DOT, depending on the scope and duration of the audit. The Auditor of State charges an hourly fee to state agencies to pay its costs in carrying out performance audits. The hourly rate per assigned Auditor of State employee for FY 2011 is \$62.64.

Fiscal effect: Same as the Senate.

DOTCD30 DOT Environmental Reviews

Section: 755.10

Permits the Director of DOT to enter into agreements with an agency of the U.S. government for the purposes of dedicating staff to the review of environmentally related documents submitted by DOT that are necessary for the approval of federal permits. Specifies the agreements may include advance payment by DOT for labor and all other identifiable costs. Requires the Director of DOT to submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the federal agency, and the circumstances giving rise to the agreement

No provision.

No provision.

No provision.

Fiscal effect: Allows DOT to maintain agreements with federal agencies to assist in expeditious environmental reviews, potentially limiting project delays.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD31 Motor Fuel Evaporation Tax Credit

Section: 755.30

Continues the temporary motor fuel tax evaporation allowance in effect for the FY 2010-FY 2011 biennium at 1.0% (less 0.5% of the gallonage sold to retail dealers) for distributors and 0.5% for retail dealers for the FY 2012-FY 2013 biennium.

Fiscal effect: Absent this provision, the allowance would revert to 3.0% as provided in permanent law. The bill thereby increases revenue from the motor fuel tax by approximately \$36 million each year. Section 755.40 of the bill would reserve this increase to Fund 7002. (Absent that provision, Fund 7002 would receive approximately \$25.7 million of the increase each year, with the remainder going to various state and local funds.)

Section: 755.30

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 755.30

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 755.30

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD32 Motor Fuel Tax Revenue Distribution

Section: 755.40

Requires the first 2% of monthly motor fuel tax receipts to be deposited into the Highway Operating Fund (Fund 7002).

Section: 755.40

Same as the Executive.

Section: 755.40

Same as the Executive.

Section: 755.40

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Permits the Director of OBM, upon the request of the Director of Public Safety, to make periodic transfers of cash totaling \$15,000,000 in each fiscal year from Fund 7002 to the State Highway Safety Fund (Fund 7036).</p>	<p>Same as the Executive, but increases the transfer amount to \$16,200,000 per year.</p>	<p>Same as the House.</p>	<p>Same as the House.</p>
<p>Fiscal effect: Suspends existing statutory formulas for distribution of motor fuel tax receipts for approximately \$36 million of those receipts each year. Absent this provision, Fund 7002 would receive approximately \$25.7 million of the \$36 million each year, with the remainder split among the Waterways Safety Fund and the Wildlife Boater Angler Fund used by the Department of Natural Resources, the Local Transportation Improvement Program Fund used by the Public Works Commission, and counties, municipalities, and townships. After the transfers to the Highway Safety Fund (Fund 7036) are accounted for, Fund 7002 would realize a net gain of \$21 million.</p>	<p>Fiscal effect: Same as the Executive, but decreases the net gain in revenue to Fund 7002 to \$19.8 million.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>
<p>DOTCD33 ARRA Buy Ohio and Buy American Preferences</p>			
<p>Section: 755.50 Requires that, to the extent permitted by federal law, federal stimulus moneys be used in accordance with preferences for goods and services under the Buy Ohio and Buy American programs in Ohio law.</p>	<p>Section: 755.50 Same as the Executive.</p>	<p>Section: 755.50 Same as the Executive.</p>	<p>Section: 755.50 Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
DOTCD40 Prohibition on Cincinnati Streetcar Project Funding			
No provision.	No provision.	Section: 755.60 Prohibits any state or federal funds appropriated in this bill or any other appropriations act from being encumbered, transferred, or spent for the Cincinnati Streetcar Project.	Section: 755.60 Same as the Senate.
DOTCD37 Joint Legislative Task Force on DOT Funding			
No provision.	Section: 757.20 Creates the Joint Legislative Task Force on Department of Transportation Funding to examine the funding needs of DOT and to issue a report containing its findings and recommendations by December 15, 2011.	No provision.	No provision.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

OTCCD2 Failed Grade Separations on the Ohio Turnpike at Certain County and Township Roads

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	R.C. 5537.051 Makes the Ohio Turnpike Commission responsible for major maintenance, repairs, and replacement of grade separations at intersections of any turnpike project with county and townships roads in a county that, as of January 1, 2011, had closed one or more roads as a result of grade separation failure.	R.C. 5537.051 Same as the Senate.
No provision.	No provision.	Requires major maintenance and repair and replacement of failed grade separations to commence no later than July 1, 2011 and to be completed before December 31, 2014.	Same as the Senate.
No provision.	No provision.	Makes the the appropriate board of county commissioners or the board of township trustees responsible for routine maintenance of such failed grade separations.	Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		<p>Fiscal effect: The Ohio Turnpike Commission will incur significant new costs to perform this work on failing grade separations in Sandusky County, where there are currently 11 grade separations with failing embankments. The cost to repair one quadrant of an overpass is likely to be between \$150,000 and \$250,000, not including engineering costs. If all four quadrants of an overpass require repair, this means that the cost, excluding engineering work, would be in the \$600,000 to \$1 million range.</p>	<p>Fiscal effect: Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Local Government Provisions**MISCD7 Ditch Maintenance Fund Assessments**

Executive	As Passed by the House	As Passed by the Senate	As Enacted
		R.C. 1515.29, 6137.112	R.C. 1515.29, 6137.112
(1) No provision.	(1) No provision.	(1) Authorizes a board of county commissioners or a joint board of county commissioners to use certain existing statutory ditch maintenance procedures and requirements to maintain soil and water conservation district improvements.	Same as the Senate.
(2) No provision.	(2) No provision.	(2) Authorizes a board of county commissioners to adjust the permanent base of a ditch improvement that is used to calculate maintenance fund assessments, and requires that notice be sent to each owner that would be affected by the adjustment 30 days before the board meets to consider the new permanent base. Fiscal effect: Allows the annual assessments levied on property owners to be adjusted to more closely reflect the current costs of improvements, which could result in additional revenues for soil and water conservation districts.	Same as the Senate. Fiscal effect: Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

MISCD3 Port Authority Competitive Bid Threshold

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	<p>R.C. 4582.12, 4582.31</p> <p>Increases the contract amount for the construction by a port authority of a building, structure, or other improvement above which the port authority must use competitive bidding from \$25,000 to the higher of \$100,000 or, commencing January 1, 2012, \$100,000 plus an amount indexed to inflation.</p> <p>Fiscal effect: By raising the bidding threshold, may reduce the number of smaller port authority construction projects that are competitively bid.</p>	<p>R.C. 4582.12, 4582.31</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>R.C. 4582.12, 4582.31</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>

MISCD12 Port Authority Eminent Domain Requirements Regarding Cable Operators

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	<p>R.C. 4582.31</p> <p>Expands current law requirements for when a port authority appropriates property or facilities of certain entities to include cable operators (currently, when a port authorities uses eminent domain authority, it must restore, relocate, or duplicate the property or facilities of political subdivisions, public utilities or common carriers, or pay compensation to these entities).</p>	<p>R.C. 4582.31</p> <p>Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: Potential increase in costs for port authorities when these entities use eminent domain authority.

Fiscal effect: Same as the Senate.

MISCD11 Transportation Improvement District Project Authority

No provision.

No provision.

R.C. 5540.01

Expands the definition of a "project" for transportation improvement district (TID) purposes to include a parking facility and facilities related to freight rail tracks ("project" is currently defined to include streets or highways).

R.C. 5540.01

Same as the Senate.

Other Provisions**MISCD8 American Recovery and Reinvestment Act Signage**

No provision.

No provision.

R.C. 121.531

Prohibits spending American Recovery and Reinvestment Act of 2009 (ARRA) funds on signs that identify the source of specific project funding.

R.C. 121.531

Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: Potential minimal cost savings on ARRA projects where work has not yet begun. Because some federal agencies, such as the U.S. Environmental Protection Agency, require recipients of ARRA funds to display the ARRA logo on ARRA-funded projects, it may be that some state agencies and local governments that receive ARRA funding would be required to use other funds to meet such federal signage requirements on projects that have yet to reach construction phase.

Fiscal effect: Same as the Senate.

MISCD1 Buy Ohio Revisions

R.C. 125.11

Eliminates, in regard to the general preference for Ohio products in competitively bid purchase contracts of the state that are made by DAS or other state agencies that follow DAS purchasing, a provision of current law deeming that "there is sufficient competition to prevent an excessive price for a product or the acquiring of a disproportionately inferior product" if there are two or more qualified bids that offer products that have been produced or mined in Ohio.

R.C. 125.11

Same as the Executive.

R.C. 125.11

Same as the Executive.

R.C. 125.11

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: This provision is intended to increase DOT's opportunity to acquire road salt at the most competitive rates possible, but could also affect the process other state agencies use to purchase products.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>
<p>MISCD9 Flexibility to Process July 1, 2011 Paycheck in FY 2011</p>			
<p>No provision.</p>	<p>No provision.</p>	<p>Section: 509.30 Permits the Director of Budget and Management to, as necessary, make expenditures, adjust appropriations, and transfer cash between funds so that the July 1, 2011 paycheck posts in FY 2011 rather than FY 2012.</p>	<p>Section: 509.30 Same as the Senate.</p>
<p>MISCD4 Conveyance of State-Owned Real Estate to City of Massillon</p>			
<p>No provision.</p>	<p>Section: 753.10 Authorizes the conveyance of state owned real estate in Stark County to the City of Massillon for \$15,000.</p>	<p>Section: 753.10 Same as the Executive.</p>	<p>Section: 753.10 Same as the Executive.</p>
<p>No provision.</p>	<p>Requires the grantee, following the conveyance of the real estate, to (1) construct and maintain, at the grantee's expense, a detention basin on the property, (2) permit the state to discharge water into the detention basin, and (3) maintain or relocate the state's existing storm sewer connections.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	Requires the grantee to pay the costs of the conveyance of the real estate, including recordation costs of the deed. Fiscal effect: State gain of \$15,000, likely deposited into the GRF.	Same as the Executive. Fiscal effect: Same as the Executive.	Same as the Executive. Fiscal effect: Same as the Executive.
MISCD6 Conveyance of State-Owned Real Estate to Taylor Chevrolet, Inc.			
No provision.	No provision.	Section: 753.20 Authorizes the conveyance of state-owned land in Fairfield County to Taylor Chevrolet, Inc. and requires the proceeds of the conveyance to be deposited to the credit of the State Highway Safety Fund (Fund 7036). Fiscal effect: One-time gain in revenues to Fund 7036, dependent on the amount of the sale.	Section: 753.20 Same as the Senate. Fiscal effect: Same as the Senate.
MISCD10 Land Conveyance to Delta Upsilon KSU Alumni Chapter, Inc.			
No provision.	No provision.	Section: 753.30 Authorizes the conveyance of real estate owned by Kent State University to Delta Upsilon KSU Alumni Chapter, Inc., requires consideration for the conveyance to be determined by the two entities, and requires Delta Upsilon KSU Alumni Chapter, Inc. to pay the costs of the conveyance. Fiscal effect: Depends on the final negotiated consideration.	Section: 753.30 Same as the Senate. Fiscal effect: Same as the Senate.