

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 portions of the state's medical marijuana program. In addition, COM houses the State Fire Marshal's Office.
- The budget includes total appropriations of \$278.1 million in FY 2024 and \$275.0 million in FY 2025.
 - The Department operates with no GRF money.
 - Almost all of the budget is funded through fees from regulated businesses and professions.
- H.B. 33 provides funding for COM to continue investment in information technology (IT) infrastructure for the divisions of Real Estate and Professional Licensing, Unclaimed Funds, Financial Institutions, Securities, and the State Fire Marshal.
- The budget creates a new Division of Marijuana Control within COM and consolidates the oversight of the Medical Marijuana Control Program currently under COM and the Pharmacy Board with the Division.

Fund Group	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Dedicated Purpose (DPF)	\$265,693,539	\$264,059,799	\$252,539,425	\$249,110,497
Internal Service Activity (ISA)	\$17,767,268	\$19,177,803	\$22,663,279	\$23,004,433
Federal (FED)	\$6,282,647	\$3,116,905	\$2,886,798	\$2,886,798
Total	\$289,743,454	\$286,354,507	\$278,089,502	\$275,001,728
% change	--	-1.2%	-2.9%	-1.1%

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 (these responsibilities are expanded under the budget). 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. 33 provides a total appropriation of \$278.1 million in FY 2024 and \$275.0 million in FY 2025. Of the total budget for the FY 2024-FY 2025 biennium, \$501.6 million (90.7%) 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 2024-FY 2025 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. Overall, the Unclaimed Funds Program accounts for the greatest share of the budget at \$168.0 million (30.4%) of the appropriations for FY 2024-FY 2025. 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, and (5) Division of Marijuana Control, combined account for \$262.8 million (47.5%) of the FY 2024-FY 2025 budget. The Division of Liquor Control's liquor permitting and spirituous liquor franchise operations account for \$76.6 million (13.9%) of the budget. Finally, the Division of Administration accounts for \$45.7 million (8.3%) of the appropriations.

Table 1. FY 2024-FY 2025 Budget by Functional Category (in millions)				
Functional Category	FY 2024	FY 2025	Biennial Total	% of Total
Unclaimed Funds	\$83.9	\$84.0	\$168.0	30.4%
Industrial Compliance and Labor	\$31.8	\$31.8	\$63.7	11.5%
State Fire Marshal	\$44.5	\$42.7	\$87.2	15.8%
Financial Institutions & Securities	\$38.7	\$39.9	\$78.6	14.2%
Liquor Control	\$39.8	\$36.8	\$76.6	13.8%
Real Estate and Professional Licensing	\$8.6	\$7.7	\$16.3	2.9%
Medical Marijuana Control	\$8.0	\$9.1	\$17.0	3.1%
Administration	\$22.7	\$23.0	\$45.7	8.3%
Total	\$278.1	\$275.0	\$553.1	

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

Budget highlights

Division of Marijuana Control

The budget consolidates oversight of the Medical Marijuana Control Program (MMCP) within the Division of Marijuana Control (DMC), which the bill creates within COM. Currently, oversight of MMCP is split between COM and the State Board of Pharmacy (PRX), with COM being responsible for licensing and oversight of cultivators, processors, and testing laboratories and PRX being responsible for licensing and oversight of medical marijuana patients, caregivers, and dispensaries. Accordingly, the bill transfers all assets, liabilities, and obligations of COM and PRX

related to medical marijuana industry oversight to DMC. Additionally, the bill provides for the transfer of PRX employees to COM and authorizes the Office of Budget and Management (OBM) to make budget and accounting changes necessary to facilitate the transfer. The bill requires the transfer to be complete no later than December 31, 2023. Until then, PRX and COM retain their respective marijuana licensing and oversight responsibilities.

Consequently, the transfer will increase costs for COM to provide the licensing and oversight of MMCP currently under PRX. Funding to support the transfer is provided under the Medical Marijuana Control Fund (Fund 5SY0) ALI 800650, Medical Marijuana Control Program, which is currently used to cover COM's ongoing MMCP administrative costs. H.B. 33 appropriations under this ALI amount to approximately \$8.0 million in FY 2024 and \$9.0 million in FY 2025. Fund 5SY0 collects revenue from the following sources: (1) fees collected by PRX to register patients and caregivers and to issue licenses to medical marijuana retail dispensaries, and (2) fees collected by COM to issue licenses to medical marijuana cultivators, processors, and testing laboratories.

In FY 2022, PRX's MMCP operating expenses totaled \$3.1 million, entirely paid for with money appropriated to Fund 5SY0 ALI 887613, Medical Marijuana Control Program. Of that amount \$1.7 million was for personal services (payroll and staffing costs) associated with 12 program staff (11 full-time and one part-time). COM's MMCP expenses amounted to \$3.7 million and supported 17 full-time staff. Table 2 below shows the current number of licensees and registrants as of June 2023.

Table 2. Medical Marijuana Control Program Statistics	
License/Registration	Number of Licensees/Registrants
Cultivators – Level I	23 provisional licenses (20 have received Certificates of Operation)
Cultivators – Level II	14 provisional licenses (12 have received Certificates of Operation)
Processors	46 provisional licenses (44 have received Certificates of Operation)
Testing Laboratories	10 provisional licenses (8 have received Certificates of Operation)
Dispensaries	41 provisional licenses (92 have received Certificates of Operation)
Patients	174,591 (with both active registration and active recommendation)
Caregivers	35,569

Technology initiatives – FY 2024-FY 2025

H.B. 33 includes funding for upgrades to information technology (IT) systems used by the divisions of Real Estate and Professional Licensing, Unclaimed Funds, Financial Institutions, Securities, and the State Fire Marshal. The work is a combination of IT system replacements and

consolidations, as well as the completion of ongoing IT projects. Estimated total costs of these projects range from \$50,000 to \$6.4 million per fiscal year. Expenses will be paid from the following funds used by these Divisions: Division of Real Estate Operating Fund (Fund 5490), Unclaimed Funds Trust Fund (Fund 5430), State Fire Marshal Fund (Fund 5460), State Liquor Regulatory Fund (Fund 5LP0), Banks Fund (Fund 5440), Credit Unions Fund (Fund 5520), Consumer Finance Fund (Fund 5530), and Division of Securities Fund (Fund 5500).

Consolidation of funds under the Division of Real Estate and Professional Licensing

H.B. 33 eliminates the following funds used by COM's Division of Real Estate and Professional Licensing: (1) Real Estate Education and Research Fund (Fund 5470), (2) Manufactured Homes Regulatory Fund (Fund 5SU0), (3) Real Estate Home Inspector Operating Fund (Fund 5VC0), and (4) Real Estate Appraiser Operating Fund (Fund 6A40). The bill requires the OBM Director to transfer the cash balance from each of these funds to the Division of Real Estate Operating Fund (Fund 5490). Additionally, it redirects deposits going to these funds under existing law to Fund 5490. The bill does not change the laws governing the oversight and regulation of the industries these funds are used for. It simply consolidates these funds under one fund (Fund 5490) for ease of financial management.

Additionally, H.B. 33 codifies the Cemetery Registration Fund (Fund 4H90) and requires burial permit fees to be deposited into the new fund, instead of to the Division generally. Fund 4H90 is used to cover expenses associated with the registration of cemeteries, enforcement of cemetery laws, and the administration of the Cemetery Dispute Resolution Commission within the Division. The budget eliminates the Cemetery Grant Fund (Fund 5SE0) and redirects deposits to Fund 4H90. Fund 5SE0 was created by H.B. 168 of the 132nd General Assembly and consisted of \$1 of each \$2.50 burial permits. Fund 5SE0 was used for the Cemetery Grant Program 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 bill requires the Division to continue the Cemetery Grant Program but under Fund 4H90. In FY 2022, COM awarded grants to 51 cemeteries amounting to nearly \$130,000.

Funding for local fire departments

H.B. 33 appropriates \$8.1 million in both FY 2024 and FY 2025 to provide assistance to local fire departments. This is an increase of approximately \$3.3 million over the biennium compared to appropriations made under the previous main operating budgets. Of the \$8.1 million appropriated, a little over \$7.5 million in each fiscal year is appropriated under the State Fire Marshal Fund (Fund 5460) ALI 800639, Fire Department Grants. This will support the following grants for local fire departments in the FY 2024-FY 2025 biennium: (1) MARCS Grant (up to \$4.0 million in each fiscal year), (2) Training or Equipment Reimbursement Grant (\$3.2 million in each fiscal year), (3) Firefighter I Training Grant (up to \$1.3 million in each fiscal year), and (4) support for Northwestern Ohio Volunteer Firemen's Association fire school (\$15,000 in each fiscal year).

The remaining \$600,000 in each fiscal year will support 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. Funding for this program is appropriated under the

Small Government Fire Department Fund (Fund 5F10) ALI 800635, Small Government Fire Departments. In FY 2022, five loans were issued under this program totaling \$600,000.

JobsOhio

H.B. 33 allows the state, at any time and upon agreement with JobsOhio, to extend the original transfer agreement for an additional 15 years from the end of the original term by entering into a new agreement. The transfer agreement extension must be approved by the Controlling Board.

Vetoed provisions

Securities registration

The Governor vetoed a provision in the budget enacted by the General Assembly that would have eliminated COM's authority to regulate real estate investment trusts. Specifically, the bill would have required an issuer that is registering with the U.S. Securities and Exchange Commission (SEC) to be registered by coordination in Ohio instead of allowing those issuers to be registered by coordination or by qualification. Under continuing law, an issuer that is not registering with the SEC may be registered by description or by qualification in Ohio. Further, it would have excluded a registration by coordination from COM Division of Securities' rules, evaluation standards, and general oversight provisions that apply to a registration by description or by qualification. It would also have required a business development company electing to be subject to SEC requirements to file a notice with the Division before conducting business in Ohio, and permitted such a company, after filing the notice, to sell an indefinite amount of securities in Ohio.

Coordinated enforcement of Ohio fire and building codes

The Governor also vetoed a provision that would have required the State Fire Marshal to exclude an exterior patio that has a means of egress on at least three sides or within fifty feet of an open side compliant with the Americans with Disabilities Act in establishing occupant load for a building. It also would have required the COM Director, State Fire Marshal, COM Board of Building Standards, and a representative of local building departments to develop guidelines for the enforcement of the Ohio Building Code and Fire Code in a coordinated manner.

Analysis of FY 2024-FY 2025 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 2023 and appropriations for FY 2024 and FY 2025 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. 33. If the appropriation is earmarked, the earmarks are listed and described.

Categorization of COM's Appropriation Line Items for Analysis of FY 2024-FY 2025 Budget

Fund	ALI	ALI Name		Category
Dedicated Purpose Fund Group				
4B20	800631	Real Estate Appraisal Recovery	6:3	Real Estate and Professional Licensing
4H90	800608	Cemeteries	6:4	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
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
5FW0	800616	Financial Literacy Education	4:1:5	Financial Institutions and Securities
5GK0	800609	Securities Investor Education/Enforcement	4:2:2	Financial Institutions and Securities
5HV0	800641	Cigarette Enforcement	3:6	State Fire Marshal

Categorization of COM's Appropriation Line Items for Analysis of FY 2024-FY 2025 Budget

Fund	ALI	ALI Name		Category
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
5SJ0	800648	Volunteer Peace Officers' Dependent Fund	3:4	State Fire Marshal
5SY0	800650	Medical Marijuana Control Program	7:1	Medical Marijuana Control
5VD0	800653	Real Estate Home Inspector Recovery	6:5	Real Estate and Professional Licensing
5X60	800623	Video Service	6:6	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
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

Category 1: Unclaimed Funds

This category of ALIs 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5430 ALI 800602, Unclaimed Funds – Operating	\$14,840,074	\$13,930,644	\$14,039,257
% change	--	-6.1%	0.8%

This ALI 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). The Division currently uses an information technology (IT) system to manage the entire unclaimed property process (from the initial loading of reports and receipts to the payment of claims). The appropriations for this ALI will support a

new IT system that will integrate the system with COM's current website and include identification verification and fraud prevention reporting and analytics.

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

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5430 ALI 800625, Unclaimed Funds – Claims	\$109,359,277	\$70,000,000	\$70,000,000
% change	--	-36.0%	0.0%

This ALI 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. 33 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.

Unclaimed funds and legal claims against holder

H.B. 33 contains a provision that could affect the amount of unclaimed funds paid by the state. Specifically, the bill prescribes that only when the holder of unclaimed funds acts in good faith and in compliance with the Unclaimed Funds Law will the holder be held harmless by the state for any legal claim related to the transfer of the funds to the state, and only to the extent of the value of the unclaimed funds remitted to the COM Director. Additionally, it authorizes, rather than requires under current law, the COM Director to defend the lawsuit against the holder. If the COM Director elects not to intervene in the lawsuit and judgment is entered against the holder for any amount paid to the COM Director, the COM Director must reimburse the organization for the amount paid, or modify any agreement to reflect satisfaction of the judgment. Lastly, the bill specifies that no person has a claim against the state, the holder, or a transfer agent, registrar, or other person acting for or on behalf of a holder for any change in the market value of the unclaimed funds occurring after delivery by the holder to the Director, or after the sale of the property by the Director.

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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5560 ALI 800615, Industrial Compliance	\$28,110,890	\$31,832,113	\$31,832,113
% change	--	13.2%	0.0%

This ALI 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 ALI 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.

Table 3. Industrial Compliance Program Funding Summary (in millions)		
Program	FY 2024	FY 2025
Operations and Maintenance	\$12.3	\$12.2
Program Administration	\$6.8	\$6.8
Building Code Compliance	\$6.5	\$6.6
Board of Building Standards	\$3.3	\$3.2
Ohio Construction Industry Licensing Board	\$1.6	\$1.6
Bureau of Wage and Hour Administration	\$1.3	\$1.3
Total	\$31.8	\$31.8

Operations and Maintenance

The amounts slated for the Operations and Maintenance Program represents 38.6% of the funding for the Division of Industrial Compliance. 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, and fees for steam engineers and ski lifts.

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.

Board of Building Standards

The Board of Building Standards (BBS) 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.

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.

Manufacturing and Construction Mentorship Program

H.B. 33 expands the Manufacturing Mentorship Program to expose minors to construction and manufacturing occupations through temporary employment, rather than only manufacturing occupations as under current law and correspondingly changes the program's name to the Manufacturing and Construction Mentorship Program. The program is implemented and administered by employers participating in the program. Currently, COM is required to specify a list of tools that a minor employed under the program may operate during the minor's employment. With the expansion of the program to include construction occupations, COM is

required to adopt rules specifying the list of tools that a minor employed under the program in a construction occupation may operate during the minor's employment.

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 complaint 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 ALIs 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5460 ALI 800610, Fire Marshal	\$25,085,492	\$30,868,718	\$29,102,147
% change	--	23.1%	-5.7%

This ALI 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. The appropriations under this ALI will help support the replacement and consolidation of outdated State Fire Marshal IT systems into one system. The systems that will be replaced include: the Fire Prevention Records Incident Reporting System, Underground Storage Tanks, and Fire Files. Overall, these IT projects are budgeted for approximately \$2.6 million in FY 2024 and \$1.4 million in FY 2025. Funding by program and descriptions of those programs are provided in the table below.

**Table 4. Fund 5460, ALI 800610, Fire Marshal, Program Funding Summary
(in millions)**

Program	FY 2024	FY 2025
Program Administration	\$7.9	\$7.8
Ohio Fire Academy	\$7.7	\$6.3
Code Enforcement	\$5.0	\$5.0
Investigations	\$5.2	\$5.1
Fire Prevention	\$2.0	\$2.0
Forensic Lab	\$1.4	\$1.5
Testing and Registration	\$1.7	\$1.4
Total	\$30.9	\$29.1

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 offers over 360 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.

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.

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.

C3:2: Fire Department Grants (ALI 800639)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5460 ALI 800639, Fire Department Grants	\$6,300,956	\$7,515,000	\$7,515,000
% change	--	19.3%	0.0%

This ALI is used to provide grants to local fire departments to offset the cost of training and equipment. Of the amount appropriated, \$3.2 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 ALI also provides the funding for the MARCS Grant Program. Of the amount appropriated, up to \$4.0 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.

Up to \$1.3 million in each fiscal year under the ALI 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, H.B. 33 earmarks \$15,000 in each fiscal year under the ALI for the Northwestern Ohio Volunteer Firemen's Association fire school.

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

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5F10 ALI 800635, Small Government Fire Departments	\$372,424	\$600,000	\$600,000
% change	--	61.1%	0.0%

This ALI 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. 33 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.

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

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5SJ0 ALI 800648, Volunteer Peace Officers' Dependent Fund	\$0	\$50,000	\$50,000
% change	--	N/A	0.0%

This ALI 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 6530 ALI 800629, UST Registration/Permit Fee	\$2,169,550	\$2,539,151	\$2,539,151
% change	--	17.0%	0.8%
Fund 3480 ALI 800622, Underground Storage Tanks	\$839,267	\$831,359	\$831,359
% change	--	-0.9%	0.0%
Fund 3480 ALI 800624, Leaking Underground Storage Tanks	\$1,905,037	\$2,055,439	\$2,055,439
% change	--	7.9%	0.0%
Total Underground Storage Tanks	\$4,913,854	\$5,425,949	\$5,425,949
% change	--	10.4%	0.0%

These three ALIs 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. BUSTR oversees over 21,000 USTs.

ALI 800629, UST Registration/Permit Fee, provides funding for underground storage tank regulation and is supported by annual tank registration fees and permits. This ALI provides the state matching funds required for BUSTR's federal funding. ALI 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, ALI 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5HV0 ALI 800641, Cigarette Enforcement	\$0	\$27,324	\$27,324
% change	--	N/A	0.0%

This ALI 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.

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 ALIs 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 4X20 ALI 800619, Financial Institutions	\$1,759,382	\$2,196,327	\$2,217,605
% change	--	24.8%	1.0%

This ALI 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5440 ALI 800612, Banks	\$9,563,295	\$10,557,393	\$12,557,393
% change	--	10.4%	18.9%

This ALI supports the regulation of state-chartered banks, trust companies, and 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 state-chartered banks and 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 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.

Part of the funding under Fund 5440 ALI 800612, Banks, will be used in combination with amounts from the Credit Unions Fund (Fund 5520) and the Consumer Finance Fund (Fund 5530), to replace outdated IT systems and create a centralized system to manage the work of the Division of Financial Institutions. This will enable the Division to interact with required federal applications, examinations, rating, and storage of historical data. This IT project is budgeted for over \$452,000 in FY 2024 and \$3.2 million in FY 2025.

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

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5520 ALI 800604, Credit Union	\$3,768,016	\$4,057,117	\$5,213,603
% change	--	7.7%	28.5%

This ALI 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 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. While the number of state-chartered credit unions has declined over the years 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5530 ALI 800607, Consumer Finance	\$4,980,186	\$6,139,757	\$6,139,757
% change	--	23.3%	0.0%

This ALI 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 Fund 5530. The ALI also supports the 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.

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

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5FW0 ALI 800616, Financial Literacy Education	\$50,800	\$150,000	\$150,000
% change	--	195.3%	0.0%

This ALI 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5500 ALI 800617, Securities	\$7,262,481	\$10,955,287	\$8,918,450
% change	--	50.9%	-18.6%

This ALI 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 appropriations will support the replacement of outdated technology that is used by the Division. Specifically, the new IT system will enable the Division to register securities for sale, credential brokers, dealers, securities salespersons, investment advisers, track required professional training, and provide data analytics. The system will also be used to enforce the Securities Law. This IT project is budgeted for approximately \$2.1 million in FY 2024 and \$50,000 in FY 2025.

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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5GK0 ALI 800609, Securities Investor Education/Enforcement	\$2,326,660	\$2,182,150	\$2,182,150
% change	--	-6.2%	0.0%

This ALI supports the expenses of the Division of Securities relating to education or enforcement for the protection of securities investors and the public. The ALI 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).

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

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5XK0 ALI 800657, Ohio Investor Recovery	\$1,254,703	\$2,500,000	\$2,500,000
% change	--	99.3%	0.0%

This ALI is 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 provides 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. H.B. 33 allows the OBM Director, on request of the COM Director, to transfer up to

\$2.5 million in both FY 2024 and FY 2025 from the Division of Securities Fund (Fund 5500) to the Ohio Investor Recovery Fund (Fund 5XK0) to support this ALI.

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.

H.B. 33 allows the state, at any time and upon agreement with JobsOhio, to extend the original transfer agreement for an additional 15 years from the end of the original term by entering into a new agreement. The bill requires any transfer agreement extension to be approved by the Controlling Board.

C5:1: Liquor Operating Services (ALI 800645)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5LN0 ALI 800645, Liquor Operating Services	\$23,107,889	\$20,583,022	\$20,583,022
% change	--	-10.9%	0.0%

This ALI 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5LC0 ALI 800644, Liquor JobsOhio Extraordinary Allowance	\$0	\$396,154	\$396,154
% change	--	N/A	0.0%

This ALI 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, ALI 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 ALI 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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5LP0 ALI 800646, Liquor Regulatory Operating Expenses	\$13,848,086	\$18,823,822	\$15,823,822
% change	--	35.9%	-15.9%

This ALI 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 ALIs that support the cost of liquor merchandising, this ALI 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 ALI and the operating costs of the Liquor Control Commission, excess Fund 5LP0 revenue is credited to the GRF.

For the FY 2024-FY 2025 budget period, this ALI will support the completion of the replacement of the Liquor Licensing system, the old mainframe system. This project is budgeted for approximately \$6.4 million in FY 2024 and \$3.4 million in FY 2025. To date, the Department has implemented the following parts of this overall system overhaul: (1) an online portal for temporary event permit applications, (2) an online portal for renewal permits, and aiming to have no more paper renewals by October 2023, and (3) a portal for handling permits for transporting alcoholic beverage permits. By the end of the project, the online portal will support all permit application types. The Department anticipates having this new system in place and fully functional by December 2024.

Duplicate liquor permits

H.B. 33 requires all liquor permit holders that may serve alcohol for on-premises consumption, rather than only certain permit holders as in current law, to obtain a duplicate liquor permit in order to serve alcohol from an additional bar at the permit premises beyond the two bars authorized by the original liquor permit. The bill also revises the duplicate permit fee for each added bar to be the higher of \$100 or 20% of the fee payable for the original liquor

permit. Currently, the fee for a duplicate permit is a set amount prescribed in law and varies for different liquor permit holders. The fiscal effect of this provision is uncertain and ultimately depends on the number and type of liquor permit holders seeking a duplicate permit. According to COM, approximately 600 to 700 duplicate permits are issued at any given time.

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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5490 ALI 800614, Real Estate	\$4,193,397	\$7,643,614	\$6,672,175
% change	--	82.3%	-12.7%

The budget consolidates funding for all of the following functions under this ALI: (1) licensing of real estate brokers and salespersons and those dealing in foreign real estate, (2) advancing education and research in real estate, (3) regulating manufactured housing brokers, dealers, and salespersons, (4) licensing home inspectors, and (5) licensing real estate appraisers and real estate appraiser assistants. Currently, this ALI supports only the costs associated with the licensing of real estate brokers and salespersons and those dealing in foreign real estate. License fees are deposited into the Division of Real Estate Operating Fund (Fund 5490) that support the Division's regulatory costs. In FY 2023, \$5.1 million was deposited into Fund 5490.

A portion of the funding under this ALI will be used for IT updates, specifically the system that will be used to license or register, audit, and educate the professions and industries the Division regulates. The budgeted amounts for these IT projects is \$1.2 million in FY 2024 and \$260,000 in FY 2025.

C6:2: Real Estate Recovery (ALI 800611)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5480 ALI 800611, Real Estate Recovery	\$0	\$50,000	\$50,000
% change	--	N/A	0.0%

This ALI 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 Appraisal Recovery (ALI 800631)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 4B20 ALI 800631, Real Estate Appraisal Recovery	\$0	\$35,000	\$35,000
% change	--	N/A	0.0%

This ALI 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. 33 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.

C6:4: Cemeteries (ALI 800608)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 4H90 ALI 800608, Cemeteries	\$277,881	\$453,275	\$453,275
% change	--	63.1%	0.0%

This ALI 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. Burial permit fees are the main source of revenue for this program. During FY 2023, revenue to the Cemetery Registration Fund (Fund 4H90) from burial permits and cemetery registrations and renewals were over \$196,000.

Starting in FY 2024, this ALI will also support the Cemetery Grant Program. Currently, the program is supported by ALI 800651, Cemetery Grant Program. The program provides 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. According to COM, the program is budgeted for over \$323,000 in the upcoming biennium.

C6:5: Real Estate Home Inspector Recovery (ALI 800653)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5VD0 ALI 800653, Real Estate Home Inspector Recovery	\$0	\$10,000	\$10,000
% change	--	N/A	0.0%

This ALI 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 the Home Inspection Recovery Fund (Fund 5VD0). Judgments are limited to \$40,000.

C6:6: Video Service (ALI 800623)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5X60 ALI 800623, Video Service	\$415,208	\$452,720	\$452,720
% change	--	9.0%	0.0%

This ALI 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 (MMCP) 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. These responsibilities will be overseen by the new Division of Marijuana Control (DMC) created under the budget. H.B. 33 also transfers the Pharmacy Board's (PRX) MMCP responsibilities (licensing and oversight of medical marijuana patients, caregivers, and dispensaries) to DMC. The bill requires the MMCP transfer to be complete by December 31, 2023.

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

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5SY0 ALI 800650, Medical Marijuana Control Program	\$3,681,806	\$7,990,837	\$9,050,379
% change	--	117.0%	13.2%

This ALI will support the new Division and its oversight responsibilities under the MMCP. Under the budget, DMC will be responsible for the licensing and oversight of medical marijuana (1) cultivators, (2) processors, (3) testing laboratories, (4) patients, (5) caregivers, and (6) dispensaries. As a result of this consolidation, the FY 2024 appropriation is \$4.3 million higher (117.0%) compared to FY 2023 spending of about \$3.7 million. The approximately \$9.1 million

appropriation in FY 2025 is 13.2% over the FY 2024 amount. This ALI is supported by license and enforcement fees deposited into the Medical Marijuana Control Fund (Fund 5SY0).

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 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 1630 ALI 800620, Division of Administration	\$8,874,546	\$9,572,488	\$9,572,488
% change	--	7.9%	0.0%

This ALI 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 ALI. This ALI 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.

C8:2: Information Technology (ALI 800637)

Fund/ALI	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 1630 ALI 800637, Information Technology	\$10,303,257	\$13,090,791	\$13,431,945
% change	--	27.1%	2.6%

This ALI 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 ALI is funded by the assessments levied on the seven operating divisions within the Department.

FY 2024 - FY 2025 Final Appropriations

All Fund Groups

Line Item Detail by Agency			Appropriations			FY 2023 to FY 2024	Appropriations	FY 2024 to FY 2025
			FY 2022	FY 2023	FY 2024	% Change	FY 2025	% Change
Report For: Main Operating Appropriations Bill			Version: As Enacted					
COM Department of Commerce								
4B20	800631	Real Estate Appraiser Recovery	\$ 0	\$ 0	\$ 35,000	N/A	\$ 35,000	0.00%
4H90	800608	Cemeteries	\$ 263,281	\$ 277,881	\$ 453,275	63.12%	\$ 453,275	0.00%
4X20	800619	Financial Institutions	\$ 1,846,079	\$ 1,759,382	\$ 2,196,327	24.84%	\$ 2,217,605	0.97%
5430	800602	Unclaimed Funds-Operating	\$ 9,659,337	\$ 14,840,074	\$ 13,930,644	-6.13%	\$ 14,039,257	0.78%
5430	800625	Unclaimed Funds-Claims	\$ 133,331,054	\$ 109,359,277	\$ 70,000,000	-35.99%	\$ 70,000,000	0.00%
5440	800612	Banks	\$ 7,609,283	\$ 9,563,295	\$ 10,557,393	10.39%	\$ 12,557,393	18.94%
5460	800610	Fire Marshal	\$ 21,876,027	\$ 25,085,492	\$ 30,868,718	23.05%	\$ 29,102,147	-5.72%
5460	800639	Fire Department Grants	\$ 6,650,798	\$ 6,300,956	\$ 7,515,000	19.27%	\$ 7,515,000	0.00%
5470	800603	Real Estate Education/Research	\$ 6,565	\$ 24,319	\$ 0	-100.00%	\$ 0	N/A
5480	800611	Real Estate Recovery	\$ 0	\$ 0	\$ 50,000	N/A	\$ 50,000	0.00%
5490	800614	Real Estate	\$ 3,875,562	\$ 4,193,397	\$ 7,643,614	82.28%	\$ 6,672,175	-12.71%
5500	800617	Securities	\$ 6,676,863	\$ 7,262,481	\$ 10,955,287	50.85%	\$ 8,918,450	-18.59%
5520	800604	Credit Union	\$ 3,330,610	\$ 3,768,016	\$ 4,057,117	7.67%	\$ 5,213,603	28.51%
5530	800607	Consumer Finance	\$ 4,025,834	\$ 4,980,186	\$ 6,139,757	23.28%	\$ 6,139,757	0.00%
5560	800615	Industrial Compliance	\$ 26,670,177	\$ 28,110,890	\$ 31,832,113	13.24%	\$ 31,832,113	0.00%
5F10	800635	Small Government Fire Departments	\$ 543,846	\$ 372,424	\$ 600,000	61.11%	\$ 600,000	0.00%
5FW0	800616	Financial Literacy Education	\$ 75,953	\$ 50,800	\$ 150,000	195.28%	\$ 150,000	0.00%
5GK0	800609	Securities Investor Education/Enforcement	\$ 1,123,420	\$ 2,326,660	\$ 2,182,150	-6.21%	\$ 2,182,150	0.00%
5HV0	800641	Cigarette Enforcement	\$ 0	\$ 0	\$ 27,324	N/A	\$ 27,324	0.00%
5LC0	800644	Liquor JobsOhio Extraordinary Allowance	\$ 0	\$ 0	\$ 396,154	N/A	\$ 396,154	0.00%
5LN0	800645	Liquor Operating Services	\$ 16,974,533	\$ 23,107,889	\$ 20,583,022	-10.93%	\$ 20,583,022	0.00%
5LP0	800646	Liquor Regulatory Operating Expenses	\$ 14,471,609	\$ 13,848,086	\$ 18,823,822	35.93%	\$ 15,823,822	-15.94%
5SE0	800651	Cemetery Grant Program	\$ 129,914	\$ 118,097	\$ 0	-100.00%	\$ 0	N/A
5SJ0	800648	Volunteer Peace Officers' Dependent Fund	\$0	\$0	\$ 50,000	N/A	\$ 50,000	0.00%
5SU0	800649	Manufactured Homes Regulation	\$ 200,165	\$ 155,900	\$ 0	-100.00%	\$ 0	N/A
5SY0	800650	Medical Marijuana Control Program	\$ 3,715,223	\$ 3,681,806	\$ 7,990,837	117.04%	\$ 9,050,379	13.26%
5VC0	800652	Real Estate Home Inspector Operating	\$ 2,654	\$ 42,054	\$ 0	-100.00%	\$ 0	N/A
5VD0	800653	Real Estate Home Inspector Recovery	\$0	\$0	\$ 10,000	N/A	\$ 10,000	0.00%

FY 2024 - FY 2025 Final Appropriations

All Fund Groups

Line Item Detail by Agency			Appropriations			FY 2023 to FY 2024	Appropriations	FY 2024 to FY 2025
			FY 2022	FY 2023	FY 2024	% Change	FY 2025	% Change
COM Department of Commerce								
5X60	800623	Video Service	\$ 410,516	\$ 415,208	\$ 452,720	9.03%	\$ 452,720	0.00%
5XK0	800657	Ohio Investor Recovery	\$ 0	\$ 1,254,703	\$ 2,500,000	99.25%	\$ 2,500,000	0.00%
6530	800629	UST Registration/Permit Fee	\$ 1,299,994	\$ 2,169,550	\$ 2,539,151	17.04%	\$ 2,539,151	0.00%
6A40	800630	Real Estate Appraiser-Operating	\$ 924,243	\$ 990,976	\$ 0	-100.00%	\$ 0	N/A
Dedicated Purpose Fund Group Total			\$ 265,693,539	\$ 264,059,799	\$ 252,539,425	-4.36%	\$ 249,110,497	-1.36%
1630	800620	Division of Administration	\$ 8,585,688	\$ 8,874,546	\$ 9,572,488	7.86%	\$ 9,572,488	0.00%
1630	800637	Information Technology	\$ 9,181,580	\$ 10,303,257	\$ 13,090,791	27.05%	\$ 13,431,945	2.61%
Internal Service Activity Fund Group Total			\$ 17,767,268	\$ 19,177,803	\$ 22,663,279	18.17%	\$ 23,004,433	1.51%
3480	800622	Underground Storage Tanks	\$ 768,044	\$ 839,267	\$ 831,359	-0.94%	\$ 831,359	0.00%
3480	800624	Leaking Underground Storage Tanks	\$ 2,119,155	\$ 1,905,037	\$ 2,055,439	7.89%	\$ 2,055,439	0.00%
3HK0	800654	911 Grant Program	\$ 3,395,448	\$ 372,601	\$ 0	-100.00%	\$ 0	N/A
Federal Fund Group Total			\$ 6,282,647	\$ 3,116,905	\$ 2,886,798	-7.38%	\$ 2,886,798	0.00%
Department of Commerce Total			\$ 289,743,454	\$ 286,354,507	\$ 278,089,502	-2.89%	\$ 275,001,728	-1.11%