

Executive

LOCCD1 **Jurisdiction for appeals****R.C.** **119.12**

Establishes the Franklin County Court of Common Pleas as the jurisdiction for all appeals from orders issued by the Occupational Therapy, Physical Therapy, and Athletic Trainers Board (instead of the court of common pleas of the licensee's county of residence or of the county in which the licensee's place of business is located).

Fiscal effect: Possible increase in expenses related to additional cases in the Franklin County Court of Common Pleas, with some offsetting revenue in the form of court costs and fees. Corresponding decrease in expenses and offsetting revenue in the court of common pleas that would have otherwise heard such an appeal. Potential savings effect for the Board would not have to travel and defend its action(s) in another county.

LOCCD3 **Political subdivision purchases through DAS****R.C.** **125.04, 3501.302**

Authorizes DAS to permit political subdivisions of another state to participate in DAS contracts for the purchase of supplies and services.

Allows a county board of elections to participate in DAS contracts for the purchase of supplies and services if DAS has authorized that county to participate in those contracts, rather than making the board apply separately.

Clarifies that a county board of elections is permitted to purchase election supplies through DAS's cooperative purchasing program, through the Secretary of State's bulk purchasing program, or through other means.

Fiscal effect: Provides county boards of elections purchasing flexibility that would allow the boards to acquire supplies at a lower cost in some instances.

LOCCD4 **Protection orders****R.C.** **2151.34, 2903.213, 2903.214, 2919.26, 3113.31**

(1) Requires a law enforcement agency, upon notification by the clerk of court, to enter any juvenile court protection orders, temporary protection orders (related to a criminal offense), and civil protection orders into the Law Enforcement Automated Data System (LEADS) and the National Crime Information Center (NCIC) by the close of the next business day after the day on which the court issues the order.

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(2) Requires, upon the termination or cancellation of the order and notification by the clerk of court, a local law enforcement agency to remove the order from LEADS by the close of the next business day after the day on which the termination or cancellation of the order occurred and that it be ensured that the order is terminated, cleared, or canceled in the protection order database of the NCIC.

Fiscal effect: Potential increase in administrative expenses for the clerks of court to notify law enforcement of orders issued and canceled, and for law enforcement agencies to enter and remove such orders within the time limit set.

LOCCD7 Notification of possible prison term for community control violation

R.C. 2929.15, 2929.19

Changes the law that requires a court sentencing an offender to a community control sanction for a felony to notify the offender of the possible prison term that may be imposed if the offender violates the sanction, violates a law, or leaves the state without permission from an indication of "the specific prison term that may be imposed" to an indication of the "range from which the prison term may be imposed," which must be the range of terms available for the offense.

Fiscal effect: None.

LOCCD5 Arrest warrant entry into LEADS/NCIC

R.C. 2935.01, 2935.10

(1) Creates a class of serious offenses known as "Tier 1" offenses and defines a "Tier 1" offense as the offenses of aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, aggravated vehicular homicide, vehicular homicide, vehicular manslaughter, felonious assault, aggravated assault, aggravated menacing, menacing by stalking, kidnapping, abduction, trafficking in persons, rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, pandering obscenity involving a minor or an impaired person, pandering sexually oriented matter involving a minor or an impaired person, illegal use of a minor or impaired person in nudity-oriented material or performance, aggravated arson, arson, terrorism, aggravated robbery, robbery, aggravated burglary, domestic violence, escape, improperly discharging a firearm at or into a habitation, in a school safety zone, or with intent to cause harm or panic to persons in a school, in a school building, or at a school function or the evacuation of a school function, failure to register as a sexually oriented offender, failure to provide notice of residence address change as a registered sexually oriented offender, failure to timely verify residence address change as a registered sexually oriented offender.

(2) Requires law enforcement agencies to enter Tier 1 warrants into the Law Enforcement Automated Data System (LEADS) and the National Crime Information system (NCIC) within 48 hours of receipt, and to enter the warrants with a full extradition radius as defined by the Ohio LEADS administrator, who is the Superintendent of the Ohio State Highway Patrol under continuing law.

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Fiscal effect: Potential increase in administrative expenses for law enforcement agencies to enter and remove such orders within the time limit set, and for the Superintendent of the Ohio State Highway Patrol to define "full extradition radius."

LOCCD6 Incompetency and not guilty by reason of insanity entry into LEADS/NCIC

R.C. 2945.403

(1) Requires if an individual is found to be incompetent to stand trial (IST) or not guilty by reason of insanity (NGRI):

(a) The judge who made the finding to notify the Attorney General of the finding not later than seven days after the adjudication or commitment;

(b) The Attorney General to enter the information into the Law Enforcement Automated Data System (LEADS) by the close of the next business day after the day on which the notice is received;

(c) The judge to notify the Attorney General if the person subsequently is found to be competent or has commitment terminated not later than seven days after the finding, discharge, or final termination; and

(d) The Attorney General, upon receipt of a notice, to take all steps necessary to ensure that the information regarding the person entered is removed from LEADS and terminated, cleared, or canceled in the National Crime Information Center (NCIC) by the close of the next business day after the day on which the notice is received.

(2) The Attorney General to make available to all judges forms to be used by them for the purpose of making the required notifications.

Fiscal effect: Potential increase in administrative expenses for courts to notify the Attorney General of orders issued and canceled and for the Attorney General to enter and remove such orders within the time limit and to make the necessary forms available to judges.

LOCCD8 Sealing of records related to an unconditional pardon

R.C. 2967.04

Allows the Governor to include as a condition of an unconditional pardon that the records related to conviction be sealed and generally provides that the records are not subject to public inspection.

Fiscal effect: Increased administrative expenses for any state or local agency to seal related files and a potential decrease in pardon-related hearing costs for local courts that may have been the venue for a record sealing application in lieu of this procedure.

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AG OCD19 Collecting debts from lottery and casino winnings**R.C. 3770.073, 3772.37, 5701.11**

- (1) Reduces from \$5,000 to \$600 the threshold at which the State Lottery Commission must withhold from lottery winnings any amounts a lottery winner owes to the state or a political subdivision.
- (2) Requires the Attorney General to develop and implement a real time data match program and make it available to each casino operator and management company to identify winners who owe amounts to the state or a political subdivision.
- (3) Requires a casino operator or management company to use the data match program before disbursing any casino winnings that exceed \$600 and withhold any amounts a winner owes to the state or a political subdivision.
- (4) Requires the casino operator or management company to remit payment to the Department of Job and Family Services for any past due child or spousal support, as required under current law, before remitting the remainder to the Attorney General to pay other government debts.
- (5) Requires the casino operator or management company to transmit to the Attorney General, within seven days, any amount withheld and not disbursed to the Department of Job and Family Services for any past due child or spousal support.
- (6) Permits the Attorney General, in consultation with the Casino Control Commission, to adopt rules under the Administrative Procedure Act for implementation of the provisions related to the withholding of casino winnings.
- (7) Requires, if the casino winner owes the state and a political subdivision, that the amount owed to the state must be satisfied first, except that any personal liabilities for corporate tax debts have first priority.

Fiscal effect: Potential minimal costs for the state. Potential increase in the amount of debt collected for the state and political subdivisions.

Executive

COMCD9 Plumbing inspector certification

R.C. 3703.01, conforming change in R.C. 3703.03

Removes certification of plumbing inspectors from COM's Division of Industrial Compliance's responsibility and authority but retains the Board of Building Standard's plumbing inspector certification.

Eliminates prohibitions on boards of health that do not employ certified plumbing inspectors from inspecting plumbing or collecting fees for inspecting plumbing and contracting with other boards of health to inspect plumbing on their behalf.

Fiscal effect: Eliminating the double certification for some plumbing inspectors, will reduce revenue deposited into the Industrial Compliance Operating Fund (Fund 5560). The certification fee is \$100 for the initial certification and \$60 for the renewal certification.

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DOHCD9 Combined health district property tax authority

R.C. 3709.291

Authorizes combined health districts to levy property tax, with voter approval, for operating expenses.

Fiscal effect: Potential increase in administrative costs to county boards of elections, as well as a potential gain in tax revenue for boards of health of a combined health district if a new tax levy is approved. According to ODH, this could facilitate local health district mergers.

Executive

JFSCD40 Voluntary participation agreements**R.C. 5101.1412, 2151.451-2151.453**

Rewords the mandate for ODJFS or its representative to seek judicial determination regarding an emancipated young adult's (EYA's) best interest to "petition the court for and obtain a judicial determination," rather than "seek approval from the court."

Explicitly associates petitioning and obtaining that determination with maintaining the EYA's Title IV-E eligibility.

Changes the annual court determination requirement regarding reasonable efforts to finalize a permanency plan for EYA independence to remove the focus on a permanency plan that addresses only ODJFS' or its representative's efforts to prepare the EYA for independence.

Eliminates the remedy that an EYA loses eligibility for continued care and placement with ODJFS or its representative under a voluntary participation agreement (VPA) if a court determines 180 days after the VPA becomes effective that the placement does not serve the person's best interest.

Requires federal payments for foster care be suspended if the best interest and reasonable efforts determinations are not timely made.

Revises elements of the permanency plan determination that a court must make, as follows:

- (1) 12 months after the VPA's effective date (instead of 12 months after the date it is signed as current law states).
- (2) At least once every 12 months after the first determination, rather than simply "annually."
- (3) Characterizes the determination as concerning that ODJFS or its representative made reasonable efforts (instead of the passive "whether reasonable efforts have been made" as current law states) to finalize a permanency plan to prepare the EYA for independence.

Expands the juvenile courts that may exercise jurisdiction over an EYA receiving federal foster care payments to include the court of the county the EYA resided in when the EYA's custody, planned permanent living arrangement, or care and placement terminated (current law only gives jurisdiction to the juvenile court of the county the EYA resides in).

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DPSCD35 Minimum age to sell tobacco products

R.C. 2927.02

Expands the offense of illegal distribution of tobacco products to additionally prohibit tobacco businesses from permitting an employee under 18 years of age to sell tobacco product. Makes the penalty for a first violation of the prohibition a fourth degree misdemeanor, and a third degree misdemeanor for any subsequent violation.

Fiscal effect: Potential increase in annual operating costs for county and municipal criminal justice systems to prosecute and sanction violators, and a related annual revenue gain in court costs and fees, and fines distributed between the state and subdivisions.

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Other Taxation Provisions**TAXCD13 Wireless 9-1-1 Government Assistance Fund distribution****R.C. 128.55**

Requires the monthly disbursements made by the Tax Commissioner from the Wireless 9-1-1 Government Assistance Fund (Fund 7093) to county treasurers to be made in the same proportion distributed to that county in the corresponding month of the previous calendar year, instead of the current law disbursements requirement that is based on the same amounts disbursed in the corresponding months in 2013 made by the Public Utilities Commission of Ohio (PUCO).

Requires any shortfall in distributions resulting from the timing of funds received in a previous month to be distributed in the following month. (Under current law, the distribution requirement due to insufficient funds is based on reducing each county's share in proportion to the corresponding month in 2013 until the amount available in Fund 7093 is allocated, and such shortfalls must be remedied in the following month.)

Fiscal effect: None. Total disbursements to counties in calendar year (CY) 2020 were the same as the distributions made by PUCO in CY 2013.

TAXCD14 Estate tax filing and fees**R.C. 319.54, 321.27, 5731.21, 5731.24, 5731.28, and 5731.41**

Makes administrative changes to the repealed estate tax and the fees allowed to officials and agents for collecting the tax. Provides that no estate tax is due for property first discovered after December 31, 2021. (The state estate tax was repealed on January 1, 2013, but the tax continues to apply to newly-discovered property of decedents who died before that date.)

Fiscal effect: Potential revenue loss is likely negligible; estate tax receipts continue to trickle in since the tax was repealed. In FY 2020, receipts were about \$0.5 million; about \$0.1 million was deposited into the GRF and \$0.4 million was the share to local governments.