

Greenbook

LBO Analysis of Enacted Budget

Department of Commerce

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Attachment:

Appropriation Spreadsheet

LBO Greenbook

Department of Commerce

Quick look...

- The Department of Commerce (COM) regulates a diverse range of industries and professions in the state. It also regulates the liquor industry and cultivators, processors, and laboratories under the state’s medical marijuana program. In addition, COM houses the State Fire Marshal’s Office.
- The budget includes total appropriations of \$258.1 million in FY 2022 and \$255.2 million in FY 2023.
 - The Department operates with no GRF money.
 - Almost all of the budget is funded through fees from regulated businesses and professions.
- H.B. 110 provides funding to implement a web-based liquor permit and licensing program, and create a new Department website that improves functionality for licensees.
- The budget increases fees related to the Residential Mortgage Lending Act to support the regulatory functions of the Consumer Finance Section within the Division of Financial Institutions.

Fund Group	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Dedicated Purpose (DPF)	\$216,114,120	\$201,530,383	\$231,565,303	\$232,399,844
Internal Service Activity (ISA)	\$15,363,357	\$16,938,219	\$20,472,158	\$19,973,278
Federal (FED)	\$2,742,384	\$2,815,349	\$6,108,088	\$2,805,112
Total	\$234,219,861	\$221,283,951	\$258,145,549	\$255,178,234
% change	--	-5.5%	16.7%	-1.2%

Overview

Agency overview

The Department of Commerce (COM) regulates a wide array of industries and professions across Ohio. It oversees (1) state-chartered financial institutions, (2) the securities market in the state, (3) Ohio’s Unclaimed Funds Program, (4) the building trades, including state labor laws, (5) the Ohio Fire Code, including fire and explosion investigations and firefighter training, (6) the alcoholic beverage industry in the state, and (7) the state’s medical marijuana cultivator, processor, and testing program. Overall, there are seven operating divisions corresponding to these regulatory responsibilities, as well as the Division of Administration which provides department-wide management oversight.

Appropriation summary

H.B. 110 provides COM with a total appropriation of \$258.1 million in FY 2022 and \$255.2 million in FY 2023. Of the total budget for the FY 2022-FY 2023 biennium, nearly \$464.0 million (90.4%) of all appropriations is for the Department’s regulatory and oversight

functions supported by fees and other revenues deposited into funds of the Dedicated Purpose Fund group.

Table 1 below shows appropriations for the FY 2022-FY 2023 biennium by functional category. These categories correspond to the eight operating divisions within the Department, except for the Division of Financial Institutions and the Division of Securities, which are grouped together in this Greenbook. This breakdown also shows funding for the Medical Marijuana Control Program.

Overall, the Unclaimed Funds Program accounts for the greatest share of the budget at \$163.0 million (31.7%) of the appropriations for FY 2022-FY 2023. Regulatory activities under the divisions of (1) Industrial Compliance and Labor, (2) State Fire Marshal's Office, (3) Financial Institutions & Securities, (4) Real Estate and Professional Licensing, as well as the program (5) Medical Marijuana Control combined account for \$227.8 million (44.4%) of the FY 2022-FY 2023 budget. The Division of Liquor Control's liquor permitting and spirituous liquor franchise operations account for \$82.1 million (16.0%) of the budget. Finally, the Division of Administration accounts for \$40.4 million (7.9%) of spending.

Functional Category	FY 2022	FY 2023	Biennial Total	% of Total
Unclaimed Funds	\$81.5	\$81.5	\$163.0	31.7%
Industrial Compliance and Labor	\$30.9	\$30.9	\$61.9	12.1%
State Fire Marshal	\$39.1	\$35.7	\$74.8	14.6%
Financial Institutions & Securities	\$33.6	\$33.8	\$67.4	13.1%
Liquor Control	\$40.7	\$41.4	\$82.1	16.0%
Real Estate and Professional Licensing	\$6.7	\$6.8	\$13.5	2.6%
Medical Marijuana Control	\$5.1	\$5.1	\$10.2	2.0%
Administration	\$20.5	\$20.0	\$40.4	7.9%
Total	\$258.1	\$255.2	\$513.3	

Note: Figures may not add to totals due to rounding.

Budget highlights

Technology initiatives in FY 2022-FY 2023

H.B. 110 appropriations will support two technology initiatives to be undertaken by the Department in the upcoming biennium. One of these initiatives is implementing a web-based portal for the liquor permit system, eliminating the need for permit holders to apply and renew permits by mail or deliver in-person. This new system builds off of a pilot web-based portal that was implemented by the Department in the previous biennium. Ultimately, this will help accelerate the Division of Liquor Control's process for issuing, renewing, and transferring liquor permits. The Division processed approximately 42,000 permits in FY 2020. The estimated cost for

this project, which is a part of the overall improvement project for the liquor licensing permit system, is \$5.6 million in FY 2022 and \$4.2 million in FY 2023. Expenses will be paid from the State Liquor Regulatory Fund (Fund 5LP0) line item 800646, Liquor Regulatory Operating Expenses. Fund 5LP0 receives a portion of liquor permit fee revenue. Additionally, H.B. 110 earmarks \$250,000 in FY 2022 under the budget of the Department of Administrative Services for the Office of InnovateOhio to support this project. This funding is earmarked under Fund 5LJ0 line item 100661, IT Development. The Department anticipates this project to be completed by the end of FY 2023.

The second initiative involves creating a new website for the Department. This will allow all stakeholders licensed by the Department's Divisions to do all of the following via its new website: (1) apply or renew licenses/permits, (2) schedule inspections and examinations, (3) make payments, (4) apply for grants, or (5) view course catalogs or register for in-person or online training courses. Ultimately, the goal for this initiative is to eliminate the need for licensees to travel to the Department's physical locations or mail in paperwork and payments to complete transactions. The estimated cost for the website is \$1.0 million in FY 2022 and \$600,000 in FY 2023. Expenses will be paid from the Division of Administration Fund (Fund 1630) line item, 800620, Division of Administration. The Department anticipates the website to be fully implemented by the end of the FY 2022-FY 2023 biennium.

Residential Mortgage Lending Act fee increase

H.B. 110 increases various Residential Mortgage Lending Act fees as shown in Table 2. The fee increases range from \$50 to \$200. Collectively, the fee increases are estimated to generate \$1.1 million and will support the Division of Financial Institution Consumer Finance Section's costs of their current regulatory responsibilities. The need for these changes stemmed from H.B. 199 of the 132nd General Assembly. That legislation, the Ohio Residential Mortgage Lending Act, eliminated dual licensure for a large number of mortgage companies and individuals and consolidated mortgage lending authorities into a single license without raising that fee for that the license. The budget also authorizes the Superintendent of Financial Institutions to charge an additional assessment for renewal fees for mortgage brokers, lenders, servicers, and mortgage loan originators if the amount collected under the current fees is less than the estimated expenditures for the following fiscal year. These fees are collected by the Consumer Finance Section and deposited into the Consumer Finance Fund (Fund 5530).

Fee	Previous Amount	Enacted Amount	\$ Change
Mortgage broker, lender, and servicer registration (initial and renewal)	\$500	\$700	\$200
Late renewal of broker, lender, and servicer registration	\$100	\$150	\$50
Mortgage loan originator license (initial and renewal)	\$150	\$200	\$50
Late renewal fee of mortgage loan originator license	\$100	\$150	\$50

New and revised liquor permits

H.B. 110 creates and revises several liquor permits issued by the Department's Division of Liquor Control. As a result, liquor permit fee revenue collected by the Division may increase. Fee revenue is deposited into the Undivided Liquor Permit Fund (Fund 7066) that is subsequently distributed to the State Liquor Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%).

Direct beer and wine sales

H.B. 110 changes the name of the S liquor permit to the S-1 liquor permit and changes the eligibility and parameters for that permit. The S liquor permit under former law allowed for small in-state and out-of-state wineries that manufactured less than 250,000 gallons of wine annually to sell and ship their wine directly to consumers. The bill retains this eligibility for the S-1 liquor permit but (1) eliminates the requirement the wine manufacturer must be eligible for a specified federal tax credit, (2) expands eligibility to beer producers, and (3) eliminates the eligibility of a brand owner or U.S. importer of beer or wine and its designated agent to apply for this permit. The bill also creates the S-2 liquor permit that allows wineries that manufacture 250,000 gallons of wine or more annually to sell directly to consumers or to use a fulfillment warehouse to sell their wine directly to consumers. The initial S-2 liquor permit fee is \$250 and the annual renewal fee is \$100.

Additionally, the bill revises the B-2a liquor permit (allows a wine manufacturer to sell its wine directly to retailers without first selling to a wholesale distributor) by (1) eliminating from eligibility the brand owner or U.S. importer of wine and its designated agent, and (2) expands the eligibility to a person that manufactures any amount of wine by eliminating the requirement that a manufacturer may only produce under 250,000 gallons annually and that a manufacturer must be eligible for a specified federal tax credit. As a result, the number of B-2a liquor permits may increase. The fee for a B-2a liquor permit is \$25.

Repackaging of alcohol

H.B. 110 creates the R liquor permit authorizing the repackaging of beer, wine, or mixed beverages by (1) a manufacturer or supplier of beer, wine, or mixed beverages or (2) an entity operating under a written authorization from the manufacturer or supplier to operate a repackaging facility. The bill establishes a \$750 fee per location for this new liquor permit.

Analysis of FY 2022-FY 2023 budget

Introduction

This section provides an analysis of the funding for each appropriation line item (ALI) in COM's budget. For organizational purposes, these ALIs are grouped into eight major categories based on their funding purposes. The analysis for an ALI with a lower category or subcategory designation will appear before that for an ALI with a higher category or subcategory designation. That is, the analysis for an ALI with a category designation of C1:8 will appear before the analysis for an ALI with a category designation of C2:1 and the analysis for an ALI with a category designation of C1:3 will appear before the analysis for an ALI with a category designation of C1:8.

To aid the reader in locating each ALI in the analysis, the following table shows the category in which each ALI has been placed, listing the ALIs in order within their respective fund groups and funds. This is the same order the ALIs appear in the COM section of the budget bill.

In the analysis, each appropriation item's actual expenditures for FY 2021 and appropriations for FY 2022 and FY 2023 are listed in a table. Following the table, a narrative describes how the appropriation is used and any changes affecting the appropriation in H.B. 110. If the appropriation is earmarked, the earmarks are listed and described.

Categorization of COM's Appropriation Line Items for Analysis of FY 2022-FY 2023 Budget

Fund	ALI	ALI Name	Category
Dedicated Purpose Fund Group			
4B20	800631	Real Estate Appraisal Recovery	6:5 Real Estate and Professional Licensing
4H90	800608	Cemeteries	6:6 Real Estate and Professional Licensing
4X20	800619	Financial Institutions	4:1:1 Financial Institutions and Securities
5430	800602	Unclaimed Funds – Operating	1:1 Unclaimed Funds
5430	800625	Unclaimed Funds – Claims	1:2 Unclaimed Funds
5440	800612	Banks	4:1:2 Financial Institutions and Securities
5460	800610	Fire Marshal	3:1 State Fire Marshal
5460	800639	Fire Department Grants	3:2 State Fire Marshal
5470	800603	Real Estate Education/Research	6:3 Real Estate and Professional Licensing
5480	800611	Real Estate Recovery	6:2 Real Estate and Professional Licensing
5490	800614	Real Estate	6:1 Real Estate and Professional Licensing
5500	800617	Securities	4:2:1 Financial Institutions and Securities
5520	800604	Credit Union	4:1:3 Financial Institutions and Securities
5530	800607	Consumer Finance	4:1:4 Financial Institutions and Securities
5560	800615	Industrial Compliance	2:1 Industrial Compliance and Labor
5F10	800635	Small Government Fire Departments	3:3 State Fire Marshal
5FWO	800616	Financial Literacy Education	4:1:5 Financial Institutions and Securities

Categorization of COM's Appropriation Line Items for Analysis of FY 2022-FY 2023 Budget

Fund	ALI	ALI Name		Category
5GK0	800609	Securities Investor Education/Enforcement	4:2:2	Financial Institutions and Securities
5HV0	800641	Cigarette Enforcement	3:6	State Fire Marshal
5LC0	800644	Liquor JobsOhio Extraordinary Allowance	5:2	Liquor Control
5LN0	800645	Liquor Operating Services	5:1	Liquor Control
5LP0	800646	Liquor Regulatory Operating Expenses	5:3	Liquor Control
5SE0	800651	Cemetery Grant Program	6:6	Real Estate and Professional Licensing
5SJ0	800648	Volunteer Peace Officers' Dependent Fund	3:4	State Fire Marshal
5SU0	800649	Manufactured Homes Regulation	6:7	Real Estate and Professional Licensing
5SY0	800650	Medical Marijuana Control Program	7:1	Medical Marijuana Control
5VC0	800652	Real Estate Home Inspector Operating	6:8	Real Estate and Professional Licensing
5VD0	800653	Real Estate Home Inspector Recovery	6:8	Real Estate and Professional Licensing
5X60	800623	Video Service	6:9	Real Estate and Professional Licensing
5XK0	800657	Ohio Investor Recovery	4:2:3	Financial Institutions and Securities
6530	800629	UST Registration/Permit Fee	3:5	State Fire Marshal
6A40	800630	Real Estate Appraiser – Operating	6:4	Real Estate and Professional Licensing
Internal Service Activity Fund Group				
1630	800620	Division of Administration	8:1	Administration
1630	800637	Information Technology	8:2	Administration
Federal Fund Group				
3480	800622	Underground Storage Tanks	3:5	State Fire Marshal
3480	800624	Leaking Underground Storage Tanks	3:5	State Fire Marshal
3HK0	800654	911 Grant Program	3:7	State Fire Marshal

Category 1: Unclaimed Funds

This category of appropriation line items provides for the safekeeping and return of moneys designated as “unclaimed” to their rightful owners. In the meantime, the Division of Unclaimed Funds uses a portion of reported unclaimed funds to support housing loan guarantees. The funds have also been used in recent years to support operations of other state programs through transfers to the GRF.

C1:1: Unclaimed Funds – Operating (ALI 800602)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5430 ALI 800602, Unclaimed Funds – Operating	\$10,923,983	\$11,491,192	\$11,489,073
% change	--	5.2%	0.0%

This line item pays the operating and administrative expenses of the Division of Unclaimed Funds. The Division is comprised of administrative, claims processing, compliance, and accountability sections. The Division is a part of the Ohio Business Gateway, which allows businesses to electronically file reports and remit funds into the state’s unclaimed funds account using the Automated Clearing House (ACH). All claims are initiated through the Division’s “Online Treasure Hunt” web feature that allows people to search and make claims for money owed to them.

C1:2: Unclaimed Funds – Claims (ALI 800625)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5430 ALI 800625, Unclaimed Funds – Claims	\$75,166,556	\$70,000,000	\$70,000,000
% change	--	-6.9%	0.0%

This item pays for claims of money under the Unclaimed Funds Law, including the interest that accumulated while the money was held in trust by the state. Because there is always the potential that claims made exceed the amount appropriated, H.B. 110 includes the language appropriating the additional amounts as needed.

The Unclaimed Funds Program is statutorily responsible for the safekeeping and return of moneys designated as unclaimed due to death, inadvertence, or forgetfulness. State law requires that these funds be reported to the state for safekeeping after the owners have left the funds unclaimed for a period of time, typically five years. Common sources of unclaimed funds include dormant checking and savings accounts, insurance proceeds, unclaimed wages and employment benefits, uncashed checks and money orders, undelivered stock and dividends, forgotten rent or utility deposits, and intangible contents of safe deposit boxes. These unclaimed funds are held in a custodial account under the Treasurer of State.

Until the rightful owner is located, unclaimed funds support economic development throughout Ohio. The Ohio Housing Finance Agency use these resources to guarantee and fund low- and moderate-income housing programs. Unclaimed funds also guarantee performance bonds for the Minority Business Bonding Fund under the Ohio Department of Development.

Category 2: Industrial Compliance and Labor

This category of appropriations funds the building code development, inspection, plan review, licensing, and permit services related to the commercial and residential construction industry and manufactured homes industry. The Bureau of Wage and Hour Administration, which enforces the prevailing wage, minimum wage, and minor labor laws, is also included in this category.

C2:1: Industrial Compliance (ALI 800615)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5560 ALI 800615, Industrial Compliance	\$26,701,230	\$30,929,000	\$30,929,000
% change	--	15.8%	0.0%

This line item supports the building code development, inspection, plan, review, licensing, and permit services related to the commercial and residential construction industry and manufactured homes industry, as well as the operations of the Bureau of Wage and Hour Administration, which enforces the prevailing wage, minimum wage, and minor labor laws. This line item is supported through fees assessed to the regulated entities. Funding levels for the various bureaus and programs under the auspices of the Division of Industrial Compliance and Labor are provided in Table 3 below.

Program	FY 2022	FY 2023
Operations and Maintenance	\$12.5	\$12.9
Program Administration	\$6.6	\$6.1
Building Code Compliance	\$6.3	\$6.4
Building Code	\$2.6	\$2.5
Bureau of Wage and Hour Administration	\$1.2	\$1.2
Ohio Construction Industry Licensing Board	\$1.6	\$1.8
Total	\$30.9	\$30.9

Operations and Maintenance

The Operations and Maintenance Program oversees various industrial functions: (1) responsibility for the proper operation and maintenance of critical systems including boilers, elevators, and escalators, (2) inspections of bedding, upholstered furniture, and ski lifts, and (3) licensure of steam engineers and boiler operators. The program is funded by fees on bedding items and registration, bedding laboratory analysis, elevator inspection and certification, boiler certification and inspection such fees for steam engineers and ski lifts. The amount slated for the Operations and Maintenance Program represents 41.1% of the funding for the Division of Industrial Compliance.

Historical boiler licenses

H.B. 110 restores the requirement that a person obtain a license in order to operate a historical boiler in a place that is open to the public. This requirement had been eliminated by H.B. 442 of the 133rd General Assembly, effective April 12, 2021. The bill also re-establishes the seven-member Historical Licensing Board and transfers nonlicensing duties related to historical boilers from the Division of Industrial Compliance back to the Board. Under the bill, the Board is

required to issue a license to a person who held an active license to operate historical boilers in public on April 12, 2021 when the requirement for a license ended. As a result, there could be a potential gain in fee revenue deposited into the Industrial Compliance Operating Fund (Fund 5560) from issuing new licenses. In FY 2020, COM issued five new licenses. As of February 2021, there were 722 active licenses. Also, Fund 5560 could incur a minimal cost to reimburse board member expenses. These expenses amounted to about \$2,700 in FY 2020.

Program Administration

Program Administration oversees the general management and direction of the Division of Industrial Compliance activities on a daily basis. It is also responsible for the planning and future direction of the Division. The program provides administrative support through legal counsel, inspector dispatching operations and communications, automated computer programs for task management, and reporting and performance management. These expenses are covered by an administrative charge based on cumulative annual payroll assessed to all boards and sections within the Division.

Building Code Compliance

The Building Code Compliance Program, through the Bureau of Construction Compliance, inspects construction plans for all state buildings, commercial buildings, and residential buildings of four or more units not falling under the jurisdiction of a local certified building department to ensure that the structural design, electrical, and plumbing systems meet standards established by the Ohio Building Code. The program is responsible for inspecting buildings, plumbing, electrical wiring, pressure vessels, and pressure piping throughout the state. The program is funded by revenue from various fees, such as those for plan examination, pressure piping, and plumbing permits and inspections.

Building Code

The Building Code Program supports the Board of Building Standards (BBS), which formulates and adopts rules governing building construction, repair, alteration, and maintenance to ensure building safety. BBS also certifies local building code enforcement departments and houses the Industrialized Unit Section, which regulates factory-built construction components (except for those regulated by the federal Department of Housing and Urban Development). This program also supports the Board of Building Appeals, which reviews appeals of orders issued by the Department's Division of Industrial Compliance, State Fire Marshal, or a certified city or county building department. The Board of Building Standards receives funding through a portion of the boiler certificate, elevator certificate, and plan review application fees, as well as a surcharge on the fee for certified building departments, among other sources. There is also a \$200 fee for each building appeal.

Plumbing inspector certification

H.B. 110 removes the certification of plumbing inspectors from COM's Division of Industrial Compliance's responsibility and authority but leaves the BBS certification of plumbing inspectors in place. Currently, the Division certifies plumbing inspectors who work for local health districts and BBS certifies local building department plumbing inspectors. Under the bill, BBS would now be responsible for certifying all plumbing inspectors, regardless if the inspector is

employed by a building department or health district. There are currently 246 plumbing inspectors certified by BBS. Of the number certified by BBS, 80 plumbing inspectors are also certified by the Division. If certified by both, plumbing inspectors pay the initial certification and renewal fee to both BBS and the Division. Eliminating the double certification for some plumbing inspectors, will reduce revenue deposited into the Industrial Compliance Operating Fund (Fund 5560). The certification fee is the same for both BBS and the Division: \$100 for the initial certification and \$60 for the renewal certification. These fees are deposited into Fund 5560.

Bureau of Wage and Hour Administration

The Bureau of Wage and Hour Administration enforces the minimum wage and overtime, prevailing wage, and minor labor laws. The Bureau investigates complaints and, upon making determinations, collects back wages and penalties owed to workers.

Ohio Construction Industry Licensing Board

The Ohio Construction Industry Licensing Board provides for the testing, licensing, and continuing education of electrical; heating, ventilation, and air conditioning (HVAC); hydronic; plumbing; and refrigeration commercial construction contractors. The Board is funded by license examination, issuance, and renewal fees as well as various continuing education course approval and training provider fees.

Additionally, the Board is responsible for administering part of the Manufactured Homes Program. The program under the Division of Industrial Compliance does the following: (1) license manufactured housing installers, (2) establish uniform standards for installing manufactured housing, (3) review design plans and periodic inspection of manufactured homes and manufactured home installation, (4) investigate complaints violations of Ohio's Manufactured Homes Law, and (5) adopt rules to administer Ohio's Manufactured Homes Law.

Category 3: State Fire Marshal

This category of line items provides funds for the Office of the State Fire Marshal, which provides protection to the citizens of Ohio from the dangers of fire and explosions and protects the environment from releases of petroleum from underground storage tanks. The State Fire Marshal analyzes fire-related criminal evidence, enforces the Ohio Fire Code, investigates the cause and origin of fires and explosions, regulates underground storage tanks, trains firefighters, and provides fire safety education to businesses, industry, and the public. Additionally, it will provide monthly death benefits to survivors of volunteer peace officers killed in the line of duty and disability benefits to disabled volunteer peace officers.

C3:1: Fire Marshal (ALI 800610)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5460 ALI 800610, Fire Marshal	\$21,391,545	\$23,166,255	\$23,451,914
% change	--	8.3%	1.2%

This line item provides primary operating funds for the administration of the Office of the State Fire Marshal and programs operated by the State Fire Marshal. The State Fire Marshal Fund

(Fund 5460) is the division’s primary operating fund, and is supported by a 0.75% surcharge on fire insurance premiums, 20.0% of retaliatory (or “reciprocity”) taxes on out-of-state insurance companies, and fees from fireworks licenses, building inspections, course fees, and federal and state grants. Funding by program and descriptions of those programs are provided in the table below.

Program	FY 2022	FY 2023
Program Administration	\$5.9	\$5.9
Ohio Fire Academy	\$4.4	\$4.4
Code Enforcement	\$4.2	\$4.3
Investigations	\$3.8	\$4.0
Fire Prevention	\$1.8	\$1.8
Forensic Lab	\$2.2	\$2.1
Testing and Registration	\$0.9	\$0.9
Total	\$23.2	\$23.5

Program Administration

This program provides for the administration of the Office of State Fire Marshal and its eight operating bureaus. The program funds salaries and fringe benefits for administration, including senior staff, administrative and facility operations staff, and the Explosive and Pyrotechnics unit. The Explosives and Pyrotechnics unit provides training and annual licensing for Ohio’s fire and law enforcement communities, shippers, manufacturers, and retailers.

Ohio Fire Academy

The Ohio Fire Academy conducts over 160 virtual, on-campus, and hybrid fire-related training courses for firefighters and emergency responders across the state. The program also funds replacement vehicles and specialized firefighting equipment. Training, which is conducted at the Academy facilities and onsite throughout the state includes firefighting, antiterrorism response, and urban search and rescue. The Academy maintains national accreditation for the various levels of firefighter training.

Code Enforcement

The Code Enforcement Program performs fire safety inspections at hotels, motels, hospitals, schools, nursing homes, new construction, and other buildings and events. It also enforces the Ohio Fire Code at fireworks facilities, manufacturers, and exhibitions and conducts plan review and inspections for flammable and combustible liquid storage tanks not regulated by the Bureau of Underground Storage Tank Regulation or the local fire department. The program conducts approximately 12,000 fire safety inspections annually. The Department reports that its workload has been increasing in recent years due to local fire departments reducing or

eliminating fire investigation, training, and inspection staff. This responsibility then falls to the State Fire Marshal, increasing caseload.

Investigations

The Investigations Program is responsible for investigating the cause, origin, and circumstances of fires, explosives, and fireworks incidents in Ohio. It is also responsible for the prosecution of persons believed to be guilty of arson or a similar crime. This program provides these services to any fire department or law enforcement agency in the state, as many small municipalities and townships do not have trained arson investigators to conduct such highly specialized investigations. In addition to routine investigations, the Fire and Explosion Investigation Bureau has three accelerant detection canine teams to assist in recovering evidence at arson crime scenes.

Fire Prevention

The Fire Prevention Program creates fire safety publications and conducts fire safety education outreach at schools, senior centers, health care facilities, and other locations as requested. The program compiles and analyzes statistical data collected through the Ohio Fire Information Reporting System regarding the nature and causes of fires. The Fire Prevention Program also (1) operates the Public Fire Safety Decal Program for volunteer firefighters, (2) provides fire safety courses for health care facility certification, smoke alarms to high-risk families, support for special public recognition events, and support of fire safety fairs, and (3) trains local fire department personnel.

Forensic Lab

The Forensic Lab Program provides scientific examination of ignitable liquids, fire debris, explosives, latent fingerprints, and general examination of any physical evidence involved in a suspected arson, fire explosive incident, or hazardous situation. The laboratory issues a written report including findings and opinions as to the nature of the situation. Laboratory examiners may be asked to testify in court about laboratory findings.

Testing and Registration

The Testing and Registration Bureau licenses companies and individuals in the fire protection industry; the hotel and motel business; fireworks exhibitors, manufacturers, wholesalers, and shippers; underground storage tank operators and those who install and inspect those tanks; and the certification requirements for reduced ignition propensity cigarettes. This program issued 34,614 licenses in FY 2020.

C3:2: Fire Department Grants (ALI 800639)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5460 ALI 800639, Fire Department Grants	\$5,215,372	\$6,675,000	\$6,275,000
% change	--	28.0%	-6.0%

This line item is used to provide grants to local fire departments to offset the cost of training and equipment. Of the amount appropriated, \$1.2 million each fiscal year may be used for Equipment and Training Grants. Under this grant program, volunteer fire departments, fire departments, joint fire districts, or local governments responsible for fire departments that serve one or more small municipalities or small townships, and local units of government responsible for the provision of fire protection services for small municipalities or small townships are eligible for the grants. These grants must be used to (1) purchase firefighting or rescue equipment or gear or similar items, (2) provide full or partial reimbursement for the documented costs of firefighter training, or (3) at the discretion of the State Fire Marshal, cover fire department costs for providing fire protection services in that grant recipient's jurisdiction. Grants for firefighting or rescue equipment, gear, or the provision of fire protection services are limited to \$15,000 per fiscal year unless an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded. In those cases, grants are limited to \$25,000 per fiscal year. Grants for reimbursement of firefighter training costs are limited to \$15,000 per fiscal year. Eligible entities may receive grants for both purposes. For each fiscal year, the State Fire Marshal will determine the total amounts to be allocated for each eligible purpose.

This line item also provides the funding for the MARCS Grant Program. Of the amount appropriated, up to \$3.5 million in each fiscal year can be used for MARCS grants. This grant program helps offset the costs that local fire departments incur for MARCS-related radio equipment and services and to promote the interoperability between fire responders. Eligible recipients are the same as fire equipment and training grants as mentioned above. However, grants are limited to \$50,000 in each fiscal year per grant recipient.

Additionally, up to \$1.0 million in each fiscal year may go towards the Firefighter I Training Grant Program. These grants are awarded to fire training schools to provide training to newly hired or volunteer firefighters at no cost to the local government. Fire training schools apply through the State Fire Marshal and are awarded on a first-come, first-served basis.

Lastly, this line item is earmarked for equipment and training costs for specific local fire departments detailed in Table 5 below. Of the earmarks for fire departments located in Trumbull, Lorain, and Huron counties, the bill requires grants to be issued in the following priority: (1) volunteer fire departments, (2) township fire departments, and (3) municipal fire departments.

Fire Department	FY 2022	FY 2023
Northfield Center Township	\$250,000	\$0
Fire departments in Trumbull County	\$200,000	\$200,000
Village of Lisbon	\$150,000	\$0
Fire departments in Lorain County	\$125,000	\$125,000
Fire departments in Huron County	\$50,000	\$50,000
ALL total	\$775,000	\$375,000

C3:3: Small Government Fire Departments (ALI 800635)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5F10 ALI 800635, Small Government Fire Departments	\$0	\$600,000	\$600,000
% change	--	N/A	0.0%

This line item supports the Small Government Fire Department Services Revolving Loan Program, which makes no interest loans to small governments for up to 95.0% of the cost of firefighter equipment or the construction or renovation of fire department buildings. The Small Government Fire Departments Fund (Fund 5F10) is replenished by loan repayments. To provide loan funding, H.B. 110 gives the OBM Director the authority, upon the request of the Director of Commerce, to transfer up to \$600,000 from Fund 5460 to Fund 5F10 for the purpose of this program during the biennium.

Small Government Fire Department Services Revolving Loan Fund

H.B. 110 allows the OBM Director, after certification of the COM Director, to transfer funds from the State Fire Marshal's Fund (Fund 5460) to Fund 5F10, if additional resources are needed. The bill specifies that certified amounts cannot exceed the amount appropriated to the program for the biennium period for which the certification is made.

C3:4: Volunteer Peace Officers' Dependent Fund (ALI 800648)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5SJ0 ALI 800648, Volunteer Peace Officers' Dependent Fund	\$0	\$50,000	\$50,000
% change	--	N/A	0.0%

This line item provides monthly death benefits to survivors of volunteer, part-time, and reserve police officers, sheriffs' deputies, constables, and deputy marshals killed in the line of duty and disability benefits to such officers and deputies if they become disabled. Specifically, the benefit amounts are: (1) to surviving spouses, a lump-sum award of \$1,000 plus a \$300 benefit per month, (2) dependent children, a benefit of \$125 per month, and (3) to disabled volunteer peace officers, a disability benefit of \$300 per month.

The Volunteer Peace Officers' Dependent Fund (Fund 5SJ0) was created in S.B. 11 of the 131st General Assembly and is funded by assessments collected from peace officer departments that are part of the fund. Each fund member (peace officer departments) is required to contribute an initial premium to Fund 5SJ0 depending on each member's assessed property valuation. The total initial premiums form what is referred to as the basic capital account for Fund 5SJ0. No further contributions are required from fund members until claims against Fund 5SJ0 have reduced its balance to 95% or less of its basic capital account. In that event, the Director of

Commerce is required to certify additional premiums based on current property valuation. There have been no expenditures under this line item since its inception in March 2016.

C3:5: Underground Storage Tanks (ALIs 800629, 800622, and 800624)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 6530 ALI 800629, UST Registration/Permit Fee	\$1,570,900	\$2,481,714	\$2,501,714
% change	--	58.0%	0.8%
Fund 3480 ALI 800622, Underground Storage Tanks	\$825,811	\$805,112	\$805,112
% change	--	-2.5%	0.0%
Fund 3480 ALI 800624, Leaking Underground Storage Tanks	\$1,950,527	\$2,000,000	\$2,000,000
% change	--	2.5%	0.0%
Total Underground Storage Tanks	\$4,347,238	\$5,286,826	\$5,306,826
% change	--	21.6%	0.4%

These three line items provide support for the Bureau of Underground Storage Tank Regulation (BUSTR), which regulates the installation, operation, maintenance, and removal of underground storage tank (UST) systems as well as the investigation and cleanup of petroleum products released from UST systems into the environment.

Line item 800629, UST Registration/Permit Fee, provides funding for underground storage tank regulation and is supported by annual tank registration fees and permits. This line item provides the state matching funds required for BUSTR's federal funding. Line item 800622, Underground Storage Tanks, provides the federal funds used for the regulation of underground storage tanks, including the permitting of tank installation, removal, upgrade, or major repair. Federal funding for this program requires a 25% state match. Lastly, line item 800624, Leaking Underground Storage Tanks, provides the federal funds necessary to evaluate and clean up leaking underground storage tanks containing petroleum. Federal funding for this program requires a 10% state match.

C3:6: Cigarette Enforcement (ALI 800641)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5HV0 ALI 800641, Cigarette Enforcement	\$0	\$27,324	\$27,324
% change	--	N/A	0.0%

This line item supports the functions of the Cigarette Enforcement Program, which certifies cigarettes as meeting reduced ignition propensity standards. Cigarettes passing the ignition propensity standards are not as likely to set fire to certain types of fabrics, such as upholstered furniture or mattresses. To be certified by the state, each cigarette manufacturer

must (1) test cigarettes through a laboratory or an alternative testing method to ensure the cigarettes meet the standards specified in law, (2) indicate on the packaging that the cigarettes meet fire safety standards, and (3) submit written certification to the State Fire Marshal's Office within the Department of Commerce that each type of cigarette tested meets the standards. Manufacturers must recertify each type of cigarette every three years.

To offset the State Fire Marshal's costs for administering the certification program, manufacturers pay a \$1,000 fee for each type of brand family included in an application. Proceeds from the fee are deposited into the Cigarette Enforcement Fund (Fund 5HV0).

C3:7: 911 Grant Program (ALI 800654)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 3HK0 ALI 800654, 911 Grant Program	\$39,011	\$3,302,976	\$0
% change	--	8,366.7%	-100.0%

This line item is used, in cooperation with the Department of Administrative Services (DAS), to administer the 911 Grant Program as authorized by the federal Next Generation 9-1-1 (NG 9-1-1) Advancement Act of 2012. Under this Act, Ohio was awarded \$4.3 million. This grant program allows local emergency call centers to apply for grants to upgrade to NG 9-1-1 technology. The reimbursable grants fund 60.0% of the costs associated with eligible new projects that aid local communities in the transition to NG 9-1-1.

Category 4: Financial Institutions and Securities

This category of appropriations provides funding to oversee state-chartered banks, savings institutions, credit unions, and various consumer finance organizations through the Division of Financial Institutions as well as securities and securities professionals through the Division of Securities. These line items fund programs that ensure the overall safety and soundness of these institutions and individuals and provide education regarding financial literacy, home mortgage lending practices, and securities investing to reduce the number of consumers falling victim to abusive practices.

C4:1: Division of Financial Institutions

C4:1:1: Financial Institutions (ALI 800619)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 4X20 ALI 800619, Financial Institutions	\$1,726,449	\$2,080,213	\$2,080,213
% change	--	20.5%	0.0%

This line item provides centralized administrative support to the Division of Financial Institutions' various sections, which include Banks, Credit Union, and Consumer Finance. The executive staff, facilities management, front desk operations, and centralized records retention and administration are all funded out of this line item. The Financial Institutions Fund (Fund 4X20)

receives revenue from quarterly assessments on the Banks Fund (Fund 5440), the Credit Unions Fund (Fund 5520), and the Consumer Finance Fund (Fund 5530). Quarterly assessments are prorated among these operating funds based on the budgeted headcount for each fund.

C4:1:2: Banks (ALI 800612)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5440 ALI 800612, Banks	\$8,561,201	\$10,138,048	\$10,138,048
% change	--	18.4%	0.0%

This line item supports the regulation of state-chartered banks, trust companies, and money transmitters. The vast majority of funding in this line item, about 83.9% over the biennium, is programmed toward bank regulation, with the balance going toward the cost of regulating money transmitters. The Banks Fund (Fund 5440) receives revenue from application and examination fees paid by state-chartered banks, assessments charged to all banks subject to examination by the Division, and money transmitter fees.

The Banks Program supervises 110 state-chartered banks with \$71.8 billion in assets as of March 31, 2021. In CY 2019, there was a loss of a very large state-chartered bank, resulting in a decrease in assets under the Banks Program supervision from \$219.0 billion to \$65.0 billion. To maintain cost controls after this loss, several positions were left unfilled under the Banks Program. The Banks Program does not have jurisdiction over federal thrifts or national banks. Its main responsibility is to review and approve new bank charters, mergers, branch ventures, and other activities. The program also determines the safety and soundness of each bank and monitors institution adherence to applicable laws and regulations through regular onsite field examinations and off-site surveillance and monitoring. Program staff coordinate supervisory activities with the applicable federal regulatory agencies, the Federal Reserve and the Federal Deposit Insurance Corporation (FDIC). While Banks Program staff coordinate with their federal counterparts, they also compete with them to maintain bank charters due to the dual regulatory environment within the financial services industry.

The Money Transmitters Program provides for the licensing, supervision, and regulation of the 155 money transmitters operating within the state. The program's funding is derived from annual license fees and investigation fees for money transmitter licenses. The fee for a new money transmitter license is \$6,000. The renewal fee is based on the transmitter's volume of business in the state.

C4:1:3: Credit Union (ALI 800604)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5520 ALI 800604, Credit Union	\$3,198,944	\$3,807,712	\$3,807,712
% change	--	19.0%	0.0%

This line item supports the Credit Union Program which monitors the financial safety and soundness of Ohio's state-chartered credit unions. The program is funded by a semiannual assessment on the gross assets of credit unions, the revenue from which was approximately \$1.9 million in FY 2021. The supervision and regulation of state-chartered credit unions includes onsite field examinations, off-site surveillance and monitoring, and coordination of supervisory activities with the appropriate federal agency, the National Credit Union Administration. While the program coordinates with its federal counterparts, the Division of Financial Institutions is also in competition for credit union charters as these institutions have the option to be regulated either by the state or by the federal government. The program supervised and regulated 108 state-chartered credit unions with total aggregated assets of \$28.9 billion as of the end of March 2021. While the number of state-chartered credit unions has declined because of an industry trend of mergers and acquisitions, total assets under supervision has increased, as has the complexity of these institutions' operations.

C4:1:4: Consumer Finance (ALI 800607)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5530 ALI 800607, Consumer Finance	\$5,092,129	\$5,517,185	\$5,510,095
% change	--	8.4%	-0.1%

This line item supports the costs associated with regulating the consumer finance or nondepository lending industries. These regulatory functions are funded through annual fees paid by various consumer finance providers. The receipts are deposited into the Consumer Finance Fund (Fund 5530). A small portion of the line item (around \$252,000 in FY 2022 and \$260,000 in FY 2023) funds the Office of Consumer Affairs, which educates Ohioans on borrowing, refers borrowers to credit counseling services, receives complaints of alleged violations of Division-administered statutes, contacts the persons that are the subject of the complaint, and forwards possible violations for administrative action.

Residential Mortgage Lending Act fee increase

As mentioned in the "**Overview**," H.B. 110 increases the following fees collected under the Residential Mortgage Lending Act: (1) the initial registration and renewal fee for mortgage brokers, lenders, and servicers for each office maintained by the registrant, (2) the late renewal fee for each registered office maintained by a mortgage broker, lender, and servicer, (3) the initial and renewal fee for mortgage loan originators, and (4) the late renewal fee for mortgage loan originators. The fee increases range from \$50 to \$200. The fee increase will support the Consumer Finance Section's costs of their current regulatory responsibilities. The budget also authorizes the Superintendent of Financial Institutions to charge an additional assessment for renewal fees for mortgage brokers, lenders, servicers, and mortgage loan originators if the amount collected under the current fees is less than the estimated expenditures for the following fiscal year. Fees are deposited into Fund 5530.

C4:1:5: Financial Literacy Education (ALI 800616)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5FW0 ALI 800616, Financial Literacy Education	\$44,110	\$150,000	\$150,000
% change	--	240.1%	0.0%

This line item supports various adult financial literacy education programs. At least half of the programs must be presented by or made available at public community colleges or state institutions of higher education throughout the state. The initial funding for these programs was provided through a transfer of 5.0% of the cash balance (just under \$500,000) from the Consumer Finance Fund (Fund 5530) to the Financial Literacy Education Fund (Fund 5FW0) in FY 2009. On an ongoing basis, Fund 5FW0 receives a small amount of revenue, amounting to 5.0% of all charges, penalties, and forfeitures received by Fund 5530.

C4:2: Division of Securities**C4:2:1: Securities (ALI 800617)**

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5500 ALI 800617, Securities	\$5,976,013	\$7,234,782	\$7,387,595
% change	--	21.1%	2.1%

This line item supports the Division of Securities, which regulates the sale of securities in Ohio, licenses securities professionals in Ohio who sell securities and provide advice about investing in securities, and promotes investor education. These appropriations are supported by revenue from license application and renewal fees for various securities industry professionals and from securities registration and exemption filings that are deposited into the Division of Securities Fund (Fund 5500).

The Division pursues administrative sanctions against those persons and entities violating the securities laws and makes referrals for criminal prosecution. Customarily, the income from fees collected each year is in excess of the total funding required to operate the Division. This allows for cash transfers of the excess to the GRF. The last transfer to the GRF was in FY 2019 for \$20.0 million.

C4:2:2: Securities Investor Education/Enforcement (ALI 800609)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5GK0 ALI 800609, Securities Investor Education/Enforcement	\$175,366	\$2,182,150	\$2,182,150
% change	--	1,144.3%	0.0%

This line item supports the expenses of the Division of Securities relating to education or enforcement for the protection of securities investors and the public. The line item is funded with moneys received in settlement of any violation of the Securities Law. These sums are subsequently deposited into the Securities Investor Education and Enforcement Expense Fund (Fund 5GK0). To supplement this funding, Fund 5GK0 is periodically seeded with cash transfers from the Division of Securities Fund (Fund 5500).

The appropriation increase for this line item will support a \$1.5 million outreach campaign in both FY 2022 and FY 2023 that is part of the Recovery Ohio Initiative. This initiative targets families and financial advisors and teaches them how to spot cases of opiate addiction and to better understand and manage the costs of addiction and rehabilitation, including tips on asset preservation by exploring sources of funding for treatment.

C4:2:3: Ohio Investor Recovery (ALI 800657)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5XK0 ALI 800657, Ohio Investor Recovery	\$0	\$2,500,000	\$2,500,000
% change	--	N/A	0.0%

This new line item will be used for restitution assistance to victims who (1) are identified in a final administrative order issued by the Division of Securities or a final court order in a civil or criminal proceeding initiated by the Division as a purchaser damaged by a sale or contract for sale made in violation of the Securities Law. It will also provide assistance for victims who have not received the full amount of any restitution ordered in a final order before the application for restitution assistance is due.

Specifically, the Ohio Investor Recovery Fund (Fund 5XK0) created under H.B. 110 would consist of cash transfers from the Division of Securities Fund (Fund 5500). These cash transfers would be limited to not more than \$2.5 million in any fiscal year.

H.B. 110 contains some limitations on this restitution program. For example, it requires suspending awards or making a prorated payment of awards when the fund balance approaches or reaches a balance below \$250,000. The bill also specifies the maximum assistance for each claimant is the lesser of \$25,000 or 25% of the amount of monetary injury suffered by the victim as specified in the final order.

Category 5: Liquor Control

This category of appropriations funds the control of the manufacture, distribution, pricing, and sale of alcoholic beverages in Ohio, functions overseen by the Division of Liquor Control. In FY 2013, the state transferred Ohio's exclusive liquor merchandising rights to JobsOhio, the state's private, nonprofit economic development corporation, for 25 years in exchange for an estimated \$1.3 billion. Under the transfer agreement, referred to as the Operating Services Agreement, JobsOhio became the state's sole purchaser and distributor of spirituous liquor, but contracted with the state to merchandise spirituous liquor and provide ongoing regulatory oversight of liquor sales. The state received payments from JobsOhio for these services. Under this arrangement, many of the costs the Division incurred in previous fiscal

years are now paid for by JobsOhio, including (1) liquor inventory and shipping, and (2) liquor agency store commissions. Consequently, these costs are no longer part of the Division of Liquor Control's budget.

C5:1: Liquor Operating Services (ALI 800645)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5LN0 ALI 800645, Liquor Operating Services	\$14,631,240	\$23,532,000	\$25,395,000
% change	--	60.8%	7.9%

This line item supports the costs of the Division's liquor merchandising operations under the Operating Services Agreement with JobsOhio. The Agreement calls for JobsOhio to make quarterly payments to cover these expenses. The Division's budget for liquor merchandising is agreed upon biennially to align with state budget periods, but may be adjusted when necessary after consulting with JobsOhio. Payments from JobsOhio are made quarterly and deposited into the Liquor Operating Services Fund (Fund 5LN0) to support the merchandising operations.

C5:2: Liquor JobsOhio Extraordinary Allowance (ALI 800644)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5LC0 ALI 800644, Liquor JobsOhio Extraordinary Allowance	\$0	\$327,470	\$396,154
% change	--	N/A	21.0%

This line item serves as a contingency account as part of the Operating Services Agreement with JobsOhio. As described above, the quarterly payments received from JobsOhio are deposited into the Liquor Operating Services Fund (Fund 5LN0). However, 4.0% of these payments are set aside as a contingency and placed in a separate state fund, the Liquor JobsOhio Extraordinary Fund (Fund 5LC0). Specifically, Fund 5LC0, line item 800644, Liquor JobsOhio Extraordinary Allowance, would be tapped to pay for any unanticipated costs that could not be covered by the quarterly payments from JobsOhio that are deposited into Fund 5LN0 and appropriated under line item 800645, Liquor Operating Services. This provides a stopgap until the Controlling Board authorizes additional appropriations from Fund 5LN0.

C5:3: Liquor Regulatory Operating Expenses (ALI 800646)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5LP0 ALI 800646, Liquor Regulatory Operating Expenses	\$12,276,905	\$16,829,784	\$15,584,778
% change	--	37.1%	-7.4%

This line item supports the Division of Liquor Control's permitting and compliance duties relating to the regulation of the state Liquor Control Law. The program (1) licenses the manufacture, distribution, and sale of all alcoholic beverages in Ohio, (2) issues new liquor permits, and (3) renews and transfers existing liquor permits.

In contrast to the line items that support the cost of liquor merchandising, the line item is funded by liquor permit fee revenue received into the Undivided Liquor Permit Fund (Fund 7066) that is subsequently distributed to the State Liquor Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%). After accounting for the Division's permitting oversight costs covered under this line item and the operating costs of the Liquor Control Commission, excess Fund 5LP0 revenue is credited to the GRF.

Web-based liquor permit system

This line item will support the implementation of a web-based portal for the liquor permit system which will eliminate the need for permit holders to apply and renew permits by mail or deliver in person. The new system builds off of a pilot web-based portal that was implemented by the Department in the current biennium. Ultimately, this will speed the Division of Liquor Control's ability to issue, renew, and transfer liquor permits. The estimated cost for this project, which is a part of the overall improvement project for the liquor licensing permit system, is \$5.6 million in FY 2022 and \$4.2 million in FY 2023.

Additionally, H.B. 110 earmarks \$250,000 in FY 2022 under the budget of the Department of Administrative Services for the Office of InnovateOhio to support this project. The funding is earmarked under Fund 5LJ0 line item 100661, IT Development.

Direct beer and wine sales

H.B. 110 revises the eligibility of the S and B-2a liquor permits and creates new S-1 and S-2 liquor permits. H.B. 110 changes the name of the S liquor permit to the S-1 liquor permit and changes the eligibility and parameters for that permit. The S liquor permit under former law allowed for small in-state and out-of-state wineries that manufactured less than 250,000 gallons of wine annually to sell and ship their wine directly to consumers. The bill retains this eligibility for the S-1 liquor permit but also expands eligibility to a person that manufactures beer. The bill also creates the S-2 liquor permit that allows wineries that manufacture 250,000 gallons of wine or more annually to sell directly to consumers or to use a fulfillment warehouse to sell their wine directly to consumers. The initial S-2 liquor permit fee is \$250 and the annual renewal fee is \$100.

Additionally, the bill revises the B-2a liquor permit (allows a wine manufacturer to sell its wine directly to retailers without first selling to a wholesale distributor) by expanding the eligibility to a person that manufactures any amount of wine by eliminating the requirement that a manufacturer may only produce under 250,000 gallons annually (the bill also eliminates some eligibility for the permit outlined in the "**Overview**"). This could increase the number of B-2a liquor permits issued by the Division. The fee for a B-2a liquor permit is \$25.

As a result, liquor permit fee revenue collected by the Division may increase. Fee revenue is deposited into the Undivided Liquor Permit Fund (Fund 7066) that is subsequently distributed

to the State Liquor Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%).

Repackaging of alcohol

H.B. 110 creates the R liquor permit authorizing the repackaging of beer, wine, or mixed beverages by (1) a manufacturer or supplier of beer, wine, or mixed beverages or (2) an entity operating under a written authorization from the manufacturer or supplier to operate a repackaging facility. The bill establishes a \$750 fee per location for this new liquor permit. It could also increase liquor permit fee revenue deposited into the funds as described above.

Category 6: Real Estate and Professional Licensing

This category of appropriations provides funding for the licensure and regulation of real estate brokers, salespersons, and appraisers; registers foreign real estate property; and registers and investigates complaints involving Ohio cemeteries. Additionally, it provides funding for the Video Authorization Program. All of these activities are regulated by the Division of Real Estate and Professional Licensing.

C6:1: Real Estate (ALI 800614)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5490 ALI 800614, Real Estate	\$3,290,742	\$4,155,513	\$4,227,780
% change	--	26.3%	1.7%

This line item supports the costs associated with the licensing of real estate brokers and salespersons and those dealing in foreign real estate (properties located outside Ohio but marketed to Ohio residents). In addition, continuing education courses for such individuals are reviewed and approved and complaints are investigated. In FY 2021, \$4.8 million was deposited into Fund 5490.

C6:2: Real Estate Recovery (ALI 800611)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5480 ALI 800611, Real Estate Recovery	\$2,196	\$50,000	\$50,000
% change	--	2,176.9%	0.0%

This line item is used to reimburse persons that obtain a court judgment against a licensed or certified real estate broker or salesperson. The Real Estate Recovery Fund (Fund 5480) receives a \$10 assessment on real estate broker and salesperson license renewals, fines, and civil penalties against persons participating in unlicensed activity. The \$10 assessment is required if the Fund 5480 cash balance falls below \$250,000. Additionally, the bill allows the OBM Director with Controlling Board approval, upon request of the COM Director and if the cash balance in

Fund 5480 exceeds \$250,000 during the biennium, to transfer cash from Fund 5480 to the Division of Real Estate Operating Fund (Fund 5490).

C6:3: Real Estate Education/Research (ALI 800603)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5470 ALI 800603, Real Estate Education/Research	\$35,166	\$69,655	\$69,655
% change	--	98.1%	0.0%

This line item is used to advance education and research in real estate by contracting with higher education institutions or a trade organization in the state to conduct real estate research. It also funds loans of up to \$2,000 to applicants for salesperson's licenses to help defray the cost of statutory education requirements. These activities are funded by \$1 from each real estate broker and salesperson application fee, foreign real estate dealer and foreign real estate salesperson license and renewal fee, and certain other real estate-related fees. Additionally, it is funded by \$3 from each real estate broker and salesperson license renewal fee.

H.B. 110 reduces the portion of triennial real estate broker and salesperson license fees deposited into the Real Estate Education and Research Fund (Fund 5470) from \$3 per fee to \$1.50 per fee. While this will reduce revenue deposited into Fund 5470, it will increase the revenue deposited into the Division of Real Estate Operating Fund (Fund 5490) (the fund that these license fees are deposited into). Additionally, uncodified law contained in the bill allows the OBM Director to transfer up to \$500,000 from Fund 5470 to Fund 5490 during the biennium.

C6:4: Real Estate Appraiser – Operating (ALI 800630)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 6A40 ALI 800630, Real Estate Appraiser – Operating	\$1,057,313	\$1,095,546	\$1,108,310
% change	--	3.6%	1.2%

This line item funds the licensure and certification of all general and residential appraisers in the state. In addition, the line item funds the monitoring of applicant compliance with education; experience and testing requirements for each level of registration, license, or certification; and oversees the continuing education requirements of the industry. Other activities include the investigation of complaints against licensees and disciplinary hearings.

C6:5: Real Estate Appraisal Recovery (ALI 800631)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 4B20 ALI 800631, Real Estate Appraisal Recovery	\$0	\$35,000	\$35,000
% change	--	N/A	0.0%

This line item is used to reimburse persons that obtain a court judgment against a licensed or certified appraiser. The Real Estate Appraiser Recovery Fund (Fund 4B20) is supported through a \$50 assessment on new real estate appraiser license/certification applications. H.B. 110 allows the OBM Director with Controlling Board approval and upon request from the Director of Commerce to transfer cash from Fund 4B20 to Fund 6A40, if the balance in the fund exceeds \$200,000. As of August 2021, the cash balance in Fund 4B20 was \$1.1 million.

C6:6: Cemeteries (ALIs 800608 and 800651)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 4H90 ALI 800608, Cemeteries	\$254,335	\$313,466	\$313,466
% change	--	23.3%	0.0%
Fund 5SE0 ALI 800651, Cemetery Grant Program	\$73,846	\$130,000	\$130,000
% change	--	76.0%	0.0%
Total Cemeteries	\$328,181	\$443,466	\$443,466
% change	--	35.1%	0.0%

Line item 800608, Cemeteries, supports the registration of all active cemeteries in Ohio and the investigation of complaints or disputes involving registered cemeteries. Complaints against cemeteries are investigated and referred to the Ohio Cemetery Dispute Resolution Commission. The program also audits cemetery trust records, sets guidelines for cemetery maintenance, and provides education to consumers concerning their rights, responsibilities, and options when interacting with a cemetery. During FY 2021, revenue to the Cemetery Registration Fund (Fund 4H90) from burial permits and cemetery registrations and renewals were approximately \$210,000.

Line item 800651, Cemetery Grant Program, is a newer grant program established by H.B. 168 of the 132nd General Assembly. This line item is used to provide grants to not-for-profit cemeteries to (1) defray the costs of exceptional maintenance, or (2) train cemetery personnel in the maintenance and operation of cemeteries. The Cemetery Grant Fund (Fund 5SE0) consists of \$1 of each \$2.50 burial permit fee to support the program.

C6:7: Manufactured Homes Regulation (ALI 800649)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5SU0 ALI 800649, Manufactured Homes Regulation	\$219,272	\$331,281	\$340,357
% change	--	51.1%	2.7%

This line item supports the regulation of all manufactured housing brokers, dealers, and salespersons in the state including the licensure of those individuals and enforcement as a result of the consolidation of the Manufactured Homes Commission within COM effective

January 2018. Revenue from licensing and renewal fees of manufactured housing brokers, dealers, and salespersons are deposited into the Manufactured Homes Regulatory Fund (Fund 5SU0).

C6:8: Real Estate Home Inspector (ALIs 800652 and 800653)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5VC0 ALI 800652, Real Estate Home Inspector Operating	\$0	\$96,320	\$100,813
% change	--	N/A	4.7%
Fund 5VD0 ALI 800653, Real Estate Home Inspector Recovery	\$0	\$10,000	\$10,000
% change	--	N/A	0.0%
Total Real Estate Home Inspector	\$0	\$106,320	\$110,813
% change	--	N/A	4.2%

These line items will support the Department's newer responsibilities to license home inspectors as required under S.B. 255 of the 132nd General Assembly. The bill created the Ohio Home Inspector Law and requires individuals wishing to perform home inspections to obtain a license from the newly created Ohio Home Inspector Board within the Department. Line item 800652, Real Estate Home Inspector Operating, supports the operating costs of the program. Once the program is fully implemented, one licensing and two enforcement staff will likely be hired under this program.

The Home Inspection Recovery Fund (Fund 5VD0) consists of a special annual assessment between \$3 and \$5 per year depending on prior year fund balances, to each licensee applying for an initial license or a renewal of a home inspector license. Line item 800653, Real Estate Home Inspector Recovery, is used to pay judgments against home inspectors when granted by the court. In such instances, a home inspector's license is suspended until that individual repays the amount ordered, plus applicable interest, to Fund 5VD0. Judgments are limited to \$40,000.

H.B. 110 allows the OBM Director with Controlling Board approval, to transfer up to \$500,000 from the Division of Securities Fund (Fund 5500) as follows: up to \$400,000 to the Home Inspector Operating Fund (Fund 5VC0) and up to \$100,000 to Fund 5VD0. This cash transfer will allow the program to be funded at the beginning of the biennium. Additionally, uncodified law requires the OBM Director and the COM Director to establish a repayment schedule to fully repay the cash transferred from Fund 5500 to Fund 5VC0 and Fund 5VD0.

C6:9: Video Service (ALI 800623)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5X60 ALI 800623, Video Service	\$390,891	\$437,693	\$437,693
% change	--	12.0%	0.0%

This line item supports the Video Service Authorization Program. This system, which permits video service areas to span multiple counties, municipalities, or townships, is being phased in to replace a licensing process under which cable television providers negotiated franchise agreements and fees with individual local governments. To compensate local governments for the forgone fee revenue that had been generated under the old agreements, a video service provider fee is paid to each municipality and township in which a provider offers video service. Video service providers make these payments directly to local governments on a quarterly basis. On the state level, applicants pay a \$2,000 fee to apply for and a \$100 fee to amend each authorization. These fees are deposited in the Video Service Authorization Fund (Fund 5X60).

Category 7: Medical Marijuana Control

This category of appropriations funds the Medical Marijuana Control Program which was created in H.B. 523 of the 131st General Assembly. In particular, that act required the Department to license and regulate medical marijuana cultivators, processors, and laboratories that test medical marijuana.

C7:1: Medical Marijuana Control Program (ALI 800650)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 5SY0 ALI 800650, Medical Marijuana Control Program	\$3,554,682	\$5,121,000	\$5,121,000
% change	--	44.1%	0.0%

This line item supports the 16 full-time employees that oversee the Medical Marijuana Control Program. License and enforcement fees are deposited into the Medical Marijuana Control Fund (Fund 5SY0). Uncodified law in H.B. 110 requires the COM Director to consult the OBM Director to determine a repayment schedule during the biennium to fully repay transfers from the Emergency Purposes/Contingency Fund (Fund 5KM0) to the Medical Marijuana Control Fund (Fund 5YS0). As of August 2021, \$8.6 million has been transferred from Fund 5KM0 to Fund 5YS0. This repayment will be deposited into the GRF. The repayment will most likely be from license fees that are deposited into Fund 5YS0. In FY 2021, Fund 5SY0 repaid \$2.9 million and will repay the remaining amount in installments throughout the FY 2022-FY 2023 biennium.

Category 8: Administration

This category of appropriations provides direction, administration, support, and coordination of the activities of the Department's operating divisions and to serve as a liaison to other government, corporate, and public entities.

C8:1: Division of Administration (ALI 800620)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 1630 ALI 800620, Division of Administration	\$7,392,828	\$9,481,409	\$9,296,249
% change	--	28.3%	-2.0%

This line item supports the costs of administering, supporting, and coordinating activities of the seven operating divisions of the Department. Functions associated with human resources, support services, fiscal operations, public information, employee training and development, legislative services, legal counsel, and the Director's office are funded through this line item. This line item is funded by assessments levied on the seven operating divisions, which are based on a percentage of the actual operating appropriation of each individual fund used by the Department. These assessments generated approximately \$16.3 million and \$22.6 million per fiscal year in FY 2020 and FY 2021, respectively.

New Department website

H.B. 110 recommended appropriations under this line item will support a new Department website. The website will allow all stakeholders licensed by the Department's divisions to do all of the following via its website: (1) apply or renew licenses/permits, (2) schedule inspections and examinations, (3) make payments, (4) apply for grants, or (5) view course catalogs or register for in-person or online training courses. The estimated cost for the website is \$1.0 million in FY 2022 and \$600,000 in FY 2023. The Department anticipates the website to be fully implemented by the end of the FY 2022-FY 2023 biennium.

C8:2: Information Technology (ALI 800637)

Fund/ALI	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
Fund 1630 ALI 800637, Information Technology	\$9,545,390	\$10,990,749	\$10,677,029
% change	--	15.1%	-2.9%

This line item supports the Information Technology Group (ITG), which is responsible for developing, maintaining, and protecting the Department's computer systems, network, electronic business applications, and electronic data. ITG is also responsible for the manner in which these systems interface with, and are aligned to, the state's overall IT direction and enterprise structure. As with appropriation item 800620, Division of Administration, this line item is funded by the assessments levied on the seven operating divisions within the Department.

FY 2022 - FY 2023 Final Appropriations

All Fund Groups

Line Item Detail by Agency			Appropriations			FY 2021 to FY 2022	Appropriations	FY 2022 to FY 2023
			FY 2020	FY 2021	FY 2022	% Change	FY 2023	% Change
Report For: Main Operating Appropriations Bill			Version: As Enacted					
COM Department of Commerce								
4B20	800631	Real Estate Appraisal Recovery	\$ 0	\$ 0	\$ 35,000	N/A	\$ 35,000	0.00%
4H90	800608	Cemeteries	\$ 275,025	\$ 254,335	\$ 313,466	23.25%	\$ 313,466	0.00%
4X20	800619	Financial Institutions	\$ 1,716,644	\$ 1,726,449	\$ 2,080,213	20.49%	\$ 2,080,213	0.00%
5430	800602	Unclaimed Funds-Operating	\$ 11,690,540	\$ 10,923,983	\$ 11,491,192	5.19%	\$ 11,489,073	-0.02%
5430	800625	Unclaimed Funds-Claims	\$ 91,719,456	\$ 75,166,556	\$ 70,000,000	-6.87%	\$ 70,000,000	0.00%
5440	800612	Banks	\$ 8,429,643	\$ 8,561,201	\$ 10,138,048	18.42%	\$ 10,138,048	0.00%
5460	800610	Fire Marshal	\$ 18,411,099	\$ 21,391,545	\$ 23,166,255	8.30%	\$ 23,451,914	1.23%
5460	800639	Fire Department Grants	\$ 5,112,865	\$ 5,215,372	\$ 6,675,000	27.99%	\$ 6,275,000	-5.99%
5470	800603	Real Estate Education/Research	\$ 6,843	\$ 35,166	\$ 69,655	98.07%	\$ 69,655	0.00%
5480	800611	Real Estate Recovery	\$ 0	\$ 2,196	\$ 50,000	2,176.87%	\$ 50,000	0.00%
5490	800614	Real Estate	\$ 3,670,206	\$ 3,290,742	\$ 4,155,513	26.28%	\$ 4,227,780	1.74%
5500	800617	Securities	\$ 6,010,437	\$ 5,976,013	\$ 7,234,782	21.06%	\$ 7,387,595	2.11%
5520	800604	Credit Union	\$ 3,621,257	\$ 3,198,944	\$ 3,807,712	19.03%	\$ 3,807,712	0.00%
5530	800607	Consumer Finance	\$ 4,118,301	\$ 5,092,129	\$ 5,517,185	8.35%	\$ 5,510,095	-0.13%
5560	800615	Industrial Compliance	\$ 27,287,043	\$ 26,701,230	\$ 30,929,000	15.83%	\$ 30,929,000	0.00%
5F10	800635	Small Government Fire Departments	\$ 300,000	\$ 0	\$ 600,000	N/A	\$ 600,000	0.00%
5FW0	800616	Financial Literacy Education	\$ 61,907	\$ 44,110	\$ 150,000	240.06%	\$ 150,000	0.00%
5GK0	800609	Securities Investor Education/Enforcement	\$ 268,274	\$ 175,366	\$ 2,182,150	1,144.34%	\$ 2,182,150	0.00%
5HV0	800641	Cigarette Enforcement	\$ 0	\$ 0	\$ 27,324	N/A	\$ 27,324	0.00%
5LCO	800644	Liquor JobsOhio Extraordinary Allowance	\$ 0	\$ 0	\$ 327,470	N/A	\$ 396,154	20.97%
5LNO	800645	Liquor Operating Services	\$ 14,511,883	\$ 14,631,240	\$ 23,532,000	60.83%	\$ 25,395,000	7.92%
5LPO	800646	Liquor Regulatory Operating Expenses	\$ 11,228,181	\$ 12,276,905	\$ 16,829,784	37.08%	\$ 15,584,778	-7.40%
5SEO	800651	Cemetery Grant Program	\$ 91,035	\$ 73,846	\$ 130,000	76.04%	\$ 130,000	0.00%
5SJO	800648	Volunteer Peace Officers' Dependent Fund	\$ 0	\$ 0	\$ 50,000	N/A	\$ 50,000	0.00%
5SU0	800649	Manufactured Homes Regulation	\$ 189,462	\$ 219,272	\$ 331,281	51.08%	\$ 340,357	2.74%
5SY0	800650	Medical Marijuana Control Program	\$ 3,953,130	\$ 3,554,682	\$ 5,121,000	44.06%	\$ 5,121,000	0.00%
5VCO	800652	Real Estate Home Inspector Operating	\$ 3,424	\$ 0	\$ 96,320	N/A	\$ 100,813	4.66%
5VDO	800653	Real Estate Home Inspector Recovery	\$ 0	\$ 0	\$ 10,000	N/A	\$ 10,000	0.00%

FY 2022 - FY 2023 Final Appropriations

All Fund Groups

Line Item Detail by Agency			Appropriations			FY 2021 to FY 2022	Appropriations	FY 2022 to FY 2023
			FY 2020	FY 2021	FY 2022	% Change	FY 2023	% Change
COM Department of Commerce								
5X60	800623	Video Service	\$ 351,557	\$ 390,891	\$ 437,693	11.97%	\$ 437,693	0.00%
5XK0	800657	Ohio Investor Recovery	\$0	\$0	\$ 2,500,000	N/A	\$ 2,500,000	0.00%
6530	800629	UST Registration/Permit Fee	\$ 2,413,126	\$ 1,570,900	\$ 2,481,714	57.98%	\$ 2,501,714	0.81%
6A40	800630	Real Estate Appraiser-Operating	\$ 672,784	\$ 1,057,313	\$ 1,095,546	3.62%	\$ 1,108,310	1.17%
Dedicated Purpose Fund Group Total			\$ 216,114,120	\$ 201,530,383	\$ 231,565,303	14.90%	\$ 232,399,844	0.36%
1630	800620	Division of Administration	\$ 7,787,231	\$ 7,392,828	\$ 9,481,409	28.25%	\$ 9,296,249	-1.95%
1630	800637	Information Technology	\$ 7,576,126	\$ 9,545,390	\$ 10,990,749	15.14%	\$ 10,677,029	-2.85%
Internal Service Activity Fund Group Total			\$ 15,363,357	\$ 16,938,219	\$ 20,472,158	20.86%	\$ 19,973,278	-2.44%
3480	800622	Underground Storage Tanks	\$ 789,406	\$ 825,811	\$ 805,112	-2.51%	\$ 805,112	0.00%
3480	800624	Leaking Underground Storage Tanks	\$ 1,952,978	\$ 1,950,527	\$ 2,000,000	2.54%	\$ 2,000,000	0.00%
3HK0	800654	911 Grant Program	\$0	\$ 39,011	\$ 3,302,976	8,366.73%	\$0	-100.00%
Federal Fund Group Total			\$ 2,742,384	\$ 2,815,349	\$ 6,108,088	116.96%	\$ 2,805,112	-54.08%
Department of Commerce Total			\$ 234,219,861	\$ 221,283,951	\$ 258,145,549	16.66%	\$ 255,178,234	-1.15%