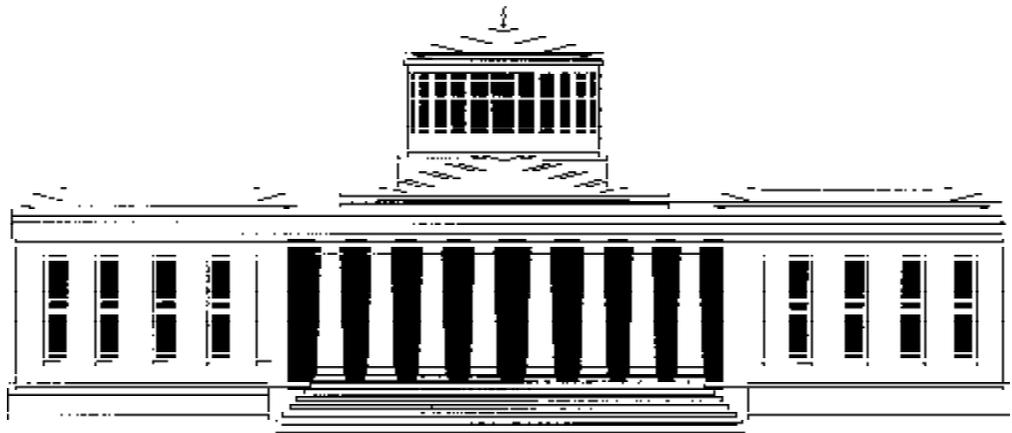


# **DIGEST OF ENACTMENTS 2005**

126th General Assembly (2005-2006)



**Ohio Legislative Service Commission**  
Columbus, Ohio

May 2006

# **DIGEST OF ENACTMENTS 2005**

126th General Assembly (2005-2006)

## **Ohio Legislative Service Commission**

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May 2006

## INTRODUCTION

During 2005, the 126th General Assembly enacted 40 House bills and 24 Senate bills and adopted one substantive House joint resolution. Governor Taft vetoed items in Am. Sub. H.B. 66. Voters approved State Issue I, proposed by Am. Sub. H.J.R. 2, on November 8, 2005, to adopt Section 2p of Article VIII of the Ohio Constitution "for the purpose of creating and preserving jobs and stimulating economic growth."

The Legislative Service Commission prepares for the members of the General Assembly analyses of nearly all the bills and proposed constitutional amendments considered on the floor of the House or Senate. The *Digest of Enactments 2005* is a compilation of condensed versions of the final analyses of bills enacted during 2005.

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Addresses for referenced offices are:

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# APPROPRIATIONS

## **Am. Sub. H.B. 16**

*(For details of fiscal provisions of the act, see the Legislative Service Commission's Capital Appropriations Bill Analysis of Am. Sub. H.B. 16, of the 126th General Assembly, As Enacted)*

**Reps.** Calvert, Allen, C. Evans, Flowers, Hartnett, McGregor, S. Patton, Trakas, Aslanides, Barrett, Beatty, Blessing, Book, Brown, Carano, Carmichael, Cassell, DeBose, Distel, Domenick, D. Evans, Fende, Hagan, Harwood, Hughes, Kearns, Key, Koziura, Law, Martin, Mason, Miller, Mitchell, T. Patton, Peterson, Schaffer, Schlichter, Schneider, Seitz, Setzer, G. Smith, J. Stewart, Walcher, White, Widowfield

**Sens.** Padgett, Clancy, Roberts, Goodman, Jacobson, Mumper, Armbruster, Austria, Miller, Brady, Harris, Fedor, Zurz

**Effective date:** May 6, 2005; Sections 38.01 and 40.01 effective February 3, 2005; Sections 39.02, 39.03, and 39.04 effective July 1, 2005; Sections 2.01 and 2.02 effective August 1, 2005; certain provisions effective February 3, 2005, and July 1, 2005

Makes capital appropriations.

Changes the law governing the Attorney General's duty to collect debts owed the state by: (1) allowing a bankrupt party's tax liability that is not final to be certified for collection, and (2) allowing uncollectible debts to be sold to private vendors or cancelled.

Allows debt claims that are certified for collection to be recovered from lottery prizes and certain tax refunds, and permits the Tax Commissioner to recoup the costs incurred in recovering certified claims from refunds and to make rules regarding the recovery and cost recoupment.

Permits the use of appropriations to satisfy judgments, settlements, and administrative awards made against the state.

Grants the Attorney General authority to conduct investigations, including the power to issue subpoenas and to have them enforced by contempt, regarding actions to enforce the reimbursement, repayment, recovery, and subrogation rights of the Reparations Fund.

Makes changes to the law governing garnishment proceedings against property other than personal earnings.

Changes the issuer of obligations to pay costs of capital facilities for Ohio cultural facilities and Ohio sports facilities from the Ohio Building Authority to the Treasurer of State.

Modifies the definition of "state historical facility," as used in the Ohio Cultural Facilities Commission Law, to include only those sites or facilities: (1) that are created, supervised, operated, protected, maintained, and promoted by the Ohio Historical Society, (2) the title to which resides in whole or in part with the state, the Society, or both the state and the Society, and (3) that are managed directly by or subject to a cooperative or management contract with the Ohio Cultural Facilities Commission and used for or in connection with the Commission's activities.

Changes the issuing and related authority over local subdivision capital improvement bonds that have been or will be issued from the Treasurer of State to the Ohio Public Facilities Commission.

Requires the Ohio Public Facilities Commission, the Ohio Building Authority, and the Treasurer of State, before issuing obligations for certain capital facilities, to submit to the Director of Budget and Management any credit enhancement facilities or interest rate hedges for the obligations.

For purposes of the Bond Law, changes the definition of "interest rate hedge" and "bond proceedings."

Prohibits the Director of Administrative Services from collecting a commission or fee from a real estate broker or the private owner when certain real property is leased or rented to the state.

Specifies that the Prevailing Wage Law applies to public improvement construction projects funded by appropriations or reappropriations of the 126th General Assembly.

Eliminates the duty of the Department of Administrative Services (DAS) to illuminate the exterior of the Ohio Departments Building.

Eliminates the requirement that state agencies occupying space in the Ohio Departments Building reimburse DAS for the cost of occupying the space and pay any debt service that may be charged by the Director of Administrative Services.

Permits DAS and the Office of Budget and Management to acquire, install, and implement the Ohio Administrative Knowledge System.

Permits the Director of Administrative Services to authorize certain state departments and agencies to administer capital facility projects not exceeding \$1.5 million in cost.

Directs the State Architect to establish a program to certify state universities and state community colleges to administer state-funded capital facilities projects without the oversight of DAS.

Requires the Ohio Board of Regents to approve and monitor local administration of capital facilities projects by certified institutions of higher education.

Requires certified institutions of higher education to conduct biennial audits of the institutions' administration of capital facilities projects.

Maintains the provisions of continuing law permitting state universities and state community colleges that are not certified by the State Architect to locally administer capital facilities projects under certain conditions.

Requires the Ohio Board of Regents to adopt rules governing the allocation of state capital appropriations to state colleges and universities.

Changes the name of the Medical College of Ohio at Toledo to the Medical University of Ohio at Toledo.

Establishes in the state treasury the State Action for Education Leadership Fund to receive money from a grant from the Wallace Foundation to the Department of Education.

Permits a school district that is expected to receive assistance under the Classroom Facilities Assistance Program within the next three fiscal years instead to receive assistance under the Exceptional Needs School Building Assistance Program if the district's entire project consists of a single K-12 building and the district was one of the first districts to participate in the Expedited Local Partnership Program.

Excludes the par value of voter-approved bonds, the proceeds of which will be used by a school district to pay any of its share of a classroom facilities project, from the district's net bonded indebtedness for the purpose of calculating that share.

Requires the Ohio School Facilities Commission to encumber state funds for classroom facilities projects by fiscal year instead of by biennium.

Permits educational service centers to contract with political subdivisions to acquire, construct, operate, or maintain parks, recreational facilities, and community centers.

Creates the Parks Capital Expenses Fund to pay design, engineering, and planning costs that are incurred by the Department of Natural Resources for parks-related capital projects.

Adds the Clerk of the Senate and the Clerk of the House of Representatives to the Capitol Square Review and Advisory Board (CSRAB).

Limits CSRAB's authority to place art and artifacts in the chambers and committee rooms of the General Assembly.

Specifies the salary of the members of the Senate elected Majority Floor Leader, Assistant Majority Floor Leader, and Assistant Majority Whip for the 126th General Assembly.

Permits the Director of Development to designate governmental entities as agencies of the state to create and preserve jobs, to designate the regions of the state in which they may operate, and to modify each agency's operating region and authority, and specifies that similar authority under Section 56.09 of Am. Sub. H.B. 298 of the 119th General Assembly is continuing.

Removes the authority granted to a city designated as an urban cluster in a rural statistical area to designate areas within the city as enterprise zones.

Temporarily authorizes certain counties to return excess balances in their county delinquent property tax collection funds to the taxing units in the county.

Authorizes some townships to temporarily use money in a tax increment financing fund to pay public safety operating expenses.

Makes minimum service payment obligations, which are payable as part of a tax increment financing arrangement, enforceable by a lien attaching to real property, equivalent to a tax lien.

Permits county boards of revision to release liens for environmental cleanup debt against real property under certain limited circumstances.



## **H.B. 65**

*(For details of fiscal provisions of the act, see LSC FISCAL ANALYSIS: Selected Issues of the FY 2006-2007 State of Ohio Operating Budgets)*

**Reps. Schaffer, Beatty, Calvert, Cassell, Chandler, Combs, Daniels, DeBose, Distel, Domenick, C. Evans, D. Evans, Fende, Flowers, Gibbs, Kearns, Mason, McGregor, Miller, Otterman, T. Patton, Seitz, Setzer, Uecker, Willamowski, Williams**

**Sens. Hottinger, Cates, Clancy, Spada, Armbruster, Austria**

**Effective date: June 21, 2005; Sections 3 to 7 effective March 21, 2005**

Specifies that the Industrial Commission, rather than the Department of Administrative Services, may enter into contracts for, operate, and superintend the telephone, other telecommunication, and computer services for the Commission, but allows the Commission to contract with the Department to do so.



### **Am. Sub. H.B. 66**

*(For details of fiscal provisions of the act, see LSC FISCAL ANALYSIS: Selected Issues of the FY 2006-2007 State of Ohio Operating Budgets)*

**Reps. Calvert, Flowers, Martin, McGregor, Peterson, Schlichter, Webster, Aslanides, Blasdel, Coley, Collier, Combs, DeWine, Dolan, C. Evans, D. Evans, Hagan, Kearns, Kilbane, Law, T. Patton, Seaver, Setzer, Wagoner, White, Widowfield, Husted**

**Sens. Amstutz, Goodman, Clancy, Carey, Jacobson, Harris**

**Effective date: June 30, 2005; certain provisions effective September 29, 2005; certain provisions effective on other dates; certain items vetoed**

This *Digest* entry is arranged by state agency, beginning with the Adjutant General and continuing in alphabetical order. An item that does not directly involve an agency is located under the agency that has regulatory authority over the item or that otherwise deals with the subject matter of the item. The *Digest* entry includes a Local Government category and a Retirement Systems category. It concludes with a Miscellaneous category.

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### **ADJUTANT GENERAL**

Requires the Adjutant General to reimburse premiums of defined "active duty members" of the Ohio National Guard who choose to purchase life insurance under a specified federal program.

Requires the Adjutant General to pay a \$100,000 death benefit to a designated beneficiary or beneficiaries if defined "active duty members" of the Ohio National Guard die while performing active duty.

Requires the Commander of the Ohio Military Reserve (OHMR) to annually report to the General Assembly all OHMR expenditures and the use of all OHMR funds.

Creates the Ohio Military Reserve Homeland Security Study Commission to evaluate the OHMR's role and effectiveness and to report its findings to the General Assembly before January 1, 2006.

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### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

Defines for appointing authorities when "reasons of economy" exist that may result in the abolishment of a position and the layoff of the employee holding the position.

Redefines for appointing authorities the term "abolishment" as the deletion of a position from the organization or structure of an appointing authority.

Permits an appointing authority to appeal a State Personnel Board of Review decision pertaining to a classified employee's layoff to the appropriate court of common pleas under the Administrative Procedure Act.

Requires the Director of Administrative Services to establish guidelines rather than agency procurement goals for state universities and the Ohio School Facilities Commission for awarding contracts to EDGE business enterprises, thus allowing them to establish their own procurement goals.

Allows the Director to use an equivalent code classification instead of standard industrial code when establishing agency procurement goals and to establish a system

comparable to a point system to evaluate bid proposals to encourage EDGE business enterprises to participate in the procurement of certain services.

Exempts EDGE Program applicants' financial information and trade secrets from the Public Records Law unless certain circumstances apply.

Authorizes the Director of Administrative Services to debar vendors and contractors from consideration for contract awards based on separate, specified factors, and establishes procedures governing the debarments, including notice and hearing requirements.

Establishes the Office of Information Technology in the Department of Administrative Services (DAS) to advise the Governor regarding the superintendence and implementation of statewide information technology policy and to lead, oversee, and direct activities regarding the development and use of information technology by specified state agencies.

Changes the definitions of "state agency" and "law enforcement officer" as used in the Fleet Management Law to include or exclude various individuals or entities from those terms.

Includes cargo vans within the types of motor vehicles that are subject to the Fleet Management Law.

Generally requires state agencies that are subject to the Fleet Management Law to acquire motor vehicles through the master leasing program established by DAS.

Prohibits reimbursement to state employees who use their own personal vehicles for any mileage incurred above an amount that DAS determines annually unless DAS approves reimbursement for the excess mileage in accordance with specified standards.

Requires a state institution of higher education to use DAS' fleet management tracking system, fuel card program to pay for fuel and vehicle maintenance, and bulk fuel purchases contract to make bulk fuel purchases if DAS certifies pursuant to an annual specified reporting procedure that the institution will save funds by doing so.

Authorizes proceeds from the disposition under the Fleet Management Law of motor vehicles that were purchased with General Revenue Fund (GRF) money to be deposited, in the discretion of the Director of Administrative Services, to the credit of either the Fleet Management Fund or the Investment Recovery Fund rather than just to the Fleet Management Fund.

Requires state agencies to submit data and other information to DAS about motor vehicles that otherwise are not subject to the Fleet Management Law.



Transfers, as of July 1, 2005, or the earliest date thereafter permitted by law, the functions of the State Committee for the Purchase of Products and Services Provided by Persons with Severe Disabilities (State Use Committee), formerly housed in the Department of Mental Retardation and Developmental Disabilities, to DAS.

Requires DAS to replace, by July 1, 2007, the State Use Committee with a new Office of Procurement from Community Rehabilitation Programs (OPCRP).

Requires the OPCRP to establish a new program that generally requires state agencies and entities, as well as county, township, and village governments, to purchase supplies and services: (1) provided by persons with work-limiting disabilities who are employed by community rehabilitation programs, and (2) from an associated procurement list established by the OPCRP.

Generally requires the OPCRP to establish fair market prices for items on the procurement list, and provides that purchases from the list are not subject to any competitive selection process.

Establishes that a fee must be paid to DAS by all agencies and entities making purchases under the OPCRP purchase program to cover DAS' costs in administering the program.

Permits an appointing authority to assign duties of a higher classification to an exempt employee for not more than two years with that employee's consent in non-vacancy circumstances.

Permits, if necessary, employees who are exempt from the Collective Bargaining Law and who are assigned to duties within their agency to maintain operations during the Ohio Administrative Knowledge System implementation to agree to a temporary assignment for more than two years.

Would have required DAS to recommend by January 1, 2007, to the leaders of the General Assembly a state government reorganization plan focused on increased efficiencies in the operation of state government and a reduced number of state agencies (VETOED).

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## **DEPARTMENT OF AGING**

Subject to certain exceptions, requires that the Ohio Department of Aging (ODA) assess a penalty equal to a long-term care facility's total annual bed fee for failure to pay a bed fee on or before a deadline established by ODA's rules.

Permits ODA to assess a penalty, not to exceed \$500 for each violation, against a long-term care provider, other entity, or employee of a provider or entity that denies a representative of the state long-term care ombudsperson access to a long-term care facility or community-based long-term care site.

Provides that a provider of community-based long-term care services under a program administered by ODA cannot receive payment unless the provider obtains certification from ODA.

Requires that ODA develop a long-term care consultation program under which residents and potential residents of nursing facilities are provided with information about options available to meet long-term care needs and about factors to consider in making long-term care decisions.

Eliminates provisions authorizing the Ohio Department of Job and Family Services (ODJFS) to administer a similar program for potential residents of nursing facilities who are not Medicaid applicants or recipients.

Modifies the procedures ODJFS must follow when conducting assessments of Medicaid applicants or recipients who apply for admission to or reside in a nursing facility to determine whether they need the level of care provided by a nursing facility.

Permits ODJFS' level of care assessments to be performed concurrently with consultations performed under the long-term care consultation program to be developed by ODA.

Authorizes ODA to conduct an annual survey of nursing homes and residential care facilities, and establishes a fine for failure to complete the survey.

Requires that ODA publish the Ohio Long-Term Care Consumer Guide, which may be developed as a continuation or modification of the guide that ODA publishes pursuant to its general rule-making authority under continuing law.

Requires that the Guide include information on both nursing homes and residential care facilities, including information obtained from customer satisfaction surveys conducted or provided for by ODA.

Permits ODA to charge fees for the customer satisfaction surveys in an amount not exceeding \$400 annually for nursing homes and \$300 annually for residential care facilities.

Requires that ODA carry out the day-to-day administration of the Medicaid program component known as the Program for All-Inclusive Care for the Elderly (PACE).

Permits ODA to adopt rules for the PACE program if the rules: (1) are authorized by rules adopted by ODJFS, and (2) address only those issues that are not addressed in ODJFS rules for the PACE program.

Repeals the uncodified law under which the transfer of PACE administrative duties from ODJFS to ODA originally occurred.

Provides for an individual admitted to a nursing facility while on a waiting list for the PASSPORT (preadmission screening system providing options and resources today) Program to be placed in the PASSPORT Program if it is determined that the PASSPORT Program is appropriate for the individual and the individual would rather be placed in the PASSPORT Program than continue to reside in a nursing facility.

Would have created the PASSPORT Evaluation Panel to select an independent contractor to conduct an evaluation of the PASSPORT Program (VETOED).

Would have required the PASSPORT Evaluation Panel to approve a final report by not later than June 30, 2007 (VETOED).

Permits ODA to apply for the 2005 Aging and Disability Resource Center Grant Initiative of the Administration on Aging and the Centers for Medicare and Medicaid and to create an Aging and Disability Resource Center if the application is accepted.

Exempts from the Medical Transportation Law an ambulette service provider who operates under ODA rules during the period of time on any day that the provider is solely serving ODA or ODA's designee, and creates new requirements for this type of provider.

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## **DEPARTMENT OF AGRICULTURE**

Extends the sunset of the Family Farm Loan Program from October 15, 2005, to October 15, 2007.

Combines the Animal Industry Laboratory Fund with the Laboratory Services Fund, names the combined fund the Animal Health and Food Safety Fund, and retains statutory provisions concerning sources and uses of money.

Creates the Laboratory and Administrative Support Fund consisting of moneys received by the Department of Agriculture from auditorium rentals and other miscellaneous sources, and authorizes the Department to use moneys in the Fund to pay costs associated with any of the Department's programs.

Expands the scope of background information that must be submitted to the Director of Agriculture by certain applicants for a permit to install or permit to operate a concentrated animal feeding facility.

Exempts from the background information requirements a permit application that involves a small or medium concentrated animal feeding operation that must obtain a permit to install or permit to operate due to known water pollution issues.

Changes the annual schedule for fertilizer-related licensure and registration from July 1 of one year through June 30 of the subsequent year to December 1 of one year through November 30 of the subsequent year.

Changes the fertilizer tonnage report from a semiannual report to an annual report, and requires it to be submitted by November 30 each year.

Increases the fertilizer inspection fee from 12¢ per ton to 25¢ per ton and from 13¢ per metric ton to 28¢ per metric ton, as applicable.

Makes discretionary rather than mandatory the distribution of annual statements of fertilizer sales and the publishing of an annual report of an analysis of fertilizers inspected by the Director of Agriculture.

Merges the Commercial Feed, Fertilizer, and Lime Inspection and Laboratory Fund and the Seed Fund to create the Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund.

Prohibits political subdivisions from regulating or enacting legislation relating to: (1) the registration, packaging, labeling, sale, storage, distribution, use, or application of fertilizer, or (2) the registration, labeling, sale, storage, transportation, distribution, notification of use, use, or planting of seed.

Beginning on January 1, 2007, establishes in statute a pesticide registration and inspection fee of \$150 per product and a penalty fee of \$75 for late registration or distribution of an unregistered pesticide rather than allowing the Director to establish the amount of the fees by rule as in former law.

Increases the semiannual commercial feed inspection fee from 10¢ per ton to 25¢ per ton, and increases the minimum payment from \$10 to \$25.

Makes annual publishing of information concerning commercial feed by the Director discretionary rather than mandatory.

Revises the definitions of "agricultural commodity handling" and "agricultural commodity handler" in the Agricultural Commodity Handlers Law.



Changes the fee for the inspection of agricultural products and their conveyances under the Plant Pests Law from \$65 to an amount equal to the hourly rate of pay in the highest step in the pay range, including fringe benefits, of a plant pest control specialist multiplied by the number of hours worked by such a specialist in conducting an inspection.

Changes the name of the Scale Certification Fund to the Metrology and Scale Certification Fund.

Increases the cannery license fee and license renewal fee from \$100 to \$200.

Increases the soft drink manufacturing or bottling license fee from \$100 to \$200, increases the out-of-state soft drink manufacturing or bottling registration fee from \$100 to \$200, and increases the license fee from \$50 to \$100 for the sale, use, or possession with intent to sell of any soda water syrup or extract or soft drink syrup to be used in making, drawing, or dispensing soda water or other soft drinks.

Increases the fee for an annual license to operate a cold-storage warehouse from \$100 to \$200.

Increases the fee for an annual license to operate a frozen food manufacturing facility, slaughterhouse, locker room, locker, chill room, sharp freezing room and facilities, or sharp freezing cabinet from \$25 to \$50.

Authorizes the Director to issue a certificate of health and freesale to a food processing establishment, manufacturer of over-the-counter drugs, or manufacturer of cosmetics upon request for purposes of certifying that products have been produced and warehoused under sanitary conditions as determined through inspection, establishes a \$20 fee for the issuance of such a certificate, and requires the Director to deposit any such fees that are collected to the credit of the continuing Food Safety Fund.

Extends through June 30, 2007, the extra 2¢ earmark of wine tax revenue credited to the Ohio Grape Industries Fund.

Increases the annual amusement ride permit fee from \$50 to \$150.

Requires the Advisory Council on Amusement Ride Safety to prepare and submit a report by December 31, 2006, to the Governor, Speaker and Minority Leader of the House of Representatives, President and Minority Leader of the Senate, and Director of Agriculture concerning the Council's recommendations for alternative funding sources for the Amusement Ride Safety Program.

Requires amusement rides that are operated from an electric light company source to be operated only through a properly installed fusible switch, enclosed circuit breaker, or panelboard.

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## STATE BOARD OF EXAMINERS OF ARCHITECTS

Permits the State Board of Examiners of Architects to impose a fine against certificate holders in addition to other disciplinary actions that the Board may take under continuing law.

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## OHIO ATHLETIC COMMISSION

Allows the Executive Director of the Ohio Athletic Commission (OAC), when authorized by the OAC, to issue, deny, suspend, or revoke permits to hold prize fights and public boxing or wrestling matches or exhibitions; to require a permit applicant to deposit a specified security before a public boxing match or exhibition; and to allow a permit holder to substitute contestants and hold a match or exhibition at an alternative site under specified conditions.

Prohibits the OAC's Executive Director from issuing a permit or license to conduct a match or exhibition in a municipal corporation or township that prohibits such matches or exhibitions.

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## ATTORNEY GENERAL

Authorizes the Bureau of Criminal Identification and Investigation to investigate criminal activity in Ohio related to the conduct of elections when requested to do so by the Secretary of State.

Removes the Chief Justice of the Supreme Court from the Crime Victims Assistance Advisory Committee.

Specifies that an unpaid amount payable by a student enrolled in a state institution of higher education must be certified to the Attorney General for collection within the later of 45 days after the amount is due or the tenth day after the beginning of the next academic session following the session for which the amount is payable.

Would have specified when various classes of debts would have fallen due for the purpose of when they would have to have been certified to the Attorney General for collection (VETOED).

Would have authorized the Attorney General to sell or otherwise transfer to any person claims arising from debts that were not paid within a specified period of time, that were certified to the Attorney General for collection, and that had become final overdue claims (VETOED).



Provides that if a claim of the state is uncollectible and later sold, federal or state confidentiality laws applicable to information contained in the claim still apply.

Requires the Auditor of State to review state agencies' compliance with statutory requirements for collecting debts owed to them.

Allows fees for goods related to the Ohio Peace Officer Training Academy to be used for acquiring and equipping the Academy in addition to General Assembly appropriations and gifts or grants as permitted under continuing law.

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### **OHIO STATE BARBER BOARD**

Requires the Barber Board to review annually the rules that the Board is required to adopt, compare those rules with the rules adopted by the State Board of Cosmetology, and adopt new rules similar to any cosmetology rules that the Barber Board determines would be beneficial to the barbering profession.

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### **OFFICE OF BUDGET AND MANAGEMENT**

Requires that the budgeting services provided by the Director of Budget and Management be supported by user charges.

Changes the name of the State Accounting Fund to the Accounting and Budgeting Fund, and requires that all user charges collected for accounting and budgeting services be deposited into that Fund.

Permits the Director to transfer, until June 30, 2007, interest earned in any Central Accounting System fund to the GRF.

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### **CAPITOL SQUARE REVIEW AND ADVISORY BOARD**

Requires the Executive Director and the members of the Capitol Square Review and Advisory Board to file financial disclosure statements under the Ethics Law.

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## DEPARTMENT OF COMMERCE

Requires the Superintendent of Industrial Compliance to adopt rules for certifying and recertifying, rather than approving, plumbing inspectors and for the continuing education of plumbing inspectors.

Allows the Superintendent of Industrial Compliance to: (1) contract with a third party to conduct certification examinations of plumbing inspectors, (2) deny, suspend, or revoke certifications for inspectors, (3) examine inspectors under oath and examine their records, (4) enter into reciprocal certification agreements with other states and other agencies of this state, and (5) establish fees for the certification, recertification, and continuing education of inspectors.

Repeals the prohibition preventing inspectors employed by the Department of Commerce from engaging in or having an interest in the plumbing business.

Eliminates the Fire Marshal's Fireworks Training and Education Fund, and requires the State Fire Marshal to use the State Fire Marshal's Fund instead for fireworks training and education.

Removes statutorily specified requirements for distances between buildings used for fireworks and other buildings and roadways, and instead requires the State Fire Marshal to adopt rules establishing distance separation requirements.

Allows a fireworks wholesaler or manufacturer to expand its licensed premises to include up to two storage locations that are located on premises that are noncontiguous to the licensed premises if the wholesaler or manufacturer meets specified requirements.

Modifies the application and administration of the Ohio Residential Building Code.

Adds one member to the Board of Building Standards and to the Residential Construction Advisory Committee.

Reduces the minimum price discount for wholesale purchases of spirituous liquor from 12.5% to 6% of the retail selling price of that liquor.

Authorizes a D-6 (Sunday liquor sales) permit to be issued to any D liquor permit premises located at a ski area whether or not such sales have been approved in a Sunday sales local option liquor election.

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## **OFFICE OF CONSUMERS' COUNSEL**

Negates the Consumers' Counsel's authority to operate a telephone call center for consumer complaints, requires the Counsel to forward telephoned complaints against utilities to the Public Utilities Commission call center, and requires that the Commission provide the Counsel with information regarding residential consumer complaints.

Changes the minimum annual assessment against a public utility for maintaining the Office of the Consumers' Counsel from \$50 to \$100.

Beginning in 2006, revises the schedule by which the Consumers' Counsel collects the assessments from utilities.

Eliminates the need to transfer funds from the GRF to the Consumers' Counsel Operating Fund so the Consumers' Counsel can operate during the beginning of each fiscal year.

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## **CONTROLLING BOARD**

Makes the Controlling Board, instead of the General Assembly the legislative body that must accept or reject a state collective bargaining agreement and provide the funds necessary to implement the agreement.

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## **OHIO STATE BOARD OF COSMETOLOGY**

Requires the State Board of Cosmetology to establish an office in Franklin County instead of only Columbus.

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## **OFFICE OF CRIMINAL JUSTICE SERVICES**

Abolishes the Office of Criminal Justice Services, and generally transfers its personnel and functions to, and creates, the Division of Criminal Justice Services in the Department of Public Safety.

Creates the Federal Justice Programs Fund in the state treasury for the deposit of all money from certain federal grants that fund local criminal justice programs.

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## OHIO CULTURAL FACILITIES COMMISSION

Increases to 12 the total membership of, to nine the voting membership of, and to five voting members the quorum requirement for action by, the Ohio Cultural Facilities Commission.

Provides that the Director of Budget and Management, when requested by the Commission, can transfer to the Commission's administration fund, the premium paid on any bonds issued on behalf of the Commission and credited to the Cultural and Sports Facilities Building Fund that exceed federal arbitrage rebate requirements.

Clarifies that the Treasurer of State may issue obligations to refund certain bonds previously issued to pay the costs of capital facilities for the Ohio Cultural Facilities Commission.

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## DEPARTMENT OF DEVELOPMENT

Requires the Director of Development to establish the Alternative Fuel Transportation Grant Program.

Makes permanent the Shovel Ready Sites Program in the Department of Development, formerly established as a pilot program in uncodified law, to provide grants for projects to port authorities and development entities approved by the Director, specifies the purposes for which the grants may be used, and requires the Director to adopt rules establishing procedures and requirements necessary for the administration of the Program.

Modifies the law authorizing agreements that provide for payments to municipal corporations and counties to attract federal jobs by authorizing municipal corporations and counties to enter into similar agreements for the purpose of retaining jobs at existing facilities recommended for closure or realignment to the Base Realignment and Closure Commission in the United States Department of Defense.

Specifies that six members, rather than four, of the total membership of ten constitutes a quorum of the Development Financing Advisory Council and that an affirmative vote of six members is necessary for any action taken by the Council.

Increases the state's contribution to loan guarantee reserve pools under the Capital Access Loan Program.

Modifies eligibility for, the permissible purposes of, and the approval process for loans made under the Minority Business Development Loan Program, including the

continuing Bond Guarantee Program, increases the size of the Minority Development Financing Advisory Board from nine to ten members, and modifies the Board's procedural requirements.

Increases from 50% to 80% the total amount of a project that the Director may guarantee in connection with the loan guarantees for the general Small Businesses Program, and expands the purposes for which the loan guarantees may be made.

Revises the law governing the awarding of grants by the Director from the Industrial Site Improvement Fund, and revises the definitions of "eligible county" and "commercial or industrial areas" for purposes of awarding grants from the Fund.

Would have prohibited the Third Frontier Commission from making grants or loans for any activities involving stem cell research with human embryonic tissue (VETOED).

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## DEPARTMENT OF EDUCATION

### School funding

#### Base-cost funding

Establishes a building blocks methodology reflecting determinations that the base cost of providing an adequate education comprises the costs of base classroom teachers, other personnel support, and nonpersonnel support.

Prescribes that the base-cost formula amount is \$5,283 for fiscal year 2006 and \$5,403 for fiscal year 2007.

Requires the payment of four additional base funding supplements to school districts, not joint vocational school districts, for large-group academic intervention services, professional development, and data-based decision making.

Phases out the cost-of-doing-business factor in calculating base-cost funding for school districts, community schools, and county MR/DD boards.

Guarantees that each district's state base-cost payment will be no lower than its FY 2005 state aggregate or per pupil base cost payment, whichever is less.

Requires the Department of Education to publish on its web site a spreadsheet for each school district that indicates the components of the district's building blocks funds.

Requires the Superintendent of Public Instruction to adopt a rule authorizing the Superintendent to issue orders to school districts under academic watch or in a state of



academic emergency that could require the districts to periodically report on their spending of state building blocks funds, require the districts to establish separate accounts for each of their state building block payments, or have the state Superintendent direct the spending of the districts' state building block funds.

Applies the funding formula changes to county MR/DD boards, community schools, open enrollment, and the Post-Secondary Enrollment Options Program.

**Add-backs to 23-mill charge-off**

Beginning in fiscal year 2007, adds back to a school district's 23-mill charge-off the aggregate value of real property that was exempted pursuant to an ordinance or a resolution that created an incentive district or an agreement that exempted property as part of urban renewal projects, community redevelopment programs for blighted areas, community reinvestment programs, enterprise zones, local railroad operations, or programs for the remediation of contaminated property.

Grandfathers in certain projects in incentive districts so that their value is not included in the charge-off.

Requires that a school district treasurer report to the Director of Development the total amount of payments that the district received during the preceding tax year under any agreement whereby it is compensated for tax revenue foregone as a result of property tax exemptions granted under an ordinance or a resolution creating an incentive district.

**Guarantee/transitional aid**

Eliminates the permanent state basic aid guarantee for city, exempted village, local, and joint vocational school districts.

Provides additional state transitional aid in fiscal years 2006 and 2007 to prevent any city, exempted village, or local school district's state SF-3 funding plus charge-off supplement for the current fiscal year from being less than it was in the previous fiscal year.

Provides additional state transitional aid in fiscal years 2006 and 2007 to prevent any joint vocational school district's funding from being less than it was in the previous fiscal year.

**Twice annual ADM reports**

Requires each school district to certify its formula average daily membership (ADM) and other related membership information for funding purposes twice each year, once for the first full week of October, as under continuing law, and again for the third full week of February.

Authorizes a school district to include in its formula ADM certified in February students included in the October certification who have since received their high school diplomas.

In making payments to school districts, requires the Department of Education to use the October certification of formula ADM for the months of July through December and the average of the October and February certifications for the months of January through June.

Requires the Superintendent of Public Instruction to recommend a plan to the General Assembly whereby a second annual formula ADM count may be used to guarantee a minimum level of state funding in the next fiscal year.

Permits the Auditor of State to conduct annual random audits of ADM data reported by select school districts.

#### **Parity aid**

Revises the formula for calculating state parity aid by basing the calculation on 7.5 mills, rather than 9.5 mills, to account for the phase-out of the cost-of-doing-business factor.

#### **Poverty-based assistance**

Renames the Disadvantaged Pupil Impact Aid subsidy Poverty-Based Assistance, and expands the subsidy to include additional payments for: (1) academic intervention services, (2) services to limited-English proficient students, (3) teacher professional development, (4) dropout prevention in the Big-Eight districts, and (5) community outreach programs in the Urban-21 districts.

#### **Transportation funding**

Specifies that, instead of using the established transportation formula, each school district's payment for regular student transportation in fiscal years 2006 and 2007 increase 2% from the previous fiscal year.

For fiscal years 2006 and 2007, specifies that the local share of the calculated amount for transportation is 2% greater than in the previous year, instead of as prescribed under the transportation subsidy formula, for purposes of computing a district's charge-off supplement and excess cost supplement.

Requires the Department of Education to recommend a new student transportation payment formula by July 1, 2006.

### *Special education funding*

Specifies that the weights for special education funding continue to be paid at 90% in fiscal years 2006 and 2007.

Increases the catastrophic threshold amount for special education and related services from \$25,700 to \$26,500 for categories two through five and from \$30,800 to \$31,800 for category six.

Maintains for fiscal years 2006 and 2007 the \$30,000 personnel allowance for calculating the subsidy for speech-language pathology services.

Specifies that the continuing authorization for an additional subsidy for transporting disabled students refers to all students with disabilities instead of only developmentally handicapped students as under prior law.

Requires the Department of Education, by May 30, 2006 and 2007, to report to the Office of Budget and Management the amount of state and local shares of special education and related services weighted funding calculated for each school district and the amount of federal special education funds passed through to each district.

Permits a joint vocational school district to decline having the Department of Education transfer payments to it from the state accounts of city, exempted village, and local school districts or community schools for the excess cost of providing special education and related services.

Requires the payment of weighted special education funding, instead of unit funding, to state institutions for services to school-age children.

Authorizes a school district, in the case of a disabled child placed in a residential home by court order, to charge the child's district of residence for the excess cost of providing special education and related services for that child.

Authorizes the Department of Education to deduct and credit the excess cost calculated for any child receiving services from a school district other than the child's district of residence.

Changes the date for determining the eligibility of children for handicapped preschool units based on their age from December 1 to the date on which the children must have attained the minimum age to start school in their school districts, either August 1 or September 30.

Clarifies that related services units for handicapped preschool children be approved for any statutorily defined "related services."

Requires the Department of Education by July 1 of each year, beginning in 2006, to electronically report to the General Assembly the number of handicapped preschool children served the previous fiscal year, disaggregated according to category of handicap.

**Other school funding provisions**

Specifies that the personnel allowance for the GRADS subsidy, for programs for pregnant and parenting students, remains at \$47,555 in fiscal years 2006 and 2007, which is the same amount provided for fiscal years 2004 and 2005 under prior law.

Specifies that a recalculation of a school district's taxable valuation due to refunded taxes or other changes in real property, public utility property, or tangible personal property valuation that affects the district's amount of state aid applies to the district's SF-3 payment.

Requires that adjustments to a district's state aid relative to changes in its taxable value be paid on or before July 31 of the following fiscal year instead of June 30 of the year in which the adjustment was made as under prior law.

Repeals the statute authorizing Equity Aid.

Adds, to the revenue considered to be received by a school district for purposes of calculating gap aid, revenues that a school district receives from the Tangible Personal Property Tax Replacement Fund or the GRF for current expense taxes lost due to the act's phase-out of the tangible personal property tax.

Establishes a new, three-year payment to phase out, rather than immediately terminate, gap aid subsidies to school districts that pass property tax or income tax levies in tax year 2005 or thereafter.

Specifies that the subsidy for bus purchases to school districts for transporting special education and nonpublic students, and to county MR/DD boards for transporting special education students, be based on a per pupil allocation instead of 100% of the net cost of acquiring buses as under prior law.

Requires the Department of Education, upon request of the Department of Job and Family Services (ODJFS), to pay to ODJFS the nonfederal share of Medicaid reimbursements made to a school district and to deduct the amount of that payment from the district's state aid account.

Increases from \$250 to \$275 the per pupil cap on reimbursement payments to chartered nonpublic schools for mandated administrative expenses.

## **Scholarship programs**

Establishes the Educational Choice Scholarship Pilot Program, beginning in the 2006-2007 school year, to provide scholarships for students assigned to school buildings that have been in academic emergency for three consecutive years to attend chartered nonpublic schools.

Directs the Department of Education to award not more than 14,000 scholarships in fiscal year 2007 under the Educational Choice Scholarship Pilot Program.

Excludes students who are eligible to participate in the Cleveland Scholarship Pilot Program from participation in the Educational Choice Scholarship Pilot Program.

Expands eligibility for scholarships under the Cleveland Scholarship Pilot Program to eleventh and twelfth graders.

Codifies a long-standing practice to allow new students to enter the Cleveland Scholarship Pilot Program in any of grades K through 8.

Beginning in fiscal year 2007, increases the base scholarship amount under the Cleveland Scholarship Pilot Program from \$3,000 for grades K through 8 and \$2,700 for grades 9 through 12 to \$3,450 for grades K through 12.

Beginning in fiscal year 2007, sets at \$400 the maximum tutorial assistance grant amount under the Cleveland Scholarship Pilot Program instead of 20% of the average basic scholarship amount.

Reauthorizes the Pilot Project Special Education Scholarship Program for fiscal years 2006 and 2007, under which the parent of an identified autistic child may receive an annual scholarship of up to \$20,000, which is deducted from the account of the child's resident school district, to pay for the child's IEP services at a private or another public provider.

## **Community schools**

### **Caps and limits on sponsors**

Establishes a statewide cap until July 1, 2007, on the number of conversion Internet- or computer-based community schools (e-schools) and start-up community schools sponsored by the school districts in which they are located of 30 more than the number of such schools that were open for operation as of May 1, 2005.

Extends the former statewide cap on the number of start-up community schools sponsored by other entities for two years to July 1, 2007, and increases the cap for that

period from the former 225 to 30 more than the number of such schools that were open for operation as of May 1, 2005.

Requires the Department of Education, within 30 days after the act's effective date, to conduct a lottery to select the additional 30 community schools allowed to open under each of the statewide caps.

Permits a community school to open in excess of the statewide caps if the school's daily operations are managed by an operator hired by the school's governing authority.

Limits an operator to managing one community school in excess of the statewide caps for each community school managed by the operator on the date those caps are reached that has a performance rating of excellent, effective, or continuous improvement.

Creates a moratorium on the establishment of new e-schools, including conversion schools, between May 1, 2005, and the effective date of any standards enacted by the General Assembly governing the operation of e-schools.

Prohibits a community school that opens for operation after May 1, 2005, from operating from a residential facility that receives and cares for children until July 1, 2007.

Requires community school sponsors approved on or after the act's effective date to have a record of financial responsibility and successful implementation of educational programs.

Specifies that if an entity that sponsors or operates out-of-state schools seeks approval to sponsor community schools in Ohio, at least one of those out-of-state schools must perform better than or comparably to Ohio schools in academic watch.

Limits entities that sponsor community schools as follows: (1) to 50 schools for new sponsors and existing sponsors that sponsored 50 or fewer schools that were open for operation as of May 1, 2005, (2) to the number of schools the entity sponsored that were open for operation as of May 1, 2005, for existing sponsors that sponsored 51 to 75 schools that were open as of that date, and (3) until June 30, 2006, to the number of schools the entity sponsored that were open for operation as of May 1, 2005, and after June 30, 2006, to 75 schools, for existing sponsors that sponsored more than 75 schools that were open as of May 1, 2005.

Requires the limit of a sponsor with more than 50 schools open for operation as of May 1, 2005, to be reduced by one for each of the sponsor's schools that permanently closes until the sponsor has 50 schools.

Directs the Department of Education to assist schools in excess of a sponsor's limit to secure new sponsors and, if a school is unable to find a new sponsor, temporarily to assume sponsorship of the school itself.

### **Contract and opening deadlines**

Requires the contract between the sponsor and governing authority of a new community school to be adopted by March 15 prior to the school year in which the school will open.

Specifies that a community school's contract with its sponsor is void if the school: (1) fails to open within one year after the contract is adopted, or (2) permanently closes prior to the contract's expiration.

Requires community schools, other than those schools solely serving dropouts, to open by September 30 each year beginning in the 2006-2007 school year.

### **Enrollment of students**

Specifies that a student is considered enrolled in a community school for state funding purposes beginning on the later of: (1) the date on which the student actually enrolls in the school, or (2) 30 days prior to the date on which the student is entered into the Education Management Information System.

Eliminates the 30-day period formerly granted to community schools to withdraw a student who missed 105 consecutive hours of the school's learning opportunities without excuse.

### **E-schools**

Specifies that any time an e-school student spends participating in learning opportunities over 10 hours within a 24-hour period does not count toward the minimum number of hours of learning opportunities the school must provide to the student.

Requires each e-school to retain an affiliation with at least one full-time teacher licensed by the State Board of Education.

Requires that each student enrolled in an e-school be assigned to at least one teacher of record who is a teacher responsible for the overall academic development and achievement of a student.

Specifies that no teacher of record employed by an e-school may be primarily responsible for the academic development and achievement of more than 125 students.

Requires e-schools to provide a location within 50 miles of a student's residence at which the student can take the state achievement tests and diagnostic assessments.

Requires an e-school, or a school district-operated school that primarily uses a computer-based instructional method, to withdraw a student who fails to participate in the spring administration of a grade-level achievement test for two consecutive school years.

Prohibits an e-school or a district-operated school that primarily uses a computer-based instructional method from receiving state funds for any student who has been withdrawn from such a school for failure to take achievement tests, and requires the student's parent to pay tuition in the amount of the withheld funds.

Requires each e-school to submit to its sponsor an annual plan for the provision of special education and related services to disabled students enrolled in the school.

Requires any community school that is not an e-school, but provides nonclassroom-based learning opportunities via an Internet- or computer-based instructional method to supply a computer to each student who must participate in those learning opportunities from home if: (1) those learning opportunities constitute a significant portion of the total learning opportunities provided to the student by the school or are not supplemental in nature, or (2) the student does not have a computer to use at home.

#### **Sanctions for poorly performing community schools**

Requires, beginning in the 2006-2007 school year, fall and spring administrations of reading and math assessments approved by the Department of Education to students in grades 1 through 12 who are enrolled in a community school that: (1) is in continuous improvement, academic watch, or academic emergency, (2) has not been open for at least two school years, or (3) does not have a performance rating based on achievement test data.

Imposes sanctions on academic watch and academic emergency community schools and community schools whose performance rating is not based on achievement test data if the schools do not make expected gains in student achievement established by the State Board of Education.

#### **State payments to community schools**

Prohibits e-schools from receiving vocational education weighted funding, parity aid, or poverty-based assistance, including funding for all-day kindergarten.

Requires e-schools, beginning in fiscal year 2007, to spend at least the per pupil amount designated for base classroom teachers on instruction, including: (1) teachers, (2) curriculum, (3) academic materials other than computers, and (4) other designated instructional purposes.

Requires an e-school not in compliance with the minimum instructional expenditures to pay a fine equal to the greater of 5% of the school's state funding or the amount it underspent on instruction unless the Department of Education waives the fine for implementation of a compliance plan.

Beginning in fiscal year 2007, eliminates the provision that guarantees each community school at least as much in aggregate state base cost and special education funding for students receiving special education services as the school received in fiscal year 1999.

Clarifies the procedure for paying state funds to a community school for an enrolled student who lives in a residential facility.

Continues a state subsidy in fiscal years 2006 and 2007 for community schools in which at least 50% of the enrolled students are identified as severe behavior handicapped.

#### **Other community school provisions**

Directs the Department of Education to adopt procedures for closing a community school.

Excludes student performance data from a conversion community school that primarily enrolls students at risk of dropping out of high school in calculating the sponsoring school district's academic performance for the district report card.

Requires a community school sponsor to submit an annual report to the Department of Education describing the special education and related services provided to the school's students during the previous fiscal year and the school's expenditures for those services.

Permits the establishment of a community school to simultaneously serve autistic students and nondisabled students.

Makes other changes to the law governing community schools.

#### **Other education programs**

##### **Statewide testing**

Beginning in the 2006-2007 school year, requires the spring administration of elementary-level achievement tests generally to be no earlier than Monday of the week of May 1 instead of in mid-March.

Authorizes the State Board of Education to designate a testing period one week earlier than the general testing period for administration of achievement tests to limited English proficient students.

Requires alternate assessments for special education students to be completed and submitted to the test scoring company by April 1 of the school year in which the assessments are given.

Beginning in the 2006-2007 school year, requires student scores on the spring achievement tests to be returned to school districts by June 15.

Requires a student's data verification code to be included on each achievement test administered to the student.

Permits companies hired to score the achievement tests to have access to personally identifiable student information.

Requires the Department of Education and contracting entities to use the data verification codes to protect student privacy when conducting studies and research projects.

Specifies that the initial administration of each elementary-level achievement test is a public record and that at least 40% of the questions used to compute student scores on subsequent administrations of those tests are public records.

Specifies that only the spring administration of the Ohio Graduation Test is a public record.

Eliminates the requirement for the State Board of Education to adopt diagnostic assessments for grades 3 through 8, except for third grade writing.

#### **Early childhood education programs**

Eliminates the Title IV-A Head Start and Head Start Plus programs.

Establishes the Early Learning Initiative, paid for with TANF funds and jointly administered by the Department of Education and the Department of Job and Family Services, to provide early learning programs and child care to TANF-eligible children (some provisions VETOED).

Establishes a GRF-funded program to support early childhood education (preschool) programs offered by school districts and educational service centers to serve preschool children whose families earn up to 200% of the federal poverty guidelines.

Prohibits specified early childhood education programs from receiving state funds in fiscal years 2006 and 2007 unless at least 50% of a program's teachers are working toward an associate degree; beginning in fiscal year 2008, prohibits any such program from receiving state funds unless all of the program's teachers have an associate degree; and beginning in fiscal year 2011, prohibits any such program from receiving state funds unless at least 50% of the program's teachers have earned a bachelor's degree.

Permits an accredited Montessori program that is licensed as a preschool program to combine three- to five-year-old preschool children with kindergarteners.

### **Reading grants**

Repeals authorization for the OhioReads community reading grants program.

Eliminates the OhioReads Office within the Department of Education.

Requires the Department of Education to award reading intervention grants to public schools to engage volunteers to work with struggling students, to improve reading outcomes in low-performing schools, and to close the achievement gap.

### **Post-Secondary Enrollment Options Program**

Restricts participation in the Post-Secondary Enrollment Options Program to Ohio residents.

Would have specified that the purpose of the Post-Secondary Enrollment Options Program is to provide enriched education opportunities that are beyond the opportunities offered by the students' high school (VETOED).

Requires the student or the student's parent to reimburse state funds paid to a college for a course in which the student does not attain a passing final grade in the course.

Permits students who participate under Option A to elect to receive high school credit, as well as college credit, for successfully completed college courses.

### **School district reduction in force (RIF) authority**

Allows boards of education and governing boards of educational service centers to reduce the number of teachers for financial reasons.

Expands the reasons for which the boards may reduce the number of nonteaching employees to include the same reasons for which the boards would reduce the number of teachers.

Specifies that the changes for school districts' and educational service centers' authority to make reductions in force prevail over conflicting provisions of future collective bargaining agreements.

Permits the board of education of a local or exempted village school district (non-Civil Service school districts) to terminate the positions of transportation employees for reasons of economy and efficiency and to contract with an independent agent to provide student transportation services as long as specified conditions are satisfied.

### **Other education provisions**

After July 1, 2007, requires the Superintendent of Public Instruction to establish an academic distress commission for each academic emergency school district that has failed to make adequate yearly progress for four or more consecutive years, and grants the commission authority over specified personnel, management, and budgetary decisions, which authority may not be negated by collective bargaining.

Restores to the board of a school district for which an academic distress commission has been established any management rights and responsibilities specified in the Collective Bargaining Law that the district board relinquished in a collective bargaining agreement entered into after September 29, 2005.

Prohibits the creation of a new city or local school district proposed by the State Board of Education without the approval of the General Assembly.

Authorizes school districts to contract with an employee who would be called an internal auditor, and requires that anyone employed specifically as an internal auditor hold a valid permit to practice as a certified public accountant or public accountant.

Codifies and makes permanent a provision of uncodified law that generally requires a disabled student to undergo, at private expense, a comprehensive eye examination by a licensed optometrist or physician within three months after beginning special education services.

Prohibits future collective bargaining agreements from barring school district use of volunteers when they assist with functions not required to be performed by a licensed, permitted, or certificated employee.

Until December 31, 2005, permits a school district to dispose of real property by private sale in support of economic development when certain conditions are satisfied in lieu of offering the property at public auction, to a community school, or to another government entity as otherwise required under continuing law.

Prohibits the Department of Education from lowering the performance rating of a school district or building from the prior year solely because one student subgroup did not make adequate yearly progress.

Creates the Ohio Center for Autism and Low Incidence within the Department of Education to administer programs and coordinate services for infants, preschool and school-age children, and adults with autism and other disabilities.

Limits eligibility for the annual stipend paid to teachers certified by the National Board for Professional Teaching Standards to the ten-year period of the teacher's initial certification.

Requires the State Board of Education to adopt a model student acceleration policy, which each school district must either adopt or adopt one of its own for implementation beginning in the 2006-2007 school year.

Specifically authorizes joint vocational school districts and educational service centers, in addition to city, local, and exempted village school districts under continuing law, to provide latchkey programs.

Authorizes school districts and educational service centers to expend money from their general funds for latchkey programs.

Eliminates the requirement that school districts produce annual spending plans detailing all revenues available for appropriation and expected expenditures, including outstanding debts, to be filed with the Department of Education.

Eliminates the requirement that school districts file their amended certificates of estimated resources with the Department of Education.

Eliminates requirements that the Department of Education file monthly and annual statistical reports with the Governor, the Senate, the House of Representatives, the Auditor of State, and the Legislative Service Commission.

Codifies a long-standing requirement that city, local, and exempted village school districts transport their high school pupils who attend career-technical classes at another district, including a joint vocational school district, from the student's high school to the career-technical program.

Requires a school district that is in fiscal watch or fiscal emergency status to update its five-year projection of revenues and expenditures once the Superintendent of Public Instruction approves the district's financial plan or financial recovery plan.

Exempts a school district from making otherwise required deposits into certain set-aside funds while in a fiscal emergency period, and excuses it from eliminating deficits in those funds that accrued in prior years.

Permits a school district in fiscal watch or fiscal caution to apply to the Superintendent of Public Instruction for an annual waiver from the requirements to deposit money into the set-aside funds, which may be granted if the district demonstrates that making those deposits will result in an undue financial hardship.

Permits any school district not in fiscal emergency, watch, or caution to apply once every three fiscal years for a waiver from the requirements to deposit money into the set-aside funds, which may be granted if the district demonstrates that the deposits will necessitate reduction or elimination of a program critical to the academic success of students and that no reasonable alternatives exist.

Prohibits a school district, or an individual school operated by a district, from operating without a charter issued by the State Board of Education.

Requires the State Board of Education, upon considering the charter of a new school district, to require the party proposing the new district to submit a map, certified by the county auditor, showing the boundaries of the new district.

Establishes a legislative committee to study the feasibility and economic impact of school district consolidation.

Establishes the School Physical Fitness and Wellness Advisory Council to develop, by December 31, 2005, best practices guidelines and evaluation strategies for school districts regarding nutrition education, physical activity for students, and student wellness.

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## **BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

Requires a person who desires to be licensed as a funeral director to satisfactorily complete, instead of serve, the type of apprenticeship applicable to that applicant.

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## **STATE EMPLOYMENT RELATIONS BOARD**

Allows the State Employment Relations Board (SERB) to seek, solicit, apply for, and accept grants, gifts, and contributions for specified uses.

Renames the Training and Publications Fund used by SERB the Training, Publications, and Grants Fund.



Expands the funding sources for the Training, Publications, and Grants Fund, and specifies additional uses for money held in the Fund.

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## **ENVIRONMENTAL PROTECTION AGENCY**

Requires the Director of Environmental Protection to continue to implement an enhanced motor vehicle inspection and maintenance program (referred to as E-Check) in counties in which an enhanced motor vehicle inspection and maintenance program is federally mandated, prohibits its implementation in any other county, requires the program to expire on December 31, 2007, prohibits the continuation of the program beyond that date unless otherwise federally mandated, and requires the Director to adopt rules necessary to implement the program in the counties in which it is federally mandated.

Establishes a new, additional fee on the disposal of solid wastes of \$1.50 per ton, the proceeds of which must be credited to the Environmental Protection Fund created by the act, and specifies that money in the Fund must be used by the Ohio Environmental Protection Agency (OEPA) to administer and enforce most of the programs under OEPA's jurisdiction and to fund other duties that state law requires OEPA to perform.

Extends through June 30, 2008, the continuing fee on the disposal of solid wastes that is used to fund the solid and infectious waste and construction and demolition debris management programs, expands the allowable uses of the proceeds of the fee by authorizing OEPA to use the proceeds to provide compliance assistance to small businesses, and establishes a sunset date of June 30, 2008 for the continuing solid waste disposal fee the proceeds of which are credited to the Hazardous Waste Facility Management Fund and the Hazardous Waste Clean-up Fund.

Specifies that state solid waste disposal fees are to be collected at transfer facilities as well as at disposal facilities as in continuing law, excludes from the fees materials that are separated or removed for recycling, and amends the procedures for collecting and remitting the fees.

Would have excluded certain shale and clay products and certain spent petroleum refinery catalysts from the definition of "solid wastes" (VETOED).

Establishes a six-month moratorium on the licensing of new construction and demolition debris facilities with specified exceptions.

Creates the Construction and Demolition Debris Facility Study Committee to study specified topics related to construction and demolition debris facilities and make recommendations to the General Assembly for changes regarding the laws governing those facilities.

Specifies that the fee levied on the disposal of construction and demolition debris at a solid waste facility under the Construction and Demolition Debris Law does not apply if there is no licensed construction and demolition debris facility within 35 miles of the solid waste facility as determined by a facility's property boundaries rather than within 40 miles as in prior law.

Exempts from both the continuing disposal fee levied under the Construction and Demolition Debris Law and the new fees established by the act (see below) source separated materials exclusively composed of reinforced or nonreinforced concrete, asphalt, clay tile, building or paving brick, or building or paving stone when the materials are used as a fire prevention measure at a construction and demolition debris facility in accordance with the act or as fill material for construction at such a facility or to bring the facility up to grade in accordance with the act.

Establishes a new 25¢ per ton or 12.5¢ per cubic yard fee on the disposal of construction and demolition debris, and requires the proceeds of the fee to be credited to the Soil and Water Conservation District Assistance Fund created by the act to provide matching funding for soil and water conservation district projects.

Establishes a second new fee on the disposal of construction and demolition debris of 75¢ per ton or 37.5¢ per cubic yard, requires the proceeds to be credited to the continuing Recycling and Litter Prevention Fund administered by the Division of Recycling and Litter Prevention in the Department of Natural Resources, and eliminates the crediting of receipts from the corporate franchise tax on litter stream products to the Fund.

Specifies that the two new construction and demolition debris disposal fees levied by the act do not apply to the disposal of construction and demolition debris at a licensed solid waste facility if the owner or operator of the facility chooses to collect fees on the disposal of the construction and demolition debris that are identical to the fees that are collected on the disposal of solid wastes at the facility.

Authorizes money in the continuing Environmental Protection Remediation Fund to be used for certain environmental clean-up activities involving hazardous waste.

Makes it optional, rather than required as in prior law, that hazardous waste clean-up agreements with landowners contain provisions for the reimbursement of the state for the costs of a cleanup and that unreimbursed portions of the cost of the cleanup be recorded at the office of the applicable county recorder.

Clarifies that continuing contractual bidding requirements apply to hazardous waste clean-up activities conducted by OEPA regardless of whether property has been acquired by OEPA.

Allows the Director to enter into contracts independent of the Department of Administrative Services for certain clean-up activities if there is a threat to public health or safety or the environment.

Exempts from solid waste disposal and generation fees, upon an order of the Director, solid wastes generated as a result of certain clean-up activities involving public funds and conducted under contracts entered into by the United States Environmental Protection Agency, the OEPA, or the Department of Administrative Services on behalf of the OEPA.

Specifies that money used by OEPA from the Hazardous Waste Clean-up Fund to pay the costs of clean-up activities and subsequently recovered in a civil action must be repaid to the Hazardous Waste Clean-up Fund instead of paid into the Immediate Removal Fund as in prior law.

Extends the sunset of the fee on the sale of tires that is used to fund the Scrap Tire Management Program from June 30, 2006, to June 30, 2011.

Reduces the amount of money that the Department of Taxation receives to pay the Department's costs in administering the fee on tires that is used to fund the Scrap Tire Management Program from 4% to 2% of the money collected from that fee.

Alters the cost recovery procedure for removal actions taken by the Director under the Scrap Tire Management Program by requiring the Director to record the costs and establish a lien on the property that was the subject of a removal action after completing the removal action rather than after a civil action has been adjudicated as in former law.

Revises the industrial classifications in the fee schedule based on process weight rates for permits to install under the Air Pollution Control Law.

Extends all of the following for two years:

- The sunset of the annual emissions fees for synthetic minor facilities;
- The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works under the Water Pollution Control Law;
- The sunset of the annual discharge fees for holders of NPDES permits issued under the Water Pollution Control Law;
- The sunset of license fees for public water system licenses issued under the Safe Drinking Water Law;

- The establishment of a higher cap on the total fee due for plan approval for a public water supply system under the Safe Drinking Water Law and the decrease of that cap at the end of the two years;
- The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law;
- The levying of higher fees, and the decrease of those fees at the end of the two years, for applications and examinations for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law or the Water Pollution Control Law, as applicable, and eliminates a fee schedule for those purposes that has expired; and
- The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Law.

Establishes requirements and procedures governing the distribution of federal moneys that are disbursed for purposes of compensating OEPA and the Department of Agriculture for administering the NPDES program.

Establishes requirements specifying what must be submitted with a section 401 water quality certification application and procedures and time frames for issuance or denial of a section 401 water quality certification.

Generally subjects standards and procedures that are used to evaluate mitigation proposals to review under the Administrative Procedure Act in order to have the force of law.

Would have established certain mitigation requirements for impacts to wetlands and streams (VETOED).

Establishes an application fee of \$200 for a section 401 water quality certification, and requires the payment of review fees of \$500 per each acre of wetland to be impacted; \$5 per linear foot of each ephemeral stream to be impacted, \$10 per linear foot of each intermittent stream to be impacted, and \$15 per linear foot of each perennial stream to be impacted, or \$200, whichever is greater; and \$3 per cubic yard of dredged or fill material to be moved with respect to a lake.

Caps the total fees for a section 401 water quality certification at \$5,000 for counties, townships, and municipal corporations and \$25,000 for all other applicants, requires proceeds from the fees to be credited to the continuing Surface Water Protection Fund, exempts state agencies and projects authorized by general or nationwide permits

issued by the U.S. Army Corps of Engineers from the fees, and exempts coal mining and reclamation operations from the fees for one year after the act's effective date.

Requires the issuance, denial, renewal, suspension, and revocation of certifications of certified professionals under the Voluntary Action Program Law to be published on OEPA's web site and in OEPA's weekly review rather than in newspapers of general circulation as under former law.

Allows the Director to suspend or revoke the certification of certified professionals for specified violations in accordance with rules adopted under the Voluntary Action Program Law rather than in accordance with the Environmental Protection Agency Law as under former law.

Creates the Clean Diesel School Bus Fund consisting of money from gifts, grants, and contributions for the purpose of adding pollution control equipment to diesel-powered school buses, requires the Director to use money in the Fund to make grants to Ohio school districts for the purpose of adding pollution control equipment to diesel-powered buses and to pay OEPA's related administrative costs, requires the Director to give priority to school districts designated as nonattainment for the fine particulate national ambient air quality standard, and allows the Director to make grants to school districts to maintain pollution control equipment on school buses and to offset the additional costs of using ultra-low sulfur diesel fuel.

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## **eTECH OHIO COMMISSION**

Eliminates the Ohio SchoolNet Commission and the Ohio Educational Telecommunications Network Commission, and transfers their functions, assets, liabilities, and employees to the eTech Ohio Commission created by the act.

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## **GENERAL ASSEMBLY**

Requires a state agency that must submit a report, recommendation, or other similar document to the General Assembly in a hard copy format to submit it, when technologically feasible, through electronic means rather than in the hard copy format and to display it on the agency's web site.

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## **DEPARTMENT OF HEALTH**

Requires that the Ohio Department of Health (ODH) designate certain rural hospitals as critical access hospitals.



Repeals the requirement that ODH make financial assistance available to county tuberculosis control programs.

Eliminates the option that a county or district tuberculosis control unit be a county tuberculosis program receiving financial assistance from ODH.

Repeals the requirement that ODH reimburse boards of county commissioners for the cost of detaining indigent persons with tuberculosis.

Requires that ODH adopt rules to implement the "Choose Life" Fund.

Provides that it is not the General Assembly's intent that ODH create a new position to implement and administer the "Choose Life" Fund.

Extends, until July 1, 2007, the scheduled termination of the moratorium on reviewing applications for certificates of need (CON) for long-term care beds.

Requires specified health and safety standards and periods of operation to be met for a CON application to be reviewed under the moratorium's provisions requiring continued review of applications for the relocation of long-term care beds within the same county.

Adds psychiatrists to the primary care specialists who are eligible for the Physician Loan Repayment Program to fill a primary care need in underserved areas of the state.

Requires that ODH administer the J-1 Visa Waiver Program to recruit foreign-born physicians educated in the United States to serve in underserved areas of the state.

Requires that ODH charge a fee of \$3,571 for each J-1 Visa Program application that it accepts.

Increases the fees for birth records, death certificates, and divorce and dissolution of marriage decrees to provide funds for grants for family violence shelters.

Authorizes the Public Health Council to adopt rules establishing an inspection fee for hospice care facilities not to exceed \$1,750.

Increases the application and annual renewal licensing and inspection fee for nursing homes and residential care facilities.

Authorizes ODH to revoke or refuse to issue a license to operate a nursing home or residential care facility if the licensee or applicant demonstrates a long-standing pattern of violations of Ohio law governing nursing homes and residential care facilities that caused physical, emotional, mental, or psychosocial harm to one or more residents.

Prohibits the transfer or assignment of the right to operate a nursing home during the adjudication of a license revocation.

Exempts Medicare-qualified religious nonmedical health care institutions that rely solely on religious methods of healing from the nursing home laws requiring use of nurse aides who have undergone nurse aide training and competency evaluation programs.

Eliminates a requirement that ODH convene the Nursing Facility Regulatory Reform Task Force if the Secretary of the U.S. Department of Health and Human Services approved development of an alternative regulatory procedure for nursing facilities subject to federal regulation.

Increases the adult care facility inspection fee from \$10 to \$20 per bed, and requires that the fee be paid following each inspection and each issuance or renewal of a license.

Increases radiology registration and inspection fees.

Removes an exemption from applying for Medicaid that applies to applicants for the Program for Medically Handicapped Children for whom applying for Medicaid violates their religious beliefs.

Requires the Public Health Council to revise rules to return financial eligibility requirements to the levels that were in effect prior to October 13, 2003.

Creates the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps.

Reimburses free clinics for 80%, up to \$20,000, of the premiums the clinics pay for medical liability insurance coverage.

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## **OHIO HISTORICAL SOCIETY**

Requires the Ohio Historical Society to distribute money appropriated for grants or subsidies to other entities for site-related programs within 90 days of accepting a grant or subsidy application for the money, and prohibits the Society, through June 30, 2007, from charging or retaining a fee for distributing the money to those entities.

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## **DEPARTMENT OF INSURANCE**

Creates the School Employees Health Care Board, charged with designing life and medical insurance plans to be used by all persons employed by Ohio's public schools, but



delays the actual use of Board medical plans pending future action by the General Assembly.

Requires health insuring corporations that are providing coverage to Medicaid patients to post a \$1 million performance bond.

Eliminates law that excluded health insuring corporations covering Medicaid recipients from the statutes that otherwise require them to offer external reviews of denials of coverage.

Removes the requirement that the Director of Health review an application to establish or operate a health insuring corporation (HMO) to ensure that the HMO would meet specified minimum standards when the HMO was intended solely to provide services to Medicaid recipients, and lengthens the period of time given the Superintendent of Insurance to issue or deny a certificate of authority to such an HMO.

Eliminates law that excluded health insuring corporations covering Medicaid recipients from the statutes that otherwise require them to make prompt payments.

Requires additional moneys to be paid into the Department of Insurance Operating Fund, increases the fees that the Superintendent of Insurance must charge, and eliminates the fee that foreign insurance companies had to pay for interest checks and coupons accruing on bonds and securities.

Eliminates the exemption from the unauthorized foreign insurance tax for insurance companies that issue policies to employer insureds.

Exempts professional or medical liability insurance procured by hospitals from the unauthorized foreign insurance tax.

Eliminates the requirement that a licensed insurance company or certified health insuring corporation notify the Superintendent when the insurer was disciplined in another state.

Eliminates the requirement that authorized foreign insurers publish their annual certificates of compliance and the requirement that the Superintendent issue annual certificates of compliance to those insurers.

Clarifies that a continuing tax on money received from the unauthorized conduct of the business of insurance in Ohio does not apply to captive insurers, and defines "captive insurer" for this purpose.

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## DEPARTMENT OF JOB AND FAMILY SERVICES

### General

Creates two new funds in the state treasury: the Support Services Federal Operating Fund and the Support Services State Operating Fund.

Provides for money in the Funds to be used to pay the costs of the Ohio Department of Job and Family Services (ODJFS) for computer projects and the operating costs of the parts of ODJFS that provide general support services for ODJFS.

Eliminates the provision of state law governing fiscal agreements between ODJFS and boards of county commissioners that concerned consolidated funding allocations.

Authorizes ODJFS to increase, without having to provide notice to a county and an opportunity for an administrative review, a county's share of public assistance expenditures if the federal government requires an increase in the state's Temporary Assistance for Needy Families (TANF) maintenance of effort because of one or more county family services agencies' failure to meet a federal TANF requirement.

Authorizes ODJFS to make the increase even if it results in a county having to pay more for public assistance expenditures than the cap that is established by continuing law permits.

Authorizes ODJFS to recover excess payments made to county departments of job and family services, public children services agencies, and child support enforcement agencies without following continuing law that governs the Department's actions against such agencies.

Specifically authorizes the Director of ODJFS to redetermine eligibility for certain programs administered by ODJFS.

Includes as programs for which the Director of ODJFS may accept applications, determine eligibility, redetermine eligibility, and perform related administrative activities the Food Stamp Program and other programs that the Director determines will achieve administrative cost saving and efficiency through ODJFS's performance of those functions.

Specifies that the Director of ODJFS may not conduct face-to-face interviews for certain public assistance programs if federal law requires a face-to-face interview to complete an eligibility determination for the program.

Requires that ODJFS, the Rehabilitation Services Commission, county departments of job and family services, and other state and local government entities that

are actively engaged in providing services for which disability is an eligibility requirement conduct a study that considers the feasibility of an interagency agreement among such state and local government entities whereby one of the entities performs disability determinations for those services.

Requires ODJFS, no later than March 1 of each year, to create a list of the 25 drugs most often dispensed to Ohio's Best Rx Program participants and determine the average percentage savings in the amount that terminal distributors charge participants for each drug included on the list.

For fiscal years 2006 and 2007, grants the Director of ODJFS certain powers under the Civil Service Law, and provides that the actions taken by the Director pursuant to the temporary grant of authority may not be appealed to the State Personnel Board of Review.

### **Workforce development**

Authorizes an additional action that ODJFS may take to enforce compliance with workforce development agreements, and modifies the process that is used to review compliance actions.

Specifies in Ohio law the Governor's authority to decertify a local workforce investment board and the reasons for which the Governor may decertify a board as already provided in federal law.

Allows the Governor to declare an emergency if the Governor finds that access to basic federal Workforce Investment Act (WIA) services is not provided and to consult with chief elected officials in a local area to arrange for an alternative entity to temporarily provide WIA services.

### **Child care**

Requires that reimbursement ceilings for providers of publicly funded child care be increased, in fiscal years 2006 and 2007, to 65% of the market's usual and customary cost to the public based on the most recently conducted market rate survey required by federal regulations.

Permits ODJFS to increase for fiscal year 2007 the reimbursement ceilings for providers of publicly funded child care to not more than 70% of the market's usual and customary cost to the public if the estimated monthly average of children expected to enroll in publicly funded child care from December 2005 through March 2006 exceeds the actual number enrolled by at least 2,000.

Requires ODJFS to conduct a study of the market rates for the provision of child care and establish new reimbursement rates by July 1, 2006.

Requires child care providers to cooperate in the study.

### **Child support enforcement**

When a lump sum of \$150 or more is due a child support obligor who is in arrears, authorizes issuance of an order requiring a portion of the lump sum to be transmitted to the Office of Child Support that is sufficient to pay the arrearage in full rather than the entire lump sum.

Replaces a provision directing how the Office of Child Support must distribute the lump sum with a requirement that the Office distribute it in accordance with administrative rules.

Permits the Office of Child Support to distribute child support amounts by means of electronic disbursement, and requires a person receiving the child support to accept payment by electronic means.

Creates in the state treasury a state special revenue fund, the Child Support Operating Fund, that will contain a portion of certain federal moneys related to child support enforcement and may be used by ODJFS for program and administrative purposes associated with ODJFS's program of child support enforcement.

Authorizes ODJFS to retain \$1.5 million of certain federal incentives that are received to reimburse ODJFS for the state share of payments it makes for mandatory contracts used by county child support enforcement agencies (CSEAs) for child support enforcement.

Based on actual usage of optional contracts by each county, authorizes ODJFS to retain a portion of certain federal incentives that are paid to CSEAs to reimburse ODJFS for the state share of the contractual obligation for the monthly use of optional contracts by each agency for child support enforcement.

### **Child welfare and adoption**

Eliminates the requirement that a court prepare and send to ODJFS a summary of each proceeding for the adoption of a minor and the requirement that ODJFS annually report on the assembled results compiled from those summaries.

### **Title IV-A Temporary Assistance for Needy Families**

Permits ODJFS to establish and administer the Employment Retention Incentive Program in fiscal year 2007 using funds available under the TANF block grant.

Creates the Title IV-A Demonstration Program under which ODJFS may provide funding to government agencies and not-for-profit entities administering a project designed to meet one of the four purposes of the TANF block grant.

Creates the Kinship Permanency Incentive Program under which an initial one-time incentive payment and possible additional incentive payments are to be provided out of the TANF Block Grant to a kinship caregiver to help care for a child in the place of the child's parents.

Provides that an assistance group meets the first step in determining income eligibility for Ohio Works First if the assistance group's gross income does not exceed the higher of 50% of the federal poverty guidelines or the gross income maximum.

Authorizes ODJFS to provide: (1) additional incentives to teens participating in the Learning, Earning, and Parenting (LEAP) Program who attend an educational program designed to lead to a high school diploma or its equivalent, and (2) an award to an individual who has successfully completed the LEAP Program and enrolls in post-secondary education.

### **Medicaid**

Requires that ODJFS seek federal approval to reduce to 90% of the federal poverty guidelines the family income that the parent of a child under age 19 may have and remain eligible for Medicaid.

Places in statute the administrative rule that specifies when a home becomes a countable resource for purposes of determining an aged, blind, or disabled individual's eligibility for Medicaid when the individual is institutionalized, but extends from six months to thirteen months the period of time during which the home is not a countable resource.

Requires that ODJFS apply for a federal Medicaid waiver to expand to five years the look-back period for determining whether any assets, not just assets in a trust, have been transferred for less than fair market value.

Creates the offense of Medicaid eligibility fraud, which consists of making false or misleading statements, concealing an interest in property, or failing to disclose certain transfers of property in an application for Medicaid benefits or in a document that requires a disclosure of assets for the purpose of determining eligibility to receive Medicaid benefits.

Authorizes the Attorney General and a prosecuting attorney to bring a civil action for the recovery of Medicaid benefits improperly paid as a result of Medicaid eligibility fraud.

Revises state law governing Medicaid estate recovery and liens to make it consistent with federal law.

Expands the Medicaid Estate Recovery Program to include any real and personal property and other assets in which an individual subject to recovery has any legal title or interest at the time of death, including assets conveyed to a survivor, heir, or assign of the individual through joint tenancy, tenancy in common, survivorship, life estate, living trust, or other arrangement.

Repeals a law that permitted ODJFS to enter into a contract with any person under which the person administered the Medicaid Estate Recovery Program on ODJFS's behalf or performed any of the functions required to carry out the program, and instead requires that ODJFS certify amounts due under the Medicaid Estate Recovery Program to the Attorney General pursuant to continuing law that authorizes the Attorney General to collect debts owed the state.

Requires that a person who is responsible for the estate of certain deceased Medicaid recipients submit a properly completed Medicaid estate recovery reporting form to the Administrator of the Medicaid Estate Recovery Program.

Requires that the Medicaid estate recovery reporting form list all of the decedent's real and personal property and other assets that are part of the decedent's estate subject to the Medicaid Estate Recovery Program.

Requires that ODJFS institute a Medicaid co-payment program for dental services, vision services, nonemergency emergency department services, and prescription drugs other than generic drugs.

Permits a provider to consider an unpaid co-payment an outstanding debt and refuse service to the Medicaid recipient who owes the debt to the provider.

Requires that the Medicaid Program cover dental services for fiscal years 2006 and 2007, provides that, for Medicaid recipients age 21 or older, the dental coverage is to be less in amount, duration, and scope than the coverage provided immediately before the effective date of this provision, and explicitly states that the act does not limit ODJFS's ability to adopt, amend, or rescind rules applicable to dental coverage for Medicaid recipients under age 21 that limit or reduce coverage, reduce reimbursement levels, or subject covered services to co-payments.

Requires that the Medicaid Program cover vision services in fiscal years 2006 and 2007, but explicitly states that the act does not limit ODJFS's ability to adopt, amend, or rescind rules applicable to vision coverage, including rules that limit or reduce services, reduce reimbursement levels, or subject covered services to co-payments.

Prohibits the Medicaid Program from providing reimbursement for prescription drugs for treatment of erectile dysfunction.

Eliminates a requirement that any drug product used to treat mental illness, HIV, or AIDS be exempted from the Medicaid Program's Supplemental Drug Rebate Program.

Permits ODJFS to receive a supplemental rebate negotiated under the Supplemental Drug Rebate Program for a drug dispensed to a Medicaid recipient pursuant to a prescription or for a drug purchased by a Medicaid provider for administration to a Medicaid recipient in the provider's primary place of business.

Permits ODJFS to enter into or administer an agreement or cooperative arrangement with other states to create or join a multiple-state drug purchasing program.

Requires that ODJFS establish a State Maximum Allowable Cost Program for purposes of managing reimbursement for certain prescription drugs available under Medicaid.

Permits ODJFS to establish an e-prescribing system under which certain Medicaid providers must use an electronic system when prescribing a drug for a Medicaid recipient.

Extends the deadline for ODJFS to seek federal approval to provide assertive community treatment and intensive home-based mental health services under the Medicaid Program from July 21, 2004, to July 21, 2006.

Requires that ODJFS and the Departments of Mental Health and Alcohol and Drug Addiction Services, in conjunction with behavioral health providers and county boards of alcohol, drug addiction, and mental health services, specify procedures consistent with federal law for the implementation of the *State of Ohio Community Behavioral Health Medicaid Business Plan*.

Revises state law governing the Medicaid reimbursement methodology and procedures for nursing facilities and intermediate care facilities for the mentally retarded (ICFs/MR).

Establishes the Nursing Facility Rate Transition Advisory Council to develop recommendations on how to phase in the new Medicaid reimbursement methodology for nursing facilities.

Provides that an ICF/MR's Medicaid provider agreement does not have to include beds that are designated for respite care under a Medicaid waiver program.

Permits the operator of a nursing facility or ICF/MR to enter into provider agreements for more than one facility.

Increases the nursing home franchise permit fee to \$6.25 per bed per day for fiscal years 2006 and 2007.

Revises the law governing how money in the Nursing Facility Stabilization Fund is to be used.

Permits ODJFS to withhold a Medicaid payment or terminate a Medicaid provider agreement if a facility that is subject to the nursing home franchise permit fee fails to pay the fee when due.

Eliminates the exemption from the nursing home franchise permit fee available to certain facilities because of a federal Medicaid waiver.

Exempts a nursing home maintained and operated by the Ohio Veteran's Home Agency from the nursing home franchise permit fee.

Provides that the amount of the ICF/MR franchise permit fee for fiscal years 2006 and 2007 is the same as in fiscal year 2005--\$9.63 per bed per day.

Permits ODJFS to withhold a Medicaid payment or terminate a Medicaid provider agreement if an ICF/MR fails to pay the franchise permit fee when due.

Abolishes the Nursing Facility Reimbursement Study Council.

Provides that the Ohio Veteran's Home Agency is not required to qualify in the Medicare program all of the Medicaid-certified beds in a nursing facility that that Agency maintains and operates.

Establishes requirements for nursing facilities and ICFs/MR that undergo a change of operator, facility closure, voluntary termination, or voluntary withdrawal of participation in the Medicaid Program.

Requires ODJFS, beginning October 1, 2007, to prepare an annual report for the General Assembly on the Medicaid care management system and ODJFS's ability to implement its various components.

Creates the Medicaid Care Management Working Group to develop guidelines for ODJFS to consider when entering into contracts with Medicaid managed care organizations.

Requires a hospital participating in the Medicaid Program, but not under contract with a Medicaid managed care organization to provide services to a care management system participant who is enrolled in a managed care organization when the participant is referred to the hospital, and requires the noncontracting hospital to accept from the

organization, as payment in full, the amount derived from using Medicaid's fee-for-service reimbursement rate.

Exempts a hospital from the requirement to accept referrals of mandatory managed care Medicaid recipients if the hospital: (1) is located in a county in which Medicaid recipients are required to be enrolled in a health insuring corporation before January 1, 2006, (2) has entered into a contract before January 1, 2006, with at least one Medicaid health insuring corporation, and (3) remains under contract with at least one Medicaid health insuring corporation.

Requires all Medicaid recipients in the category that ODJFS identifies as covered families and children, other than such recipients included in one or more of the groups exempt under federal law, to be designated by January 1, 2006, for mandatory participation in the Medicaid care management system and to be enrolled in health insuring corporations by December 31, 2006.

Requires that ODJFS designate as care management participants all persons who receive Medicaid on the basis of being aged, blind, or disabled, excluding: (1) persons under age 21, (2) institutionalized persons, (3) persons eligible for Medicaid by spending down income, (4) persons dually eligible for Medicaid and Medicare, and (5) persons to the extent they are receiving Medicaid services through a wavier program.

Exempts alcohol, drug addiction, and mental health services from the Medicaid care management system when the nonfederal share of the cost of the services is provided by a board of alcohol, drug addiction, and mental health services or a state agency other than ODJFS.

Would have required ODJFS to create a care management pilot program for chronically ill children in at least three counties under which the children were to receive coordinated health care services through a medical home approach (VETOED).

Repeals a law that excluded health insuring corporations covering Medicaid recipients from the statutes that otherwise require them to make prompt payments.

Requires that ODJFS, when it contracts with a health insuring corporation under the Medicaid care management system, to require the health insuring corporation to provide a grievance process for Medicaid recipients in accordance with federal regulations.

Requires that ODJFS develop and implement a financial incentive program to improve and reward positive health outcomes through its Medicaid managed care contracts.

Would have required, for fiscal years 2006 and 2007, Medicaid health insuring corporations to cover prescription drugs that protect against respiratory syncytial virus for



Medicaid recipients who, as infants born premature or other pediatric patients, are at risk for the respiratory syncytial virus (VETOED).

Requires that a health insuring corporation (HIC) under contract with Medicaid pay ODJFS a quarterly franchise permit fee from January 1, 2006, to July 1, 2007, to be used to pay for Medicaid services, administrative costs, and Medicaid contracts with HICs.

Provides for the fee to be 4.5% of the Medicaid HIC's quarterly managed care premiums unless: (1) ODJFS adopts rules decreasing the percentage or increasing it to not more than 6%, or (2) the fee is reduced or terminated to comply with federal law or because the fee does not qualify for matching federal funds.

Permits ODJFS to take disciplinary actions against a Medicaid HIC for failing to pay the fee or failing to cooperate in an audit.

Allows ODJFS to deny Medicaid payments to a hospital for direct graduate medical education costs if the hospital refuses without good cause to contract with a managed care organization that serves Medicaid recipients in the hospital's area who are required to be enrolled in a managed care organization, with an exception applicable to certain hospitals under contract with at least one Medicaid-contracting health insuring corporation before January 1, 2006.

Requires that ODJFS implement, if federally approved, a program for making supplemental Medicaid payments to children's hospitals for qualifying inpatient services occurring in fiscal years 2006 and 2007.

Establishes requirements for Medicaid-funded home and community-based services provided under a waiver that are an alternative to services provided in a hospital, nursing facility, or intermediate care facility for the mentally retarded.

Requires ODJFS and other state agencies and political subdivisions administering a program under which home and community-based services are provided under a waiver to maintain financial records documenting the costs of services provided under the waiver and make the records available to the United States Secretary of Health and Human Services and United States Comptroller General.

Provides that ODJFS and other state agencies and political subdivisions are financially accountable for funds expended for services provided under a home and community-based services waiver.

Requires state agencies and political subdivisions that contract with ODJFS to administer a program under which home and community-based services are provided under a waiver to provide ODJFS a written assurance that the agency or subdivision will not violate state law that establishes requirements for the waiver.

Authorizes ODJFS to seek two or more Medicaid waivers under which home and community-based services are provided to individuals who need the level of care provided by a nursing facility or hospital, and requires that ODJFS administer the waivers.

Permits ODJFS, after the first of any of the new Medicaid waivers begins to enroll eligible individuals, to seek federal approval to cease new enrollment in the Medicaid waiver component of the Ohio Home Care Program.

Authorizes ODJFS to transfer an individual enrolled in an ODJFS-administered Medicaid waiver program to another ODJFS-administered Medicaid waiver program if the individual is eligible for the Medicaid waiver program and the transfer does not jeopardize the individual's health or safety.

Revises the law that permits ODJFS to seek Medicaid waivers to provide early intervention services for children under age three and therapeutic services for children with autism.

Permits ODJFS to seek Medicaid waivers to provide specialized habilitative services for adults with autism.

Requires that ODJFS seek federal authorization to: (1) establish an ICF/MR Conversion Pilot Program under which no more than 200 individuals receive home and community-based services rather than ICF/MR services, and (2) refuse, with certain exceptions, to enter into or amend a Medicaid provider agreement with the operator of an ICF/MR if the provider agreement would authorize the operator to receive Medicaid payments for more ICF/MR beds than the operator receives before the pilot program begins implementation.

Creates the ICF/MR Conversion Advisory Council to provide consultation services regarding the ICF/MR Conversion Pilot Program.

Permits ODJFS to seek a federal Medicaid waiver authorizing the Assisted Living Program under which assisted living services are provided to not more than 1,800 individuals residing in a residential care facility.

Requires that ODJFS request a federal Medicaid waiver authorizing ODJFS to create a pilot program under which not more than 200 individuals receive a spending authorization to pay for the cost of medically necessary health care services that the pilot program covers.

Eliminates an eligibility requirement for the Ohio Access Success Project that required a Medicaid recipient to have resided continuously in a nursing facility for not less than 18 months before applying to participate in the project.

Requires that ODJFS permit any recipient of Medicaid-funded nursing facility services to apply to participate in the Ohio Access Success Project and, if an application is received before the applicant has been a recipient of Medicaid-funded nursing facility services for six months, to ensure that an assessment is conducted as soon as practicable to determine whether the applicant is eligible to participate in the project.

Creates the Medicaid Administrative Study Council to study the administration of the Medicaid Program under the assumption that the General Assembly will enact by July 1, 2007, a law establishing a new cabinet level department to administer the program.

Authorizes the Auditor of State to audit providers of Medicaid services without a request from ODJFS.

Authorizes the Auditor of State to conduct a single performance audit of the Medicaid Program during fiscal years 2006 and 2007.

Permits ODJFS to conduct reviews of the Medicaid Program.

Requires that ODJFS enter into an agreement with the Department of Administrative Services (DAS) for DAS to contract with a vendor to perform an assessment of the Medicaid Data Warehouse System's data collection and warehouse functions, including the ability to link the data sets of all of the agencies serving Medicaid recipients.

Requires that ODJFS adopt rules establishing procedures for enforcing rules governing Medicaid services, including procedures for corrective action plans for, and imposing sanctions on, violators of the rules.

Allows ODJFS to terminate or not renew a Medicaid provider agreement without an administrative hearing if the provider has not billed or otherwise submitted claims for payment for two or more years and has not left an active address with ODJFS.

Permits ODJFS to recover overpayments made to Medicaid providers.

Requires that subsequent final fiscal audits or findings be reduced by the amount of any overpayments collected, as appropriate.

Permits a state agency that administers a component of the Medicaid Program for ODJFS to commence actions to recover overpayments that the state agency identifies.

Requires that the state agency first seek voluntary repayment, and permits the agency to negotiate a settlement, which must be approved by ODJFS before being implemented.

Requires that the state agency hold an administrative hearing to collect the overpayment if voluntary repayment cannot be achieved, and provides that any final order resulting from a hearing held by the state agency must be issued by ODJFS.

Permits ODJFS to issue a final administrative order under the Medicaid Program without holding an administrative hearing if notice of an opportunity for the hearing has been provided, but the notified entity does not make a timely request for a hearing.

Applies a substantially similar provision to state agencies seeking recovery of Medicaid overpayments identified in administering components of the Medicaid Program on ODJFS's behalf.

Modifies the composition of ODJFS's Pharmacy and Therapeutics Committee to include an additional pharmacist.

Authorizes ODJFS to take certain actions as necessary to fulfill ODJFS' duties under the Medicare Prescription Drug, Improvement and Modernization Act of 2003.

#### **Hospital Care Assurance Program**

Delays the termination date of the Hospital Care Assurance Program from October 16, 2005, to October 16, 2007.

#### **Disability Medical Assistance Program**

Would have terminated the Disability Medical Assistance Program effective October 1, 2005 (VETOED).

#### **Title XX Social Services**

Eliminates provisions requiring ODJFS and the Departments of Mental Health and Mental Retardation and Developmental Disabilities to each commission an entity independent of itself to conduct a biennial audit of its expenditures of funds received through the federal Title XX Social Services Block Grant.

Requires social services providers to pay the cost of audits required by the state departments responsible for distributing federal Title XX funds and the departments' respective local agencies.

Eliminates provisions specifying that the cost of an audit had to be reimbursed under a subsequent or amended Title XX contract.

Modifies ODJFS's rule-making authority for the Title XX program by specifying that rules pertaining to applicants and recipients are to be adopted under procedures requiring public hearings and other rules are to be adopted as internal management rules.

Authorizes the federally allowed percentage of funds received under the TANF Block Grant to be used by ODJFS for the provision of Title XX social services.

Provides that the use of TANF funds for Title XX services is not subject to other laws governing Title XX social services, and eliminates similar provisions of law.

Establishes auditing procedures and rule-making powers for the use of TANF funds for Title XX social services.

### **Food Stamp Program**

Requires ODJFS to implement a federally authorized exemption to the Food Stamp Program's work requirement for fiscal years 2006 and 2007.

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## **JUDICIARY/SUPREME COURT**

Provides a \$500 vehicle allowance per month for the chief justice and the justices of the Supreme Court.

Requires the clerk of the Medina Municipal Court to be elected, not appointed, and be compensated in the same manner as other elected clerks of municipal courts having a territory population of 100,000 or more.

Removes an indigent person's right to appointed counsel in certain civil proceedings in juvenile court.

Authorizes a county containing 55 or more law enforcement agencies to participate in a criminal justice regional information system.

Specifies that funding for participation in a criminal justice regional information system comes from an additional court cost not exceeding \$5 on all motor vehicle moving violation cases that occur in the county.

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## **LEGISLATIVE SERVICE COMMISSION**

Requires the Legislative Service Commission to create and maintain an Internet-accessible electronic database of each Ohio school district's current and historical revenue and expenditures.

Eliminates the Legislative Office of Education Oversight.



States that it is the intent of the General Assembly to reconstitute the Legislative Budget Office within the Legislative Service Commission.

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## LOCAL GOVERNMENT

Permits agencies and instrumentalities of political subdivisions to establish and maintain individual and joint self-insurance programs to provide health care benefits to officers and employees of the agencies and instrumentalities.

Provides new procedures for the service coordination mechanisms, comprehensive family service coordination plans, and dispute resolution processes of county family and children first councils, and modifies council membership provisions.

Permits a county, juvenile, or municipal court judge to use money in that court's indigent drivers alcohol treatment fund to pay the cost of the continued use of electronic continuous alcohol monitoring devices.

Raises the bid amount under the Competitive Bidding on County Purchases Law for which a bond or other specified form of bid guaranty is required from in excess of \$10,000 to in excess of \$25,000.

Permits the boards of library trustees of school district public libraries, county free public libraries, township free public libraries, municipal free public libraries, county library districts, and regional library districts to assess fees for services other than the circulation of printed materials.

Transfers the power to fix the compensation of the librarian and up to two assistant librarians of a law library association's law library from the judges of the court of common pleas to the association's board of trustees.

Pursuant to a graduated schedule for calendar year 2007 through calendar year 2010, generally apportions the responsibility for payment of the compensation of the librarian and up to two assistant librarians of an association's law library, as well as the payment of the costs of the space, utilities, furniture, and fixtures of the association's law library, between the board of county commissioners and the association's board of trustees.

Beginning in calendar year 2011, requires the association's board of trustees to assume full financial responsibility for paying the librarian's and all assistant librarians' compensation as well as the costs of the space, utilities, furniture, and fixtures for the association's law library.

Eliminates the county's responsibility to: (1) pay the librarian's and up to two assistant librarians' compensation and the costs of the space, utilities, furniture, and fixtures for the association's law library if the association itself obtains space for its law library, and (2) provide a law library association with space and utilities for its law library in the county courthouse or elsewhere in the county if the association itself obtains space for its law library.

Creates the Task Force on Law Library Associations, and requires it to study and make specified recommendations as to the structure, funding, and administration of law library associations' law libraries.

Qualifies the authority of boards of elections to procure health care and/or life insurance coverage for their members, their full-time employees, and the immediate dependents of their members and their full-time employees by basically requiring a board of county commissioners' denial of coverage or approval of board of elections' procurement of coverage, and explicitly refers to those members and employees in the law authorizing a board of county commissioners to procure health care and/or life insurance coverage for county officers and employees.

Retains the authority of a board of elections to apply to the court of common pleas to fix the amount of the board's necessary appropriation when it contends that the board of county commissioners has failed to appropriate a sufficient amount to cover its necessary and proper expenses, but limits that mandamus action authority to a failure to provide for the necessary and proper expenses of the board pertaining to the conduct of elections, and excludes from those expenses expenses for employee compensation and benefits incurred in the conduct of elections.

Prohibits a board of elections from incurring any obligation involving the expenditure of money unless there are moneys sufficient in the funds appropriated therefore to meet the obligation, the sufficiency being determined in accordance with the Tax Levy Law by the county auditor's certification.

Requires a board of county commissioners, upon a request of the board of elections, to generally adopt a resolution transferring funds from one appropriation item of the board of elections to another, but excepts from the requirement transfers that are sought for the purpose of providing employee bonuses and certain salary increases.

Abolishes the County Electronic Voting Machine Maintenance Fund.

Requires a county that is scheduled to acquire voting machines using funds made available pursuant to the Help America Vote Act of 2002 that wishes to acquire direct recording electronic voting machines as the primary voting system in the county to acquire a minimum number of those machines based on a calculation by the Secretary of State.

Permits a political subdivision to require payment of deductibles under its liability insurance or self-insurance program from accounts or funds in its treasury from which a loss was directly attributable, and provides a procedure to transfer the deductible and the costs of either program from the appropriate funds or accounts to the subdivision's general fund.

Creates the ten-legislator Local Government and Library Revenue Distribution Task Force to study potential sources of state funding for the Local Government Fund, Library and Local Government Support Fund, and Local Government Revenue Assistance Fund that have the capacity to allow for growth in funding levels and to provide stability in funding levels, and requires it to report its recommendations and suggested implementing legislation to the Governor and General Assembly.

Establishes a distinct method of appointment for the board of trustees of a regional transit authority created by two municipal corporations and one county with a population of at least 500,000.

Mandates that one resident member be appointed to a metropolitan housing authority by the chief executive officer of the most populous city in the district when a resident member is required by federal law, and specifies that any metropolitan housing authority to which two additional members were appointed under former law because the district had 300 or more assisted housing units and no member who resided in such a unit must continue to have those additional members.

Authorizes a board of county commissioners in a county with a population of 1.2 million or more to establish and provide local funding options for constructing and equipping a convention center in addition to its authority under continuing law to assist in doing so.

Authorizes a board of county commissioners in a county with a population of 1.2 million or more to establish and provide local funding options for the support of arts and cultural organizations operating in a regional arts and cultural district in which the county is included.

Requires the board of county commissioners in a county with a population of 500,000 or more that creates a regional arts and cultural district under an alternative statutory procedure to appoint a three-member board of trustees for the district instead of serving itself as the district's governing board.

Requires cities with populations over 100,000 and counties to report by October 1, 2005, to the Auditor of State their efforts to reduce costs by consolidating services and engaging in regional cooperation.

Eliminates a specific requirement for a county engineer to file an annual inventory of machinery, tools, other equipment, and vehicles with the board of county commissioners.

Eliminates a requirement for a township to file an annual report to the county engineer, on blanks prepared by the county engineer, concerning township highways, bridges, and culverts.

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## **OHIO LOTTERY COMMISSION**

Creates in the state treasury the Charitable Gaming Oversight Fund into which the State Lottery Commission must deposit money that it receives from the Attorney General under an agreement between the two agencies for the Commission to carry out certain duties under the Charitable Gaming Law on the Attorney General's behalf.

Authorizes money in the Fund that is not necessary for the Commission to perform its agreed-to charitable gaming oversight, licensing, and monitoring functions to be transferred by the Office of Budget and Management to the Lottery Profits Education Fund.

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## **DEPARTMENT OF MENTAL HEALTH**

Requires that the Department of Mental Retardation and Developmental Disabilities transfer the administrative duties related to the operation of the Ohio Family and Children First Cabinet Council to the Department of Mental Health.

Creates the Family and Children First Administration Fund to fund the administrative costs of the Ohio Family and Children First Cabinet Council.

Revises the method for determining the amount that a patient, patient's estate, or liable relative is to be charged for inpatient care and treatment at a hospital under the control of the Department of Mental Health.

Requires the Department of Mental Health, with other state or local government agencies that purchase prescription drugs, to study intrastate consolidated prescription drug purchasing systems and to submit a report of its findings by not later than January 1, 2006.

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## **DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES**

Terminates the community alternative funding system for services for persons with mental retardation or a developmental disability effective July 1, 2005.

Repeals state law governing the certification of habilitation centers.

Eliminates state law giving county boards of mental retardation and developmental disabilities (county MR/DD boards) Medicaid local administrative authority regarding Medicaid case management services.

Eliminates a requirement that the Ohio Department of Mental Retardation and Developmental Disabilities (ODMR/DD) pay the nonfederal share of Medicaid case management services if the services were provided by an agency with which ODMR/DD had contracted to provide protective services.

Permits the Director of ODMR/DD to enter into an agreement with a county board of MR/DD under which ODMR/DD pays the nonfederal share of Medicaid home and community-based services.

Provides that a certified habilitation center may provide Medicaid case management services until the earlier of: (1) an amendment to the state Medicaid plan that provides that only county MR/DD boards may provide Medicaid case management services, or (2) the date on which the habilitation center ceases to meet the certification requirements.

Eliminates a requirement that ODMR/DD adopt rules governing contracts between a county MR/DD board and a provider of services to individuals with mental retardation or a developmental disability.

Increases the administrative fee that county MR/DD boards are charged for Medicaid paid claims for case management services and ODMR/DD-administered home and community-based services from 1% to 1½% of the total value of paid claims, clarifies what services are subject to the fee, and changes how ODMR/DD and the Department of Job and Family Services may use moneys collected from the fee.

Authorizes a county MR/DD board, through the next biennium, to give priority for services to no more than 400 individuals under age 22 who have service needs of an unusual scope or intensity due to a mental or physical condition.

Authorizes a county MR/DD board to continue to use, until December 31, 2007, criteria specified in rules to determine, when two or more individuals qualify for priority

on a waiting list for home and community-based services, the order in which the individuals will be given priority.

Revises the law governing the certification of home and community-based services provided under a Medicaid waiver administered by ODMR/DD.

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## DEPARTMENT OF NATURAL RESOURCES

With respect to the amount of the fee that must accompany an application for an oil or gas well permit under continuing law, does all of the following: (1) retains a fee of \$250, but applies it only to permits to conduct activities in a township with a population of fewer than 5,000 and to the revision or reissuance of an existing permit, (2) increases the fee to \$500 for permits to conduct activities in townships with a population of 5,000 to 9,999, (3) increases the fee to \$750 for permits to conduct activities in townships with a population of 10,000 to 14,999, and (4) increases the fee to \$1,000 for permits to conduct activities in townships with a population of 15,000 or more or in municipal corporations regardless of population; and exempts an application for a permit to plug back an existing well from the permit fee.

Eliminates authorization for the Chief of the Division of Natural Areas and Preserves to enter into an agreement with the United States Department of Commerce for the purpose of receiving grants pertaining to Old Woman Creek National Estuarine Research Reserve because oversight of the Reserve has been transferred to the Division of Wildlife.

Requires the Chief of the Division of Water to adopt rules designating certain classes of dams that are to be inspected periodically by registered professional engineers hired by the dam owners rather than being inspected by the Chief, and requires the rules to establish standards and procedures governing such private inspections.

Changes one of the funding sources that the Division of Wildlife uses to pay school districts in which land owned by the state and administered by the Division is located from federal wildlife restoration funds to fines, penalties, and forfeitures credited to the Wildlife Fund.

Specifies that persons under the age of 18 qualify for a youth hunting license, youth deer or wild turkey permit, and youth fur taker permit rather than persons under the age of 16 as in former law, and allows nonresident youths to obtain a youth fur taker permit.

Eliminates the requirement that a person carry a fur taker permit affixed to a hunting license, and instead requires only that the person carry the fur taker permit.

Eliminates the requirement that a person's signature be written across the face of a fur taker permit, and instead requires only that the signature be written on the permit.

Specifies that a person on active duty in the Armed Forces of the United States who is stationed in this state is eligible to obtain a resident hunting or fishing license regardless of whether the person qualifies as a resident of this state.

Prohibits the Division of Parks and Recreation from adopting rules establishing a fee for parking a motor vehicle in a state park or for admission to a state park.

Requires the Division of Parks and Recreation to adopt rules establishing a discount program for park services and rentals, but not for the purchase of merchandise, for all persons who are issued a Golden Buckeye Card.

Eliminates the Parks and Recreation Depreciation Reserve Fund, which was used to maintain revenue-producing facilities of the Division of Parks and Recreation.

Establishes the Watercraft Revolving Loan Fund consisting of money appropriated to it, money from the repayment of loans, and money from other specified sources, and authorizes the Director of Natural Resources to use money in the Fund to make loans for marine recreational facilities and projects related to the use of light draft vessels, including refuge harbors.

Establishes procedures and requirements governing the revolving loan program that the Fund supports.

Requires every nonresident owner or operator of a snowmobile, off-highway motorcycle, or all-purpose vehicle to obtain a \$5 temporary operating permit, and eliminates registration reciprocity.

Requires the Tax Commissioner, rather than the Treasurer of State as in former law, to credit 14.2% of the money collected from the severance tax on coal to the Coal Mining Administration and Reclamation Reserve Fund rather than the Reclamation Forfeiture Fund when the balance in the former Fund drops below \$2 million during a fiscal year.

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## **OHIO BOARD OF NURSING**

Requires the Board of Nursing to establish and conduct a pilot program for the use of medication aides in 80 nursing homes and 40 residential care facilities.

Creates the Medication Aide Advisory Council.

Continues the use of medication aides after the pilot program ends by permitting any nursing home or residential care facility to use medication aides.

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## **OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD**

Replaces one occupational therapist member of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board with a licensed occupational therapy assistant at the time of the next Board appointment.

Allows a person to practice physical therapy without a prescription or referral from a physician or nurse if the person completed two years of practical experience as a licensed physical therapist prior to December 31, 2004.

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## **OHIO PUBLIC DEFENDER COMMISSION**

Requires the court to assess a nonrefundable \$25 application fee to a defendant in a criminal case or a party in a juvenile court case who requests or is provided a state public defender, a county or joint county public defender, or any other counsel appointed by the court, and allows the court to waive or reduce the fee upon a finding that the person lacks the financial resources that are sufficient to pay the fee.

Prohibits a court, a state public defender, a county or joint county public defender, or any other court-appointed counsel from denying a person the assistance of counsel solely due to the person's failure to pay the application fee.

Requires the clerk of the court that assessed the fee to forward all such application fees to the county treasurer, requires the county to retain 80% of the application fees to offset the costs of providing legal representation to indigent persons, and requires the county auditor to remit 20% of the application fees to the State Public Defender for deposit into the state treasury to the credit of the Client Payment Fund.

Provides that if a case is bound over to the court of common pleas and the person failed to pay the application fee in the municipal court or county court, or if a case involving an alleged delinquent child is transferred to the court of common pleas, the court of common pleas must assess the application fee.

Changes how much a county is required to pay the State Public Defender for legal representation of an indigent defendant from 50% of the actual cost of representation to: (1) for the amount identified as legal fees, 100% less the state reimbursement rate as

calculated by the State Public Defender for the month the case terminated, and (2) 100% of the amount identified as expenses.

Requires a county to pay the State Public Defender 100% of the cost of investigation or mitigation services provided by the State Public Defender to private appointed counsel or to a county or joint county public defender.

Allows funds in the state treasury's County Representation Fund to also be used to pay for investigation or mitigation services provided by the State Public Defender.

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## **DEPARTMENT OF PUBLIC SAFETY**

Creates the Division of Criminal Justice Services in the Department of Public Safety, abolishes the Office of Criminal Justice Services, and generally transfers the Office's personnel and functions to the Division.

Creates two new funds to segregate the proceeds that the State Highway Patrol and the Department of Public Safety Investigative Unit receive for a forfeiture of property pursuant to federal law from the proceeds of property forfeited pursuant to state law.

Prohibits a court from ordering the Bureau of Motor Vehicles to delete a record of conviction unless the court finds that the deletion is necessary to correct an error, and prohibits the Bureau from complying with such an order unless it states that the deletion is to correct an error.

Allows persons who are eligible to obtain any of a number of special license plates for display on a motor home to obtain them for use on recreational vehicles instead, which include motor homes, travel trailers, truck campers, fifth wheel trailers, and park trailers.

Establishes that a person operating a police SWAT vehicle who does not hold a commercial driver's license (CDL) does not violate the requirement to have a CDL when operating a commercial motor vehicle.

Permits the Bureau of Motor Vehicles, when considering an application for a CDL, to conduct any inquiries that are necessary to ensure that issuance or renewal of the CDL would not violate state or federal law.

Prohibits a court from granting limited driving privileges to operate a commercial motor vehicle to any person whose driver's license or CDL has been suspended or who has been disqualified from operating a commercial motor vehicle.

Defines a certain type of all-purpose vehicle as a "utility vehicle," and provides that utility vehicles are neither motor vehicles for certain purposes nor all-purpose vehicles.

Provides that sellers of utility vehicles are not subject to the motor vehicle dealer licensing law unless they sell other vehicles that are motor vehicles.

Provides that sellers of all-purpose vehicles and off-highway motorcycles are subject only to the motor vehicle dealer licensing law, and provides that persons who sell only snowmobiles are not required to register with any state official.

Would have required the Division of Homeland Security and the Department of Public Safety to distribute homeland security funds on a county basis unless federal law required otherwise (VETOED).

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## **PUBLIC UTILITIES COMMISSION OF OHIO**

Changes the minimum annual assessment against a railroad and a public utility for maintaining the Public Utilities Commission from \$50 to \$100.

Beginning in 2006, revises the schedule by which the Commission collects the assessments from utilities.

Eliminates the need to transfer funds from the General Revenue Fund to the Public Utilities Fund so the Commission can operate during the beginning of each fiscal year.

Increases the maximum amount that the Commission generally may assess against a public utility or a railroad for each violation of statutes or orders from \$1,000 to \$10,000.

Increases the forfeiture amount that the Commission may assess for gas pipeline safety violations from \$10,000 for each day of each violation to \$100,000.

Caps for each of four state agencies with nuclear safety functions the maximum amount that may be assessed per fiscal year for the agency against nuclear utilities by the Utility Radiological Safety Board, which cap is applicable in the event the utilities and the agency cannot agree on a negotiated grant amount to fund its nuclear safety activities and funding is then to be otherwise provided through an assessment.

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## OHIO BOARD OF REGENTS

Establishes a tuition cap of 6%, or \$500 per full-time student, on annual increases of in-state undergraduate instructional and general fees at state institutions of higher education.

Phases out the Ohio Instructional Grant (OIG) Program by limiting participation to students who enroll in an undergraduate program before the 2006-2007 academic year.

Replaces the OIG Program with the Ohio College Opportunity Grant Program, a need-based financial aid program for students who first enroll in an undergraduate program in or after the 2006-2007 academic year.

Permits the Board of Regents, in its rules for the Ohio College Opportunity Grant Program, to give preferential or priority funding to low-income students who met academic performance standards in elementary and secondary schools.

Specifies that, in addition to refunds of OIG payments as under continuing law, refunds of payments made under the new Ohio College Opportunity Grant Program must be paid into the Instructional Grant Reconciliation Fund, and changes the name of the fund to the State Need-Based Financial Aid Reconciliation Fund.

Requires the Board of Regents to conduct audits to determine the validity of information provided by students and parents regarding eligibility for financial aid, and requires institutions of higher education to adjust students' financial aid award where the Board determines appropriate.

Requires the Board of Regents to conduct audits to ensure that institutions of higher education are complying with the Board's financial aid rules, and specifies that the institutions are fully liable to reimburse the Board for the unauthorized use of financial aid funds.

Requires the Board of Regents to adopt a rule establishing fees to fund the cost of: (1) reviewing an application for a certificate of authorization to award degrees at a nonpublic institution, and (2) reviews that are determined necessary upon examining a nonpublic institution's annual report.

Requires the Board of Regents to develop criteria, policies, and procedures by April 15, 2007, to ensure that students can transfer technical courses to state institutions of higher education.

Sets a December 30, 2005, deadline for the State Architect to establish the Local Administration Competency Certification Program, which was enacted by Am. Sub. H.B.

16 of the 126th General Assembly to certify state universities and state community colleges to administer their own capital facilities projects.

Specifies that an institution's local administration competency certification remains valid unless revoked by the State Architect for failure: (1) to employ a sufficient number of personnel who have successfully completed the certification program, or (2) to conduct biennial audits of self-administered capital facilities projects.

Requires state colleges and universities to award printing contracts under provisions of the "Buy Ohio" Law that governs the award of contracts for goods and services by the Department of Administrative Services and other state agencies.

Creates in the state treasury the National Guard Scholarship Reserve Fund for purposes of paying scholarship obligations in excess of the GRF appropriations made for that purpose, and authorizes the Director of Budget and Management to transfer from the GRF to the Reserve Fund an amount not exceeding the prior year's unencumbered balance of GRF appropriations made for purposes of the Ohio National Guard Scholarship Program.

Requires the Chancellor of the Board of Regents to allocate up to \$70,000 for scholarships per year for students enrolled in the Columbus Program in Intergovernmental Issues at Kent State University if there are sufficient funds available from GRF appropriations made to the Board.

Allows the treasurer of Shawnee State University to be insured, rather than bonded, for the amount of money in the treasurer's sole control minus a reasonable deductible, and removes the requirement for Attorney General approval in cases where the treasurer is bonded.

Adds Warren County to the Montgomery County community college district, adds two residents of Warren County to the district board of trustees, and specifies policies for trustee voting authority, tax levies, tuition rates, and bonding for the new, two-county district.

Applies the enrollment caps to students enrolled on a full-time basis, rather than a full-time equivalent basis, at the central campuses of the following universities: (1) Bowling Green, (2) Kent State, (3) Miami, (4) Ohio, and (5) Ohio State.

Stipulates the distribution of Nurse Education Assistance Program loans from July 1, 2005, to January 1, 2012.

Allows a portion of a Nurse Education Assistance Program loan to be forgiven when a nurse, after graduation, obtains employment as a faculty member for a nursing program.

Adds six additional trustees to The Ohio State University board of trustees, with the terms of three members beginning in 2005, and the terms of the other three new members beginning in 2006.

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## **DEPARTMENT OF REHABILITATION AND CORRECTION**

Requires that necessary medical care for a person confined in a county jail or state correctional institution or in the custody of a law enforcement officer prior to confinement that cannot be provided by the jail's or institution's regular physician be provided by a medical provider at the Medicaid reimbursement rate.

Creates the temporary 17-member Correctional Faith-Based Initiatives Task Force to study faith-based solutions to problems in the correctional system and to report to the Governor, Speaker of the House of Representatives, and President of the Senate.

Requires a sexually violent predator who has been released from prison to be supervised by the Adult Parole Authority with an active global positioning system device for the offender's entire life unless the court removes the sexually violent predator classification from the offender.

Specifies that the cost of administering the supervision of a sexually violent predator with an active global positioning system is funded from the continuing Reparations Fund through the Sex Offender Supervision Fund, created by the act.

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## **RETIREMENT SYSTEMS**

Eliminates a requirement that an annual payment of \$1.2 million be made by the state to the Ohio Police and Fire Pension Fund.

Includes municipal public safety directors in the law enforcement division of the Public Employees Retirement System.

Allows the state retirement boards to retain independent legal counsel if informed of an allegation that the entire board has breached its fiduciary duty to the respective retirement system.

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## **STATE BOARD OF SANITARIAN REGISTRATION**

Requires the State Board of Sanitarian Registration to provide to registered sanitarians, rather than to mail, a list of approved continuing education courses.



Increases fees that the Board charges for applications, renewals, and late fees for registration of sanitarians and sanitarians-in-training.

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## **OHIO STATE SCHOOL FOR THE BLIND/ SCHOOL FOR THE DEAF**

Allows the State School for the Blind and the State School for the Deaf to administer moneys donated or granted by federal or third parties for use in the education of students who are blind and visually-impaired or deaf and hearing-impaired.

Creates a Student Account Fund for both the State School for the Blind and the State School for the Deaf as custodial funds for students' personal accounts.

Creates the Educational Program Expenses Fund for the State School for the Deaf to collect moneys raised, given, or otherwise designated for its use to be disbursed in school and student activities.

Creates the Student Activity and Work-Study Fund for the State School for the Blind to receive donations and other moneys for use in school operating expenses, student activities, and scholarships.

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## **OHIO SCHOOL FACILITIES COMMISSION**

Provides supplemental payments to relatively low-wealth school districts participating in the Classroom Facilities Assistance Program in order to equalize the amount they raise from their maintenance levies with the statewide average.

Requires excess balances in the School District Property Tax Replacement Fund to be devoted to making those payments.

Transfers responsibility for a program that provides school districts with interest-free loans for vocational classroom facilities from the State Board of Education to the Ohio School Facilities Commission.

Excludes school districts that have received state facilities assistance, or are expected to receive such assistance within three fiscal years, from eligibility for the loan program unless the loan is for equipment not covered by the Commission's programs.

Authorizes the Director of Budget and Management to transfer investment earnings of the Education Facilities Trust Fund to the Ohio School Facilities Commission Fund to pay operating expenses of the Commission.

Requires that, when a facility that is funded by the Ohio School Facilities Commission is proposed to be located on or within one mile of a state route or U.S. highway, the Commission must submit the project plans to the Director of Transportation for review and consider the Director's findings prior to approving the plans.

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## **SECRETARY OF STATE**

Requires notary publics to provide the Secretary of State with notice of: (1) any changes to a notary's name or address, and (2) the effective date of a notary's resignation of commission.

Makes a conforming change in the law that moved responsibility for the appointment and commission of railroad company and hospital police officers from the Governor to the Secretary of State.

Prohibits a person from being a candidate for federal office and a state or county office at the same election.

Specifies that a person who seeks nomination or election to a federal office and a state or county office at the same election must be disqualified as a candidate for each office that is not a federal office.

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## **BOARD OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY**

Requires an individual who applies for an audiologist license on or after January 1, 2006, to have a doctor of audiology degree or the equivalent as determined by the Board of Speech-Language Pathology and Audiology.

Permits an audiologist initially licensed or certified in another state before January 1, 2008, to obtain an audiologist license in this state even though the audiologist has a master's degree in audiology rather than a doctor of audiology degree.

Eliminates a provision of law regarding the renewal of a speech-language pathologist or audiologist license via exemption.

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## DEPARTMENT OF TAXATION

### Commercial activity tax

Imposes a new business privilege tax on the basis of the annual gross receipts of all forms of business organization having taxable gross receipts in excess of \$150,000, other than financial institutions, dealers in intangibles, insurance companies, affiliates of the foregoing, and public utilities.

Provides that when fully phased in, the annual tax equals \$150 on taxable gross receipts up to \$1 million, plus 0.26% of taxable gross receipts in excess of \$1 million, with the percentage subject to upward or downward adjustment if revenue departs from specified revenue targets by more than 10%.

Devotes revenue to the General Revenue Fund and, for the first 13 years, to reimburse school districts and other local taxing units for the exemption and phase-out of taxes on all business tangible personal property and telecommunications tangible personal property.

### Corporation franchise tax

Phases out the corporation franchise tax over five years for all corporations other than financial institutions, financial-related holding companies, and their affiliates.

Authorizes corporations that become subject to the commercial activity tax to offset some of the financial losses resulting from the loss of future net operating loss deductions and other deferred tax assets in the computation of the franchise tax.

Clarifies the corporation franchise tax treatment of limited liability companies and other associations treated as corporations under federal tax law.

Provides for a final series of payments to the Recycling and Litter Prevention Fund during fiscal year 2006 equal to \$1.5 million from the General Revenue Fund, and specifies that future litter taxes paid by corporations must be used to fund recycling and litter prevention, but not through the Recycling and Litter Prevention Fund.

Limits the availability of the corporation franchise and personal income tax credits for purchases and installations of new manufacturing machinery and equipment to machinery and equipment purchased no later than June 30, 2005, and installed no later than June 30, 2006.

Converts the former tax credit program for purchases and installations of new manufacturing machinery and equipment into a grant program administered by the Department of Development.



Permits telephone companies to claim the full amount of the tax credit for providing telephone service programs to aid the communicatively impaired during transition to the corporation franchise tax in tax year 2005.

### **Personal income tax**

Reduces personal income tax dollar amounts and rates by 21% over five years beginning in 2005.

Delays yearly inflationary adjustments to the income tax bracket dollar amounts until 2010.

Eliminates the personal income tax deduction for tuition and fees paid to postsecondary educational institutions located in Ohio.

Creates a nonrefundable personal income tax credit for taxpayers having adjusted gross incomes, less exemptions, of \$10,000 or less.

Allows taxpayers to donate a portion of their income tax refunds to military personnel injured in Operation Iraqi Freedom or Operation Enduring Freedom.

Makes taxation of trust income, which formerly was scheduled to end with taxable years of a trust beginning in 2004, permanent.

Modifies the definition of "qualifying investment pass-through entity" as used in determining the taxable income of certain trusts.

Would have permitted a trust that was created before the Ohio income tax was enacted and the pass-through entities in which such a trust owned at least a 5% interest to elect to be subject to the commercial activity tax created in the act rather than the personal income tax (VETOED).

Specifies that the continuing income tax credit for Ohio residents who incur out-of-state income tax liabilities is not available to taxpayers who deduct, or are required to deduct, their out-of-state income tax liabilities in computing their income tax bases.

Specifies that C corporation shareholders are not indirect owners of the corporation's assets for the purpose of computing tax items, including tax items that could increase a nonresident shareholder's nonresident income tax credit by attempting to apply the corporation's apportionment factors to the shareholder's dividends.

Specifies that the three-year apportionment requirement for nonresidents selling their interests in a pass-through entity applies only to closely held entities and applies even if the entity converts from being a pass-through entity to another organizational form within that three-year period.

### *Property taxes and transfer fees*

Eliminates the 10% rollback for real property that is intended primarily for use in a business activity.

Exempts manufacturing equipment never before subject to taxation, other than as inventory, from taxation.

Accelerates the phase-down of the taxation of business inventory, compressing it into a four-year phase-out beginning in 2006.

Phases out the taxation of all other business tangible personal property ("machinery and equipment" and "furniture and fixtures") over four years beginning in 2006.

Phases out the taxation of tangible personal property of telephone, telegraph, and interexchange telecommunications companies over five years beginning in 2007.

Reimburses school districts and other local taxing units for some of the revenue reductions caused by the act's exemption and phase-out of business personal property taxation and for the accelerated phase-out of inventory taxation.

Reimburses county auditors and county treasurers for the reduction in fees derived from property tax collections caused by the phase-out of tangible personal property taxes.

Would have authorized a new kind of school district property tax designed to raise enough revenue to offset reductions in state aid caused by increases in a school district's formula charge-off computation (VETOED).

Would have created the Joint Legislative Tax Reform Impact Study Committee to study the effect on school districts and other local taxing units of the property tax phase-out and the commercial activity tax's capacity to replace lost revenues (VETOED).

Reduces the assessment rate on tangible personal property of electric companies, but taxes their patterns, jigs, dies, and drawings.

Requires businesses that supply electricity to others as an incidental line of business to report the portion of their electricity supplying-related property in the same manner as public utility electric companies and to continue paying taxes on that portion of the property even if it otherwise would be subject to the phase-out of taxes on machinery and equipment.

Provides that county auditors, rather than the Tax Commissioner, must value and assess railroad real property that is not used in railroad operations beginning in tax year 2006.

Provides that a public utility property lessor must report and pay the public utility property tax on property that is leased to certain public utilities and interexchange telecommunications companies even if the lease is not part of a sale and leaseback arrangement.

Exempts property that is used to recover oil and gas from tangible personal property taxation under certain circumstances.

Accelerates the phase-out of state reimbursement for the \$10,000 business tangible personal property tax exemption, specifying that it ends in fiscal year 2009, rather than fiscal year 2012.

Specifies how new or destroyed property is to be accounted for in the equalization of real property assessments.

Establishes a procedure to determine how property tax replacement payments are to be made to school districts or joint vocational school districts that merge with or transfer territory to other districts.

Changes the computation that is used to determine the amount of money deposited each year in the Property Tax Administration Fund.

Allows the state, when it acquires property, to pay estimated taxes on the property at the time of acquisition rather than subsequent to the acquisition as in prior law.

Reduces the rate at which interest accrues on personal property tax late payments and overpayments.

Removes the sunset provisions that applied to incentive districts, also known as area-wide TIFs.

Places conditions on the creation of incentive districts, and limits their creation in a municipal corporation, county, or township with a population of more than 25,000 that has exempted more than 25% of its current taxable value as a result of adopting ordinances or resolutions creating incentive districts.

For a municipal corporation, county, or township with property in an incentive district that it did not propose to create, provides that notice be given to it regarding creation of the incentive district, and requires that compensation be paid to it of up to 50% of the amount of taxes exempted in the eleventh and subsequent years of a property tax exemption period on the portion of the improvement exempted in excess of 75%.

Requires that certain special property tax levies be levied on property exempted in an incentive district regardless of the exemption, and provides that revenues from those levies cannot be used for service payments.

Specifies that a real property tax exemption granted under the tax increment financing law begins in the tax year specified in the ordinance or resolution granting the exemption.

Makes other changes to the tax increment financing law.

Exempts from real property taxation certain buildings and land used by a state university.

Specifies that a performing arts center used by a charitable or educational institution, the state, or a political subdivision continues to be exempt from taxation after its conveyance to an entity that is not a charitable or educational institution and that is not the state or a political subdivision if the property continues to be used for the performing arts and certain other specified conditions are satisfied.

### **Sales and use taxes**

Establishes a permanent sales and use tax rate of 5½%, effective July 1, 2005.

Maintains the 0.9% discount rate for vendors and sellers until July 1, 2007.

Revises the sales and use tax law to conform to the Streamlined Sales and Use Tax Agreement by modifying the sourcing requirements for multiple points of use sales, sales of direct mail, and leases or rental of property requiring periodic payments.

Revises the exemption certificate law to conform to the Agreement, and modifies the statute of limitations for assessing sales or use taxes when an exemption certificate is provided.

Changes medical definitions to clarify exemptions in continuing law.

Adopts the Agreement's definition of "price" and its tax treatment of the price of bundled transactions.

Revises definitions of various telecommunications services so that they conform to those in the Agreement.

Establishes a time period for adopting resolutions calling for certain county permissive sales tax levies.

Creates a mechanism for returning vendor license fees to counties when the fees are paid to the Tax Commissioner as part of the statewide registration system.

Establishes procedures to govern the transmission to the Treasurer of State of sales and use taxes collected by common pleas court clerks with applications for certificates of title for motor vehicles, watercraft, and outboard motors.

Makes sales of investment metal bullion and investment coins subject to sales and use taxes.

### **Kilowatt-hour and natural gas consumption taxes**

Eliminates the threshold amounts that triggered the transfer of kilowatt-hour and natural gas consumption tax revenues from the GRF to other funds.

### **Cigarette taxes**

Increases the continuing cigarette excise tax from 27.5 mills (2.75¢) per cigarette to 62.5 mills (6.25¢) per cigarette, effective July 1, 2005.

Expresses continuing prohibitions against possessing or trading unstamped cigarettes in terms of the quantity of cigarettes instead of their wholesale value.

Specifies who may affix tax stamps, and establishes rules governing the shipping of unstamped cigarettes through Ohio.

Requires cigarette manufacturers and importers to maintain records regarding cigarette sales and purchases, and establishes record keeping requirements that pertain to manufacturers, importers, wholesalers, and dealers.

Allows for public disclosure of certain records pertaining to cigarette sales and purchases.

Requires every manufacturer and importer shipping cigarettes into or within Ohio to file a monthly report with the Tax Commissioner.

Authorizes the Tax Commissioner to inspect facilities and records belonging to cigarette manufacturers, importers, wholesalers, and retailers, and requires that any inspection not conducted during normal business hours be conducted pursuant to a search warrant.

Requires that cigarette manufacturers and importers obtain a license from the Tax Commissioner before trafficking in cigarettes in Ohio.

Specifies additional information to be included in applications for licenses to traffic in cigarettes in Ohio.

Specifies from whom, and to whom, manufacturers, importers, wholesalers, and retailers may buy and sell cigarettes.

Makes it an offense punishable by a fine of up to \$1,000 to transport or cause to be shipped cigarettes to a person other than an authorized recipient of tobacco products.

Makes it an offense punishable by a fine of up to \$1,000 to ship cigarettes into Ohio in containers or wrappings that are not plainly marked as containing cigarettes.

Specifies that if a person cannot reasonably obtain cigarettes at a retail location in Ohio, the person may apply to the Tax Commissioner for a consent for a consumer shipment.

Exempts up to \$300 worth of cigarettes per month from the use tax if they are not held for resale.

Exempts up to \$300 worth of cigarettes per month from the cigarette excise use tax if they are not held for resale.

Increases the wholesale value of untaxed cigarettes that a person may transport within Ohio without the prior consent of the Tax Commissioner from \$60 to \$300.

### **Other taxation provisions**

Modifies distributions to local governments from the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund.

Specifies that the capital investment projects for which a job retention credit may be granted include project costs paid after December 31, 2006.

Permits the Tax Credit Authority to continue entering into agreements for job retention tax credits after June 30, 2007.

Extends the job creation tax credit to domestic and foreign insurance companies.

Constructively eliminates the additional estate "sponge" tax and generation-skipping tax provisions by revising references to the Internal Revenue Code in those provisions so that they generally incorporate any federal estate tax changes that have been made since the last time those provisions were amended.

Repeals the estate tax deduction for family-owned businesses.

Would have increased the penalty for late estate tax payments and filings (VETOED).

Reduces the rate of interest accruing on unpaid estate taxes and overpayments.

Adopts a general definition of the Internal Revenue Code for purposes of the state estate tax law.

Authorizes county auditors to use moneys in real estate assessment funds for estate tax enforcement.

Authorizes the Tax Commissioner to appoint agents to administer real property and manufactured and mobile home taxes, and specifies that those agents may be compensated from moneys in county real estate assessment funds.

Phases out the grain handling tax by taxable year 2007, and thereafter exempts grain from taxation as personal property.

Extends the continuing tax credit for loans made to the program fund administered by the Venture Capital Authority to qualifying dealers in intangibles and public utilities, and clarifies the amount of refundable and nonrefundable venture capital tax credits that may be claimed by taxpayers for each tax reporting period.

Revises motor fuel use tax permit and filing requirements.

Reduces the motor fuel excise tax prompt payment discount and retail shrinkage allowance for reporting periods in fiscal years 2006 and 2007.

Permits a school district or educational service center that failed to file or failed to file in a timely manner a refund application for the portion of the motor vehicle fuel tax that became effective on July 1, 2003, that the school district or educational service center paid through the purchase of motor fuel on or after that date to file a refund application with the Tax Commissioner during the 60 days following the act's immediate effective date.

Clarifies the treatment of expenses and losses of a pass-through entity that is subject to the pass-through entity withholding tax.

Authorizes the Tax Commissioner to require a social security number, employer identification number, or other identifying information from persons filing documents with the Department of Taxation.

Permits a school district board when proposing a school district income tax to specify that the tax applies only to an individual's earned income.

Authorizes a municipal corporation to levy an income tax on the incomes of residents of the municipal corporation with the proceeds of the tax to be shared with an overlapping school district.

Authorizes convention facilities authorities located in Appalachian counties having populations less than 80,000 to levy a lodging tax at any rate up to 3%, and authorizes such counties to issue bonds and notes in anticipation of the proceeds of the tax.

Authorizes counties having a population of 1.2 million or more to levy a food and beverage tax and a hotel lodging, or bed, tax to pay costs relative to a convention center.

Requires that the Tax Commissioner administer a temporary tax amnesty program from January 1, 2006, to February 15, 2006, under which taxpayers who voluntarily pay outstanding state taxes, tangible personal property taxes, county and transit authority sales taxes, and school district income taxes are not required to pay penalties associated with those outstanding taxes, are excused from having to pay one-half of the interest accruing on the taxes, and are immune from criminal and civil action in connection with the taxes.

Establishes procedures by which dealers in intangibles may petition for, and receive, review of penalties imposed on them in connection with their reporting and payment of the dealers in intangibles tax.

Narrows the definition of who is considered a "dealer in intangibles" for purposes of the tax imposed on dealers in intangibles, and requires the Tax Commissioner to adopt a rule clarifying the definition of "dealer in intangibles" for purposes of the dealer in intangibles tax.

Requires the Tax Commissioner to prepare semiannual reports summarizing tax revenue associated with the travel and tourism industry.

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## **DEPARTMENT OF TRANSPORTATION**

Authorizes projects between transportation improvement districts (TIDs) and governmental agencies, including local governments, for the financing of a street, highway, interchange, or other transportation project pursuant to an agreement entered into on or before December 31, 2005, and, in connection with those joint projects, authorizes a TID to purchase securities issued by the governmental agency under certain conditions.

Specifically includes special assessments levied by a TID in the definition of its revenues.

Allows the State Infrastructure Bank to refund bonds issued by a transportation improvement district if the bonds were issued to finance a qualified project by a TID and the principal, the interest, and any redemption premium are payable by the Department of Transportation.

Modifies the annual license and registration taxes for general aviation aircraft, and allows the tax revenue to be used for capital improvements as well as maintenance.

Requires the Director of Transportation, after conferring with the Director of Natural Resources, to construct, repair, and maintain all roads and bridges within state parks during fiscal years 2006 and 2007, and requires \$5 million to be expended for that purpose in each fiscal year.

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## **OHIO TUITION TRUST AUTHORITY**

Permits the rollover or termination of an account under either the Guaranteed College Savings Program or the Variable College Savings Program for any reason by filing written notice with the Tuition Trust Authority.

Changes the method of calculating refunds under the Guaranteed Program and the Variable Program when an account is terminated.

Creates the Index Operating Fund, and specifies that the Ohio Tuition Trust Authority may deposit into and make payments from either the Index Operating Fund or the Variable Operating Fund in connection with the college savings programs.

Permits scholarship programs to receive refunds upon filing a written request with the Authority.

Eliminates the requirement that the Authority refund amounts when a beneficiary was awarded a scholarship, a waiver of tuition, or similar financial aid.

Eliminates the requirement that an institution of higher education return to the Authority a share of any refund it made when a beneficiary withdrew from school.

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## **OHIO VETERANS' HOME AGENCY**

Expands the permissible uses of the moneys in the Ohio Veterans' Homes Rental, Service, and Medicare Reimbursement Fund to include the purchase of medication services.

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## **OHIO WATER DEVELOPMENT AUTHORITY**

Concerning Ohio Water Development Authority competitive bidding thresholds, requires the Authority to use a competitive bidding process for contracts of more than \$25,000 rather than more than \$10,000 as in former law.



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## BUREAU OF WORKERS' COMPENSATION

Requires the Inspector General to have conducted by an independent firm a fiduciary review of the investments of the assets of the funds specified in the Workers' Compensation Law.

Requires the Workers' Compensation Oversight Commission (Oversight Commission) to prohibit, in the objectives, policies, and criteria that it adopts for the investment program of the Bureau of Workers' Compensation (BWC), investing assets of funds, directly or indirectly, in vehicles that target specified assets, and prohibits the Administrator of Workers' Compensation (Administrator) from investing in specified investment classes.

Requires the Oversight Commission to specify in the investment objectives, policies, and criteria that it adopts that the Administrator is permitted to invest in an investment class only if the Oversight Commission, by a majority vote, opens that class and specifies requirements for investing in that class.

Requires the Oversight Commission to adopt new objectives, policies, and criteria for the investment program that comply with the requirements specified above within 30 days after those provisions take effect.

Requires the Administrator to make investments in consultation with the Chief Investment Officer of the BWC.

Specifies that the voting members of the Oversight Commission, the Administrator, and the BWC Chief Investment Officer are the trustees of the state insurance fund.

Requires the Oversight Commission to submit a list of all classes of investments and of all investments prohibited by the act in which the Administrator has invested and the value of them, and a plan to divest itself, within six months after the provision's effective date, of the prohibited investments.

Reduces terms of office for members of the Oversight Commission from five to three years.

Increases the membership of the Oversight Commission from nine to eleven by adding two investment expert members, and specifies qualifications and appointment of and terms of office for those members.

Removes the requirement that legislative members of the Oversight Commission receive \$50 per meeting.

Designates the Attorney General as the legal advisor of the Oversight Commission.

Authorizes the Attorney General to maintain a civil action against a voting member of the Oversight Commission who breaches the member's fiduciary duty to the BWC for harm resulting from that breach.

Allows the Oversight Commission to retain independent legal counsel if informed of an allegation that the entire Oversight Commission has breached its fiduciary duty to the BWC.

Provides that the office of a member of the Oversight Commission who is convicted of or pleads guilty to a felony or other specified offense is deemed to be vacant and that a member who receives a bill of indictment for any of the specified offenses is automatically suspended from the Oversight Commission pending resolution of the criminal matter.

Specifies that a person who has pleaded guilty to or been convicted of specified offenses is ineligible to be a member of the Oversight Commission.

Requires the BWC, with the advice and consent of the Oversight Commission, to employ a person or designate an employee who is licensed as a Bureau of Workers' Compensation chief investment officer and who is a chartered financial analyst to be the BWC Chief Investment Officer.

Specifies the BWC Chief Investment Officer's duties, and establishes criteria to evaluate whether a chief investment officer has satisfied the officer's duty of reasonable supervision.

Prohibits, effective 90 days after the provision's effective date, any person from acting as, and prohibits the BWC from employing a person as, the BWC Chief Investment Officer unless the person is so licensed by the Division of Securities in the Department of Commerce in accordance with the act.

Prohibits the BWC Chief Investment Officer from acting as a dealer, salesperson, investment advisor, or investment advisor representative, and establishes additional prohibitions for the BWC Chief Investment Officer.

Requires the Division of Securities and the Commissioner of Securities to administer and enforce laws regulating the BWC Chief Investment Officer, including the authority to issue and revoke a BWC chief investment officer license.

Permits the Director of Commerce, after consultation with the Attorney General, to ask a court of common pleas to order the BWC Chief Investment Officer that is subject

to an injunction to make restitution to the BWC for damages caused by the officer's securities law violation.

Increases from biennially to annually the frequency of the required audits of the workers' compensation state insurance fund.

Requires the Oversight Commission to have an independent auditor, at least once every ten years, conduct a fiduciary performance audit of the investment program of the BWC.

Requires the BWC, with the advice and consent of the Oversight Commission, to employ an internal auditor who reports directly to the Oversight Commission on investment matters.

Establishes fiduciary requirements and conflict of interest prohibitions for members of the Oversight Commission and BWC employees.

Requires the Administrator, prior to awarding a contract to an investment manager, to have a criminal records check conducted on the investment manager's employees who will be investing BWC funds.

Requires an investment manager, prior to awarding an investment contract to a business entity, to obtain a list of the business entity's employees who will be investing BWC funds, and requires the Administrator to have a criminal records check conducted on those employees.

Requires the Superintendent of the Bureau of Criminal Identification and Investigation to conduct criminal records checks on those employees upon receiving a request from the Administrator.

Prohibits the Administrator from entering into a contract with an investment manager if any employee of that manager who will be investing assets of BWC funds has been convicted of or pleaded guilty to a financial or investment crime.

Prohibits an investment manager from entering into a contract with a business entity if any employee of that entity who will be investing assets of BWC funds has been convicted of or pleaded guilty to a financial or investment crime.

Prohibits the Administrator and employees of the BWC from conducting any business with or awarding any contract, other than one awarded by competitive bidding, for goods or services costing more than \$500 to individuals and specified types of entities who, within the two previous calendar years, have made one or more contributions totaling in excess of \$1,000 to the campaign committees of the Governor or Lieutenant Governor or candidates for those offices.

Requires the Administrator, the voting members of the Oversight Commission, and the Chief Investment Officer of BWC to file an annual financial disclosure statement with the Ohio Ethics Commission.

Allows the appropriate ethics commission to share information concerning an investigation of a voting member of the Oversight Commission with the Attorney General and the Auditor of State.

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## **DEPARTMENT OF YOUTH SERVICES**

Modifies how a joint board of county commissioners can pay for the maintenance and other expenses of district detention facilities by including among the methods any other method agreed upon by unanimous vote of the joint board of county commissioners.

Eliminates the requirement that a community corrections facility not be meeting its minimum occupancy threshold before the Department of Youth Services could refer a child to the facility.

Authorizes a committing court to consider a referral of a child by the Department to a community corrections facility on less than 45 days' notice to the court.

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## **MISCELLANEOUS**

Imposes contract, record-keeping, auditing, and other requirements on persons that receive money from governmental entities for the provision of services benefiting individuals or the public.

Provides civil remedies for the recovery of money that is due to a governmental entity under any contract that the governmental entity enters into with a person for the provision of goods, services, or construction.

Creates the Government Contracting Advisory Council.

Clarifies the Ohio Legal Assistance Foundation's ability to utilize its 4.5% administrative set-aside of Legal Aid Fund moneys for administering all filing fee surcharges and the interest-bearing trust account (IOLTA) program in addition to already recognized IOLTA accounts of an attorney, law firm, or professional legal association.

Requires the rules of the Ohio Legal Assistance Foundation governing the administration of the Legal Aid Fund, including programs regarding filing fee surcharges

and IOLTA accounts, to be established in accordance with the Administrative Procedure Act.

Establishes a 15% set-aside of moneys in the Legal Aid Fund for the Legal Assistance Foundation Fund.

Increases the surcharge, that is, the additional filing fee, from \$15 to \$26 on civil actions not in a small claims division and from \$7 to \$11 on civil actions in a small claims division that is used for the charitable public purpose of providing financial assistance to legal aid societies.

Requires the Treasurer of State to deposit 4% of the money collected through the additional filing fees to the credit of the Civil Case Filing Fee Fund, and 96% of the money to the Legal Aid Fund, instead of 100% to the Legal Aid Fund as required under prior law.

Creates the Civil Case Filing Fee Fund for the purpose of appointing assistant state public defenders and for providing other personnel, equipment, and facilities necessary for the operation of the State Public Defender office.

Authorizes the Ohio Community Service Council to accept donations, sponsor events, and sell promotional items.

Expresses the intent of the General Assembly to consolidate specified regulatory boards and commissions into the Departments of Health, Commerce, and Public Safety, and requires the directors of those departments, the executive directors of the affected boards, and the Directors of Administrative Services and Budget and Management to appoint a transition team to address the details of, and submit recommendations regarding, the consolidations.

Permits the use of appropriations to satisfy judgments, settlements, and administrative awards made against the state.

Authorizes the conveyance of certain real estate located in Athens County to Hocking.Athens.Perry Community Action.

Makes a federal home loan bank eligible to be a qualified trustee for the safekeeping of securities pledged by trust companies engaging in trust business in Ohio.

Creates the Ohio CASA/GAL Study Committee to compile and analyze data on the provision of advocacy services to abused, dependent, and neglected children by public defenders and appointed counsel and by Ohio CASA/GAL Association programs.

Makes changes to the applicability of Ohio's Miscellaneous Bond Proceedings Law.

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**Am. H.B. 67**

*(For details of fiscal provisions of the act, see LSC FISCAL ANALYSIS: Selected Issues of the  
FY 2006-2007 State of Ohio Operating Budgets)*

**Reps. Schaffer, Beatty, Flowers, Hartnett, Miller, Strahorn, Barrett, Buehrer, Calvert, Cassell, Chandler, Daniels, Distel, Domenick, C. Evans, D. Evans, Fende, Gibbs, Hughes, Kearns, Mason, McGregor, Otterman, Seitz, Setzer, Webster, Williams**

**Sens. Hottinger, Cates, Clancy, Spada, Armbruster, Austria**

**Effective date: June 21, 2005; Sections 3 to 8 effective March 21, 2005**

Establishes in permanent law the authority of the Administrator of Workers' Compensation to adopt rules identifying medical conditions that have a historical record of being allowed whenever included in a claim and to grant immediate allowance and make immediate payment of medical bills for those medical conditions.

Creates the Long-Term Care Loan Fund Program and the Long-Term Care Loan Fund using funds transferred from the Safety and Hygiene Fund.

Requires the Administrator to use the funds in the Long-Term Care Loan Fund to make loans without interest to nursing home employers to pay for specified equipment and training for employers to implement a policy of no manual lifting of residents by employees.

Permits the Administrator to adopt rules to administer the Long-Term Care Loan Fund Program.

Transfers the operation and administration of the Public Employment Risk Reduction Program from the Department of Commerce to the Bureau of Workers' Compensation (BWC).

Abolishes the Public Employment Risk Reduction Advisory Commission, and transfers its duties to the Workers' Compensation Oversight Commission.

Abolishes the Public Employment Risk Reduction Fund.

Transfers the administration of the Occupational Safety and Health Administration's (OSHA) On-Site Consultation Program from the Department of Commerce to the BWC.

Transfers the OSHA Enforcement Fund from the Department of Commerce to the BWC.



### **Am. Sub. H.B. 68**

*(For details of fiscal provisions of the act, see LSC FISCAL ANALYSIS: Selected Issues of the FY 2006-2007 State of Ohio Operating Budgets)*

**Reps. T. Patton, Calvert, Flowers, Martin, S. Patton, Buehrer, Cassell, Collier, Daniels, DeBose, Domenick, C. Evans, Garrison, Gibbs, Hagan, Hartnett, Hughes, Kearns, Key, Latta, Law, Mason, Redfern, Reidelbach, Schlichter, Setzer, S. Smith, Williams, Yuko**

**Sens. Armbruster, Gardner, Mallory, Spada, Harris, Hagan, Wilson, Dann, Zurz, Roberts**

**Effective date: June 29, 2005; certain sections effective March 29, 2005; certain provisions effective July 1, 2005**

Gives to the Director of Public Safety authority to prescribe the form for application for licensure as a Class A, B, or C private investigator or security guard provider and for registration as an employee of a licensed private investigator or security guard provider, and revises certain application procedures as follows:

--Requires an applicant for licensure or registration to provide fingerprints for a criminal records check directly to the Superintendent of the Bureau of Criminal Identification and Investigation in the Attorney General's Office and to notify the Superintendent of any intent to carry a firearm;

--Requires the Superintendent to conduct a criminal records check of all applicants for licensure as a private investigator or security guard provider or for registration as an employee of a licensee, and directs the Superintendent to request information related to that person from the FBI.

Establishes a procedure and fee for the annual renewal registration as an employee of a licensed private investigator or security guard provider.

Changes five fees related to the licensure of private investigators and security guard providers and the registration of employees.

Revises the Commercial Driver's License (CDL) Law as follows:

--Establishes new prohibited alcohol concentrations for blood plasma and serum and urine that apply to the operator of a commercial motor vehicle--.048 of 1% or

more per 100 milliliters of blood serum or blood plasma, and .056 of 1% or more per 100 milliliters of urine;

--Modifies some CDL Law definitions, including "commercial motor vehicle," "conviction," "disqualification," "hazardous materials," "motor vehicle," "out-of-service order," and "serious traffic violation," and defines "fatality" and "imminent hazard";

--Provides that exceptions established under prior law, but reenacted and relocated in the CDL Law by the act are exceptions to the general CDL prohibitions rather than the entire chapter;

--Provides that a "serious traffic violation" includes a single charge of any speed in excess of 15 miles per hour over the speed limit; a charge of operating a commercial motor vehicle without having the proper class or endorsement on one's CDL; and a charge of operating a commercial motor vehicle without having one's CDL in one's possession unless the person shows proof of having such a license;

--Eliminates the former provision under which there was no fee for the annual issuance of a waiver for farm-related service industries, and instead imposes a \$25 fee for such issuance;

--Requires a CDL applicant who schedules an appointment to take one or more, but not all, portions of the skills test to pay an appointment fee;

--Permits a CDL medical examination to be given by a doctor of chiropractic;

--Modifies some of the CDL classes and endorsements;

--Enacts new prohibitions relating to actions that CDL holders are not permitted to perform;

--Modifies the disqualification and implied consent provisions;

--Requires an applicant for employment as a commercial motor vehicle driver to submit certain specified information to the prospective employer.

Allows a CDL with a hazardous materials endorsement to be issued for a period of less than four years if the applicant has undergone a required federal security threat assessment to obtain the endorsement and the assessment expires less than four years after the application date, and prorates the \$25 CDL fee based on the number of years for which the license is issued.

Establishes a \$4 fee for each certificate of completion that is provided to a driver training school by the Department of Public Safety, and requires a driver training school to issue a certificate of completion to each person who successfully completes a training course that is necessary to obtain or maintain a driver's license.

Permits the Director of Public Safety to impose fines of not more than \$10,000 per occurrence on holders of, and applicants for, driver training school licenses and driver training instructor licenses for certain violations.

Increases the fee for a written motor vehicle registration information report from \$1.50 to \$2.

Redirects the fees for personalized and initial reserved license plates from the Highway Operating Fund to the State Highway Safety Fund.

Authorizes the issuance of "Fish Lake Erie" license plates, limits the issuance of those plates to persons who have made a \$15 contribution and paid a \$10 processing fee for them, and requires the contribution to be used by the Ohio Sea Grant College Program for Lake Erie area research projects.

Specifies that a county or township must conduct two public hearings prior to adopting any resolution concerning the levy of a local motor vehicle license tax.

Allows a minor's parent or guardian to appear before a clerk of courts or notary public and sign a form authorizing the minor to conduct a motor vehicle transaction.

Permits an electronic motor vehicle dealer to buy or sell a motor vehicle for which an electronic certificate of title has been issued without first obtaining a physical certificate to the vehicle.

Provides that in the case of a title application that is submitted to a clerk of court electronically, the clerk must issue an electronic certificate of title instead of a physical certificate of title unless the applicant requests a physical certificate.

Requires the Registrar of Motor Vehicles to adopt rules to permit any person or lessee who owns or leases two or more commercial trailers or semitrailers to register them for up to five years.

Provides that when a driver's license applicant surrenders a license from another jurisdiction, the Registrar of Motor Vehicles must report to the other issuing authority the surrender of the license and the issuance of an Ohio license and must destroy the surrendered license if it is not returned to the other issuing authority.

Provides that where the boundary between two local authorities rests on the centerline of a highway, the speed limit for the shared part of the highway is to be either

of the speed limits permitted by law or a properly altered speed limit as agreed by the two authorities.

Renames the Unidentified Motor Vehicle Receipts Fund the Unidentified Public Safety Receipts Fund, provides that it is to be used for receipts of the Department of Public Safety, not just the Bureau of Motor Vehicles, and eliminates the Highway Patrol Fee Refund Fund.

Requires investment earnings of the Security Deposit Fund to be credited to the continuing Roadwork Development Fund.

Eliminates the Film Production Reimbursement Fund.

Establishes procedures for the debarment of applicants for special hauling permits, and establishes grounds for debarment.

Increases the deduction of certain amounts from local government distributions of state motor fuel tax revenues when the additional fuel use tax is eliminated.

Permits counties and municipal corporations to pledge and obligate money received from the state motor vehicle license and fuel taxes, and from tax increment financing (TIF) service payments in lieu of taxes, for the repayment of State Infrastructure Bank obligations issued for public transportation projects.

Specifies that the amount certified by the Treasurer of State as being necessary to meet all payments of debt service and financing costs due during the fiscal year from the Highway Capital Improvement Bond Service Fund is to be transferred from the Highway Operating Fund to the Bond Service Fund in equal monthly installments from September to February of that fiscal year rather than as the money becomes available.

Requires the Department of Transportation (ODOT) to develop and maintain a pavement management system that minimizes annual maintenance of the state highway system and promotes longer pavement life spans.

Establishes that if ODOT keeps its cost estimate for a construction project confidential until bids are received, the requirement for contracts to be awarded at not more than the estimated cost plus 5% does not apply.

Eliminates the requirement that the information that ODOT bidders must furnish detailing their pending work be printed and made under oath.

Establishes not more than five years as the warranty period for ODOT bridge painting projects that are bid requiring a warranty.

Permits the Director of Transportation, notwithstanding the general requirement for Controlling Board approval of certain nonbid contracts, to enter into agreements with an agency of the United States government for the purpose of dedicating staff to the review of environmentally related documents submitted by ODOT that are necessary for the approval of federal permits, and requires the Director to report such agreements to the Controlling Board.

Allows the Director of Transportation to sell, by any method most advantageous to ODOT, including an Internet auction, personal property that is unfit for use or not needed by ODOT.

Extends through June 30, 2007 an uncodified law allowing the Director of Transportation or a local authority to issue special permits for transporting three or fewer steel coils in a single load on a state or local highway so long as the gross vehicle weight of the transport vehicle, including the coils, does not exceed 92,000 pounds.

Specifically allows the Ohio Turnpike Commission to issue a special permit to allow the operation of a motor vehicle transporting two or fewer steel coils on any turnpike project.

Moves the date for the Ohio Turnpike Commission annual report from on or before April 1 to on or before July 1.

Provides that the county engineer is not required to perform any of the duties of the county building inspector or any duties relating to the county building code, but permits the engineer to perform any of those duties pursuant to an agreement between the engineer and the board of county commissioners.

Permits a county engineer to dispose of scrap construction materials that remain from a road or bridge improvement if the total value of the scrap does not exceed \$25,000, and requires the engineer to keep records of all such dispositions.

Authorizes, rather than requires, a county engineer to survey lands sold for taxes.

Changes the deadline for the county engineer's annual road reports to the board of county commissioners and boards of township trustees from April 1 to June 1.



## H.B. 367

**Reps.** Calvert, Buehrer, Coley, Flowers, Dolan, McGregor, J., Martin, Stewart, J., Faber, Evans, C., Wagoner, Schlichter, Aslanides, Blessing, Book, Cassell, Chandler, Evans, D., Garrison, Gibbs, Gilb, Hagan, Hoops, Latta, Patton, T., Reidelbach, Sayre, Schaffer, Smith, G., Widener, Willamowski

**Sens.** Carey, Gardner, Clancy, Roberts, Armbruster, Austria, Cates, Dann, Fedor, Goodman, Grendell, Harris, Hottinger, Padgett, Wachtmann, Wilson, Kearney, Niehaus, Mumper, Miller, Schuler, Schuring, Spada, Stivers

**Effective date:** April 10, 2006

Exempts the Division of Wildlife in the Department of Natural Resources from making payments into the Department's Central Support Indirect Fund.



## CONSTITUTIONAL AMENDMENTS

### Am. Sub. H.J.R. 2

**Reps.** Martin, Schaffer, Hagan, Combs, Wolpert, Aslanides, Trakas, Collier, Blasdel, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Core, Daniels, DeBose, Distel, Dolan, Domenick, C. Evans, D. Evans, Flowers, Gibbs, Harwood, Hughes, Kearns, Key, Latta, Law, Mason, McGregor, Miller, Reinhard, Schlichter, Seitz, Setzer, G. Smith, J. Stewart, Wagoner, Walcher, White, Woodard, Yuko, Speaker Husted

**Sens.** Carey, Armbruster, Austria, Clancy, Goodman, Harris, Jacobson, Roberts, Spada, Amstutz, Brady, Cates, Dann, Fedor, Fingerhut, Gardner, Grendell, Hagan, Mallory, Miller, Mumper, Niehaus, Padgett, Prentiss, Schuring, Wilson, Zurz

**Adopted: August 3, 2005; approved by the voters on November 8, 2005, and effective November 8, 2005**

Enacts Section 2p of Article VIII of the Ohio Constitution to authorize the issuance of general obligations of the state to finance local government public infrastructure capital improvements, research and development, and the development of sites and facilities in Ohio for industry, commerce, distribution, and research and development and to expand state and local government authority regarding economic development.



## COURTS AND CIVIL LAW

### Sub. H.B. 25

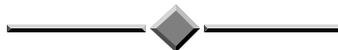
**Reps.** Wagner, J. Stewart, Hartnett, Carano, Otterman, Latta, Widener, Aslanides, S. Patton, Buehrer, Wolpert, Combs, Kearns, Webster, McGregor, Reidelbach, Law, Core, Schaffer, Faber, Chandler, Cassell, Hagan, Wagoner, Martin, Gilb, Allen, Barrett, Blessing, Book, Carmichael, Coley, Collier, Daniels, DeBose, Dolan, Domenick, C. Evans, Fessler, Flowers, Gibbs, Harwood, Hughes, Key, Mason, Miller, Perry, Schneider, Seaver, Seitz, D. Stewart, Strahorn, Taylor, Walcher, Willamowski, Williams, Yates, Yuko

**Effective date:** August 4, 2005; certain provisions effective November 3, 2005

Permits a state officer or employee to participate in the immunity determination proceeding in the Court of Claims to determine whether the officer or employee is entitled to personal immunity from civil liability under continuing law.

Provides that when an individual is elected to fill the vacant office of an active or retired employee member of a state retirement board, the successor member holds office until the first day of the new term that follows the next board election that occurs not less than 90 days after the successor member's election.

Specifies that the additional members to a state retirement board that are appointed by the Governor pursuant to Section 5 of Sub. S.B. 133 of the 125th General Assembly hold office until the first day of the new term that follows the next board election that occurs not less than 90 days after the successor member's election.



### Am. H.B. 226

**Reps.** Hoops, C. Evans, Flowers, Kearns, Martin, McGregor, Seitz, Setzer, Wagoner, Brown, Hartnett, Koziura, Willamowski, Barrett, Coley, Combs, Daniels, Domenick, Harwood, Otterman

**Sens.** Schuler, Carey, Cates

**Effective date:** February 27, 2006

Authorizes the legislative authority of a municipal corporation to establish by ordinance a schedule of fees to be taxed as costs in any civil, criminal, or traffic action or proceeding in a municipal court for the performance by officers or other employees of the

municipal corporation's police department or marshal's office of services of the types that are performed by sheriffs and constables and that are taxable as costs.

Directs the clerk of court, when the clerk collects taxable fees for services that are performed by officers or other employees of a municipal corporation's police department or marshal's office or by a municipal court bailiff, to pay the fees to the general fund of the municipal corporation that employs the officer or employee or to the general fund of the entities that fund the bailiff's salary in the same pro-rated amount as the salary is funded.

Provides that the act does not authorize or require any officer or employee of a municipal corporation's police department or marshal's office or any municipal court bailiff to perform any service that is not otherwise authorized by law.

Provides that, notwithstanding the statute that created the Workers' Compensation Oversight Commission, the assets of funds that at the time that statute took effect were invested in investments that are prohibited under the Workers' Compensation Law and the assets of funds that, in the 12 months immediately preceding the effective date of that statute, had been invested in investments prohibited under that Law must be divested in the most expedient time possible to obtain the maximum value during the liquidation unless the assets are being held as evidence in a criminal investigation or prosecution.



## **Sub. H.B. 246**

**Reps. Oelslager, Willamowski, Aslanides, Barrett, Beatty, Book, Buehrer, Carano, Coley, Collier, Combs, Daniels, DeGeeter, Domenick, C. Evans, Gilb, Hagan, Harwood, Healy, Hughes, Latta, McGregor, Otterman, T. Patton, Reidelbach, Sayre, Schaffer, Schlichter, Seaver, Setzer, Skindell, G. Smith, J. Stewart, Williams**

**Sens. Zurz, Carey, Grendell, Niehaus**

**Effective date: March 29, 2006**

Creates a statutory form that may be used to create a power of attorney.

Sets forth the general authority of an agent, i.e. attorney-in-fact, with respect to particular powers granted in a power of attorney.

Construes particular powers granted in a power of attorney by use of the statutory form or by incorporation by reference to provisions enacted by the act.

Defines "automobile" to include a motorcycle for purposes of the selection by a surviving spouse of automobiles belonging to the decedent spouse.



### **Sub. S.B. 19**

**Sens. Schuler, Wachtmann, Mumper, Clancy, Hagan, Goodman, Austria, Padgett, Niehaus**

**Reps. Willamowski, Blessing, Calvert, Flowers, Schneider, Seitz, Setzer, Webster**

**Effective date: January 27, 2006**

Subject to exceptions described below, provides a testimonial privilege to critical incident stress management team members under which such a member cannot testify concerning a communication received from an individual who receives crisis response services from the team member, or the team member's advice to the individual, during a debriefing session.

Provides that the above testimonial privilege does not apply if any of the following is true: (1) the communication or advice indicates clear and present danger to the individual who receives crisis response services or to other persons, (2) the individual who received such services gives express consent to the testimony, (3) if the individual who received such services is deceased, the surviving spouse or the executor or administrator of the estate of the deceased individual gives express consent, (4) the individual who received such services voluntarily testifies, in which case the team member may be compelled to testify on the same subject, (5) the court *in camera* determines that the information communicated by the individual who received such services is not germane to the relationship between the individual and the team member, or (6) the communication or advice pertains or is related to a criminal act.

Subject to certain exceptions described below, provides a testimonial privilege to an employee assistance professional, under which the professional cannot testify concerning a communication received from a client in the employee assistance professional's official capacity.

Provides that the above testimonial privilege does not apply to any of the following: (1) a criminal action or proceeding involving a homicide offense if the employee assistance professional's disclosure or testimony relates directly to the facts or immediate circumstances of the offense, (2) a communication made by a client to an employee assistance professional that reveals the contemplation or commission of a crime or serious, harmful act, (3) a communication that is made by a client who is an unemancipated minor or an adult adjudicated to be incompetent and indicates that the

client was the victim of a crime or abuse, (4) a civil proceeding to determine an individual's mental competency or a criminal action in which a plea of not guilty by reason of insanity is entered, (5) a civil or criminal malpractice action brought against the employee assistance professional, (6) when the employee assistance professional has the express consent of the client or, if the client is deceased or disabled, the client's legal representative, or (7) when the testimonial privilege is abrogated under law.

Reenacts a provision of law that designates the Controlling Board as the legislative body authorized to reject recommendations of a fact-finding panel appointed during the public employment collective bargaining process.



## **Am. S.B. 128**

**Sens. Cates, Wilson, Niehaus, Grendell**

**Reps. Willamowski, Coley, Barrett, Boccieri, Book, Combs, Dolan, Domenick, C. Evans, D. Evans, Harwood, McGregor, Mitchell, Otterman, Schneider, Seaver, Seitz, G. Smith, Wagoner, Webster, DeBose**

**Effective date: December 20, 2005**

Adds one judge to the general division of the Butler County Court of Common Pleas to be elected in 2006 for a term to begin January 3, 2007.

Adds one judge to the general division of the Morrow County Court of Common Pleas to be elected in 2006 for a term to begin January 1, 2007.

Adds one judge to the general division of the Lorain County Court of Common Pleas to be elected in 2006 for a term to begin January 6, 2007.

Adds one judge to the domestic relations division of the Lorain County Court of Common Pleas to be elected in 2008 for a term to begin February 9, 2009, and specifies that the judge will be the successor to the Court's probate judge serving on the act's effective date.

Transfers the jurisdiction and duties of the Lorain County probate judge to the domestic relations division of the Lorain County Court of Common Pleas on and after January 1, 2006.



## CRIMES, CORRECTION, AND LAW ENFORCEMENT

### Sub. H.B. 4

**Reps.** Dolan, Latta, D. Evans, Gilb, Hughes, Seitz, Perry, Allen, Brown, Bulp, Calvert, Cassell, Coley, DeBose, Distel, Domenick, C. Evans, Flowers, Gibbs, Hagan, Hartnett, Hoops, Key, Law, Martin, McGregor, Miller, Oelslager, Otterman, T. Patton, Reidelbach, Reinhard, Schaffer, Schlichter, Seaver, Setzer, G. Smith, J. Stewart, Strahorn, Wagner, Wagoner, Walcher, Widener, Widowfield, Williams, Wolpert

**Sens.** Clancy, Grendell, Schuring, Goodman, Dann, Zurz, Austria, Cates, Niehaus, Harris

**Effective date:** September 16, 2005

Requires the Office of Criminal Justice Services to develop and maintain the Ohio Incident-Based Reporting System to facilitate the sharing of information with the FBI and participating law enforcement agencies in Ohio.

Requires the Office of Criminal Justice Services, in connection with the Ohio Incident-Based Reporting System, to: (1) collect and organize statistical data for reporting to the National Incident-Based Reporting System operated by the FBI for the purpose of securing grants, (2) analyze and highlight mapping data for, and distribute data and analyses to, participating law enforcement agencies, (3) encourage nonparticipating law enforcement agencies to participate by offering demonstrations, training, and technical assistance, (4) provide assistance, advice, and reports requested by the Governor, the General Assembly, or the FBI, and (5) require every law enforcement agency that receives federal criminal justice grants or state criminal justice information system General Revenue Funds through the Office to participate in the System, in the FBI's Uniform Crime Reporting Program, or, in a specified manner, in the Ohio Local Law Enforcement Information Sharing Network.



### Am. Sub. H.B. 15

**Reps.** Hoops, Aslanides, Blessing, Bulp, Calvert, Collier, Combs, C. Evans, Fessler, Gibbs, Hagan, Hughes, Kearns, Latta, Law, Martin, McGregor, T. Patton, Reidelbach, Setzer, Schaffer, Webster, White, Widener, Widowfield, Willamowski, Wolpert, Allen, Barrett, Carano, DeGeeter, Distel, Driehaus, Hartnett, Otterman, S. Patton, Perry, Ujvagi, D. Evans, Gilb, Seitz, Yuko,

**Seaver, Healy, D. Stewart, Beatty, Bocchieri, Book, Brown, Buehrer, Carmichael, Cassell, Chandler, Core, Daniels, Domenick, Faber, Fende, Garrison, Kilbane, Mason, Miller, Oelslager, Raga, Raussen, Reinhard, Sayre, Schlichter, Schneider, G. Smith, J. Stewart, Strahorn, Taylor, Trakas, Wagner, Wagoner, Williams, Mitchell**

**Sens. Dann, Zurz, Jordan, Amstutz, Austria, Carey, Hottinger, Padgett, Wachtmann, Mumper, Niehaus, Coughlin, Cates, Harris, Goodman, Clancy, Grendell**

**Effective date: November 23, 2005**

Requires the Department of Rehabilitation and Correction (DRC) to establish and operate on the Internet a database that contains: (1) specified information for each inmate in the custody of DRC, and (2) information as to where any person can send written statements regarding any judicial release, pardon, commutation, parole, or transfer to transitional control that is pending or under consideration for an offender serving a sentence of imprisonment or a prison term.

Specifies that no information included on the database may identify or enable the identification of any victim of any offense committed by an inmate.

Provides that DRC must update the database every 24 hours, the database is a public record, and DRC must make the database searchable by inmate name and by the county and zip code where the offender intends to reside after release if known by DRC.

Permits any person to submit a written statement before an offender in the custody of DRC is granted a judicial release, parole, or transfer to transitional control or before a pardon or commutation is recommended for the offender, and provides for DRC's consideration of statements so submitted.

Requires a court that schedules a judicial release hearing for an eligible offender to notify the offender and the head of the state correctional institution in which the offender is confined prior to the hearing.

Specifies that all of the provisions of the act that are described above are to be collectively known as "Laura's Law."

Expands the content of the notice that must be provided to a victim under the Sex Offender Registration and Notification Law's victim notification provisions, and the notice that must be provided to specified persons in the community under that Law's community notification provisions, to require that the notices, in addition to the information formerly required to be provided, also include the photograph of the subject sex offender or child-victim oriented offender or delinquent child.

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## Sub. H.B. 29

- Reps.** Raussen, D. Evans, Distel, Aslanides, Allen, Raga, Driehaus, Trakas, Barrett, Daniels, Carano, McGregor, Reidelbach, Willamowski, Hartnett, Martin, Brinkman, Kearns, C. Evans, Blessing, Schaffer, Harwood, Miller, Beatty, Blasdel, Boccieri, Brown, Bulp, Buehrer, Calvert, Carmichael, Cassell, Chandler, Coley, Collier, DeBose, DeWine, Domenick, Faber, Fende, Fessler, Flowers, Garrison, Gibbs, Gilb, Hagan, Healy, Hoops, Hughes, Key, Kilbane, Latta, Law, Mason, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Redfern, Sayre, Schlichter, Schneider, Seaver, Seitz, Setzer, G. Smith, D. Stewart, J. Stewart, Sykes, Taylor, Uecker, Wagoner, Walcher, Webster, White, Widowfield, Wolpert, Woodard, Yates, Yuko
- Sens.** Jordan, Grendell, Schuring, Dann, Mallory, Zurz, Cates, Austria, Carey, Coughlin, Fedor, Fingerhut, Gardner, Goodman, Harris, Hottinger, Mumper, Niehaus, Armbruster, Clancy, Jacobson, Amstutz, Brady, Miller, Padgett, Prentiss, Roberts, Schuler, Spada, Wachtmann

**Effective date:** August 26, 2005

Requires that a person charged with committing an offense of violence against a family or household member appear before the court for the setting of bail if: (1) the court is required under continuing law to consider specified factors in setting bail for the person, or (2) the arresting officer indicates in a document accompanying the complaint one of several specified circumstances.

Requires that a court consider certain enumerated factors in setting bail for a person who is charged with committing an offense of violence against a family or household member and who is required under the act to appear before the court for the setting of bail.

Authorizes the court to permit a person who is charged with committing an offense of violence against a family or household member and who is required under the act to appear before the court for the setting of bail to appear by video conferencing equipment.

Authorizes the court to waive the appearance, otherwise required under the act, for the setting of bail of a person who is charged with committing a misdemeanor offense of violence against a family or household member and to set bail in accordance with specified criteria.

Urges the Supreme Court to amend the continuing Rules of Civil and Criminal Procedure, or to adopt new rules, to acknowledge the exigency of, give priority to, and otherwise encourage the speedy resolution of cases involving domestic violence.



### **Sub. H.B. 34**

**Reps.** Setzer, Flowers, Kearns, Allen, Webster, DeGeeter, Carano, Taylor, Latta, D. Evans, Gilb, Hughes, Seitz, Willamowski, Perry, Barrett, Boccieri, Brown, Buehrer, Calvert, Cassell, Collier, Daniels, DeBose, Distel, Domenick, C. Evans, Gibbs, Harwood, Martin, McGregor, T. Patton, Raga, Reidelbach, Schaffer, Seaver, G. Smith, Uecker, Williams

**Sens.** Clancy, Mumper, Schuler

**Effective date:** October 21, 2005

Replaces prior law's requirement that a search warrant be returned not later than three days after issuance with a requirement that a search warrant be returned promptly.



### **Sub. H.B. 48**

**Reps.** Hughes, Aslanides, Combs, C. Evans, D. Evans, Faber, Flowers, Gibbs, Hoops, Kearns, Latta, McGregor, Oelslager, Schaffer, J. Stewart, Taylor, Trakas, Webster, DeGeeter, Otterman, Perry, Gilb, Seaver, Willamowski, D. Stewart, Barrett, Brown, Buehrer, Calvert, Carano, Cassell, Chandler, Collier, Distel, Driehaus, Garrison, Hagan, Harwood, Martin, T. Patton, Peterson, Setzer, G. Smith, Strahorn, Uecker, Wagner, Wagoner, Walcher, Widener, Williams, Wolpert, Yuko

**Sens.** Clancy, Jordan, Austria, Grendell, Schuring, Zurz, Goodman, Amstutz, Coughlin, Gardner, Padgett, Roberts, Schuler, Mumper, Niehaus, Spada, Armbruster, Wachtmann

**Effective date:** September 16, 2005

Increases, from a first degree misdemeanor to a fifth degree felony, the penalty for the offense of identity fraud when it is not committed in the circumstances described below and when the enhanced penalties that have been established when the value of the credit, property, services, debt, or other legal obligation involved in the offense exceeds \$500 do not apply.

Renames the offense of "identity fraud" when it is committed against an elderly person or disabled adult as "identity fraud against an elderly person or disabled adult," and generally provides a higher enhanced penalty for identity fraud against an elderly person or disabled adult than is provided for identity fraud involving a similar value of credit, property, services, debt, or other legal obligation.

Makes the law enforcement investigation affirmative defense and the lawful purpose affirmative defense that are available under continuing law for a person charged with certain prohibitions under the offense of identity fraud, or identity fraud committed against an elderly person or disabled adult under the act, available to a person charged with any of the prohibitions under that offense.

Modifies the law enforcement investigation affirmative defense that is available for a person charged under the offense of identity fraud, or identity fraud committed against an elderly person or disabled adult under the act, by providing that it is available only when the person or entity using, obtaining, possessing, or creating the personal identifying information or permitting it to be used is a law enforcement agency, authorized fraud personnel, or a representative of or attorney for such an agency or personnel and is using, obtaining, possessing, or creating the information or permitting it to be used, with prior consent, in a bona fide investigation, an information security evaluation, a pretext calling evaluation, or a similar matter and by requiring that the specified prior consent must be given by the person whose personal identifying information is being used, obtained, possessed, or created or is being permitted to be used or, if that person is deceased, by the deceased person's executor, or a member of the deceased person's family, or the deceased person's attorney.

Modifies the lawful purpose affirmative defense that is available for a person charged under the offense of identity fraud, or identity fraud committed against an elderly person or disabled adult under the act, by providing that it is not available if the person or entity using, obtaining, possessing, or creating the personal identifying information or permitting it to be used is a law enforcement agency, authorized fraud personnel, or a representative of or attorney for such an agency or personnel that is using, obtaining, possessing, or creating the personal identifying information or permitting it to be used in an investigation, an information security evaluation, a pretext calling evaluation, or a similar matter.

Permits the Attorney General, in cooperation with any law enforcement agency, to issue an identity fraud passport to a person who has filed a police report citing that the person is a victim in Ohio of identity fraud or identity fraud against an elderly person or disabled adult.

Permits a victim of identity fraud or identity fraud against an elderly person or disabled adult to present an identity fraud passport to a law enforcement agency or to the

victim's creditors, and permits the agency or creditor to accept the passport at its discretion.

Requires the Attorney General to maintain statistics with respect to the number of applications for identity fraud passports submitted, and the number of identity fraud passports issued, pursuant to the act's provisions and to submit a statistical report to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives indicating the number of applications for identity fraud passports submitted, and the number of identity fraud passports issued, in the previous fiscal year; specifies that nothing in the statistics maintained or the report submitted may identify, or enable the identification of, any individual who applied for, was issued, or was denied an identity fraud passport; and specifies that the statistics and the report are public records for the purpose of the Public Records Law.



## **Sub. H.B. 50**

**Reps.** Setzer, Hughes, C. Evans, DeWine, Gilb, McGregor, Fessler, Latta, Walcher, D. Evans, Willamowski, Seaver, Perry, Allen, Buehrer, Calvert, Carmichael, Cassell, Chandler, Collier, Combs, Daniels, DeBose, Domenick, Faber, Gibbs, Hagan, Harwood, Kearns, Kilbane, Law, Martin, Otterman, T. Patton, Peterson, Raga, Reidelbach, Schaffer, Schlichter, Schneider, D. Stewart, J. Stewart, Strahorn, Taylor, Uecker, Webster, Widener, Widowfield, Williams, Yuko

**Sens.** Austria, Goodman, Grendell, Schuring, Niehaus

**Effective date: September 26, 2005**

Expands the offense of public indecency so that it also prohibits a person from knowingly doing any of the following under circumstances in which the person's conduct is likely to be viewed by and affront another person who is a minor, who resides in the person's household, and who is not the spouse of the offender: (1) engaging in masturbation, sexual conduct, or conduct that to an ordinary observer would appear to be sexual conduct or masturbation, or (2) exposing the person's private parts with the purpose of personal sexual arousal or gratification or to lure the minor into sexual activity.

Specifies that the continuing prohibition that constitutes the offense of public indecency only applies if the prohibited conduct is likely to be viewed by and affront others who are in the person's physical proximity and who are not members of the person's household.

Modifies the penalties for public indecency so that a penalty is based on both the specific prohibition that is violated and the number of prior convictions or guilty pleas the offender has for the offense.



## **Sub. H.B. 58**

**Reps. Dolan, Willamowski, Barrett, Beatty, Brown, Carano, Cassell, Chandler, Coley, Daniels, Domenick, C. Evans, Fende, Flowers, Hartnett, Hughes, Key, Law, Martin, McGregor, Redfern, Schaffer, Schlichter, Schneider, Seitz, J. Stewart, Uecker, Yuko**

**Sens. Grendell, Spada, Schuler, Mallory, Zurz, Gardner, Padgett, Dann, Clancy, Harris**

**Effective date: Emergency, May 3, 2005**

Provides that, upon the application of any owner or operator of an amusement park that has an average yearly attendance in excess of 600,000 guests and that employs and maintains its own proprietary police department or security department and subject to certain restrictions against appointment described below, any judge of the municipal court or county court with territorial jurisdiction over the amusement park may appoint and commission any persons that the owner or operator designates, or as many of those persons as the judge considers proper, to act as police officers for the amusement park.

Prohibits a judge from appointing or commissioning a person as a police officer for an amusement park under the provisions described above on a permanent basis, on a temporary basis, for a probationary term, or on other than a permanent basis if the person previously has been convicted of or has pleaded guilty to a felony that was committed on or after January 1, 1997.

Specifies that police officers appointed for an amusement park will hold office for five years unless, for good cause shown, their commission is revoked by the appointing judge or the judge's successor or by the owner or operator, as provided by law.

Specifies that a person appointed as a police officer for an amusement park may not engage in any duties or activities as a police officer for the amusement park or any affiliate or subsidiary of the owner or operator of the park unless all of the following apply: (1) the chief of police of the municipal corporation or township in which the park is located has granted or, if the park is located in two or more townships, two or more municipal corporations, or one or more townships and one or more municipal corporations, the chiefs of police of all of the affected townships and municipal corporations have jointly granted approval to the owner or operator of the amusement

park to permit persons appointed as such police officers to engage in those duties and activities, (2) subsequent to the grant of approval described in item (1), the owner or operator has entered into a written agreement with the chief of police of the municipal corporation or township in which the park is located or, if the park is located in two or more townships, two or more municipal corporations, or one or more townships and one or more municipal corporations, jointly with the chiefs of police of all of the affected townships and municipal corporations that addresses the scope of activities, the duration of the agreement, and mutual aid arrangements, and that sets forth the standards and criteria to govern the interaction and cooperation between persons appointed as police officers for the park and law enforcement officers serving the agency represented by the chief of police who signed the agreement and has provided the sheriff of the county in which the political subdivision or subdivisions are located with a copy of the agreement, and (3) the person has successfully completed a training program approved by the Ohio Peace Officer Training Commission (OPOTC) and has been certified by the Commission.

Provides that a person appointed as a police officer for an amusement park is entitled, upon satisfaction of the criteria described above, to act as a police officer as follows: (1) for the amusement park and its affiliates and subsidiaries that are within the territory of the political subdivision or subdivisions served by the chief of police, or respective chiefs of police, who signed the written agreement and on any contiguous real property of the amusement park that is covered by the agreement whether within or adjacent to the political subdivision or subdivisions, and (2) elsewhere within the territory of a municipal corporation or township if the chief of police of that municipal corporation or township has granted approval for that activity to the owner or operator served by the person as a police officer and if the person, when engaging in that activity, is directly in the discharge of the person's duties as a police officer for the amusement park.

Requires a judge to revoke the appointment or commission of a person appointed or commissioned as a police officer for an amusement park if that person does either of the following: (1) pleads guilty to a felony committed on or after January 1, 1997, or (2) pleads guilty to a misdemeanor committed on or after January 1, 1997, pursuant to a negotiated plea agreement in which the person agrees to surrender the certificate awarded to that person under the Administrative Procedure Act.

Requires a judge to suspend the appointment or commission of a person appointed or commissioned as a police officer for an amusement park if that person is convicted, after trial, of a felony committed on or after January 1, 1997, requires the judge, if the person appeals that conviction and the conviction is upheld by the highest court to which the appeal is taken or if the person does not file a timely appeal, to revoke the person's appointment or commission, and requires the judge, if the person appeals and is acquitted of the felony or convicted of a misdemeanor or the felony charge is dismissed, to reinstate the person's appointment or commission.

Expands the definition of "peace officer" that applies to the law governing the OPOTC to also include a police officer who is employed by an owner or operator of an amusement park that has an average yearly attendance in excess of 600,000 guests and that employs and maintains its own proprietary police department or security department and who is appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to the act.

Expands the provision that requires the OPOTC to recommend rules to the Attorney General regarding the attendance at peace officer training schools of police officers for certain nongovernmental entities to also require recommended rules with respect to permitting persons who are appointed and commissioned as amusement park police officers under the act to attend approved peace officer training schools, including the Ohio Peace Officer Training Academy, and to receive certificates of satisfactory completion of basic training programs if the amusement park sponsoring the officers pays the entire cost of the training and certification and if trainee vacancies are available.

Expands the provision that permits the Ohio Peace Officer Training Academy, if trainee vacancies exist, to train and issue certificates of satisfactory completion to certain specified nongovernmental peace officers to also permit the Academy, if trainee vacancies exist, to train and issue certificates of satisfactory completion to amusement park police officers appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to the act if the officer meets the qualifications established for admission to the Academy and the amusement park prepays the entire cost of the training.



## **Am. Sub. H.B. 108**

**Reps. Hagan, Willamowski, C. Evans, D. Evans, Webster, McGregor, DeGeeter, Harwood, Beatty, Latta, Gilb, Hughes, Seaver, Allen, Barrett, Brown, Bulp, Carano, Cassell, Chandler, Coley, DeBose, Domenick, Flowers, Gibbs, Healy, Mason, Miller, Otterman, T. Patton, Perry, Reidelbach, Schaffer, S. Smith, J. Stewart, Strahorn, Ujvagi, Williams, Yuko**

**Sens. Clancy, Schuring, Goodman, Dann, Carey**

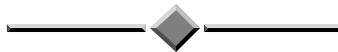
**Effective date: May 17, 2006**

Allows a person to receive the rights of a victim under the Victim's Rights Law if: (1) the person receives injuries as a result of a vehicle, streetcar, trackless trolley, aquatic device, or aircraft accident that is proximately caused by a violation of the state prohibition against operating a vehicle under the influence, the state prohibition against operating a vehicle after underage alcohol consumption, either of two offenses that

prohibit the operation or physical control of any vessel underway, and the manipulation of any water skis, aquaplane, or similar device, while under the influence of alcohol, a drug of abuse, or both or with a prohibited concentration of alcohol in the person's system, or the offense that prohibits the operation of an aircraft while under the influence of intoxicating liquor, controlled substances, or other habit-forming drugs and receives medical treatment for the injuries either at the scene of the accident by emergency medical services personnel or at a hospital, ambulatory care facility, physician's office, specialist's office, or other medical care facility, or (2) the person receives injuries as a result of a motor vehicle accident that is caused by a violation of a state statute that is a first degree misdemeanor or higher and receives medical treatment for those injuries as described in item (1).

Provides that the expansion described above applies if the person receives the injuries as a result of the specified conduct committed by either an adult or a child.

Allows a victim of an accident described above to provide the prosecutor in the case, or the court in specified circumstances, with written notification of the victim's injuries at any time, and provides that, upon receipt of the notification, the prosecutor or court must give the victim certain victim's rights information if the prosecutor has not already done so.



## **Am. Sub. S.B. 9**

**Sens. Jacobson, Clancy, Gardner, Harris, Spada, Cates, Austria**

**Reps. Domenick, Evans, C., Evans, D., Hagan, Law, Patton, T., Seitz, Smith, G., Uecker**

**Effective date: April 14, 2006**

Enacts offenses related to terrorism and the possession, use, or assembly of chemical weapons, biological weapons, radiological or nuclear weapons, and explosive devices.

Enacts the offense of money laundering in support of terrorism.

Requires notification of the Immigration and Customs Enforcement Section of the United States Department of Homeland Security when a suspected alien is convicted of or pleads guilty to a felony.

Requires the Department of Rehabilitation and Correction monthly to compile a list of suspected aliens who are serving prison terms, indicating the earliest possible date

of release, and provide that document to the Immigration and Customs Enforcement Section to determine if the Section wishes custody, and establishes procedures for the transfer of that custody.

Prohibits persons who are entering an airport, train station, port, or other similar critical transportation infrastructure site from refusing to show identification when there is a threat to security and a law enforcement officer requires identification of all persons entering, and permits an officer to prevent entry of persons who refuse to show identification.

Requires the Director of Public Safety to prepare a document to serve as a declaration of assistance/nonassistance that includes the six questions the act sets forth to determine whether applicants for identified licenses, persons doing business with a government entity, or applicants under final consideration for government employment have provided material assistance to an organization on the United States Department of State Terrorist Exclusion List.

Establishes an appeals process under which the Department of Public Safety may consider the appeal of a person denied a license, denied opportunity to do business, or denied employment because of providing material assistance to an organization on the Terrorist Exclusion List.

Permits an agency to revoke a license, and a public employer to terminate the employment, of any person who, after filling out a declaration of material assistance, takes an action that would result in an answer of "yes" to the declaration if that declaration were to be readministered after the action.

Makes failing to disclose the provision of material assistance to an organization on the Terrorist Exclusion List or knowingly making false statements regarding material assistance to an organization on the List a fifth degree felony.

Requires the Director of Public Safety to identify by rule licenses that the state issues for which a holder with ties to a terrorist organization would present a potential risk to the residents of Ohio, and prohibits the inclusion of renewable drivers licenses held by state residents as a license of this type.

Generally prohibits a government entity from doing business with or providing funding to a private entity that has provided material assistance to an organization on the Terrorist Exclusion List, and provides exceptions to the prohibition.

Requires any private entity that does more than \$100,000 aggregate in business with government entities in Ohio to certify that it has not provided material assistance to an organization on the Terrorist Exclusion List.

Provides authority for government entities to adopt a precertification procedure under which private entities annually may be precertified as not making contributions to organizations on the Terrorist Exclusion List.

Generally prohibits government entities from employing persons who have provided material assistance to an organization on the Terrorist Exclusion List.

Permits the Director of Public Safety to establish categories of employment that are exempt from the act's disclosure requirements.

Prohibits a person in a public place from refusing to disclose the person's name, address, or date of birth when requested by a law enforcement officer who reasonably suspects the person is committing, has committed, or is about to commit a crime or, generally, has witnessed a felony; establishes a penalty of a fourth degree misdemeanor for failure to disclose; and provides an exception for age when age is an element of the crime that the person is suspected of committing.

Imposes a 20-year statute of limitation period for specified terrorist related offenses.

Modifies the definitions of "material support or resources" and "specified offense" that are used in continuing antiterrorism measures.

Prohibits state and local employees from unreasonably failing to comply with any lawful request for assistance made by specified federal authorities related to homeland security to the extent that the request is consistent with the doctrine of federalism, and provides that a statement of disagreement or a critical opinion does not qualify as unreasonable noncompliance.

Prohibits a municipal corporation from enacting anything that materially hinders or prevents employees from complying with the USA Patriot Act, an immigration or terrorism investigation, or an executive order of the President of the United States pertaining to homeland security or from cooperating with state or federal immigration services and terrorism investigations; establishes the penalty of ineligibility to receive homeland security funding; and specifies that disagreement or critical opinion is not sufficient to qualify as material hindrance or prevention.

Expands the list of offenses that are within the definition of "corrupt activity" under the Corrupt Activity Law to include the new offenses that the act establishes.

Expands the continuing definition of "designated offense" that applies to the Communications Interception Law to include the new offenses that the act establishes.

Requires the Registrar of Motor Vehicles to ensure that the identification of an applicant for a certificate of title as carried out pursuant to continuing law is reasonably accurate.

Requires nonresident owners of aircraft based in Ohio to register those aircraft with the Department of Transportation and pay the license fee.

Requires persons registering aircraft based in Ohio to indicate the location where the aircraft usually is based and to update the registration if that location changes.

Requires the Department of Transportation to maintain all aircraft registrations filed with it and to develop a program to track and enforce the registrations of aircraft based in Ohio, and imposes a fine for failure to register.

Requires the Department of Transportation to adopt rules that require public-use airports and private-use airports to register and all public-use airports and specified private-use airports to prepare written security plans as the act requires.

Charges the Division of Watercraft in the Department of Natural Resources, in consultation with the Department of Public Safety, to adopt rules that identify ports that meet security related criteria, require those ports to prepare a security plan and emergency locator map, and address other specified topics regarding the security of ports on waterways and the facilities associated with those ports.

Permits any peace officer to render assistance to any federal law enforcement officer who has arrest authority under the USA Patriot Act, under specified conditions of danger or serious emergency, or when the circumstances reasonably indicate that assistance is appropriate.

Authorizes the owner or operator of a facility where chemicals are produced, or the owner or operator of any other facility or business of any type, to provide a copy of any vulnerability assessment or other security-sensitive information to specified public bodies with emergency responsibilities, enables those public bodies to share information, and provides that the documents are not public records subject to release except when state or federal law otherwise requires.

Prohibits the reinstatement of driving privileges to a person whose driver's license or permit has been suspended under any Ohio statute if there is an active warrant for the person's arrest.

Specifies that the continuing prohibition against a person disclosing or using any information concerning telephone numbers, addresses, or names obtained for the data base that serves the public answering point of a 9-1-1 system does not apply when access to that data base is given by a telephone company that is a wireline service provider to a state and local government in a warning of a public emergency as determined by the



Public Utilities Commission, and provides that there is no civil liability for injuries, death, or loss related to that provision of assistance that the act authorizes.

Modifies the procedure for amending a final 9-1-1 plan for specified purposes.

Adopts the National Incident Management System as the standard procedure for this state, and requires all departments, agencies, and political subdivisions to use it.

Requires the Director of Public Safety to establish a Homeland Security Advisory Council that includes, but is not limited to, state and local government officials who have homeland security or emergency management responsibilities and who represent first responders.

Assigns additional responsibilities to the Division of Homeland Security in the Department of Public Safety, including information gathering, information dissemination, and agency coordinating responsibilities.

Enables law enforcement officers who are acting pursuant to cooperation agreements authorized by statute to have the same authority to enforce the law as when acting within their own territory.

Charges the Ohio Community Service Council with duties related to volunteers, including establishing a statewide system for volunteers and assisting political subdivisions with implementing that system.

Permits the Ohio Community Service Council to accept and administer grants from any source to carry out its functions.

Defines "registered volunteer," and creates an exemption from liability for registered volunteers in specified situations.

Establishes which information related to volunteers is a public record and which information is a security record that is not subject to public disclosure.

Requires the Director of Health to establish a system of volunteers as advisable and reasonably necessary to respond in an emergency involving the public's health.

Enacts new and modifies several continuing definitions related to homeland security.



## Sub. S.B. 20

**Sens.** Goodman, Amstutz, Coughlin, Clancy, Schuler, Jacobson, Cates, Mumper, Austria, Schuring, Grendell, Wachtmann, Gardner, Carey, Padgett, Jordan, Spada, Hottinger, Zurz, Armbruster, Niehaus, Hagan, Dann, Fedor, Miller

**Reps.** Latta, D. Evans, Buehrer, Seaver, Seitz, Allen, Aslanides, Barrett, Beatty, Blasdel, Blessing, Book, Brinkman, Bupp, Calvert, Carano, Carmichael, Cassell, Chandler, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, Faber, Fende, Fessler, Flowers, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Kearns, Key, Kilbane, Koziura, Law, Martin, McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Setzer, G. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Walcher, Webster, White, Widener, Widowfield, Williams, Wolpert, Yates, Yuko, Husted

**Effective date: July 13, 2005**

Revises the provision that provides Ohio with criminal jurisdiction regarding certain conspiracies that occur in Ohio to commit an offense in another jurisdiction to specify that, regarding conspiracy, a person is subject to criminal prosecution in Ohio if, while in Ohio, the person conspires to commit an offense in another jurisdiction, which offense is an offense under both the laws of Ohio and the other jurisdiction, and a substantial overt act in furtherance of the conspiracy is undertaken in Ohio by the person or another person involved in the conspiracy subsequent to the person's entrance into the conspiracy.

Specifies that, for purposes of the provision described above, an overt act is substantial when it is of a character that manifests a purpose on the part of the actor that the object of the conspiracy should be completed.

Provides that, in any case in which a person attempts to commit, is guilty of complicity in the commission of, or conspires to commit an offense in another jurisdiction, as described in the provision that provides Ohio with criminal jurisdiction regarding certain attempts, complicities, or conspiracies that occur in Ohio to commit an offense in another jurisdiction as modified by the act, the person is subject to criminal prosecution and punishment in Ohio for the attempt, complicity, or conspiracy and for any resulting offense that is committed or completed in the other jurisdiction.

Expands continuing law's provision that specifies that, in homicide, the element occurring in Ohio that subjects the offender to Ohio criminal jurisdiction is either the act that causes death, or the physical contact that causes death, or the death itself to also include any other element that is set forth in the offense in question.

Specifies that, when a person is subject to criminal prosecution and punishment in Ohio for an offense committed or completed outside of Ohio, the person is subject to all specifications for that offense that would be applicable if the offense had been committed within this state.

Provides that any act, conduct, or element that is a basis of a person being subject under the criminal jurisdiction statute to criminal prosecution and punishment in Ohio need not be committed personally by the person as long as it is committed by another person who is in complicity or conspiracy with the person.

Specifies that the criminal jurisdiction statute must be liberally construed, consistent with constitutional limitations, to allow Ohio the broadest possible jurisdiction over offenses and persons committing offenses in, or affecting, Ohio.

In the continuing provision that specifies venue for a case when the offense is conspiracy, attempt, or complicity occurring in Ohio that results in an offense being committed outside of Ohio and when Ohio has jurisdiction over the offense and the offender, adds new language that specifies that, if an offense resulted outside Ohio from the conspiracy, attempt, or complicity, that offense also may be tried in any jurisdiction in which the conspiracy, attempt, complicity, or any of the elements of the conspiracy, attempt, or complicity occurred.

States that the General Assembly declares that it intends by the amendments made in the act to prospectively overrule the decision of the Ohio Supreme Court in *State v. Yarbrough* (2004), 104 Ohio St.3d 1.



## ECONOMIC DEVELOPMENT

### Am. Sub. S.B. 236

**Sens.** Carey, Roberts, Zurz, Harris, Padgett, Kearney, Spada, Armbruster, Prentiss, Fingerhut, Wilson, Austria, Miller

**Reps.** Calvert, Trakas, McGregor, J., Schlichter, Wagoner, Flowers, Martin, Peterson, Yates, Evans, C., Stewart, J., Hartnett, Miller, Allen, Aslanides, Barrett, Beatty, Blessing, Brown, Carano, Cassell, Chandler, Daniels, DeBose, Dolan, Domenick, Evans, D., Fende, Hughes, Law, Mason, Otterman, Patton, T., Redfern, Seitz, Setzer, Stewart, D., Strahorn, Uecker, Williams, Yuko

**Effective date:** January 4, 2006; Sections 6 and 7 effective April 10, 2006

Implements the provisions of Section 2p, Article VIII of the Ohio Constitution, which became effective November 8, 2005, regarding the issuance of obligations to support research and development projects and the development of certain sites and facilities.

Authorizes the Third Frontier Commission to award support to individuals and certain entities for the purpose of supporting research and development projects.

Creates the Job Ready Site Program under which the Department of Development is to provide grants to pay for the allowable costs of eligible projects that, upon completion, will be sites and facilities primarily intended for commercial, industrial, or manufacturing use.

Makes an appropriation.



## EDUCATION

### Sub. H.B. 11

- Reps.** Schlichter, J. Stewart, Latta, Hartnett, C. Evans, S. Patton, Buehrer, Wolpert, Oelslager, Willamowski, Carano, Kearns, Setzer, Reidelbach, Combs, Hughes, Flowers, DeWine, Chandler, Brown, McGregor, Harwood, T. Patton, Calvert, Walcher, Taylor, Raga, Fessler, Seaver, Webster, Peterson, Wagner, Hood, Williams, Garrison, Barrett, Distel, Allen, Aslanides, Beatty, Blessing, Book, Bubp, Carmichael, Cassell, Coley, Collier, Core, Daniels, DeGeeter, Dolan, Domenick, Driehaus, D. Evans, Faber, Fende, Gibbs, Gilb, Hagan, Healy, Hoops, Key, Koziura, Law, Martin, Mason, Miller, Mitchell, Otterman, Perry, Redfern, Reinhard, Sayre, Schaffer, Skindell, G. Smith, D. Stewart, Strahorn, Sykes, Trakas, Uecker, Ujvagi, Wagoner, White, Widener, Widowfield
- Sens.** Fedor, Carey, Cates, Gardner, Jacobson, Padgett, Mumper, Fingerhut, Austria, Clancy, Hagan, Roberts, Schuring, Spada, Dann, Jordan, Armbruster, Zurz, Harris, Wachtmann

**Effective date:** March 29, 2006

Permits school districts and chartered nonpublic schools to issue high school diplomas to veterans of the Vietnam Conflict, in addition to veterans of World War II and the Korean Conflict as under continuing law, who left school to serve in the armed forces or who left school due to family circumstances and subsequently joined the armed forces.

Permits school districts, educational service centers, and county boards of mental retardation and developmental disabilities (county MR/DD boards) in fiscal year 2006 to apply for waivers to purchase bus fuel using funds appropriated for school bus purchases.

Allows county MR/DD boards to apply for a refund of 6¢ per gallon of motor fuel taxes paid on fuel purchased for board operations on or after July 1, 2005.



### Am. Sub. H.B. 107

- Reps.** Setzer, Webster, Seitz, Kearns, Distel, C. Evans, Chandler, Combs, Domenick, D. Evans, Flowers, Hagan

**Effective date:** May 1, 2006

Requires the State Board of Education to adopt standards for teacher preparation programs that require the curricula of those programs to be aligned with the state

academic content standards, the minimum standards for primary and secondary schools, and the value-added progress dimension developed by the Department of Education.

Extends the deadline by which the Department of Education and the Educator Standards Board must submit to the General Assembly a proposal for a career ladder program for teachers.



### **Am. S.B. 6**

**Sens. Padgett, Niehaus, Mumper, Grendell, Schuring, Armbruster, Miller, Cates, Harris, Fedor, Zurz, Wilson, Clancy, Dann, Spada**

**Reps. Setzer, C. Evans, Harwood, Key, Oelslager, Seaver, J. Stewart, Uecker, Williams**

**Effective date: August 12, 2005**

Creates the Partnership for Continued Learning to make recommendations for facilitating collaboration among providers of preschool through postsecondary education and for maintaining a high-quality workforce in Ohio.



### **Sub. S.B. 56**

**Sens. Mumper, Wachtmann, Harris, Cates, Jacobson**

**Reps. Coley, C. Evans, D. Evans, Gibbs, Hood, Setzer, Widowfield**

**Effective date: June 29, 2005; Sections 4 to 12 effective March 29, 2005**

Exempts the employees of the Ohio School Facilities Commission from collective bargaining.

Makes an appropriation, and authorizes other adjustments to cover a budgetary shortfall for the Department of Education.



## **Am. S.B. 71**

**Sens. Wilson, Brady, Schuring, Clancy, Fingerhut, Zurz, Roberts, Carey, Fedor, Padgett, Miller, Niehaus**

**Reps. Setzer, Carano, Chandler, Hood, Allen, Beatty, Blessing, Boccieri, Book, Brown, Cassell, Collier, Combs, Core, DeBose, Domenick, C. Evans, D. Evans, Faber, Flowers, Gibbs, Hagan, Harwood, Hughes, Key, Law, Mason, McGregor, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Seaver, Seitz, G. Smith, J. Stewart, Yuko**

**Effective date: Emergency, May 18, 2005**

Permits school districts and nonpublic schools to count time that schools are in session beyond the required minimum number of hours on or after February 1, 2005, in order to make up "calamity days" missed during the 2004-2005 school year due to hazardous weather conditions in excess of the number of days permitted by law and the number of days specified in their contingency plans.



## ELECTIONS

### Sub. H.B. 234

**Reps. Wolpert, Kearns, C. Evans, D. Evans, Beatty, S. Smith, Widowfield, Trakas, Hood, D. Stewart, Law, Uecker, Calvert, Combs, DeBose, Dolan, Domenick, Flowers, Hartnett, Harwood, Healy, Hoops, Hughes, J. McGregor, T. Patton, Perry, Schneider, Seaver, G. Smith, J. Stewart, White**

**Sens. Cates, Niehaus, Mumper, Grendell, Clancy, Coughlin, Goodman, Padgett, Austria, Harris**

**Effective date: January 27, 2006**

Authorizes a board of elections, in conjunction with a board of education of a city, local, or exempted village school district, the governing authority of a community school, or the chief administrator of a nonpublic school, to establish a program to allow certain students to serve as election officials.

Establishes eligibility criteria for students to participate in and serve as election officials in such a program.

Authorizes a board of education, governing authority, or chief administrator to establish additional criteria for students to participate in and serve as election officials in such a program.

Specifies that not more than one precinct officer in any given precinct may be an individual under 18 years of age.

Permits all necessary and proper expenses of a board of elections pertaining to the conduct of elections, including any employee compensation and benefit expenses, to be considered by a court of common pleas in a mandamus action in determining the amount necessary to be appropriated by a board of county commissioners to the county's board of elections.

Makes numerous revisions to the Absent Voter's Ballots Law, the Armed Service Absent Voter's Ballots Law, and two related laws, including permitting any qualified elector to vote by absent voter's ballots at an election and eliminating the qualifications that electors were required to meet under former law in order to vote by absent voter's ballots.



## **Am. Sub. S.B. 115**

**Sen. Jacobson**

**Reps. Carano, Cassell, Domenick, D. Evans, Faber, Flowers, McGregor, Otterman, Reidelbach, Seaver, Setzer, G. Smith, Widowfield, Williams, Wolpert**

**Effective date: Emergency, April 26, 2005**

Establishes political contributing entities for purposes of the Campaign Finance Law.



## ENVIRONMENT AND NATURAL RESOURCES

### Am. H.B. 100

**Reps.** Taylor, Carano, Collier, C. Evans, McGregor, Otterman, Reidelbach, Seitz, White, Willamowski, J. Stewart, Cassell, Domenick, Aslanides, Daniels, Flowers, Hood, Hughes, Kearns

**Sens.** Spada, Mumper, Grendell, Niehaus, Cates, Coughlin, Schuring

**Effective date:** March 29, 2006

Authorizes a solid waste management district to exempt automotive shredder residue from the district's generation fee, and establishes procedures and requirements governing the implementation of the exemption.

Defines "automotive shredder residue" and "recycling."

Extends a moratorium on the issuance of licenses for new construction and demolition debris facilities, and creates an exemption from the moratorium under certain circumstances.



### Am. Sub. H.B. 397

**Reps.** Hagan, Collier, Law, Harwood, Schaffer, Cassell, DeBose, Domenick, Book, Brown, Carano, Chandler, Evans, C., Evans, D., Flowers, McGregor, J., Miller, Oelslager, Patton, S., Peterson, Seitz, Setzer, Smith, G., Stewart, J., Uecker, Webster, Williams, Yates

**Sens.** Niehaus, Armbruster, Zurz, Cates, Coughlin, Fedor, Harris, Prentiss, Hagan, Kearney, Mumper, Roberts, Schuring, Spada, Wilson, Gardner, Dann, Schuler, Fingerhut, Padgett, Grendell

**Effective date:** Emergency, December 22, 2005

#### Permits to install program

Requires the Director of Environmental Protection to establish a program for the issuance of permits to install for new construction and demolition debris facilities and the expansion of existing facilities by the Director or boards of health in lieu of the former program under which licenses were issued for the establishment and modification of facilities.

Requires the Director to adopt rules establishing requirements and procedures for the permits to install program.

Establishes requirements governing what must be submitted with an application for a permit to install, including the name and address of the applicant, designs and specifications for the facility, background information, and other specified information.

Requires a person applying for a permit to install to submit specified background information concerning the person and the person's key employees with the application, and authorizes the Director or a board of health to deny the permit if the Director or board finds that the applicant or any other person listed on the application has a history of substantial noncompliance with any environmental laws of Ohio, other states, the United States, or another country.

Requires annual updates of background information, and requires the submission of background information upon the transfer of a facility.

Requires the applicant for a permit to install, not later than 60 days after the receipt by the Director or a board of health of the application for a permit for a new construction and demolition debris facility, to hold a public hearing in the township or municipal corporation in which the facility or proposed facility is or is to be located, and establishes notification requirements regarding the public hearing.

### **Transfer of permit to install or operation license**

Authorizes the transfer of a permit to install or a license to operate a construction and demolition debris facility only with the approval of the Director or a board of health, and specifies that disapproval of the transfer may be made only for the same reasons for which a permit to install may be denied after a background investigation.

### **Siting criteria**

Establishes additional siting criteria for new construction and demolition debris facilities, and requires the siting criteria to be applied during the permitting process rather than the licensing process.

### **Grandfather clause**

States that certain provisions of the act do not apply to applications for licenses pending prior to the act's effective date and the effective date of rules to be adopted under the act depending on the timing of the submission of an application for such a license.

### **Operational plans and fire safety plans**

With respect to plans for the operation of a construction and demolition debris facility that are required by rules adopted under continuing law, requires the plans to include the use of best management practices and contingency plans for effective action in response to fire or explosion or to hydrogen sulfide or other gases.

Requires the plans for operation of a construction and demolition debris facility to be submitted with an application for an initial license for the operation of the facility, and requires annual updates of the plans if necessary.

Requires the applicant for an initial license for the operation of a facility to submit a copy of the contingency plans for effective action in response to fire or explosion, or to hydrogen sulfide or other gases, to the appropriate fire department, and requires necessary updates to the plans to be submitted.

### **Ground water and leachate monitoring**

Adds that rules adopted under continuing law by the Director governing ground water monitoring at construction and demolition debris facilities must require that ground water monitoring be capable of determining impacts resulting from operation of a facility, include provisions for ground water assessment and corrective actions, and require the submission of an annual ground water monitoring report.

Requires the Director to adopt rules establishing requirements for the monitoring and sampling of leachate at construction and demolition debris facilities, and specifies that the rules must include requirements that leachate be sampled at least annually, that the leachate be sampled for at least 77 different parameters, and that leachate sampling results be reported to the Director and the applicable board of health.

Specifies that rules related to ground water and leachate monitoring and sampling apply to new facilities for which a permit to install is required, but, with respect to existing facilities, applies the rules based on the ground water and leachate monitoring systems operating on the act's effective date.

Precludes the Director or a board of health, as applicable, from paying for the installation or sampling of ground water monitoring wells or the laboratory analysis of ground water samples incurred by a construction and demolition debris facility to comply with applicable rules or with a permit to install issued under the act from the proceeds of disposal fees levied for ground water monitoring purposes under law retained by the act.

### **Closure and post-closure care**

Revises the statute that requires the Director of Environmental Protection to adopt rules establishing financial assurance requirements for the closure of facilities by

requiring the rules to provide that financial assurance amounts must be determined for each facility by the Director or board of health, as applicable, but specifies that financial assurance for the closure of a facility cannot be less than \$13,000 per acre of land that has been or is being used for the disposal of construction and demolition debris.

Specifies that the rules must require an explanation of the rationale for financial assurance amounts for closure that exceed \$13,000 per acre.

Requires the Director to adopt rules establishing requirements for the post-closure care of construction and demolition debris facilities for a period of five years, authorizes extensions of that five-year period under certain circumstances, and establishes different post-closure care requirements for facilities closing in 2006 and 2007 by order of a board of health, the Director, or a court of competent jurisdiction.

Requires the Director to adopt rules establishing financial assurance requirements for the post-closure care of facilities that require the determination of the amount of financial assurance to be based on a required cost estimate, require that post-closure care financial assurance be for a period of five years after the closure of a facility, and authorize extensions of that five-year period under certain circumstances by order of a board of health, the Director, or a court of competent jurisdiction.

### **Pulverized debris**

Prohibits the disposal of pulverized debris at a construction and demolition debris facility, and defines "pulverized debris" to mean a load of debris that, after demolition has occurred, but prior to acceptance of the load of debris for disposal, has been shredded, crushed, ground, or otherwise rendered to such an extent that the load of debris is unidentifiable as construction and demolition debris.

Authorizes a board of health or the Director to request that pulverized debris be removed from a construction and demolition debris facility.

### **Transfer facility certifications**

Authorizes a construction and demolition debris facility to request that a transfer facility certify that material from the transfer facility is not off-specification material, solid, infectious, or hazardous waste, or low-level radioactive waste.

Specifies that with respect to material that is transferred to a construction and demolition debris facility by a federally regulated railroad, the facility may request the railroad to provide a bill of lading, or a copy of the bill of lading, from the shipper of the material or may request the railroad to provide written information indicating that the railroad did not process or add to the material.

### **Rejected debris shipments**

Requires the owner or operator of a construction and demolition debris facility to notify the Director or a board of health if the owner or operator rejects a load of debris because the load does not comply with the Construction and Demolition Debris Law.

Requires the transporter or shipper of a rejected load to notify the Director of the ultimate disposition of the rejected load.

Requires the Director to adopt rules regarding rejected load notifications.

### **Exemptions by boards of health**

Generally requires a board of health, before granting an exemption from the Construction and Demolition Debris Law, to notify the Director of Environmental Protection of the proposed exemption, requires the Director to issue written comments regarding the proposed exemption, and requires the board to consider the written comments when rendering its decision regarding the exemption.

### **Operator certification and training**

Requires the Director, in consultation with boards of health and a statewide association representing construction and demolition debris facilities, to establish a program for the certification of operators of facilities and continuing education training requirements for operators.

### **Information database**

Requires the Director to establish and maintain a database or databases composed of public information, including at least the record of the annual inspection of each construction and demolition debris facility, information from the annual survey of each health district by the Director, and ground water and leachate data collected in accordance with rules.

### **Use of Environmental Protection Remediation Fund**

Authorizes money in the continuing Environmental Protection Remediation Fund to be used to conduct remediation activities at construction and demolition debris facilities.

### **Falsification**

Specifies that falsification of any material information that is required to be submitted to a board of health or the Director with respect to a permit to install or a license issued under the Construction and Demolition Debris Law or an application for

such a permit or license, or falsification of any other material information that is required to be submitted to a board or the Director under that Law and rules adopted under it, is grounds for the denial, suspension, or revocation of a permit to install or a license issued under that Law.

**Municipal corporation or township share of construction and demolition debris disposal fee**

Requires the Director to adopt rules establishing requirements for prorating the amount of the construction and demolition debris disposal fee that may be appropriated under continuing law by a municipal corporation or township in which only a portion of a construction and demolition debris facility is located.

**Quarterly payment and timing of transfer of other construction and demolition debris disposal fees**

Authorizes the owner or operator of a facility to enter into an agreement with the Director or a board of health for the quarterly payment of the continuing disposal fees that are credited to the Soil and Water Conservation District Assistance Fund and the Recycling and Litter Prevention Fund, and requires the Director or a board to transfer money from the fee to the Treasurer of State not later than 45 days after its receipt.

**Procedural changes regarding Environmental Review Appeals Commission**

Clarifies that the Director may appeal an action of a local board of health conducted under the Construction and Demolition Debris Law or the Solid, Infectious, and Hazardous Waste Law to the Environmental Review Appeals Commission.

Includes adjudication hearings conducted by boards of health in the statute establishing procedures that the Commission must follow depending on whether an adjudication hearing previously was conducted.

**Refunds or credits of state solid waste disposal fees**

Requires the Director to grant a refund or permit a credit of state solid waste disposal fees that have not been paid to the owner or operator of a solid waste facility if the owner's or operator's written request for the refund or credit and evidence submitted with it indicate that a refund or credit is warranted rather than authorizing the Director to grant the refund or permit the credit as in former law.



## FINANCIAL INSTITUTIONS

### Sub. H.B. 81

**Reps.** Smith, G., Webster, McGregor, J., Patton, S., Ujvagi, Perry, Wolpert, Woodard, Peterson, Barrett, Strahorn, Kearns, Taylor, Allen, Law, Reidelbach, Stewart, D., Carano, Flowers, Beatty, Blessing, Brown, Buehrer, Chandler, Collier, DeBose, DeGeeter, Distel, Domenick, Evans, D., Hagan, Hughes, Key, Mason, Otterman, Patton, T., Schneider, Seitz, Willamowski, Williams, Yuko

**Sens.** Carey, Stivers, Gardner, Clancy, Roberts, Spada, Armbruster, Austria, Cates, Dann, Fedor, Grendell, Harris, Kearney, Niehaus, Schuler, Schuring, Zurz, Miller, Mumper, Hagan, Wilson, Fingerhut, Prentiss

**Effective date:** April 14, 2006

Makes numerous revisions to the Credit Unions Law, including with respect to general powers and services offered, lending authority, member accounts, meetings of the board of directors, compensation, liquidity funds and liquidation, investments, record keeping, confidentiality, use of trade names, and out-of-state credit unions.

Modifies the Department of Commerce parity rule authority for banks, savings and loan associations, savings banks, and credit unions.

Exempts transactions between credit unions and their customers from regulation under the Retail Installment Sales Act and the Consumer Sales Practices Act.

Modifies probate and fiduciary laws and the laws dealing with interest-bearing trust accounts and on-premises police officers to include credit unions and savings banks as eligible financial institutions for various purposes, and provides additional qualifications for on-premises police officers at any financial institution.



### H.B. 185

**Reps.** Latta, McGregor, C. Evans, Perry, Carano, T. Patton, Daniels, J. Stewart, Coley, Gibbs, Allen, Buehrer, DeBose, Dolan, Domenick, D. Evans, Flowers, Gilb, Hughes, Oelslager, Reidelbach, Seaver, G. Smith, Wagoner, Yuko

**Sens.** Clancy, Dann, Zurz

**Effective date:** October 21, 2005



Requires a depository institution maintaining an interest on lawyer's trust account (IOLTA) for a lawyer, law firm, or legal professional association to notify the Office of Disciplinary Counsel or other entity designated by the Ohio Supreme Court when a properly payable instrument is presented for payment from the IOLTA and it contains insufficient funds, and makes specifications about the content and timing of the notice.

Provides that the statements and reports of individual depositor information made under the act's notice requirement are confidential and can be used only for purposes of administering the Legal Aid Fund and enforcing the Rules of Professional Conduct adopted by the Supreme Court.



## HEALTH

### H.B. 36

- Reps.** Carmichael, Blasdel, J. Stewart, Daniels, McGregor, C. Evans, Kearns, Hoops, T. Patton, Seitz, Skindell, Flowers, Oelslager, Combs, Hughes, D. Evans, Carano, Hartnett, Aslanides, DeWine, Raga, DeGeeter, Allen, Ujvagi, Setzer, Barrett, Reidelbach, Perry, Miller, Strahorn, Taylor, Chandler, Reinhard, Hagan, Schlichter, Brown, Buehrer, D. Stewart, Book, Walcher, Uecker, Beatty, Boccieri, Brinkman, Bulp, Calvert, Cassell, Coley, Collier, DeBose, Distel, Dolan, Domenick, Driehaus, Faber, Fende, Fessler, Gibbs, Gilb, Harwood, Key, Kilbane, Latta, Law, Martin, Mason, Otterman, S. Patton, Raussen, Redfern, Sayre, Schaffer, Schneider, Seaver, G. Smith, Sykes, Wagoner, Webster, Widener, Willamowski, Williams, Wolpert, Yates, Yuko
- Sens.** Hagan, Mumper, Coughlin, Clancy, Amstutz, Armbruster, Austria, Carey, Cates, Fedor, Gardner, Goodman, Grendell, Niehaus, Padgett, Roberts, Schuler, Schuring, Harris, Dann, Fingerhut, Brady, Hottinger, Jacobson, Jordan, Mallory, Miller, Prentiss, Spada, Wachtmann, Wilson, Zurz

**Effective date:** September 30, 2005

Designates the month of September as Leukemia, Lymphoma, and Myeloma Awareness Month.



### Am. Sub. H.B. 203

- Reps.** Raga, Kearns, DeWine, Flowers, Wagoner, Calvert, T. Patton, Allen, Strahorn, Gilb, Chandler, Faber, White, S. Smith, Barrett, Beatty, DeBose, Fessler, G. Smith, Harwood, Hoops, Otterman, Reidelbach, Schneider, Webster, Carmichael, Cassell, C. Evans, D. Evans, Hagan, Hughes, Key, Law, Martin, Schlichter, Setzer, Taylor, S. Patton, Williams
- Sens.** Clancy, Austria, Coughlin, Dann, Grendell, Harris, Padgett, Roberts, Schuler, Schuring, Zurz, Spada, Gardner

**Effective date:** March 21, 2006

Requires the board of health of a city or general health district to inspect the sanitary condition of schools and school buildings within its jurisdiction annually rather than semiannually.

Requires boards of health to inspect schools annually to identify conditions dangerous to public health and safety that are present in or on the buildings or grounds.

Requires the Director of Health to establish the School Health and Safety Network to coordinate school inspections.

Specifies that the practice of environmental health by registered sanitarians includes the administration and enforcement of rules adopted by the Director of Health for Network inspections and sanitary inspections of schools.



### **Sub. S.B. 18**

**Sens. Wachtmann, Austria, Spada, Dann**

**Reps. Reidelbach, Seaver, White, Barrett, Buehrer, Collier, Combs, C. Evans, Flowers, Gibbs, Hughes, Miller, Schneider, Seitz, Setzer, G. Smith, J. Stewart, Trakas, Yates**

**Effective date: August 19, 2005**

Permits a pharmacist to compound a limited quantity of a drug that is not commercially available and to provide the drug to a health professional for the purpose of direct administration to patients.

Specifies that the pharmacist's provision of the compounded drug must occur as an occasional exception to the normal practice of dispensing drugs pursuant to patient-specific prescriptions.



### **S.B. 41**

**Sens. Clancy, Prentiss, Fedor, Cates, Spada, Wilson, Wachtmann, Mumper, Armbruster, Jacobson, Austria, Coughlin, Goodman, Gardner, Brady, Hagan, Miller, Amstutz, Niehaus, Roberts, Schuler, Dann, Mallory, Harris, Zurz**

**Reps. S. Smith, Barrett, Beatty, Kearns, Reidelbach, Schneider, Allen, Calvert, Carano, Cassell, Chandler, Collier, DeBose, DeGeeter, Distel, Driehaus, D. Evans, Flowers, Garrison, Hood, Hughes, Key, Koziura, McGregor, Miller, T. Patton, Perry, Peterson, Sayre, Setzer, Skindell, D. Stewart, Strahorn, Sykes, Trakas, Ujvagi, White, Williams, Woodard, Yates**

**Effective date: September 16, 2005**

Provides that a mother is entitled to breast-feed her baby in any location of a place of public accommodation.



## HIGHWAYS AND TRANSPORTATION

### S.B. 55

- Sens.** Spada, Harris, Prentiss, Amstutz, Armbruster, Austria, Brady, Cates, Clancy, Carey, Coughlin, Dann, Fedor, Fingerhut, Gardner, Goodman, Grendell, Hottinger, Jacobson, Jordan, Mallory, Mumper, Niehaus, Padgett, Roberts, Schuler, Schuring, Wachtmann, Wilson, Zurz
- Reps.** Allen, Aslanides, Blasdel, Blessing, Brown, Bulp, Buehrer, Carano, Cassell, Collier, Combs, Daniels, DeBose, DeGeeter, DeWine, Distel, Domenick, C. Evans, Faber, Fende, Fessler, Flowers, Garrison, Gibbs, Gilb, Hagan, Hartnett, Hood, Hoops, Hughes, Key, Kilbane, Latta, Law, Martin, J. McGregor, R. McGregor, Oelslager, Otterman, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Schaffer, Schlichter, Schneider, Seitz, Setzer, Taylor, Trakas, Uecker, Wagner, Wagoner, Walcher, White, Widener, Widowfield, Willamowski, Williams, Yuko

**Effective date:** March 29, 2006

Authorizes the issuance of "One Nation Under God" license plates, bearing the American flag and the words "One Nation Under God," upon payment of all applicable fees and taxes plus an additional \$10 processing fee to the Registrar of Motor Vehicles.



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## HUMAN SERVICES

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### Am. Sub. S.B. 10

**Sens.** Jordan, Wachtmann, Mumper, Hottinger, Jacobson, Austria, Goodman, Carey, Cates, Stivers, Clancy, Miller, Spada

**Reps.** Fessler, Kearns, Brown, Barrett, Beatty, S. Smith, Otterman, DeBose, Combs, Reidelbach, Harwood, Mason, Allen, Aslanides, Buehrer, Core, C. Evans, D. Evans, Flowers, Hughes, Law, McGregor, Peterson, Schaffer, Setzer, G. Smith, White, Yuko

**Effective date:** September 5, 2005

#### Multi-county MR/DD boards

Permits a county to become a member of a multi-county board of mental retardation and developmental disabilities (county MR/DD board) instead of maintaining a separate county MR/DD board.

Provides that before January 1, 2007, a multi-county MR/DD board may be created if the boards of county commissioners of the counties to be included pass identical resolutions and the senior probate judges of those counties issue identical orders within a 180-day period providing for the creation of the multi-county board.

Limits to five the number of contiguous counties that may be members of the same multi-county MR/DD board.

Allows a county that is not part of a multi-county MR/DD board to join a multi-county board if the county's board of commissioners and senior probate judge adopt an identical resolution or order providing for the county to join the multi-county board.

Permits a board of county commissioners and the senior probate judge of that county to terminate the county's membership in a multi-county MR/DD board and either create a single county MR/DD board, co-create a new multi-county MR/DD board with other counties if the day immediately following the last day that the county will be a member of the current multi-county board is before January 1, 2007, or join a different multi-county MR/DD board.

Requires a board of county commissioners and senior probate judge to notify the county MR/DD board before creating, joining, or terminating a county's membership in a multi-county MR/DD board and to provide the county MR/DD board an opportunity to comment on the proposed action.

Provides that if the county MR/DD board votes to oppose the proposed action, the vote of the board of county commissioners to take that action must be unanimous.

### **County board membership**

Provides that an individual may not be appointed or reappointed to a county MR/DD board unless the individual first provides to the appointing authority a written declaration specifying: (1) that no circumstance exists making the individual ineligible to serve, and (2) whether the individual or an immediate family member has an ownership interest in or is under contract with an agency contracting with the board and, if such an interest or contract exists, the agency's identity and the nature of the relationship to that agency.

Provides that a member of a county MR/DD board is required to attend a minimum of four hours of in-service training per year and is to be considered present at an in-service training session even though the member is not physically present if the member is connected to the session through a system that enables communication between the member and other participants.

### **Removal of board members**

Modifies the circumstances under which a county MR/DD board member must be removed from the board, including requiring removal for consistently poor performance on the board as demonstrated by documentation that the board's president provides to the appointing authority and the appointing authority determines is convincing evidence.

Permits, under certain circumstances, the Director of Mental Retardation and Developmental Disabilities to waive a requirement that a member of a county MR/DD board be removed from the board for failure to meet attendance requirements.

Provides that a hearing on the removal of a county MR/DD board member is not required if the member fails to make a timely request for the hearing, and prohibits the appointing authority from removing the member before the conclusion of a hearing that the member requested.

### **Employment by county board**

Prohibits, except under certain circumstances, a county MR/DD board from employing an individual who is also employed by, has an ownership interest in, performs or provides administrative duties for, or is a member of the governing board of an entity that provides specialized services to persons with mental retardation or a developmental disability.

## Expenses

Requires each county MR/DD board to submit to the board of county commissioners of each county that is served by the county board a list of total expenditures that the county board expects to make in each year covered by the budget for specified expenses, including membership dues and professional services.



## **Am. Sub. S.B. 87**

**Sens. Wachtmann, Hagan, Gardner, Mumper, Clancy, Amstutz, Austria, Carey, Niehaus, Padgett, Schuring, Jordan, Harris, Zurz, Schuler, Armbruster, Brady, Cates, Coughlin, Dann, Fedor, Fingerhut, Goodman, Grendell, Hottinger, Jacobson, Mallory, Miller, Prentiss, Roberts, Spada, Wilson**

**Reps. Raussen, Barrett, Beatty, Brown, Martin, Smith, G., Combs, Smith, S., Schneider, Mason, Allen, Blessing, Buehrer, Cassell, Collier, DeBose, DeGeeter, Distel, Domenick, Evans, C., Fende, Flowers, Garrison, Gilb, Hagan, Harwood, Healy, Hoops, Hughes, Key, Koziura, Latta, Otterman, Patton, T., Reidelbach, Sayre, Seitz, Setzer, Stewart, D., Ujvagi, Wagoner, Webster, Willamowski, Yuko**

**Effective date: April 14, 2006**

Allows a residential care facility to admit and retain a hospice patient who requires skilled nursing care for more than 120 days.

Requires that the skilled nursing care be provided by a licensed hospice care program under a written agreement with the facility.

Requires that the request that the Director of Job and Family Services submits to the federal government for the Medicaid Voucher Pilot Program seek a spending authorization to pay for the cost of medically necessary home and community-based services rather than just medically necessary health care services.

Modifies the requirements that a person must meet in order to participate in the Medicaid Voucher Pilot Program.

Exempts from licensing requirements certain entities that operate transit buses and certain entities and vehicles that meet specific operational requirements unless an entity or vehicle provides ambulette services that are reimbursed under the state Medicaid plan.

Requires the Department of Transportation to administer and enforce the section of the Medical Transportation Law that governs specific operational requirements for ambulette service providers as that Law relates to entities that operate transit buses.

Permits a person who does not have the minimum of an appropriate associate degree to be employed as a conditional status service and support administrator if that person: (1) was employed by a county board of mental retardation and developmental disabilities and performed service and support administration duties on June 30, 2005, and (2) holds a high school diploma or a general educational development certificate of high school equivalence.

Excludes professional employees who are service and support administrators from the persons who can supervise conditional status service and support administrators while those persons perform the duties of service and support administration.

Adds four members of the General Assembly to the Medicaid Administrative Study Council.



## INDUSTRY, COMMERCE, AND LABOR

### H.B. 42

**Reps.** Schaffer, McGregor, Reidelbach, Hoops, Taylor, Seitz, Raussen, J. Stewart, C. Evans, Beatty, Carano, D. Evans, Hartnett, Perry, Willamowski, Gilb, Allen, Hagan, Buehrer, Harwood, Mason, Wagoner, Coley, Latta, Oelslager, Book, Barrett, Brown, Bubb, Calvert, Cassell, Collier, Combs, Core, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Faber, Fende, Flowers, Garrison, Gibbs, Hughes, Kearns, Key, Law, Martin, Miller, Otterman, S. Patton, T. Patton, Sayre, Schlichter, Schneider, Seaver, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, Strahorn, Sykes

**Sens.** Goodman, Austria, Clancy

**Effective date:** August 19, 2005

Expands the permissible contents of regulations of nonprofit corporations to include any right to vote by the use of authorized communications equipment, and specifies that the regulations may provide for the use of authorized communications equipment.

Generally defines "authorized communications equipment" for purposes of the Nonprofit Corporation Law as any communications equipment to which both of the following apply: (1) the articles, regulations, or bylaws, or regulations, constitution, or other fundamental agreement when dealing with the incorporation of an unincorporated society or association, permit its use for the purpose of giving notice of meetings or any required notice, attending and participating in meetings, giving a copy of any document or transmitting any writing, or voting, and (2) the communications equipment provides a transmission, including by telephone, telecopy, or any electronic means, from which it can be determined that the transmission was authorized by, and accurately reflects the intention of, the member or director involved and allows all persons participating in a meeting to contemporaneously communicate with each other.

Permits the articles or regulations to provide that voting by members may also be conducted by authorized communications equipment, and authorizes the directors to adopt procedures and guidelines for the use of the equipment to permit the corporation to verify that a person is a voting member and to maintain a record of any vote.

Generally authorizes the amendment of regulations or adoption of new regulations, the fixing or changing of the number of directors, the amendment of articles, or the adoption of a resolution of dissolution of a nonprofit corporation by the affirmative vote of a majority of the voting members present at the specified meeting in person or, if



permitted, by mail or by proxy as under continuing law or by the use of authorized communications equipment, and provides that participation by a member in a meeting through the use of any of those means of communication constitutes presence in person of that member at the meeting for purposes of determining a quorum.

If the regulations are amended or new regulations are adopted without a meeting of the voting members, requires the secretary of the corporation to send by mail as under continuing law, overnight delivery service, or authorized communications equipment a copy of the amendment or new regulations to each voting member who would have been entitled to vote on the amendment or new regulations and did not participate in their adoption.

Generally authorizes the incorporation of an unincorporated society or association by a specified or majority vote of the voting members present in person or, if permitted, by mail or by proxy as under continuing law or by the use of authorized communications equipment.

Provides that a member or director is considered in attendance at a meeting of voting members or directors of a nonprofit corporation if the member or director is present in person or, if permitted by the regulations, present by the use of authorized communications equipment.

Authorizes meetings of voting members of nonprofit corporations to be conducted solely by means of authorized communications equipment, and provides that, generally, the voting members present at any meeting of voting members in person or, if permitted, by mail or by proxy as under continuing law or by the use of authorized communications equipment constitute a quorum for the meeting.

Specifies that if authorized by the directors, voting members and proxyholders who are not physically present at a meeting of voting members may attend the meeting by the use of authorized communications equipment subject to certain conditions, and authorizes the directors to adopt procedures and guidelines for the use of the equipment to permit verification that a person is a voting member or proxyholder and to maintain a record of any vote or action taken.

Requires the notice of a meeting of voting members to include the means, if any, by which the voting members can be present and vote at the meeting through the use of authorized communications equipment.

Provides that any transmission by authorized communications equipment that contains an affirmative vote or approval of the incorporators, members, or directors of a nonprofit corporation of the authorization or taking of any action without a meeting is a signed writing for purposes of authorizing or taking any such action.

Generally permits meetings of directors and meetings of committees of nonprofit corporations to be held by means of authorized communications equipment.

Generally requires that a transaction for the disposition of all or substantially all of the assets of a mutual benefit corporation or the disposition of the assets of a public benefit corporation be approved by the affirmative vote of a majority of voting members present in person at a meeting held for that purpose or, if permitted, by proxy as under continuing law, by mail, or by the use of authorized communications equipment, and provides that a voting member's participation by any of those means of communication constitutes presence in person for purposes of determining a quorum.

Generally requires an agreement of merger or consolidation to be approved by the affirmative vote of a majority of the voting members of each constituent corporation present at a meeting in person or, if permitted, by mail or by proxy as under continuing law or by the use of authorized communications equipment, and provides that a voting member's participation by any of those means of communication constitutes presence in person for purposes of determining a quorum.



## **Am. Sub. S.B. 61**

**Sen. Wachtmann**

**Reps. Seitz, Latta, Aslanides, Coley, Combs, Domenick, D. Evans, Flowers, Hartnett, McGregor, Seaver, G. Smith, Walcher**

**Effective date: September 26, 2005**

Creates an annual fee of \$100 for each conveyor that a passenger tramway operator operates.

Adds the following to the list of inherent risks of skiing for which a skier assumes the risk of and legal responsibility for injury, death, or loss to person or property that results from the inherent risks: changing weather conditions; hard pack, powder, packed powder, wind pack, corn, crust, slush, cut-up snow, and machine-made snow; variations in steepness or terrain whether natural or as the result of snowmaking, slope design, freestyle terrain, jumps, catwalks, or other terrain modifications; and passenger tramways and related structures and equipment, and competition equipment.

Adds the following to the list of legal responsibilities of a ski area operator: the responsibility, prior to the use of any portion of a freestyle terrain area made available by the ski area operator, to allow each freestyler or competitor a reasonable opportunity to

visually inspect the course, venue, or area of the freestyle terrain and to allow skiers using a tubing park visible access to the course.

Exempts a ski area operator from liability for injury, death, or loss to person or property suffered by any competitor or freestyler using a freestyle terrain, which injury, death, or loss is caused by course, venue, or area conditions that visual inspection should have revealed or by collision with a spectator, competition official, ski area personnel, or another competitor or freestyler, provided that the ski area operator allows each freestyler or competitor a reasonable opportunity prior to use to visually inspect the course, venue, or area of freestyle terrain.

Exempts a ski area operator from liability for injury, death, or loss to person or property suffered by any skier using a tubing park, which injury, death, or loss is caused by course design or maintenance or conditions that visual inspection should have revealed or by collision with another skier, provided that the ski area operator allows the skier visible access to the course.

Provides that if a skier is a competitor, freestyler, or user of freestyle terrain, the skier must assume the risk of all course, venue, or area conditions, including, but not limited to, weather and snow conditions; obstacles; course or feature location, construction, or layout; freestyle terrain configuration and conditions; and other courses, layouts, or configurations of the area to be used.

Provides that if a skier is utilizing a tubing park, the skier must assume the risk of collision with others on the course.

Provides that a freestyler or competitor is liable for injury, death, or loss to person or property caused by the freestyler's or competitor's failure to fulfill any of the responsibilities required by the Skiing Safety Law, is not liable for any injury, death, or loss to person or property caused by another's failure to fulfill any of the responsibilities required of another by the Skiing Safety Law, and is not entitled to recover for any injury, death, or loss to person or property caused by the freestyler's or competitor's failure to fulfill any of the responsibilities required by the Skiing Safety Law.

Modifies the definitions of "skier" and "passenger tramway" and defines "conveyor," "competitor," "freestyler," "freestyle terrain," and "tubing park" for use in the Skiing Safety Law.



## **Am. S.B. 81**

**Sens. Armbruster, Hottinger, Spada, Austria, Gardner, Goodman, Harris**

**Reps. Schaffer, Cassell, Collier, Combs, Distel, McGregor, Miller, Seitz, Yuko, Allen, Barrett, Bocchieri, Brown, Carano, Chandler, DeBose, Dolan, Domenick, C. Evans, D. Evans, Fende, Gibbs, Harwood, Perry**

**Effective date: September 5, 2005**

Establishes revised methods of determining when a trade or business is transferred to another entity and how that transfer affects unemployment compensation liabilities.

Prohibits a person from acquiring the trade or business of an employer, or a portion thereof, solely or primarily for the purpose of obtaining a lower rate of contributions under the Unemployment Compensation Law, and establishes civil and criminal penalties for knowingly violating the prohibition.

Specifies objective factors that the Director of Job and Family Services (JFS) may use in determining whether a trade or business was acquired solely or primarily for the purpose of obtaining a lower rate of contributions.

Establishes a State Disaster Unemployment Benefit that may be paid to an individual suffering unemployment directly attributable to a major disaster declared by the President of the United States if the individual is not otherwise eligible to be paid unemployment compensation benefits for the first week of the individual's unemployment caused by the disaster, and eliminates the provision that allowed an individual to receive unemployment compensation benefits during the waiting week when unemployed due to such a disaster.

Adds Indian tribes as covered, reimbursing employers under the Unemployment Compensation Law, and requires them to pay for regular and extended unemployment benefits in the same fashion as state and local government employers.

Eliminates specified conditions under which an employer's penalty contribution rate for late wage reporting could be waived, and shortens the period during which an employer may furnish wage information in order to avoid a higher penalty contribution rate from 36 months to 18 months beginning in rate year 2006.

Allows the Director of JFS to issue a corrected determination of benefit rights if the Director finds the determination was erroneous during the 52-week period beginning on Sunday of the week that an application for benefits is filed.

Requires an appellant to file an appeal from a decision of the Unemployment Compensation Review Commission with the court of common pleas of Franklin County



if the appellant is not a resident of or last employed in a county in Ohio or does not have a principal place of business in Ohio.

Requires the Unemployment Compensation Review Commission to file a certified transcript of its record regarding a claim beyond the continuing 45-day deadline when allowed by a court, and requires the court to remand the matter to the Commission if the Commission cannot timely file the transcript.

Specifies that if the operations of an employer involved in a labor dispute are located in only one county, the appellant must file the appeal in the court of common pleas of that county, and specifies that if the operations of an employer involved in a labor dispute are located in multiple counties, the appellant must file the appeal in the court of common pleas of the county where the largest number of claimants worked for the employer.

Modifies provisions governing benefit reductions due to retirement pay.

Specifies that the Director of JFS need not have the prior approval of the Unemployment Compensation Advisory Council to make payments associated with the sale of real property, and requires the Director to submit an annual report regarding those payments to the Council.

Clarifies that amounts chargeable to other states, the United States, or Canada, pursuant to agreements that the Director of JFS enters into with those governments, are credited or reimbursed in accordance with those agreements.

Makes technical corrections to the Unemployment Compensation Law.



## INSURANCE

### Sub. H.B. 193

**Reps. Daniels, G. Smith, Fessler, Combs, Wolpert, C. Evans, Martin, Gibbs, D. Evans, Setzer, Barrett, Perry, DeBose, Boccieri, Hughes, Koziura, Brown, Chandler, Domenick, Reidelbach, Schlichter, Webster**

**Sens. Hottinger, Wachtmann, Clancy, Spada**

**Effective date: November 16, 2005**

Redefines what types of life insurance constitute group life insurance, and grants the Superintendent of Insurance the discretion to designate other types of life insurance as group life insurance.

Revises the provisions that must be included in group life insurance policies.

Provides for the operation of health savings accounts in a manner consistent with federal law.



## LIQUOR CONTROL

### Sub. H.B. 140

**Reps.** Carmichael, D. Stewart, Setzer, T. Patton, Barrett, Beatty, Blasdel, Brown, Buehrer, Carano, Cassell, Chandler, Coley, DeGeeter, Domenick, D. Evans, Faber, Harwood, Hughes, Key, McGregor, Otterman, Perry, Seaver, Seitz, Yuko, Trakas

**Sens.** Austria, Mumper, Niehaus, Schuler

**Effective date:** February 17, 2006

With certain exceptions, authorizes the Liquor Control Commission to issue an order allowing a liquor permit holder to pay a forfeiture rather than have the permit revoked, and establishes requirements and procedures for that purpose.

Authorizes entities involved in the manufacture or distribution of beer or intoxicating liquor to conduct consumer product instruction, or to provide sample servings of their products, at certain retail permit holders' premises without having to obtain a retail liquor permit.



### Sub. H.B. 209

**Reps.** Combs, Carano, Chandler, C. Evans, Harwood, Martin, Perry, Trakas, Daniels, Fende, Yuko, Wolpert, Allen, Barrett, Blessing, Boccieri, Brown, Distel, Domenick, D. Evans, Flowers, Hughes, Kearns, Key, Otterman, Reidelbach, Schneider, Seaver, Seitz, Webster, Yates

**Sen.** Mumper

**Effective date:** March 29, 2006

Allows manufacturers and wholesale distributors of beer or intoxicating liquor to provide to other manufacturers or wholesale distributors travel, lodging, food, and beverages and to provide to liquor permit holders food, beverages, and recreational activities.

Qualifies the owner or operator of a community arts center or a community theater for issuance of a D-5h liquor permit.

Creates an additional qualification under which a D-5j permit may be issued within a community entertainment district.

Excludes wine sales from the total gross receipts requirement governing the issuance of a D-5i liquor permit, and modifies the population requirement for the issuance of a D-5i liquor permit.



## LOCAL GOVERNMENT

### Sub. H.B. 33

**Reps.** Wagner, Combs, Allen, Barrett, Hartnett, McGregor, Brown, Reidelbach, Wolpert, C. Evans, Harwood, Taylor, Flowers, Bupp, Carano, Cassell, Chandler, Collier, Daniels, Distel, Dolan, Dominick, D. Evans, Faber, Fende, Fessler, Gibbs, Hagan, Hughes, Kearns, Latta, Law, Reinhard, Schlichter, Schneider, Seaver, Setzer, D. Stewart, Wagoner, Walcher

**Sens.** Zurz, Fedor, Amstutz, Gardner, Grendell, Schuler

**Effective date:** December 20, 2005

Permits the prosecuting attorney, with the board of county commissioners' approval, to be the legal adviser to a joint fire district, joint ambulance district, fire and ambulance district, or joint emergency medical services district either at no cost to the district or under a contract with the district.

Authorizes an assistant prosecuting attorney to be a member of a board of education in a county other than the county in which the assistant prosecuting attorney is employed if the board of education's school district is not contiguous to the county in which the assistant prosecuting attorney is employed.



### Am. Sub. H.B. 76

**Reps.** Trakas, McGregor, Walcher, Collier, Allen, Combs, D. Evans, Flowers, Gilb, Hagan, Healy, Hughes, Koziura, T. Patton, Reidelbach, Schaffer, Seaver, Setzer, G. Smith, Widowfield, Wolpert, Yuko

**Sens.** Zurz, Fedor, Amstutz, Armbruster, Cates, Clancy, Coughlin, Niehaus, Spada

**Effective date:** October 21, 2005

Permits the electors of a statutory village to vote on a question to authorize the mayor to appoint village legal counsel with the advice and consent of the village's legislative authority.



## **Sub. S.B. 107**

**Sens. Schuler, Padgett, Clancy, Schuring, Mumper, Grendell, Coughlin, Fedor, Miller, Niehaus, Roberts, Wilson, Zurz, Mallory**

**Reps. Chandler, Combs, Daniels, Uecker, Wolpert, Fende, Domenick, Carano, Cassell, D. Evans, Flowers, Hagan, Reidelbach, Sayre, Schaffer, Seaver**

**Effective date: December 20, 2005**

Changes the name of the office of township clerk to the township fiscal officer.

Requires a township zoning referendum to be voted on at a special election to be held on the day of the next primary or general election that occurs at least 75 days after the referendum petition is filed regardless of whether any election will be held to nominate or elect candidates on that day.



## OCCUPATIONS AND PROFESSIONS

### Sub. S.B. 99

**Sens.** Mumper, Armbruster, Cates, Niehaus, Schuler, Wilson

**Reps.** Aslanides, Gibbs, Brinkman, Calvert, Carano, Collier, Flowers, Hughes, Law, McGregor, Miller, Reidelbach, Schneider, Setzer, J. Stewart, Taylor, Uecker, Walcher, Willamowski

**Effective date:** Emergency, May 4, 2005; Sections 1 and 2 effective May 6, 2005

Excludes persons who sell real or personal property by means of the Internet from having to obtain a license under the Auctioneers Law.

Revises the definition of "auction mediation company."



### Am. S.B. 144

**Sens.** Schuler, Clancy, Mumper, Spada

**Reps.** Seitz, Collier, Cassell, Distel, Schaffer, Barrett, Combs, DeBose, Domenick, Fende, Fessler, Flowers, Hartnett, Hughes, Miller, Raga, Schneider, Stewart, D., Yuko

**Effective date:** March 29, 2006

Establishes requirements for the temporary registration of rather than the issuance of temporary certificates or licenses to real estate appraisers from other states.

Creates as a new condition that must be satisfied in order to obtain a temporary registration a requirement that the appraisal assignment for which the temporary registration is needed is part of a federally related transaction.

Requires the temporary registration to be limited to one appraisal assignment rather than requiring the temporary certification and licensure to be limited to one real estate property.

## PUBLIC LAND CONVEYANCES

### Sub. H.B. 139

**Reps. Harwood, Carano, Patton, S., Law, Williams, Domenick, Chandler, Wolpert, Mitchell, Beatty, Boccieri, Book, Cassell, Distel, Evans, C., Fende, Flowers, Hughes, Miller, Oelslager, Otterman, Patton, T., Skindell, Stewart, J., Wagoner, Yuko**

**Sens. Dann, Hagan, Carey, Harris, Prentiss, Roberts, Schuring, Zurz, Fedor, Stivers, Goodman, Wilson, Gardner, Armbruster, Spada**

**Effective date: Emergency, January 10, 2006; Sections 1, 2, 3, and 5 effective April 11, 2006; certain provisions effective January 10, 2011**

Authorizes the conveyance to Liberty Township of the state's interest in specified real estate in Trumbull County.

Authorizes the conveyance of the state's interest in specified real estate in Wayne County to a purchaser to be determined.

Authorizes the conveyance of the state's interest in specified real estate in Wayne County to the Wayne County Fire Rescue Association.

Amends Am. Sub. S.B. 147 of the 125th General Assembly regarding the conveyance to the Columbus Board of Education of the state's interest in specified real estate in Franklin County to add a parcel to the conveyance that was omitted from that act.

Authorizes the conveyance of the state's interest in specified real estate in Mahoning County held for the use and benefit of Youngstown State University to purchasers to be determined.



### Am. Sub. S.B. 147

**Sens. Austria, Schuring, Armbruster, Grendell, Schuler**

**Reps. Wolpert, Bubp, Combs, Daniels, Uecker, Hagan, Kearns, Oelslager**

**Effective date: Emergency, August 16, 2005; Sections 1, 2, 3, 4, 5, and 6 effective November 15, 2005**

Authorizes the conveyance of specified state-owned real estate in Stark County to the city of Massillon, in Warren County to Cincinnati Gas and Electric Company, in Brown County to a purchaser to be determined, in Franklin County to the Columbus Board of Education, and in Clark County to a purchaser to be determined.

Authorizes the Greene County prosecuting attorney to prosecute state law violation cases arising in specified townships within the jurisdiction of the Fairborn and Xenia municipal courts.

Permits the alternative use at each polling location, instead of a DRE voting machine, of at least one marking device that is accessible for individuals with disabilities, and provides those individuals the same opportunity for access and participation as other voters.



## PUBLIC OFFICIALS AND EMPLOYEES

### Am. H.B. 10

**Reps.** Schneider, Seitz, Setzer, C. Evans, Allen, Book, Daniels, Gibbs, Hagan, Mason, S. Patton, G. Smith, S. Smith, J. Stewart, White, Barrett, Beatty, Blasdel, Blessing, Bulp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, DeBose, Distel, Dolan, Domenick, Driehaus, D. Evans, Faber, Fende, Fessler, Flowers, Gilb, Hartnett, Hoops, Hughes, Kearns, Key, Koziura, Law, Martin, Mitchell, Oelslager, Otterman, T. Patton, Perry, Peterson, Raussen, Redfern, Reidelbach, Reinhard, Schaffer, Schlichter, Seaver, Skindell, D. Stewart, Sykes, Taylor, Uecker, Ujvagi, Wagoner, Walcher, Widener, Willamowski, Williams, Wolpert

**Sens.** Wachtmann, Clancy, Hottinger, Niehaus, Schuring, Cates

**Effective date:** Emergency, March 7, 2005; Sections 1 and 2 effective June 6, 2005; Sections 3 and 4 effective October 27, 2006

Requires a retirant receiving a retirement benefit from the Public Employees Retirement System, State Teachers Retirement System, School Employees Retirement System, or State Highway Patrol Retirement System who marries or remarries and wishes to change the plan of payment of the benefit to do so within one year of the marriage or remarriage.

Provides that a change in a state retirement system retirement benefit plan of payment that is based on marriage or remarriage takes effect on the date on which the retirement board receives the application to change the plan.

Specifies that the individual appointed by the Governor pursuant to S.B. 133 of the 125th General Assembly to serve as the additional retirant member of the School Employees Retirement System (SERS) Board holds office through June 30, 2005.

Specifies that, with regard to the vacancy left on the SERS Board by the employee member whose term would have ended on June 5, 2005, the individual elected by the SERS Board to fill the vacancy holds office through June 30, 2005.



# STATE GOVERNMENT

## Sub. H.B. 104

- Reps.** Martin, McGregor, Trakas, Wagoner, C. Evans, Perry, Seitz, Coley, Core, Harwood, Allen, Beatty, Blessing, Bubb, Buehrer, Carano, Cassell, Collier, DeBose, DeGeeter, Distel, Dolan, Domenick, Faber, Fende, Fessler, Flowers, Gibbs, Gilb, Hughes, Kearns, Latta, Mason, Miller, Oelslager, Otterman, S. Patton, T. Patton, Raussen, Reidelbach, Reinhard, Sayre, Schaffer, Schneider, Seaver, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Williams
- Sens.** Clancy, Austria, Grendell, Zurz, Dann, Jordan, Mallory, Goodman, Jacobson, Mumper, Schuring, Niehaus, Harris, Padgett, Carey, Schuler, Gardner, Miller, Fedor, Brady

**Effective date: February 17, 2006**

Requires any state agency or agency of a political subdivision that owns or licenses computerized data that include personal information of a specified nature to disclose, in the most expedient time possible, but generally not later than 45 days following its discovery or notification of the security breach, any breach of the security of the system to any Ohio resident whose personal information was, or reasonably is believed to have been, accessed and acquired by an unauthorized person if that access and acquisition cause or reasonably are believed will cause a material risk of identity theft or other fraud to the resident.

Requires any state agency or agency of a political subdivision that, on behalf of or at the direction of another state agency or agency of a political subdivision, is the custodian of or stores computerized data that include personal information of a specified nature to notify that other state agency or agency of a political subdivision of any breach of the security of the system in an expeditious manner if the personal information was, or reasonably is believed to have been, accessed and acquired by an unauthorized person and if that access and acquisition cause or reasonably are believed will cause a material risk of identity theft or other fraud to a resident of Ohio.

Requires any person, defined as including any business entity that conducts business in Ohio, that owns or licenses computerized data that include personal information of a specified nature to disclose, in the most expedient time possible, but generally not later than 45 days following its discovery or notification of the security breach, any breach of the security of the system to any Ohio resident whose personal information was, or reasonably is believed to have been, accessed and acquired by an



unauthorized person if that access and acquisition cause or reasonably are believed will cause a material risk of identity theft or other fraud to the resident.

Requires any person that on behalf of or at the direction of another person or a governmental entity is the custodian of or stores computerized data that include personal information of a specified nature to notify that other person or governmental entity of any breach of the security of the system in an expeditious manner if the personal information was, or reasonably is believed to have been, accessed and acquired by an unauthorized person and if that access and acquisition cause or reasonably are believed will cause a material risk of identity theft or other fraud to a resident of Ohio.

Permits a state agency, agency of a political subdivision, or person, whichever is applicable, to delay the required disclosure or notification if a law enforcement agency determines that the disclosure or notification will impede a criminal investigation or jeopardize homeland or national security.

Specifies the methods by which a state agency, agency of a political subdivision, or person may disclose or make a notification as required by the act.

Requires a state agency, agency of a political subdivision, or person, whichever is applicable, that discovers circumstances requiring disclosure to more than 1,000 Ohio residents involved in a single occurrence of a breach of the security of the system to notify without unreasonable delay all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis of the timing, distribution, and content of the disclosure given to Ohio residents pursuant to the act, and provides that in no case may a state agency, agency of a political subdivision, or person delay any disclosure or notification required under the act as discussed above in order to make the notification to consumer reporting agencies.

Provides that a financial institution, trust company, or credit union or affiliate of any of those entities that is required by federal law to notify its customers of an information security breach with respect to information about those customers and that is subject to its government regulatory agency's examination for compliance with that law is exempt from the act's requirements with respect to disclosure by any person.

Provides that the act's provisions pertaining to the required disclosure and notification by any person do not apply to any person or entity that is regulated by the Health Insurance Portability and Accountability Act.

Provides that any waiver of the act's provisions pertaining to the required disclosure and notification by any person is contrary to public policy and is void and unenforceable.

Authorizes the Attorney General to conduct an investigation and issue subpoenas if the Attorney General has reason to believe that a state agency, agency of a political subdivision, or person has failed or is failing to comply with the act's requirements, and prescribes procedures upon issuance of a subpoena by a court.

Grants the Attorney General the exclusive authority to bring a civil action in a court of common pleas if it appears that a state agency, agency of a political subdivision, or person has failed or is failing to comply with the act's requirements, and requires the court, upon a finding of such failure, to impose a civil penalty in one of the following amounts per day for each day that the state agency, agency of a political subdivision, or person fails to comply with the act: up to \$1,000 for the first 60 days, up to \$5,000 for the 61st day through the 90th day, and up to \$10,000 for the 91st day and succeeding days that the agency or person has intentionally or recklessly failed to comply with the applicable requirement under the act.

Requires a civil penalty assessed as discussed above to be deposited into the Consumer Protection Enforcement Fund for the sole purpose of paying expenses incurred by the Consumer Protection Section of the Attorney General's Office.

Specifies that, in determining the appropriate civil penalty to assess as discussed above, the court must consider all relevant factors, including: (1) if the defendant in the civil action is a state agency, an agency of a political subdivision, or a person that is a business entity, whether or not the high managerial officer, agent, or employee of the agency or business entity having supervisory responsibility for compliance with the act's applicable disclosure requirements acted in bad faith in failing to comply with them, and (2) if the defendant in the civil action is a person other than a business entity, whether or not the person acted in bad faith in failing to comply with the act's disclosure requirements applicable to persons.

States that it deals with a matter of statewide concern and that the General Assembly intends that the act supersede and preempt all local rules, regulations, resolutions, codes, and ordinances that pertain to matters expressly set forth or regulated under the act.



## **Am. Sub. H.B. 122**

**Reps. Wagoner, McGregor, Martin, Wagner, T. Patton, Hoops, Uecker, Seitz, Combs, Gibbs, Flowers, Collier, D. Evans, Calvert, Reidelbach, Setzer, Strahorn, Garrison, Latta, C. Evans, Kearns, Blasdel, Law, Gilb, Webster, Ujvagi, Harwood, Daniels, Carmichael, Walcher, Hartnett, D. Stewart, Book, Allen, Barrett, Brinkman, Brown, Cassell, Chandler, Coley, DeBose, Distel,**

**Dolan, Domenick, Faber, Hughes, Key, Miller, Sayre, Schaffer, Schneider, J. Stewart, Yuko**

**Sens. Mumper, Niehaus, Zurz, Mallory, Clancy**

**Effective date: April 14, 2006**

Prohibits any person from claiming or receiving payment of a lottery prize award with a value in excess of \$599 until each beneficial owner's name, address, and Social Security number are disclosed to the State Lottery Commission.

Specifies that the Commission may share that information with certain government agencies under specified provisions of law, but if the prize award winner is a beneficial owner using a trust, it remains confidential and cannot be subject to inspection or copying under the Public Records Law as a public record unless that prize award winner otherwise provides written consent.

Changes the procedure for the deduction from lottery prize awards of child or spousal support in default by requiring child support enforcement agencies to issue intercept directives if they determine that a prize winner is subject to a final and enforceable determination of default under the Support Order Default Law.

Increases the tax withholding percentage on lottery winnings from 3.5% to 6%.

Requires tax withholding on secondary transfers of lottery winnings to be based on the gain or income that the transferor recognizes instead of the entire amount of payments that the transferee makes to the transferor.

Authorizes a lottery prize award with an unpaid balance of \$100,000 or more to be subject to garnishment, attachment, execution, withholding, or deduction pursuant to an Ohio court order in a proceeding in which the Commission is a named party, but makes those payments subordinate to child and spousal support payments, and payments for specified debts owed to the state, as the act and continuing law require them to be deducted from lottery prize awards.

Authorizes the Commission to adopt rules in accordance with the Administrative Procedure Act as necessary to provide for payments from lottery prize awards that are subject to garnishment, attachment, execution, withholding, or deduction and to comply with any applicable federal law requirements.

Adds to the list of debts owed to the state that must be deducted from a lottery prize award of \$5,000 or more lottery sales receipts that a lottery sales agent holds in trust on the Commission's behalf.

Provides methods for distributing installment payments of lottery prize awards.



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**H.B. 421**

- Reps.** Beatty, Reidelbach, Allen, Redfern, Ujvagi, Cassell, Harwood, Brown, Healy, Oelslager, Latta, McGregor, J., Miller, Gilb, Boccieri, Perry, Skindell, Evans, C., Carano, Chandler, Barrett, Hughes, Combs, Driehaus, Aslanides, Flowers, DeGeeter, Hoops, Hood, Strahorn, Peterson, Mitchell, Bulp, Smith, S., McGregor, R., Otterman, Stewart, D., Raussen, Book, Yuko, Patton, S., Fende, Hartnett, Mason, Wolpert, Woodard, Wagoner, Schaffer, Fessler, Calvert, Carmichael, Core, Raga, Schlichter, Smith, G., Koziura, Setzer, Blasdel, Husted, Blessing, Buehrer, Coley, Daniels, DeBose, DeWine, Dolan, Domenick, Evans, D., Faber, Garrison, Hagan, Key, Kilbane, Law, Martin, Patton, T., Sayre, Schneider, Seaver, Stewart, J., Sykes, Taylor, Trakas, Uecker, Walcher, Webster, White, Widener, Willamowski, Williams, Yates
- Sens.** Miller, Amstutz, Armbruster, Austria, Carey, Cates, Clancy, Coughlin, Dann, Fedor, Fingerhut, Gardner, Goodman, Grendell, Hagan, Harris, Hottinger, Jacobson, Jordan, Kearney, Mallory, Mumper, Niehaus, Padgett, Prentiss, Roberts, Schuler, Schuring, Spada, Stivers, Wachtmann, Wilson, Zurz

**Effective date:** April 14, 2006

Designates December 1 of each year as "Rosa Parks Day," in honor of the woman who helped usher in the modern civil rights movement on that day in 1955 by refusing to give up her seat on a bus in Montgomery, Alabama.

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**Sub. S.B. 124**

- Sens.** Spada, Harris
- Reps.** Seitz, Willamowski, Aslanides, Coley, Domenick, Key, McGregor, Miller, Oelslager, Schneider, Seaver, G. Smith, Wagoner

**Effective date:** Emergency, June 27, 2005

Exempts ten state governmental entities from the operation of the Sunset Review Law: the Parole Board, the Board of Tax Appeals, the Controlling Board, the Release Authority of the Department of Youth Services, the Environmental Review Appeals Commission, the Ohio Ethics Commission, the Ohio Public Works Commission, the Self-

Insuring Employers Evaluation Board, the State Board of Deposit, and the State Employment Relations Board.

Expands the membership of the Ohio Subrogation Rights Commission, accelerates its commencement date, and adds open meetings and public records provisions to its governing law.

Confirms the sunset review and related amendments, enactments, and repeals of Am. Sub. H.B. 516 of the 125th General Assembly that took effect on December 30, 2004.



### **Am. Sub. S.B. 167**

**Sens. Grendell, Zurz, Harris, Jacobson, Cates, Mallory, Brady, Amstutz, Armbruster, Carey, Dann, Gardner, Goodman, Miller, Roberts, Schuler, Schuring, Spada, Wachtmann, Wilson, Padgett, Austria, Clancy, Mumper, Hottinger, Niehaus, Jordan, Fedor, Coughlin**

**Reps. Seitz, Harwood, Wagoner, Willamowski, Latta, Core, Oelslager, Coley, Book, Beatty, Mason, Allen, Aslanides, Barrett, Blasdel, Blessing, Boccieri, Brinkman, Bubp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Collier, Combs, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber, Fende, Fessler, Flowers, Garrison, Gibbs, Gilb, Hagan, Hartnett, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Law, Martin, McGregor, J., McGregor, R., Mitchell, Otterman, Patton, S., Patton, T., Perry, Peterson, Raga, Raussen, Reidelbach, Sayre, Schaffer, Schlichter, Setzer, Smith, G., Stewart, D., Stewart, J., Taylor, Uecker, Ujvagi, Wagner, Webster, White, Widener, Widowfield, Williams, Wolpert, Yates, Yuko, Brown**

**Effective date: Emergency, November 16, 2005**

Generally establishes a moratorium, until December 31, 2006, on the use of eminent domain to take private property that is located outside a blighted area for the primary purpose of economic development that will ultimately vest ownership in a private person other than the original owner.

Specifies that the moratorium applies only to taking actions initiated on or after the act's effective date.

If a public body uses eminent domain to take private property that is subject to the moratorium before December 31, 2006, precludes the award or distribution of funding to

the public body under certain programs or funding designated for capital purposes in any act of the General Assembly.

Creates the Legislative Task Force to Study Eminent Domain and Its Use and Application in the State consisting of 25 members, and requires the Task Force to study the use of eminent domain and its impact on the state, how the decision of the United States Supreme Court in *Kelo v. City of New London* (2005), 125 S.Ct. 2655, affects state law governing the use of eminent domain in the state, and the overall impact of state laws governing the use of eminent domain on economic development, residents, and local governments in Ohio.

Requires the Task Force to submit one report by April 1, 2006, to include findings and recommendations concerning the use of eminent domain and its impact on the state and another report by August 1, 2006, to include findings and recommendations regarding necessary updates to state laws governing eminent domain.

Specifies that all meetings of the Task Force are to be public meetings open to the public at all times and that minutes of meetings are public records, requires the Task Force to give reasonable notice of its meetings, and prohibits the Task Force from holding a meeting unless it gives at least 24 hours advance notification to news media organizations that request the notification.

Provides that nothing in the act is to be construed to imply that any public body with eminent domain authority has prior to the act's enactment abused that authority or engaged in any wrongdoing in the exercise of its eminent domain authority conferred by statute or the Ohio Constitution.



# TAXATION

## Sub. H.B. 2

**Reps.** Widowfield, Buehrer, Flowers, Walcher, Hartnett, Mitchell, Uecker, Carmichael, Book, D. Stewart, Aslanides, Beatty, Blasdel, Blessing, Brown, Calvert, Carano, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeWine, Distel, Dolan, Domenick, C. Evans, D. Evans, Faber, Fende, Garrison, Gibbs, Gilb, Hagan, Harwood, Hoops, Hughes, Kearns, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, Miller, Oelslager, Otterman, T. Patton, Perry, Peterson, Raga, Raussen, Reidelbach, Reinhard, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, J. Stewart, Strahorn, Taylor, Trakas, Ujvagi, Wagner, Wagoner, Webster, White, Widener, Willamowski, Williams, Wolpert, Yuko

**Sens.** Carey, Amstutz, Padgett, Gardner, Niehaus, Clancy, Roberts, Wilson, Goodman, Austria, Brady, Cates, Dann, Fedor, Grendell, Harris, Jordan, Mallory, Miller, Mumper, Prentiss, Schuler, Schuring, Hagan, Zurz, Fingerhut, Wachtmann, Coughlin, Armbruster, Hottinger, Jacobson, Spada

**Effective date:** Emergency, June 2, 2005

Expands eligibility for an Ohio income tax filing and payment extension to all National Guard members and members of a reserve component of the United States Armed Forces who are called to active duty by an executive order of the President or an act of Congress, not just those members who are serving on active or other duty under Operation Iraqi Freedom.

Applies the Ohio income tax filing and payment extension provisions to school district income taxes and to the spouses of the service members specified above if joint income tax returns are filed.

Provides that if the amount to be paid under a tax installment contract between the Tax Commissioner and a service member who receives a filing and payment extension is \$2,400 or less, the contract cannot be longer than 12 months, and if the amount is more than \$2,400, it cannot be longer than 24 months.

Increases the number of authorized participants in the Ohio National Guard Scholarship Program for the 2005 summer academic term from the equivalent of 800 to the equivalent of 1,000 individuals.



## Am. H.B. 13

**Reps. Wagner, Latta, Seitz, Aslanides, Barrett, Carano, Chandler, Collier, Combs, Daniels, DeBose, Domenick, Kearns, McGregor, Otterman, Seaver, Walcher, Willamowski, Wolpert**

**Effective date: Emergency, March 30, 2005**

Authorizes counties to levy a sales and use tax to fund emergency medical services.

Does not increase the allowable rate of county sales and use taxes.

Repeals provisions that required insurance and health insuring corporation policies, contracts, or agreements with coverage for 9-1-1 emergency services to provide for direct payments to certain providers of those services.



## Am. Sub. S.B. 26

**Sens. Amstutz, Austria, Clancy, Carey, Coughlin, Gardner, Goodman, Harris, Hottinger, Jacobson, Mumper, Padgett, Schuring, Spada, Wachtmann, Zurz, Cates, Grendell, Niehaus**

**Reps. Hagan, Gibbs, Aslanides, Barrett, Brinkman, Buehrer, Calvert, Carmichael, Cassell, Coley, Collier, Daniels, DeBose, Distel, Domenick, C. Evans, D. Evans, Faber, Fessler, Flowers, Gilb, Hoops, Hughes, Key, Latta, Law, Martin, McGregor, Miller, Oelslager, Otterman, T. Patton, Raga, Raussen, Reidelbach, Reinhard, Schlichter, Schneider, Seaver, Seitz, Setzer, G. Smith, Taylor, Wagner, Wagoner, Walcher, White, Widowfield, Willamowski**

**Effective date: June 2, 2005**

Delays the date, from July 1, 2005, to May 1, 2006, when vendors must convert from origin-based situsing to destination-based sourcing for the purpose of determining the appropriate sales tax jurisdiction in which a sale occurred and is taxable.

Provides an additional one-year delay for vendors with taxable delivery sales of less than \$30 million in 2005, instituting destination-based sourcing for such vendors on May 1, 2007.

Provides an additional seven-month delay for vendors with taxable delivery sales of less than \$5 million in 2006, instituting destination-based sourcing for such vendors on January 1, 2008.

Makes conforming delays in the payment of compensation to smaller, impacted counties affected by the transition to destination-based sourcing and to certain vendors affected by that transition.

Makes technical adjustments to two sales tax exemption-related definitions to conform them to corresponding definitions in the Streamlined Sales and Use Tax Agreement.

Makes several other technical changes in the Sales Tax Law.



## **Am. S.B. 190**

**Sens. Carey, Amstutz, Zurz, Fingerhut, Dann, Roberts, Austria, Spada, Harris, Coughlin, Gardner, Grendell, Hagan, Clancy, Hottinger, Niehaus, Armbruster, Schuler**

**Reps. Collier, J. Stewart, Aslanides, Brown, Cassell, Chandler, Combs, DeBose, Domenick, Fende, Hagan, Harwood, Hughes, Law, Otterman, Raussen, Reinhard, Schaffer, Taylor, Trakas, Wagner, Wolpert, Barrett, Buehrer, Daniels, C. Evans, Flowers, Healy, Latta, Martin, Mason, Oelslager, Reidelbach, Sayre, Schlichter, G. Smith, Widener, Williams, Yates, Gilb**

**Effective date: Emergency, November 22, 2005**

Extends the job training tax credit for an additional year to cover training costs paid or incurred on or before December 31, 2006.

Requires that the Director of Job and Family Services adopt rules requiring that taxpayers who permanently relocate or transfer employees to another state or country repay tax credits received by them for job training costs incurred with respect to those employees.

Accelerates and continues the requirement that each Medicaid health insuring corporation pay a periodic franchise permit fee, which is used to obtain federal Medicaid matching funds, by requiring the fee to be paid for: (1) the period December 1, 2005, through December 31, 2005, and (2) each subsequent calendar quarter rather than for only the calendar quarters occurring between January 1, 2006, and June 30, 2007.



## UTILITIES

### Am. Sub. H.B. 218

**Reps. Daniels, Taylor, McGregor, Bulp, J. Stewart, Gibbs, Raussen, Cassell, Uecker, T. Patton, Buehrer, Webster, Aslanides, Widener, Martin, Seitz, Flowers, Carmichael, G. Smith, Schlichter, Schneider, Coley, White, Reinhard, C. Evans, Collier, Hood, Hartnett, Latta, Strahorn, Distel, Hagan, Wagoner, Calvert, Carano, Peterson, Setzer**

**Sens. Niehaus, Jacobson, Schuler**

**Effective date: November 4, 2005**

Prohibits the Public Utilities Commission (PUCO) from establishing any requirements for the unbundling of network elements, for the resale of telecommunications services, or for network interconnection that exceed or are inconsistent with or prohibited by federal law, and requires the PUCO to comply with federal law in establishing pricing for such unbundled elements, resale, or interconnection.

Prohibits the PUCO from exercising any jurisdiction over advanced services or internet protocol-enabled service that is prohibited by, or is inconsistent with its jurisdiction under, federal law.

Makes changes to Ohio's Alternative Regulation (Alt Reg) statute, in part to modify a state policy objective concerning just and reasonable rates for public telecommunications services and to add three objectives generally pertaining to the scope of PUCO regulation and the nondiscriminatory treatment of service providers where competing and functionally equivalent services are involved and to the continuation of lifeline assistance.

Modifies an Alt Reg law provision authorizing an alternative regulation option for small telephone companies regarding any public telecommunications service so that the option is available specifically to small companies, redefined as having fewer than 50,000 access lines, that are incumbent local exchange companies.

Changes an alternative regulation option that allowed any company to apply to the PUCO for approval of alternative regulation for any public telecommunications service except basic local exchange service so that the option is available for basic local exchange service as well.

For that revised option, prohibits the PUCO from abrogating or modifying an order approving the revised option after five years in contrast to the eight years in which



the PUCO formerly could have taken such action with respect to the option under prior law, modifies the list of eligible statutory exemptions that a company may seek under the option for basic local exchange service, and requires that, if the option will involve basic local exchange service, PUCO approval is contingent on the PUCO additionally finding that there are no barriers to entry.

Given that the act authorizes the revised option, may indirectly empower the PUCO to adopt generic, off-the-shelf alternative regulation options for basic local exchange service.

Requires initial Alt Reg rules to be adopted within 120 days, and requires PUCO consideration of an off-the-shelf option specific to small companies.



# HISTORY OF BILLS THAT BECAME ACTS

Listed on the following pages is the legislative history of each bill enacted in 2005. The legend at the top left-hand corner of the following pages contains abbreviations for various actions taken on the bills. The committees of the House of Representatives and Senate are abbreviated as follows:

## HOUSE

ANR	Agriculture & Natural Resources
CC	Civil & Commercial Law
CL	Commerce & Labor
CRJ	Criminal Justice
ED	Education
EDE	Economic Development & Environment
EE	Elections & Ethics
FA	Finance & Appropriations
FRS	Financial Institutions, Real Estate, & Securities
HLT	Health
INS	Insurance
JUD	Judiciary
LGR	Local & Municipal Government & Urban Revitalization
PUE	Public Utilities and Energy
RR	Rules & Reference
SG	State Government
TPH	Transportation, Public Safety, & Homeland Security
WM	Ways & Means

## SENATE

AG	Agriculture
ED	Education
ENR	Environment & Natural Resources
EPU	Energy & Public Utilities
FIN	Finance and Financial Institutions
HHA	Health, Human Services, & Aging
HT	Highways & Transportation
ICL	Insurance, Commerce, & Labor
JCR	Judiciary – Criminal Justice
JCV	Judiciary – Civil Justice
SLG	State & Local Government & Veterans Affairs
WME	Ways & Means & Economic Development



Status Report of Legislation - 126th GA			House Action				Senate Action				Other Action			
House Bill	<b>A - Amended</b> <b>F - Failed to Pass</b> <b>R - Rereferred</b> <b>P - Postpone</b> <b>S - Substitute</b> <b>V - Vetoed</b> * - Note		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Sponsor	Subject												
2	Widowfield	Nat'l Grd/Reserv-tax extension/scholarships	01/24/05	SG	S 04/19/05	04/20/05	04/21/05	FIN	S 05/17/05	05/17/05		05/24/05	06/02/05	06/02/05
4	Dolan	Incident-Based Reporting System-create	01/24/05	CRJ	S 05/04/05	05/10/05	05/10/05	JCR	05/18/05	05/18/05		05/18/05	06/14/05	09/16/05
10	Schneider	Retirant-change plan on marriage/remarriage	01/24/05	FRS	01/26/05	01/26/05	01/26/05	HHA	02/24/05	A 03/01/05		03/02/05	03/07/05	* 03/07/05
11	Schlichter	Vietnam veterans-grant high school diplomas	01/25/05	ED	02/09/05	02/15/05	02/16/05	ED	* S 10/26/05	10/26/05		11/16/05	12/22/05	03/29/06
13	Wagner	County piggy-back sales tax for EMS	01/25/05	WM	03/01/05	03/02/05	03/03/05	WME	A 03/09/05	03/09/05		03/15/05	03/30/05	03/30/05
15	Hoops	Violent/sex offender-transf/release-notice	01/25/05	CRJ	S 05/26/05	A 06/07/05	06/07/05	JCR	06/21/05	06/22/05		06/22/05	08/24/05	11/23/05
16	Calvert	Capital appropriations	01/25/05	FA	S 01/26/05	A 01/26/05	01/26/05	FIN	02/01/05	02/01/05		02/01/05	02/03/05	* 05/06/05
25	Wagner	Immunity determinatn-st employee participate	01/26/05	JUD	S 03/08/05	04/06/05	04/07/05	JCV	S 04/26/05	04/26/05		04/27/05	05/03/05	08/04/05
29	Rausen	Domestic violence-bail considerations	02/01/05	JUD	S 04/21/05	04/27/05	04/28/05	JCR	S 05/04/05	05/04/05		05/10/05	05/25/05	08/26/05
33	Wagner	Prosecutor-legal adviser-EMS districts	02/03/05	SG	S 04/19/05	05/03/05	05/03/05	SLG	S 06/21/05	06/22/05		08/02/05	09/19/05	12/20/05
34	Setzer	Telecom importuning-extend warrant return	02/03/05	CRJ	S 05/04/05	05/11/05	05/12/05	JCR	06/16/05	06/21/05		06/21/05	07/20/05	10/21/05
36	Carmichael	Leukemia/Lymphoma/Myeloma Aware Month	02/03/05	SG	04/26/05	05/11/05	05/12/05	HHA	06/16/05	06/21/05		06/21/05	07/01/05	09/30/05
42	Schaffer	Nonprofit corporations-voting and meetings	02/03/05	CC	03/10/05	03/16/05	03/17/05	JCV	04/19/05	04/19/05		04/19/05	05/18/05	08/19/05
48	Hughes	Identity fraud-increase penalty/passport	02/08/05	CRJ	03/01/05	03/08/05	03/08/05	JCR	S 05/03/05	05/03/05		05/10/05	06/14/05	09/16/05
50	Setzer	Public indecency-expand/modify penalty	02/09/05	CRJ	S 03/16/05	* 04/20/05	04/21/05	JCR	S 05/11/05	05/11/05		05/17/05	06/27/05	09/26/05
58	Dolan	Amusement park police-appointment/training	02/15/05	JUD	S 03/17/05	04/05/05	04/07/05	JCR	04/20/05	04/20/05		04/20/05	05/03/05	05/03/05
65	Schaffer	Industrial Commission Budget FY 2006-2007	02/15/05	FA	02/22/05	02/23/05	02/24/05	ICL	03/08/05	03/08/05		03/08/05	03/21/05	* 06/21/05
66	Calvert	Main Operating Budget FY 2006-2007	02/15/05	FA	S 04/12/05	A 04/12/05	04/13/05	FIN	S 06/01/05	A 06/01/05	06/07/05	06/21/05	06/30/05	* 06/30/05
67	Schaffer	Workers' Compensation Budget FY 2006-2007	02/15/05	FA	02/22/05	02/23/05	02/24/05	ICL	A 03/08/05	03/08/05		03/15/05	03/21/05	* 06/21/05
68	Patton T.	Transportation/Pub Safety Budget FY 06-07	02/15/05	FA	S 03/01/05	A 03/02/05	03/03/05	HT	S 03/09/05	03/09/05	03/15/05	03/16/05	03/29/05	* 06/29/05
76	Trakas	Village solicitor-authorize mayor to appt	02/22/05	LGR	S 05/17/05	A 05/24/05	05/24/05	SLG	06/21/05	06/22/05		06/22/05	07/20/05	10/21/05
81	Smith G.	Credit Union Act-revise	02/23/05	FRS	S 10/13/05	10/18/05	10/18/05	FIN	S 12/14/05	12/14/05		12/14/05	01/10/06	04/14/06
100	Taylor	Auto shredder residue-no waste generatn fee	03/01/05	EDE	05/12/05	05/31/05	05/31/05	ENR	10/27/05	A 11/15/05		11/16/05	12/22/05	03/29/06
104	Martin	Personal info-contact if unauth access to	03/01/05	CC	S 06/23/05	08/02/05	08/04/05	JCR	S 10/25/05	10/25/05		10/26/05	11/17/05	02/17/06
107	Setzer	Teacher preparation curricula-standards	03/02/05	ED	04/27/05	05/10/05	05/10/05	ED	S 10/19/05	10/19/05	11/10/05	12/13/05	01/27/06	05/01/06
108	Hagan	Victim Rights Law-extend to OVI victims	03/02/05	CRJ	S 06/16/05	06/21/05	06/21/05	JCR	S 10/26/05	A 10/26/05		11/15/05	02/14/06	05/17/06
122	Wagoner	Lottery winners-require disclosures	03/10/05	SG	S 05/17/05	05/18/05	05/19/05	SLG	S 06/15/05	* A 06/21/05	10/05/05	10/26/05	01/10/06	04/14/06
139	Harwood	Land conveyance to Liberty Township	03/16/05	LGR	S 10/11/05	10/18/05	10/18/05	JCV	S 12/13/05	12/13/05		12/14/05	01/10/06	* 01/10/06
140	Carmichael	Brewers/distillers-product sampling	03/16/05	SG	A 06/02/05	06/14/05	06/15/05	AG	S 10/13/05	10/18/05		10/19/05	11/17/05	02/17/06
185	Latta	IOLTA insufficient funds-notify Supreme Ct	04/07/05	FRS	05/10/05	05/11/05	05/12/05	JCR	* 06/21/05	06/21/05		06/21/05	07/20/05	10/21/05
193	Daniels	Sale of group life insurance	04/12/05	INS	S 05/19/05	06/01/05	06/02/05	ICL	S 06/21/05	06/21/05		08/02/05	08/16/05	11/16/05
203	Raga	School building inspections	04/19/05	HLT	S 06/02/05	06/14/05	06/15/05	HHA	S 10/20/05	A 10/25/05		10/26/05	12/19/05	03/21/06
209	Combs	Community arts center liquor permit	04/20/05	LGR	06/14/05	A 06/21/05	06/21/05	AG	S 10/26/05	10/26/05		11/15/05	12/22/05	03/29/06
218	Daniels	Telecommunications-policy revisions	04/26/05	PUE	S 05/26/05	06/01/05	06/02/05	EPU	A 06/14/05	A 06/15/05		06/21/05	08/05/05	11/04/05
226	Hoops	Municipal fee-court services-tax as costs	04/28/05	JUD	A 06/21/05	06/21/05	06/21/05	JCV	10/26/05	A 11/15/05		11/16/05	11/22/05	02/27/06
234	Wolpert	High schl senior-serve as election officer	05/03/05	EE	S 06/01/05	A 06/21/05	06/21/05	SLG	S 10/13/05	10/18/05		10/19/05	10/28/05	01/27/06
246	Oelsluger	Powers of attorney/surviving spouse rights	05/05/05	JUD	06/21/05	06/21/05	06/21/05	JCV	S 10/26/05	11/15/05		11/16/05	12/22/05	03/29/06
367	Calvert	Wildlife revenues-no central supprt payment	10/05/05	FA	10/13/05	10/19/05	10/20/05	FIN	12/14/05	12/14/05		12/14/05	01/05/06	04/10/06
397	Hagan	Constructn/demolitin debris facil-revise law	10/25/05	EDE	S 12/08/05	A 12/13/05	12/13/05	ENR	* 12/14/05	12/14/05		12/14/05	12/22/05	12/22/05

Status Report of Legislation - 126th GA			House Action				Senate Action				Other Action			
House Bill	<b>A - Amended</b> <b>F - Failed to Pass</b> <b>R - Rereferred</b> <b>P - Postpone</b> <b>S - Substitute</b> <b>V - Vetoed</b> * - Note		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Sponsor	Subject												
421	Beatty	"Rosa Parks Day"-December 1	11/15/05	RR	12/08/05	12/13/05	12/13/05	SLG	*	12/14/05		12/14/05	01/12/06	04/14/06

Status Report of Legislation - 126th GA			Senate Action				House Action				Other Action			
Senate Bill	<b>A - Amended</b> <b>F - Failed to Pass</b> <b>R - Rereferred</b> <b>P - Postpone</b> <b>S - Substitute</b> <b>V - Vetoed</b> * - Note		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Sponsor	Subject												
6	Padgett	Partnership for Continued Learning-establish	01/24/05	ED	03/02/05	A 03/08/05	03/10/05	ED	A 04/27/05	05/03/05		05/04/05	05/13/05	08/12/05
9	Jacobson	GA's intention re: revise terrorism laws	01/24/05	JCR	S 03/09/05	03/09/05	03/10/05	TPH	* S 11/15/05	* A 12/14/05		12/14/05	01/11/06	04/14/06
10	Jordan	County MRDD boards-revise law	01/24/05	JCV	02/23/05	02/23/05	02/24/05	HLT	S 04/28/05	A 05/04/05		05/10/05	06/02/05	09/05/05
18	Wachtmann	Drug compounding by pharmacists	01/25/05	HHA	S 02/03/05	02/22/05	02/22/05	HLT	S 04/21/05	04/27/05		05/03/05	05/18/05	08/19/05
19	Schuler	Crit incidnt teams-testimonial priv/immunty	01/25/05	JCV	02/23/05	03/01/05	03/01/05	JUD	S 10/13/05	10/19/05		10/25/05	10/27/05	01/27/06
20	Goodman	Criminal jurisdictn-extraterritorial reach	01/26/05	JCR	S 02/23/05	02/23/05	02/24/05	CRJ	03/10/05	03/15/05		03/15/05	04/12/05	07/13/05
26	Amstutz	Sales tax sourcing-transition	01/26/05	WME	S 04/12/05	04/12/05	04/14/05	WM	S 05/03/05	A 05/10/05		05/11/05	06/02/05	06/02/05
41	Clancy	Breast feeding-allow in public places	02/01/05	HHA	04/12/05	04/12/05	04/14/05	HLT	05/12/05	05/18/05		05/18/05	06/14/05	09/16/05
55	Spada	"One Nation Under God" license plates	02/10/05	HT	04/12/05	04/13/05	04/14/05	TPH	11/15/05	11/16/05		11/16/05	12/22/05	03/29/06
56	Mumper	School Facil Comm-collective barg exempt	02/15/05	FIN	03/02/05	03/02/05	03/03/05	FA	S 03/15/05	03/15/05		03/16/05	03/30/05	* 06/29/05
61	Wachtmann	Ski operators/skiers-duties/liabilities	02/15/05	JCV	S 03/10/05	03/15/05	03/16/05	CC	S 05/04/05	A 05/24/05		05/31/05	06/27/05	09/26/05
71	Wilson	Flooded schools-calamity days make up	02/17/05	ED	03/16/05	03/16/05	03/17/05	ED	04/27/05	A 05/03/05		05/04/05	05/18/05	05/18/05
81	Armbruster	Unemployment compensation law-changes	03/01/05	ICL	A 04/12/05	04/12/05	04/14/05	CL	05/11/05	05/17/05		05/17/05	06/02/05	09/05/05
87	Wachtmann	Hospice care in residential care facilities	03/02/05	HHA	S 06/16/05	06/21/05	06/23/05	HLT	S 11/03/05	A 11/16/05		12/06/05	01/13/06	04/14/06
99	Mumper	Clarify Auctioneers Law-Internet auctions	03/08/05	AG	S 03/16/05	03/16/05	03/17/05	ANR	04/27/05	04/27/05		04/27/05	05/04/05	* 05/04/05
107	Schuler	Twp clerks-rename "township fiscal officer"	03/16/05	SLG	S 04/21/05	04/27/05	04/28/05	LGR	S 06/14/05	06/21/05		06/22/05	09/15/05	12/20/05
115	Jacobson	Election petitions-circulation-clarify law	03/29/05	SLG	S 04/13/05	A 04/13/05	04/14/05	EE	04/20/05	04/20/05		04/20/05	04/26/05	04/26/05
124	Spada	Agency sunset review-confirm/revise act	04/13/05	SLG	A 04/26/05	04/26/05	04/26/05	CC	S 06/02/05	06/14/05		06/15/05	06/27/05	06/27/05
128	Cates	Butler Cty Ct of Common Pleas-add judge	04/20/05	JCV	05/10/05	05/10/05	05/11/05	JUD	A 06/07/05	06/14/05	06/21/05	08/02/05	09/14/05	12/20/05
144	Schuler	Foreign real estate appraisers-temp regist	05/10/05	ICL	A 06/21/05	06/22/05	06/23/05	CL	A 10/19/05	11/16/05		12/06/05	12/22/05	03/29/06
147	Austria	Conveyances of state-owned real estate	05/17/05	SLG	S 05/26/05	05/31/05	06/01/05	LGR	06/21/05	* A 08/02/05		08/03/05	08/16/05	* 08/16/05
167	Grendell	Eminent domain-moratorium/study	08/03/05	SLG	S 10/05/05	A 10/05/05	10/06/05	CC	S 10/26/05	A 10/26/05		10/26/05	11/16/05	11/16/05
190	Carey	Job training tax credit-extend availability	09/29/05	WME	A 10/19/05	A 10/19/05	10/20/05	EDE	11/01/05	* A 11/15/05		11/15/05	11/22/05	11/22/05
236	Carey	Research/development/sites/facilities-bonds	12/02/05	FIN	S 12/07/05	A 12/07/05	12/08/05	FA	12/14/05	A 12/14/05		12/14/05	01/04/06	* 01/04/06

**H.B. No.****Notes for House Bill Status Report**

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- 10 Eff. Date Note: Sections 1 and 2 effective 06/06/05; Sections 3 and 4 effective 10/27/06
- 11 S. Cmte. Report Note: Reported amended by ED on 10/19/05; rereferred to ED on 10/19/05
- 16 Eff. Date Note: Sections 38.01 and 40.01 effective 02/03/05; Sections 39.02, 39.03 and 39.04 effective 07/01/05; Sections 2.01 and 2.02 effective 08/01/05; certain provisions effective 02/03/05 and 07/01/05
- 33 Concurrence Note: Senate amendments informally passed in the House on 06/28/05 and 06/30/05 and retained their place on the calendar; Senate amendments informally passed in the House on 07/05/05 until 08/02/05
- 50 H. 3rd Cons. Note: Informally passed on 04/12/05 and retained its place on the calendar; informally passed on 04/14/05 and retained its place on the calendar; informally passed on 04/19/05 and retained its place on the calendar
- 65 Eff. Date Note: Sections 3 to 7 effective 03/21/05
- 67 Eff. Date Note: Sections 3 to 8 effective 03/21/05
- 68 Eff. Date Note: Certain sections effective 03/29/05; certain provisions effective 07/01/05
- 66 Eff. Date Note: Certain provisions effective 09/29/05; certain other provisions effective on other dates; contains item vetoes
- 122 S. 3rd Cons. Note: Informally passed on 06/15/05 and retained its place on the calendar; informally passed on 06/16/05 and retained its place on the calendar  
Concurrence Note: Senate amendments informally passed in the House on 06/28/05 and 06/30/05 and retained their place on the calendar; Senate amendments informally passed in the House on 07/05/05 until 08/02/05; Senate amendments not passed in the House on 08/02/05; sent to conference committee on 08/04/05
- 139 Eff. Date Note: Sections 1, 2, 3, and 5 effective 04/11/06; certain provisions effective 01/10/11
- 185 S. Cmte. Report Note: Referred to FIN on 05/17/05; rereferred to JCR on 06/15/05
- 193 Concurrence Note: Senate amendments informally passed in the House on 06/28/05 and 06/30/05 and retained their place on the calendar; Senate amendments informally passed in the House on 07/05/05 until 08/02/05
- 397 S. Cmte. Report Note: No committee report; bill brought up for immediate consideration on the floor.
- 421 S. Cmte. Report Note: No committee report; bill brought up for immediate consideration on the floor.
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**S.B. No.****Notes for Senate Bill Status Report**

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- 9 H. Cmte. Report Note: Referred to TPH on 03/16/05; TPH reported substitute bill on 06/16/05; rereferred to TPH on 09/13/05  
H. 3rd Cons. Note: Informally passed on 06/22/05 and made a special order of business for 06/28/05; informally passed on 06/28/05 and 06/30/05 and retained its place on the calendar; informally passed on 07/05/05 until 08/02/05; informally passed on 08/02/05 and retained its place on the calendar; informally passed on 08/04/05 and retained its place on the calendar; informally passed on 08/09/05 and retained its place on the calendar; informally passed on 08/11/05 and retained its place on the calendar; informally passed on 08/16/05 and retained its place on the calendar; informally passed on 08/18/05 and retained its place on the calendar; informally passed on 08/23/05 and retained its place on the calendar; informally passed on 08/25/05 and retained its place on the calendar; informally passed on 08/30/05 and retained its place on the calendar; informally passed on 09/01/05 and retained its place on the calendar; informally passed on 09/06/05 and retained its place on the calendar; informally passed on 09/08/05 and retained its place on the calendar; rereferred to TPH committee on 09/13/05
- 56 Eff. Date Note: Sections 1 to 3 effective 06/29/05; Sections 4 to 12 effective 03/29/05
- 87 Concurrence Note: The House amendments to SB 87 were informally concurred in on 12/02/05 and the bill retained its place on the calendar
- 99 Eff. Date Note: Sections 1 and 2 effective 05/06/05
- 128 Concurrence Note: Conference committee report adopted in the Senate on 06/22/05; conference committee report informally passed in the House on 06/22/05 and made a special order of business for 06/28/05; conference committee report informally passed in the House on 06/28/05 and 06/30/05 and retained its place on the calendar; conference committee report informally passed in the House on 07/05/05 until 08/02/05
- 144 Concurrence Note: The House amendments to SB 144 were informally concurred in on 12/02/05 and the bill retained its place on the calendar
- 147 H. 3rd Cons. Note: Informally passed on 06/22/05 and made a special order of business for 06/28/05; informally passed on 06/28/05 and 06/30/05 and retained its place on the calendar; informally passed on 07/05/05 until 08/02/05  
Eff. Date Note: Sections 1, 2, 3, 4, 5, and 6 effective 11/15/05
- 190 H. 3rd Cons. Note: Informally passed on 11/01/05 until 11/15/05 and retained its place on the calendar
- 236 Eff. Date Note: Sections 6 and 7 effective 04/10/06
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## REVISED CODE SECTIONS AFFECTED

Listed below are all sections\* of the Revised Code actually affected by acts of the 126th General Assembly during 2005. Most listed sections were amended, enacted, repealed, or repealed and reenacted using the same section number. Some sections were renumbered. For the renumbered sections, the old number and the new number are listed separately. The new number also appears in parentheses underneath the old number.

			0109.54	H 0066	Amend	0122.0811	S 0236	Enact
			0109.57	H 0066	Amend	0122.0812	S 0236	Enact
			0109.572	H 0068	Amend	0122.0813	S 0236	Enact
<u>General</u>			0109.579	H 0066	Enact	0122.0814	S 0236	Enact
<u>Provisions</u>			0109.71	H 0058	Amend	0122.0815	S 0236	Enact
0005.2230	H 0036	Enact	0109.71	H 0081	Amend	0122.0816	S 0236	Enact
0005.2231	H 0421	Enact	0109.73	H 0058	Amend	0122.0817	S 0236	Enact
0009.23	H 0066	Enact	0109.73	H 0081	Amend	0122.0818	S 0236	Enact
0009.231	H 0066	Enact	0109.79	H 0058	Amend	0122.0819	S 0236	Enact
0009.232	H 0066	Enact	0109.79	H 0066	Amend	0122.0820	S 0236	Enact
0009.233	H 0066	Enact	0109.79	H 0081	Amend	0122.083	H 0066	Enact
0009.234	H 0066	Enact	0109.91	H 0066	Amend	0122.085	S 0236	Enact
0009.235	H 0066	Enact	0109.94	H 0048	Enact	0122.086	S 0236	Enact
0009.236	H 0066	Enact	0109.98	H 0066	Amend	0122.087	S 0236	Enact
0009.237	H 0066	Enact	0109.981	H 0066	Enact	0122.088	S 0236	Enact
0009.238	H 0066	Enact	0111.15	H 0081	Amend	0122.089	S 0236	Enact
0009.239	H 0066	Enact	0111.21	S 0107	Amend	0122.14	H 0068	Amend
0009.24	H 0066	Amend	0111.22	S 0107	Amend	0122.17	H 0066	Amend
0009.241	H 0066	Enact	0117.10	H 0066	Amend	0122.171	H 0066	Amend
0009.63	S 0009	Enact	0117.102	H 0203	Enact	0122.172	H 0066	Enact
0009.90	H 0193	Amend	0117.44	S 0107	Amend	0122.173	H 0066	Enact
0009.901	H 0066	Enact	0119.01	H 0081	Amend	0122.18	H 0066	Amend
0009.98	H 0016	Amend	0120.06	H 0066	Amend	0122.40	S 0124	Amend
0009.981	H 0066	Amend	0120.07	H 0066	Enact	0122.40	H 0066	Amend
			0120.13	H 0066	Amend	0122.603	H 0066	Amend
			0120.23	H 0066	Amend	0122.71	H 0066	Amend
<u>Title 1</u>			0120.36	H 0066	Enact	0122.72	H 0066	Amend
			0120.52	H 0066	Amend	0122.73	H 0066	Amend
0101.23	S 0124	Amend	0120.53	H 0066	Amend	0122.74	H 0066	Amend
0101.391	H 0066	Enact	0121.08	H 0067	Amend	0122.75	H 0066	Amend
0101.68	H 0066	Amend	0121.37	H 0066	Amend	0122.751	H 0066	Amend
0101.82	S 0124	Amend	0121.373	H 0066	Enact	0122.76	H 0066	Amend
0101.83	S 0124	Amend	0121.38	H 0066	Amend	0122.77	H 0066	Amend
0101.84	S 0124	Amend	0121.381	H 0066	Enact	0122.78	H 0066	Amend
0101.85	S 0124	Amend	0121.382	H 0066	Enact	0122.79	H 0066	Amend
0101.86	S 0124	Amend	0121.40	S 0009	Amend	0122.82	H 0066	Amend
0102.02	H 0066	Amend	0121.403	H 0066	Enact	0122.83	H 0066	Amend
0102.03	S 0115	Amend	0121.404	S 0009	Enact	0122.95	H 0066	Amend
0102.06	H 0066	Amend	0122.011	H 0066	Amend	0122.951	H 0066	Amend
0103.132	H 0066	Enact	0122.011	S 0124	Amend	0123.01	H 0066	Amend
0105.41	H 0016	Amend	0122.012	H 0016	Enact	0123.023	H 0016	Repeal
0105.42	H 0016	Enact	0122.013	S 0236	Enact	0123.10	H 0016	Amend
0108.05	H 0066	Amend	0122.075	H 0066	Enact	0123.151	S 0124	Amend
0109.42	H 0015	Amend	0122.0810	S 0236	Enact	0123.152	H 0066	Amend

\*Some sections that were affected by bills are not listed and some sections, although listed, do not show all of the actions affecting them. Excluded from the list are sections with sunsets (future repeals), sections for which the amendment, enactment, repeal, or reenactment has been postponed to a later date by legislation enacted during 2005, and sections whose enactment or amendment are dependent upon further legislative action. The list also excludes sections vetoed in full by the Governor and, though none in 2005, sections nullified by referendum.

0123.17	H 0016	Enact	0151.01	H 0016	Amend	0184.114	S 0236	Enact
0123.17	H 0066	Amend	0151.01	S 0236	Amend	0184.115	S 0236	Enact
0124.07	H 0066	Amend	0151.02	S 0236	Amend	0184.116	S 0236	Enact
0124.321	H 0066	Amend	0151.04	H 0016	Amend	0184.12	S 0236	Enact
0124.328	H 0066	Amend	0151.10	S 0236	Enact	0184.13	S 0236	Enact
0125.021	H 0065	Amend	0151.11	S 0236	Enact	0184.14	S 0236	Enact
0125.041	H 0066	Amend	0153.02	H 0066	Enact	0184.15	S 0236	Enact
0125.05	H 0066	Amend	0154.01	H 0016	Amend	0184.151	S 0236	Enact
0125.11	H 0066	Amend	0154.02	H 0016	Amend	0184.16	S 0236	Enact
0125.18	H 0066	Enact	0154.07	H 0016	Amend	0184.17	S 0236	Enact
0125.25	H 0066	Enact	0154.11	H 0066	Amend	0184.171	S 0236	Enact
0125.28	H 0016	Amend	0154.23	H 0016	Enact	0184.172	S 0236	Enact
0125.60	H 0066	Enact	0173.26	H 0066	Amend	0184.173	S 0236	Enact
0125.601	H 0066	Enact	0173.39	H 0066	Enact	0184.18	S 0236	Enact
0125.6010	H 0066	Enact	0173.391	H 0066	Enact	0184.19	S 0236	Enact
0125.6011	H 0066	Enact	0173.392	H 0066	Enact	0184.20	S 0236	Enact
0125.6012	H 0066	Enact	0173.393	H 0066	Enact			
0125.602	H 0066	Enact	0173.40	H 0066	Amend			
0125.603	H 0066	Enact	0173.42	H 0066	New Number	<u>Title 3</u>		
0125.604	H 0066	Enact	0173.43	H 0066	New Number			
0125.605	H 0066	Enact	0173.44	H 0066	Enact	0301.01	S 0107	Amend
0125.606	H 0066	Enact	0173.45	H 0066	Enact	0305.171	H 0066	Amend
0125.607	H 0066	Enact	0173.46	H 0066	Enact	0305.28	H 0066	Enact
0125.608	H 0066	Enact	0173.47	H 0066	Enact	0306.32	S 0107	Amend
0125.609	H 0066	Enact	0173.48	H 0066	Enact	0306.321	S 0107	Amend
0125.831	H 0066	Amend	0173.49	H 0066	Enact	0306.331	H 0066	Enact
0125.832	H 0066	Amend	0173.50	H 0066	Enact	0307.12	H 0068	Amend
0126.11	H 0016	Amend	0173.99	H 0066	Amend	0307.37	H 0066	Amend
0126.25	H 0066	Amend	0181.251	H 0066	Amend	0307.674	S 0124	Amend
0127.16	H 0066	Amend	0181.251	H 0066	Old Number	0307.677	H 0066	Enact
0131.02	H 0016	Amend			(5502.63)	0307.695	H 0066	Amend
0131.02	H 0066	Amend	0181.51	H 0066	Amend	0307.86	H 0066	Amend
0131.021	H 0016	Enact	0181.51	H 0066	Old Number	0307.88	H 0066	Amend
0133.01	H 0016	Amend			(5502.61)	0309.09	H 0033	Amend
0133.01	S 0107	Amend	0181.52	H 0066	Amend	0315.08	H 0068	Amend
0133.08	H 0066	Amend	0181.52	H 0004	Amend	0315.14	H 0068	Amend
0133.081	H 0066	Amend	0181.52	H 0066	Old Number	0315.18	H 0068	Amend
0133.09	H 0066	Amend			(5502.62)	0317.08	H 0066	Amend
0133.27	S 0107	Amend	0181.53	H 0066	Repeal	0317.36	H 0066	Amend
0140.01	H 0066	Amend	0181.54	H 0066	Amend	0319.20	H 0066	Amend
0141.011	H 0066	Amend	0181.54	H 0066	Old Number	0319.302	H 0066	Amend
0141.04	H 0066	Amend			(5502.64)	0319.51	S 0107	Amend
0145.01	H 0066	Amend	0181.55	H 0066	Amend	0321.24	H 0066	Amend
0145.011	H 0016	Amend	0181.55	H 0066	Old Number	0321.31	S 0107	Amend
0145.06	H 0025	Amend			(5502.65)	0321.32	S 0107	Amend
0145.33	H 0066	Amend	0181.56	H 0066	Amend	0321.34	S 0107	Amend
0145.384	H 0010	Amend	0181.56	H 0066	Old Number	0323.152	H 0066	Amend
0145.46	H 0010	Amend			(5502.66)	0325.31	H 0066	Amend
0147.05	H 0066	Amend	0183.28	H 0066	Amend	0329.04	H 0066	Amend
0147.10	H 0066	Amend	0184.01	S 0236	Amend	0339.72	H 0066	Amend
0147.11	H 0066	Amend	0184.02	H 0066	Amend	0339.77	H 0066	Repeal
0147.12	H 0066	Amend	0184.02	S 0236	Amend	0339.88	H 0066	Amend
0147.371	H 0066	Amend	0184.03	S 0236	Amend	0340.02	S 0124	Amend
0149.30	H 0066	Amend	0184.10	S 0236	Enact	0340.03	H 0066	Amend
0149.42	S 0107	Amend	0184.11	S 0236	Enact	0340.16	H 0066	Amend
0149.56	S 0124	Amend	0184.111	S 0236	Enact	0341.192	H 0066	Enact
0150.07	H 0066	Amend	0184.112	S 0236	Enact	0345.01	S 0107	Amend
0150.10	H 0066	Amend	0184.113	S 0236	Enact	0351.01	H 0066	Amend

0351.021	H 0066	Amend	0515.081	S 0107	Amend	0907.16	H 0066	Amend
0351.06	H 0066	Amend	0515.12	S 0107	Amend	0913.02	H 0066	Amend
0351.141	H 0066	Amend	0517.05	S 0107	Amend	0913.23	H 0066	Amend
0351.16	H 0066	Amend	0517.06	S 0107	Amend	0915.02	H 0066	Amend
			0517.07	S 0107	Amend	0915.16	H 0066	Amend
			0519.12	S 0107	Amend	0915.24	H 0066	Amend
<u>Title 5</u>			0519.16	S 0107	Amend	0921.02	H 0066	Amend
			0519.161	S 0107	Amend	0921.16	H 0066	Amend
0503.162	S 0107	Amend	0519.211	S 0107	Amend	0923.44	H 0066	Amend
0503.25	S 0107	Amend	0521.02	S 0107	Amend	0923.45	H 0066	Amend
0503.26	S 0107	Amend	0521.03	S 0107	Amend	0923.46	H 0066	Amend
0503.29	S 0107	Amend				0926.01	H 0066	Amend
0503.41	S 0107	Amend				0927.69	H 0066	Amend
0503.52	S 0107	Amend	<u>Title 7</u>			0971.05	S 0107	Amend
0504.06	S 0107	Amend				0971.06	S 0107	Amend
0504.07	S 0107	Amend	0703.201	S 0107	Amend	0971.08	S 0107	Amend
0504.11	S 0107	Amend	0707.28	S 0107	Amend	0971.09	S 0107	Amend
0504.12	S 0107	Amend	0709.023	S 0107	Amend	0971.12	S 0107	Amend
0504.14	S 0107	Amend	0709.024	S 0107	Amend	0971.35	S 0107	Amend
0504.19	S 0107	Amend	0709.03	S 0107	Amend	0971.36	S 0107	Amend
0504.20	S 0107	Amend	0709.033	S 0107	Amend			
0505.03	S 0107	Amend	0709.46	S 0107	Amend			
0505.04	S 0107	Amend	0711.05	S 0107	Amend	<u>Title 11</u>		
0505.07	S 0107	Amend	0711.10	S 0107	Amend			
0505.108	S 0107	Amend	0715.691	S 0107	Amend	1111.04	H 0066	Amend
0505.11	S 0107	Amend	0715.70	S 0107	Amend	1121.05	H 0081	Amend
0505.17	S 0107	Amend	0715.71	S 0107	Amend	1155.18	H 0081	Amend
0505.24	S 0107	Amend	0715.75	S 0107	Amend	1163.22	H 0081	Amend
0505.262	S 0107	Amend	0715.76	S 0107	Amend			
0505.31	S 0107	Amend	0718.09	H 0066	Amend			
0505.32	S 0107	Amend	0718.10	H 0066	Amend	<u>Title 13</u>		
0505.33	S 0107	Amend	0731.14	H 0066	Amend			
0505.35	S 0107	Amend	0731.141	H 0066	Amend	1317.01	H 0081	Amend
0505.37	S 0107	Amend	0733.48	H 0076	Amend	1327.511	H 0066	Amend
0505.373	S 0107	Amend	0742.05	H 0025	Amend	1337.18	H 0246	Enact
0505.47	S 0107	Amend	0742.36	H 0066	Repeal	1337.19	H 0246	Enact
0505.511	S 0107	Amend	0742.3711	H 0010	Amend	1337.20	H 0246	Enact
0505.73	S 0107	Amend	0742.59	H 0066	Amend	1341.16	S 0107	Amend
0505.86	S 0107	Amend	0755.16	H 0016	Amend	1345.51	H 0104	Amend
0507.01	S 0107	Amend	0755.18	H 0016	Amend	1347.01	H 0104	Amend
0507.02	S 0107	Amend				1347.12	H 0104	Enact
0507.021	S 0107	Amend				1349.19	H 0104	Enact
0507.03	S 0107	Amend	<u>Title 9</u>			1349.191	H 0104	Enact
0507.04	S 0107	Amend				1349.192	H 0104	Enact
0507.05	S 0107	Amend	0901.43	H 0066	Amend			
0507.051	S 0107	Amend	0901.44	H 0066	Enact			
0507.06	S 0107	Amend	0903.05	H 0066	Amend	<u>Title 15</u>		
0507.07	S 0107	Amend	0905.32	H 0066	Amend			
0507.08	S 0107	Amend	0905.33	H 0066	Amend	1501.04	S 0124	Amend
0507.09	S 0107	Amend	0905.331	H 0066	Amend	1502.02	H 0066	Amend
0507.11	S 0107	Amend	0905.36	H 0066	Amend	1502.04	S 0124	Amend
0509.02	S 0107	Amend	0905.37	H 0066	Amend	1502.05	S 0124	Amend
0511.21	S 0107	Amend	0905.38	H 0066	Amend	1502.11	S 0124	Amend
0511.22	S 0107	Amend	0905.381	H 0066	Amend	1502.12	S 0124	Amend
0511.33	S 0107	Amend	0905.50	H 0066	Amend	1506.30	S 0124	Amend
0513.04	S 0107	Amend	0905.501	H 0066	Amend	1506.34	S 0124	Amend
0515.02	S 0107	Amend	0905.66	H 0066	Amend	1506.35	S 0124	Amend
0515.04	S 0107	Amend	0907.111	H 0066	Enact	1509.06	H 0066	Amend

1509.072	H 0066	Amend	1707.23	H 0066	Amend	2152.74	H 0066	Amend
1509.31	H 0066	Amend	1707.25	H 0066	Amend			
1515.14	H 0066	Amend	1707.261	H 0066	Amend			
1517.02	H 0066	Amend	1707.431	H 0066	Amend	<u>Title 23</u>		
1517.02	S 0124	Amend	1707.44	H 0066	Amend			
1517.23	S 0124	Amend	1707.46	H 0066	Amend	2301.02	S 0128	Amend
1518.01	S 0124	Amend	1710.02	S 0107	Amend	2301.03	S 0128	Amend
1518.03	S 0124	Amend	1711.52	H 0066	Amend	2303.201	H 0066	Amend
1521.062	H 0066	Amend	1711.53	H 0066	Amend	2305.234	H 0066	Amend
1531.27	H 0066	Amend	1711.531	H 0066	Enact	2305.2341	H 0066	Enact
1533.10	H 0066	Amend	1713.03	H 0066	Amend	2307.65	H 0066	Enact
1533.11	H 0066	Amend	1733.04	H 0081	Amend	2317.02	S 0019	Amend
1533.111	H 0066	Amend	1733.16	H 0081	Amend	2323.44	S 0124	Amend
1533.112	H 0066	Amend	1733.22	H 0081	Amend	2329.66	H 0066	Amend
1533.12	H 0066	Amend	1733.24	H 0081	Amend			
1533.13	S 0107	Amend	1733.25	H 0081	Amend			
1533.32	H 0066	Amend	1733.251	H 0081	Amend	<u>Title 27</u>		
1541.03	H 0066	Amend	1733.29	H 0081	Amend			
1541.221	H 0066	Repeal	1733.30	H 0081	Amend	2716.11	H 0016	Amend
1541.23	H 0016	Enact	1733.31	H 0081	Amend	2743.02	H 0025	Amend
1547.721	H 0066	Enact	1733.32	H 0081	Amend	2743.191	H 0066	Amend
1547.722	H 0066	Enact	1733.33	H 0081	Amend	2743.712	H 0016	Enact
1547.723	H 0066	Enact	1733.37	H 0081	Amend	2744.08	H 0066	Amend
1547.724	H 0066	Enact	1733.38	H 0081	Amend	2744.082	H 0066	Enact
1547.725	H 0066	Enact	1733.412	H 0081	Amend			
1547.726	H 0066	Enact	1733.44	H 0081	Amend			
1547.80	S 0009	Enact	1751.03	H 0066	Amend	<u>Title 29</u>		
1548.06	H 0066	Amend	1751.04	H 0066	Amend			
1551.35	S 0124	Amend	1751.05	H 0066	Amend	2901.07	H 0066	Amend
			1751.12	H 0193	Amend	2901.11	S 0020	Amend
			1751.271	H 0066	Enact	2901.12	S 0020	Amend
<u>Title 17</u>			1753.281	H 0013	Repeal	2901.13	S 0009	Amend
						2907.09	H 0050	Amend
1702.01	H 0042	Amend				2909.21	S 0009	Amend
1702.02	H 0042	Amend	<u>Title 19</u>			2909.26	S 0009	Enact
1702.08	H 0042	Amend				2909.27	S 0009	Enact
1702.11	H 0042	Amend	1901.26	H 0066	Amend	2909.28	S 0009	Enact
1702.17	H 0042	Amend	1901.26	H 0226	Amend	2909.29	S 0009	Enact
1702.18	H 0042	Amend	1901.31	H 0066	Amend	2909.30	S 0009	Enact
1702.19	H 0042	Amend	1901.34	S 0147	Amend	2909.31	S 0009	Enact
1702.20	H 0042	Amend	1907.24	H 0066	Amend	2909.32	S 0009	Enact
1702.22	H 0042	Amend				2909.33	S 0009	Enact
1702.25	H 0042	Amend				2909.34	S 0009	Enact
1702.27	H 0042	Amend	<u>Title 21</u>			2913.40	H 0066	Amend
1702.31	H 0042	Amend				2913.401	H 0066	Enact
1702.33	H 0042	Amend	2101.01	S 0128	Amend	2913.49	H 0048	Amend
1702.38	H 0042	Amend	2101.161	H 0081	Amend	2919.251	H 0029	Amend
1702.39	H 0042	Amend	2105.31	H 0081	Amend	2921.01	S 0115	Amend
1702.42	H 0042	Amend	2106.18	H 0246	Amend	2921.13	H 0066	Amend
1702.47	H 0042	Amend	2109.13	H 0081	Amend	2921.29	S 0009	Enact
1702.58	H 0042	Amend	2109.372	H 0081	Amend	2921.43	S 0115	Amend
1707.01	H 0066	Amend	2109.41	H 0081	Amend	2923.25	H 0066	Amend
1707.164	H 0066	Enact	2113.041	H 0066	Amend	2923.31	S 0009	Amend
1707.165	H 0066	Enact	2117.061	H 0066	Amend	2923.35	H 0066	Amend
1707.17	H 0066	Amend	2151.282	H 0066	Enact	2923.46	H 0066	Amend
1707.19	H 0066	Amend	2151.352	H 0066	Amend	2925.44	H 0066	Amend
1707.20	H 0066	Amend	2151.416	H 0066	Amend	2927.023	H 0066	Enact
1707.22	H 0066	Amend	2152.43	H 0066	Amend	2927.21	S 0107	Amend

2929.20	H 0015	Amend	3305.01	H 0016	Amend	3314.15	H 0203	Enact
2930.01	H 0108	Amend	3307.01	H 0016	Amend	3314.21	H 0066	New Number
2930.062	H 0108	Enact	3307.06	H 0025	Amend	3314.22	H 0066	New Number
2933.24	H 0034	Amend	3307.60	H 0010	Amend	3314.24	H 0066	New Number
2933.43	H 0066	Amend	3309.06	H 0025	Amend	3314.25	H 0066	Enact
2933.51	S 0009	Amend	3309.46	H 0010	Amend	3314.26	H 0066	Enact
2933.74	H 0066	Amend	3310.01	H 0066	Enact	3314.27	H 0066	Enact
2935.03	H 0068	Amend	3310.02	H 0066	Enact	3314.28	H 0066	Enact
2935.033	S 0009	Enact	3310.03	H 0066	Enact	3314.35	H 0066	Enact
2949.092	H 0066	Amend	3310.04	H 0066	Enact	3314.36	H 0066	Enact
2949.093	H 0066	Enact	3310.05	H 0066	Enact	3315.17	H 0066	Amend
2950.10	H 0015	Amend	3310.06	H 0066	Enact	3315.18	H 0066	Amend
2950.11	H 0015	Amend	3310.07	H 0066	Enact	3315.37	H 0066	Amend
2967.03	H 0015	Amend	3310.08	H 0066	Enact	3316.043	H 0066	Enact
2967.12	H 0015	Amend	3310.09	H 0066	Enact	3316.06	H 0066	Amend
2967.26	H 0015	Amend	3310.10	H 0066	Enact	3316.16	H 0066	Amend
2971.05	H 0066	Amend	3310.13	H 0066	Enact	3317.01	H 0066	Amend
			3310.14	H 0066	Enact	3317.012	H 0066	Repeal and Reenact
			3310.16	H 0066	Enact	3317.013	H 0066	Amend
			3310.17	H 0066	Enact	3317.016	H 0066	Enact
			3311.11	H 0066	Enact	3317.017	H 0066	Enact
			3311.40	H 0066	Repeal	3317.02	H 0066	Amend
			3313.13	H 0033	Amend	3317.021	H 0066	Amend
			3313.207	H 0066	Amend	3317.0212	H 0066	Repeal
			3313.208	H 0066	Amend	3317.0213	H 0066	Repeal
			3313.209	H 0066	Amend	3317.0216	H 0066	Amend
			3313.473	H 0203	Enact	3317.0217	H 0066	Amend
			3313.489	H 0066	Amend	3317.022	H 0066	Amend
			3313.616	H 0011	Amend	3317.023	H 0066	Amend
			3313.6410	H 0066	Enact	3317.024	H 0066	Amend
			3313.975	H 0066	Amend	3317.026	H 0066	Amend
			3313.976	H 0066	Amend	3317.027	H 0066	Amend
			3313.977	H 0066	Amend	3317.028	H 0066	Amend
			3313.978	H 0066	Amend	3317.029	H 0066	Amend
			3313.98	H 0066	Amend	3317.03	H 0066	Amend
			3314.013	H 0066	Amend	3317.031	H 0066	Amend
			3314.014	H 0066	Enact	3317.035	H 0066	Enact
			3314.015	H 0066	Amend	3317.05	H 0066	Amend
			3314.02	H 0066	Amend	3317.052	H 0066	Amend
			3314.021	H 0066	Amend	3317.053	H 0066	Amend
			3314.03	H 0066	Amend	3317.06	H 0066	Amend
			3314.031	H 0066	Amend	3317.063	H 0066	Amend
			3314.031	H 0066	Old Number	3317.07	H 0066	Amend
					(3314.21)	3317.081	H 0066	Amend
			3314.032	H 0066	Old Number	3317.09	H 0066	Amend
					(3314.22)	3317.10	H 0066	Amend
			3314.032	H 0066	Amend	3317.16	H 0066	Amend
			3314.034	H 0066	Old Number	3317.20	H 0066	Amend
					(3314.24)	3317.201	H 0066	Enact
			3314.06	H 0066	Amend	3317.21	H 0066	Amend
			3314.061	H 0066	Enact	3317.21	H 0066	Old Number
			3314.074	H 0066	Amend			(3318.47)
			3314.08	H 0066	Amend	3317.22	H 0066	Amend
			3314.084	H 0066	Enact	3317.22	H 0066	Old Number
			3314.085	H 0066	Enact			(3318.48)
			3314.12	H 0066	Enact	3317.23	H 0066	Amend
			3314.13	H 0066	Amend	3317.23	H 0066	Old Number
			3314.15	H 0066	Repeal			(3318.49)

3317.50	H 0066	Amend	3334.01	H 0016	Amend	3381.04	H 0066	Amend
3317.51	H 0066	Amend	3334.01	H 0066	Amend	3381.05	H 0066	Amend
3318.01	H 0016	Amend	3334.02	H 0066	Amend	3381.06	H 0066	Amend
3318.02	H 0016	Amend	3334.03	H 0066	Amend	3381.07	H 0066	Amend
3318.03	H 0016	Amend	3334.07	H 0066	Amend	3381.15	H 0066	Amend
3318.04	H 0016	Amend	3334.08	H 0066	Amend	3383.01	H 0016	Amend
3318.091	H 0066	Amend	3334.09	H 0066	Amend	3383.01	S 0124	Amend
3318.11	H 0016	Amend	3334.10	H 0066	Amend	3383.02	H 0016	Amend
3318.18	H 0066	Enact	3334.11	H 0066	Amend	3383.02	H 0066	Amend
3318.31	S 0056	Amend	3334.12	H 0066	Amend	3383.02	S 0124	Amend
3318.33	H 0066	Amend	3334.15	H 0066	Amend	3383.03	S 0124	Amend
3318.37	H 0016	Amend	3334.16	H 0066	Amend	3383.04	S 0124	Amend
3318.41	H 0016	Amend	3334.17	H 0066	Amend	3383.05	S 0124	Amend
3318.47	H 0066	New Number	3334.18	H 0066	Amend	3383.06	S 0124	Amend
3318.48	H 0066	New Number	3334.19	H 0066	Amend	3383.07	H 0016	Amend
3318.49	H 0066	New Number	3335.02	H 0066	Amend	3383.07	S 0124	Amend
3319.06	H 0066	Enact	3345.04	H 0016	Amend	3383.08	S 0124	Amend
3319.081	H 0066	Amend	3345.10	H 0066	Amend	3383.09	S 0124	Amend
3319.0810	H 0066	Enact	3345.12	H 0016	Amend	3383.09	H 0066	Amend
3319.17	H 0066	Amend	3345.17	H 0016	Amend			
3319.172	H 0066	Enact	3345.19	H 0066	Amend			
3319.22	H 0066	Amend	3345.31	H 0016	Amend			
3319.23	H 0107	Amend	3345.32	H 0016	Amend			
3319.235	H 0066	Amend	3345.32	H 0066	Amend	3501.141	H 0066	Amend
3319.55	H 0066	Amend	3345.50	H 0016	Amend	3501.17	H 0066	Amend
3323.021	H 0066	Amend	3345.51	H 0016	Enact	3501.17	H 0234	Amend
3323.091	H 0066	Amend	3345.71	H 0016	Amend	3501.22	H 0234	Amend
3323.14	H 0066	Amend	3350.01	H 0016	Amend	3501.27	H 0234	Amend
3323.16	H 0066	Amend	3350.02	H 0016	Amend	3501.37	S 0107	Amend
3323.19	H 0066	New Number	3350.03	H 0016	Amend	3503.16	H 0234	Amend
3323.20	H 0066	Enact	3350.04	H 0016	Amend	3506.17	H 0066	Repeal
3323.30	H 0066	Enact	3350.05	H 0016	Amend	3506.19	S 0147	Amend
3323.31	H 0066	Enact	3353.01	H 0066	Amend	3509.02	H 0234	Amend
3323.32	H 0066	Enact	3353.02	H 0066	Repeal and Reenact	3509.022	H 0234	Enact
3323.33	H 0066	Enact	3353.03	H 0066	Repeal and Reenact	3509.03	H 0234	Amend
3324.10	H 0066	Enact	3353.04	H 0066	Amend	3509.031	H 0234	Amend
3325.10	H 0066	Enact	3353.06	H 0066	Amend	3509.04	H 0234	Amend
3325.11	H 0066	Enact	3353.07	H 0066	Amend	3509.05	H 0234	Amend
3325.12	H 0066	Enact	3354.25	H 0066	Enact	3509.06	H 0234	Amend
3325.15	H 0066	Enact	3356.10	H 0139	Enact	3509.07	H 0234	Amend
3325.16	H 0066	Enact	3358.10	S 0124	Amend	3509.08	H 0234	Amend
3325.17	H 0066	Enact	3362.02	H 0066	Amend	3509.09	H 0234	Enact
3327.01	H 0066	Amend	3365.01	H 0066	Amend	3511.02	H 0234	Amend
3332.092	H 0066	Amend	3365.02	H 0066	Amend	3511.04	H 0234	Amend
3333.04	H 0066	Amend	3365.04	H 0066	Amend	3511.09	H 0234	Amend
3333.044	H 0066	Amend	3365.041	H 0066	Amend	3511.13	H 0234	Enact
3333.045	H 0016	Amend	3365.05	H 0066	Amend	3513.04	H 0066	Amend
3333.047	H 0066	Enact	3365.08	H 0066	Amend	3513.041	H 0066	Amend
3333.072	H 0016	Enact	3365.11	H 0066	Enact	3513.05	H 0066	Amend
3333.12	H 0066	Amend	3375.40	H 0066	Amend	3513.052	H 0066	Amend
3333.121	H 0066	Amend	3375.48	H 0066	Amend	3513.253	S 0107	Amend
3333.122	H 0066	Enact	3375.49	H 0066	Amend	3513.257	H 0066	Amend
3333.123	H 0066	Enact	3375.54	H 0066	Amend	3513.259	H 0066	Amend
3333.162	H 0066	Enact	3375.55	H 0066	Amend	3513.261	H 0066	Amend
3333.27	H 0066	Amend	3375.61	S 0124	Amend	3517.01	S 0115	Amend
3333.28	H 0066	Amend	3375.62	S 0124	Amend	3517.08	S 0115	Amend
3333.36	H 0066	Amend	3381.02	H 0066	Amend	3517.09	S 0115	Amend
3333.38	H 0066	Amend	3381.03	S 0107	Amend	3517.092	S 0115	Amend

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3781.102	H 0066	Amend	4121.128	H 0066	Enact	4301.43	H 0066	Amend
3781.191	H 0066	Enact	4121.37	H 0067	Amend	4301.80	S 0107	Amend
3781.55	S 0041	Enact	4121.442	S 0124	Amend	4303.181	H 0209	Amend
3793.09	H 0066	Amend	4121.48	H 0067	Enact	4303.182	H 0066	Amend
			4123.44	H 0066	Amend	4303.251	H 0140	Enact
			4123.441	H 0066	Enact	4303.26	S 0107	Amend
			4123.444	H 0066	Enact			
			4123.445	H 0066	Enact			
			4123.47	H 0066	Amend			
			4123.511	H 0067	Amend			
<u>Title 39</u>						<u>Title 45</u>		
3901.021	H 0066	Amend	4141.01	S 0081	Amend	4501.01	H 0066	Amend
3901.17	H 0066	Amend	4141.11	S 0081	Amend	4501.04	H 0068	Amend
3901.3814	H 0066	Amend	4141.131	S 0081	Amend	4501.06	H 0068	Amend
3901.41	H 0066	Repeal	4141.24	S 0081	Amend	4501.12	H 0068	Repeal
3901.78	H 0066	Amend	4141.242	S 0081	Amend	4501.21	H 0068	Amend
3901.781	H 0066	Repeal	4141.25	S 0081	Amend	4501.26	H 0068	Amend
3901.782	H 0066	Repeal	4141.26	S 0081	Amend	4501.35	H 0068	Repeal
3901.783	H 0066	Repeal	4141.28	S 0081	Amend	4501.37	H 0066	Amend
3901.784	H 0066	Repeal	4141.282	S 0081	Amend	4503.02	H 0068	Amend
3903.14	H 0066	Amend	4141.283	S 0081	Amend	4503.103	H 0068	Amend
3903.42	H 0066	Amend	4141.29	S 0081	Amend	4503.103	H 0066	Amend
3903.421	H 0066	Enact	4141.292	S 0081	Enact	4503.26	H 0068	Amend
3905.04	H 0066	Amend	4141.301	S 0081	Amend	4503.40	H 0068	Amend
3905.36	H 0066	Amend	4141.31	S 0081	Amend	4503.42	H 0068	Amend
3905.40	H 0066	Amend	4141.311	S 0081	Repeal	4503.471	H 0066	Amend
3917.01	H 0193	Amend	4141.312	S 0081	Amend	4503.48	H 0066	Amend
3917.02	H 0193	Enact	4141.48	S 0081	Enact	4503.50	H 0066	Amend
3917.03	H 0193	Repeal and Reenact	4141.99	S 0081	Amend	4503.53	H 0066	Amend
3917.06	H 0193	Amend	4167.02	H 0067	Amend	4503.571	H 0066	Amend
3917.07	H 0193	Amend	4167.06	H 0067	Amend	4503.59	H 0066	Amend
3923.27	H 0066	Amend	4167.07	H 0067	Amend	4503.73	H 0066	Amend
3923.651	H 0013	Repeal	4167.08	H 0067	Amend	4503.761	S 0055	Enact
3929.482	S 0124	Amend	4167.09	H 0067	Amend	4503.85	H 0068	Enact
3929.85	S 0124	Amend	4167.09	S 0124	Amend	4503.85	H 0066	Amend
3931.01	S 0124	Amend	4167.10	H 0067	Amend	4503.91	H 0066	Amend
3955.05	S 0124	Amend	4167.11	H 0067	Amend	4504.02	H 0068	Amend
3960.06	S 0124	Amend	4167.12	H 0067	Amend	4504.15	H 0068	Amend
			4167.14	H 0067	Amend	4504.16	H 0068	Amend
			4167.15	H 0067	Amend	4504.18	H 0068	Amend
<u>Title 41</u>			4167.16	H 0067	Amend	4505.02	S 0009	Amend
			4167.17	H 0067	Amend	4505.021	H 0068	Amend
4109.06	H 0234	Amend	4167.18	H 0067	Repeal	4505.031	H 0068	Amend
4112.12	H 0066	Amend	4167.19	H 0067	Amend	4505.032	H 0068	Amend
4115.32	H 0066	Amend	4167.25	S 0124	Amend	4505.06	H 0068	Amend
4115.34	H 0066	Amend	4167.27	H 0067	Amend	4505.06	H 0066	Amend
4115.36	H 0066	Enact	4167.27	S 0124	Amend	4505.08	H 0068	Amend
4117.01	S 0124	Amend	4169.01	S 0061	Amend	4506.01	H 0068	Amend
4117.10	H 0066	Amend	4169.03	S 0061	Amend	4506.02	H 0068	Repeal
4117.103	H 0066	Enact	4169.08	S 0061	Amend	4506.03	H 0068	Amend
4117.14	S 0019	Amend	4169.09	S 0061	Amend	4506.03	H 0066	Amend
4117.24	H 0066	Amend				4506.05	H 0068	Amend
4121.12	H 0067	Amend				4506.07	H 0066	Amend
4121.12	H 0066	Amend	<u>Title 43</u>			4506.08	H 0068	Amend
4121.121	H 0067	Amend				4506.09	H 0068	Amend
4121.121	H 0066	Amend	4301.10	H 0066	Amend	4506.10	H 0068	Amend
4121.125	H 0066	Amend	4301.24	H 0209	Amend	4506.101	H 0066	Enact
4121.126	H 0066	Enact	4301.242	H 0209	Enact	4506.11	H 0068	Amend
4121.127	H 0066	Enact	4301.252	H 0140	Amend	4506.12	H 0068	Amend

4506.14	H 0068	Amend	4723.651	H 0066	Enact			
4506.15	H 0068	Amend	4723.652	H 0066	Enact			
4506.16	H 0068	Amend	4723.66	H 0066	Enact		<u>Title 51</u>	
4506.161	H 0066	Enact	4723.67	H 0066	Enact			
4506.17	H 0068	Amend	4723.68	H 0066	Enact	5101.07	H 0066	Enact
4506.20	H 0068	Amend	4723.69	H 0066	Enact	5101.071	H 0066	Enact
4506.23	H 0068	Amend	4723.91	H 0066	New Number	5101.16	H 0066	Amend
4506.25	H 0068	Amend	4729.01	S 0018	Amend	5101.163	H 0066	Enact
4506.26	H 0068	Repeal	4731.143	S 0124	Amend	5101.181	H 0066	Amend
4507.02	H 0068	Amend	4736.01	H 0203	Amend	5101.184	H 0066	Amend
4507.08	S 0009	Amend	4736.11	H 0066	Amend	5101.21	H 0066	Amend
4508.06	H 0068	Amend	4736.12	H 0066	Amend	5101.241	H 0066	Amend
4508.10	H 0068	Enact	4740.14	H 0066	Amend	5101.244	H 0066	Enact
4509.27	H 0068	Amend	4741.03	S 0124	Amend	5101.35	H 0066	Amend
4511.191	H 0066	Amend	4749.02	H 0068	Amend	5101.46	H 0066	Amend
4511.21	H 0068	Amend	4749.03	H 0068	Amend	5101.461	H 0066	Enact
4511.75	H 0066	Amend	4749.06	H 0068	Amend	5101.47	H 0066	Amend
4513.34	H 0068	Amend	4749.10	H 0068	Amend	5101.75	H 0066	Amend
4517.01	H 0066	Amend	4753.03	H 0066	Amend	5101.75	H 0066	Old Number
4519.01	H 0066	Amend	4753.06	H 0066	Amend			(0173.42)
4519.02	H 0066	Amend	4753.071	H 0066	Amend	5101.751	H 0066	Repeal
4519.06	H 0066	Repeal	4753.08	H 0066	Amend	5101.752	H 0066	Amend
4519.07	H 0066	Repeal	4753.09	H 0066	Amend	5101.752	H 0066	Old Number
4519.09	H 0066	Amend	4755.03	H 0066	Amend			(0173.43)
4519.58	H 0068	Amend	4755.48	H 0066	Amend	5101.753	H 0066	Repeal
4561.17	H 0066	Amend	4755.481	S 0124	Amend	5101.754	H 0066	Repeal
4561.17	S 0009	Amend	4763.05	S 0144	Amend	5101.80	H 0066	Amend
4561.18	H 0066	Amend	4766.09	H 0066	Amend	5101.801	H 0066	Amend
4561.18	S 0009	Amend	4766.09	S 0087	Amend	5101.802	H 0066	Enact
4561.21	H 0066	Amend	4766.14	H 0066	Enact	5101.803	H 0066	Enact
4561.22	S 0009	Amend	4766.14	S 0087	Amend	5101.821	H 0066	Amend
4563.30	S 0009	Enact				5101.93	H 0066	Enact
						5101.98	H 0066	Enact
						5104.01	H 0066	Amend
						5104.02	H 0066	Amend
						5104.32	H 0066	Amend
						5107.05	H 0066	Amend
						5107.10	H 0066	Amend
						5107.26	H 0066	Amend
						5107.30	H 0066	Amend
						5107.301	H 0066	Enact
						5107.58	H 0066	Amend
						5110.352	H 0066	Amend
						5110.39	H 0066	Amend
						5111.011	H 0066	Amend
						5111.0112	H 0066	Amend
						5111.0114	H 0066	Enact
						5111.0115	H 0066	New Number
						5111.019	H 0066	Amend
						5111.02	H 0066	Amend
						5111.02	H 0066	Enact
						5111.02	H 0066	Old Number
								(5111.021)
						5111.021	H 0066	Amend
						5111.021	H 0066	New Number
						5111.021	H 0066	Old Number
								(5111.022)
						5111.022	H 0066	Old Number

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		(5111.023)	5111.25	H 0066	Amend	5111.87	H 0066	Amend
5111.022	H 0066	Amend	5111.251	H 0066	Amend	5111.871	H 0066	Amend
5111.022	H 0066	New Number	5111.254	H 0066	Enact	5111.88	H 0066	Amend
5111.023	H 0066	Amend	5111.255	H 0066	Amend	5111.88	H 0066	Enact
5111.023	H 0066	New Number	5111.257	H 0066	Amend	5111.88	H 0066	Old Number
5111.023	H 0066	Old Number (5111.0115)	5111.257	H 0066	Old Number (5111.258)	5111.881	H 0066	(5111.97) Enact
5111.025	H 0066	Amend	5111.257	H 0066	Enact	5111.8810	H 0066	Enact
5111.027	H 0066	Enact	5111.258	H 0066	New Number	5111.8811	H 0066	Enact
5111.041	H 0066	Repeal	5111.26	H 0066	Amend	5111.8812	H 0066	Enact
5111.042	H 0066	Amend	5111.261	H 0066	Amend	5111.882	H 0066	Enact
5111.06	H 0066	Amend	5111.262	H 0066	Repeal	5111.883	H 0066	Enact
5111.061	H 0066	Enact	5111.263	H 0066	Amend	5111.884	H 0066	Enact
5111.062	H 0066	Enact	5111.264	H 0066	Amend	5111.885	H 0066	Enact
5111.082	H 0066	Amend	5111.265	H 0066	Enact	5111.886	H 0066	Enact
5111.083	H 0066	Enact	5111.266	H 0066	Enact	5111.887	H 0066	Enact
5111.084	H 0066	Enact	5111.27	H 0066	Amend	5111.888	H 0066	Enact
5111.085	H 0066	New Number	5111.28	H 0066	Amend	5111.889	H 0066	Enact
5111.10	H 0066	Enact	5111.29	H 0066	Amend	5111.89	H 0066	Enact
5111.11	H 0066	Amend	5111.291	H 0066	Amend	5111.891	H 0066	Enact
5111.111	H 0066	Amend	5111.30	H 0066	Amend	5111.892	H 0066	Enact
5111.112	H 0066	Enact	5111.31	H 0066	Amend	5111.893	H 0066	Enact
5111.112	H 0066	Old Number (5111.113)	5111.32	H 0066	Amend	5111.914	H 0066	Enact
			5111.33	H 0066	Amend	5111.915	H 0066	Enact
5111.113	H 0066	Amend	5111.34	H 0066	Repeal and Reenact	5111.97	H 0066	Amend
5111.113	H 0066	Old Number (5111.114)	5111.62	H 0066	Amend	5111.97	H 0066	Old Number (5111.86)
			5111.65	H 0066	Enact			
5111.113	H 0066	New Number	5111.651	H 0066	Enact	5111.97	H 0066	New Number
5111.114	H 0066	New Number	5111.66	H 0066	Enact	5111.971	H 0066	Enact
5111.16	H 0066	Amend	5111.661	H 0066	Enact	5111.971	S 0087	Amend
5111.161	H 0066	Enact	5111.67	H 0066	Enact	5111.98	H 0066	Enact
5111.162	H 0066	Enact	5111.671	H 0066	Enact	5111.99	H 0066	Amend
5111.17	H 0066	Amend	5111.672	H 0066	Enact	5112.30	H 0066	Amend
5111.176	H 0066	Enact	5111.673	H 0066	Enact	5112.31	H 0066	Amend
5111.176	S 0190	Amend	5111.674	H 0066	Enact	5112.341	H 0066	Enact
5111.177	H 0066	Enact	5111.675	H 0066	Enact	5119.61	H 0066	Amend
5111.19	H 0066	Amend	5111.676	H 0066	Enact	5120.09	H 0066	Amend
5111.191	H 0066	Enact	5111.677	H 0066	Enact	5120.51	H 0066	Amend
5111.20	H 0066	Amend	5111.68	H 0066	Enact	5120.66	H 0015	Enact
5111.204	H 0066	Amend	5111.681	H 0066	Enact	5121.01	H 0066	Amend
5111.205	H 0066	Repeal	5111.682	H 0066	Enact	5121.01	H 0066	New Number
5111.21	H 0066	Amend	5111.683	H 0066	Enact	5121.01	H 0066	Old Number (5121.02)
5111.22	H 0066	Amend	5111.684	H 0066	Enact			
5111.221	H 0066	Amend	5111.685	H 0066	Enact	5121.02	H 0066	Amend
5111.222	H 0066	Enact	5111.686	H 0066	Enact	5121.02	H 0066	Old Number (5121.03)
5111.223	H 0066	Enact	5111.687	H 0066	Enact			
5111.23	H 0066	Amend	5111.688	H 0066	Enact	5121.02	H 0066	New Number
5111.231	H 0066	Amend	5111.81	H 0066	Amend	5121.03	H 0066	Amend
5111.231	H 0066	Old Number (5111.232)	5111.81	H 0066	Old Number (5111.085)	5121.03	H 0066	New Number Old Number (5121.01)
5111.231	H 0066	Enact	5111.85	H 0066	Amend			
5111.232	H 0066	New Number	5111.851	H 0066	Enact	5121.04	H 0066	Amend
5111.235	H 0066	Amend	5111.852	H 0066	Enact	5121.05	H 0066	Amend
5111.24	H 0066	Repeal and Reenact	5111.853	H 0066	Enact	5121.06	H 0066	Amend
5111.241	H 0066	Amend	5111.854	H 0066	Enact	5121.061	H 0066	Amend
5111.242	H 0066	Enact	5111.855	H 0066	Enact	5121.07	H 0066	Amend
5111.243	H 0066	Enact	5111.856	H 0066	Enact	5121.08	H 0066	Amend
5111.244	H 0066	Enact	5111.86	H 0066	New Number	5121.09	H 0066	Amend

5121.10	H 0066	Amend	5126.021	S 0010	Old Number	5126.30	S 0010	Amend
5121.11	H 0066	Amend			(5126.0210)	5139.01	H 0066	Amend
5121.12	H 0066	Amend	5126.021	S 0107	Amend	5139.36	H 0066	Amend
5121.21	H 0066	Amend	5126.0210	S 0010	New Number	5153.16	H 0066	Amend
5121.30	H 0066	Enact	5126.0211	S 0010	Enact			
5121.31	H 0066	Enact	5126.0212	S 0010	Enact			
5121.32	H 0066	Enact	5126.0213	S 0010	New Number	<u>Title 55</u>		
5121.33	H 0066	Enact	5126.0214	S 0010	Enact			
5121.34	H 0066	Enact	5126.0215	S 0010	Enact	5501.11	H 0068	Amend
5121.35	H 0066	Enact	5126.0216	S 0010	New Number	5502.01	H 0066	Amend
5121.36	H 0066	Enact	5126.0217	S 0010	Enact	5502.011	S 0009	Amend
5121.37	H 0066	Enact	5126.0218	S 0010	Enact	5502.03	S 0009	Amend
5121.38	H 0066	Enact	5126.0219	S 0010	Enact	5502.28	S 0009	Amend
5121.40	H 0066	Enact	5126.022	S 0010	Enact	5502.41	S 0009	Amend
5121.41	H 0066	Enact	5126.022	S 0010	Old Number	5502.61	H 0066	New Number
5121.42	H 0066	Enact			(5126.0216)	5502.62	H 0066	New Number
5121.43	H 0066	Enact	5126.022	S 0010	Amend	5502.63	H 0066	New Number
5121.44	H 0066	Enact	5126.0220	S 0010	Enact	5502.64	H 0066	New Number
5121.45	H 0066	Enact	5126.0221	S 0010	Enact	5502.65	H 0066	New Number
5121.46	H 0066	Enact	5126.0222	S 0010	Enact	5502.66	H 0066	New Number
5121.47	H 0066	Enact	5126.0223	S 0010	Enact	5505.042	H 0025	Amend
5121.48	H 0066	Enact	5126.0224	S 0010	Enact	5505.162	H 0010	Amend
5121.49	H 0066	Enact	5126.0225	S 0010	Enact	5513.04	H 0068	Amend
5121.50	H 0066	Enact	5126.0226	S 0010	New Number	5525.01	H 0068	Amend
5121.51	H 0066	Enact	5126.0227	S 0010	New Number	5525.10	H 0068	Amend
5121.52	H 0066	Enact	5126.0228	S 0010	Enact	5525.15	H 0068	Amend
5121.53	H 0066	Enact	5126.0229	S 0010	Enact	5525.25	H 0068	Amend
5121.54	H 0066	Enact	5126.023	S 0010	Old Number	5531.09	H 0068	Amend
5121.55	H 0066	Enact			(5126.0226)	5531.10	H 0068	Amend
5121.56	H 0066	Enact	5126.023	S 0010	Enact	5531.10	H 0066	Amend
5122.03	H 0066	Amend	5126.023	S 0010	Amend	5537.01	H 0016	Amend
5122.31	H 0066	Amend	5126.024	S 0010	Enact	5537.16	H 0068	Amend
5123.01	H 0066	Amend	5126.024	S 0010	Old Number	5537.17	H 0068	Amend
5123.041	H 0066	Repeal			(5126.0227)	5540.01	H 0016	Amend
5123.0412	H 0066	Amend	5126.025	S 0010	Enact	5540.01	H 0066	Amend
5123.045	H 0066	Amend	5126.026	S 0010	Enact	5540.09	H 0066	Amend
5123.046	H 0066	Amend	5126.027	S 0010	Enact	5541.02	S 0107	Amend
5123.047	H 0066	Amend	5126.028	S 0010	Enact	5543.02	H 0068	Amend
5123.048	H 0066	Repeal and Reenact	5126.029	S 0010	Enact	5543.05	S 0107	Amend
5123.049	H 0066	Amend	5126.03	S 0010	Amend	5549.01	H 0066	Amend
5123.16	H 0066	Enact	5126.031	S 0010	Amend	5552.01	H 0066	Amend
5123.19	S 0107	Amend	5126.033	S 0010	Amend	5552.10	S 0107	Amend
5123.34	H 0066	Amend	5126.034	S 0010	Amend	5571.04	S 0107	Amend
5123.35	S 0124	Amend	5126.035	H 0066	Amend	5571.13	H 0066	Repeal
5123.352	S 0124	Amend	5126.037	S 0010	Enact	5571.16	S 0107	Amend
5123.41	H 0066	Amend	5126.038	S 0010	Enact	5573.13	H 0066	Amend
5123.701	H 0066	Amend	5126.042	H 0066	Amend	5573.13	S 0107	Amend
5123.71	H 0066	Amend	5126.054	H 0066	Amend	5573.211	S 0107	Amend
5123.76	H 0066	Amend	5126.055	H 0066	Amend	5575.04	S 0107	Amend
5126.01	S 0010	Amend	5126.056	S 0010	Amend	5575.09	S 0107	Amend
5126.01	H 0066	Amend	5126.056	H 0066	Amend	5579.08	S 0107	Amend
5126.02	S 0010	Enact	5126.057	H 0066	Amend			
5126.02	S 0010	Amend	5126.058	S 0010	Amend			
5126.02	S 0010	Old Number	5126.081	S 0010	Amend	<u>Title 57</u>		
		(5126.0213)	5126.12	H 0066	Amend			
5126.021	S 0010	Enact	5126.15	S 0087	Amend	5703.052	H 0066	Amend
5126.021	S 0010	Amend	5126.20	S 0087	Amend	5703.053	H 0066	Amend
			5126.201	S 0087	Enact	5703.057	H 0066	Enact

5703.47	H 0066	Amend	5728.06	H 0066	Amend	5739.17	H 0066	Amend
5703.50	H 0066	Amend	5728.08	H 0066	Amend	5739.24	S 0026	Amend
5703.70	H 0066	Amend	5729.032	H 0066	Enact	5739.36	H 0066	Enact
5703.80	H 0066	Amend	5729.07	S 0190	Amend	5740.02	S 0026	Amend
5705.01	S 0107	Amend	5729.08	H 0066	Amend	5740.10	S 0026	Repeal
5705.091	H 0066	Amend	5731.01	H 0066	Amend	5741.02	H 0066	Amend
5705.191	S 0010	Amend	5731.05	H 0066	Amend	5741.16	H 0066	Amend
5705.222	S 0010	Amend	5731.131	H 0066	Amend	5743.01	H 0066	Amend
5705.391	H 0066	Amend	5731.14	H 0066	Amend	5743.02	H 0066	Amend
5705.40	H 0066	Amend	5731.18	H 0066	Amend	5743.03	H 0066	Amend
5707.031	H 0066	Enact	5731.181	H 0066	Amend	5743.031	H 0066	Enact
5709.07	H 0066	Amend	5731.20	H 0066	Repeal	5743.05	H 0066	Amend
5709.112	H 0066	Enact	5731.23	H 0066	Amend	5743.071	H 0066	Amend
5709.12	H 0066	Amend	5731.39	H 0066	Amend	5743.072	H 0066	Enact
5709.121	H 0066	Amend	5731.41	H 0066	Amend	5743.08	H 0066	Amend
5709.40	H 0066	Amend	5733.01	H 0066	Amend	5743.10	H 0066	Amend
5709.61	H 0016	Amend	5733.065	H 0066	Amend	5743.111	H 0066	Amend
5709.62	H 0016	Amend	5733.066	H 0066	Amend	5743.112	H 0066	Amend
5709.632	H 0016	Amend	5733.121	H 0016	Amend	5743.14	H 0066	Amend
5709.73	H 0066	Amend	5733.122	H 0066	Repeal	5743.15	H 0066	Amend
5709.73	S 0107	Amend	5733.33	H 0066	Amend	5743.16	H 0066	Amend
5709.75	H 0016	Amend	5733.351	H 0066	Amend	5743.18	H 0066	Amend
5709.77	H 0066	Amend	5733.352	H 0066	Amend	5743.19	H 0066	Amend
5709.78	H 0066	Amend	5733.40	H 0066	Amend	5743.20	H 0066	Amend
5709.91	H 0016	Amend	5733.41	H 0066	Amend	5743.32	H 0066	Amend
5711.01	H 0066	Amend	5733.42	S 0190	Amend	5743.33	H 0066	Amend
5711.16	H 0066	Amend	5733.49	H 0066	Amend	5743.331	H 0066	Enact
5711.21	H 0066	Amend	5733.98	H 0066	Amend	5743.71	H 0066	Enact
5711.22	H 0066	Amend	5735.05	H 0068	Amend	5747.01	H 0066	Amend
5711.28	H 0066	Amend	5735.142	H 0011	Amend	5747.012	H 0066	Amend
5713.01	H 0066	Amend	5735.23	H 0068	Amend	5747.02	H 0066	Amend
5715.01	H 0066	Amend	5735.25	H 0068	Amend	5747.026	H 0002	Amend
5715.24	H 0066	Amend	5735.27	H 0068	Amend	5747.05	H 0066	Amend
5715.70	H 0016	Enact	5735.27	S 0107	Amend	5747.056	H 0066	Enact
5715.701	H 0016	Enact	5735.28	H 0068	Amend	5747.061	S 0107	Amend
5719.041	H 0066	Amend	5735.29	H 0068	Amend	5747.062	H 0122	Amend
5725.01	H 0066	Amend	5737.03	H 0066	Amend	5747.08	H 0066	Amend
5725.01	H 0081	Amend	5739.01	S 0026	Amend	5747.08	H 0002	Amend
5725.19	H 0066	Amend	5739.01	H 0066	Amend	5747.113	H 0066	Amend
5725.31	S 0190	Amend	5739.012	H 0066	Enact	5747.12	H 0016	Amend
5725.32	H 0066	Enact	5739.02	H 0066	Amend	5747.212	H 0066	Amend
5727.01	H 0066	Amend	5739.025	H 0066	Amend	5747.331	H 0066	Amend
5727.02	H 0066	Amend	5739.026	H 0013	Amend	5747.39	S 0190	Amend
5727.031	H 0066	Enact	5739.026	H 0066	Amend	5747.70	H 0066	Amend
5727.06	H 0066	Amend	5739.03	H 0066	Amend	5747.80	H 0066	Amend
5727.08	H 0066	Amend	5739.031	S 0026	Amend	5747.98	H 0066	Amend
5727.10	H 0066	Amend	5739.033	S 0026	Amend	5748.01	H 0066	Amend
5727.11	H 0066	Amend	5739.033	H 0066	Amend	5748.02	H 0066	Amend
5727.111	H 0066	Amend	5739.034	S 0026	Amend	5748.03	H 0066	Amend
5727.12	H 0066	Amend	5739.034	H 0066	Amend	5748.04	H 0066	Amend
5727.23	H 0066	Amend	5739.035	S 0026	Amend	5748.08	H 0066	Amend
5727.241	H 0066	Enact	5739.035	H 0066	Amend	5749.02	H 0066	Amend
5727.84	H 0066	Amend	5739.08	H 0066	Amend	5751.01	H 0066	Enact
5727.85	H 0066	Amend	5739.09	H 0066	Amend	5751.011	H 0066	Enact
5728.01	H 0066	Amend	5739.10	H 0066	Amend	5751.012	H 0066	Enact
5728.02	H 0066	Amend	5739.12	H 0066	Amend	5751.013	H 0066	Enact
5728.03	H 0066	Amend	5739.123	S 0026	Amend	5751.02	H 0066	Enact
5728.04	H 0066	Amend	5739.16	H 0066	Amend	5751.03	H 0066	Enact

5751.031	H 0066	Enact
5751.032	H 0066	Enact
5751.033	H 0066	Enact
5751.04	H 0066	Enact
5751.05	H 0066	Enact
5751.051	H 0066	Enact
5751.06	H 0066	Enact
5751.07	H 0066	Enact
5751.08	H 0066	Enact
5751.081	H 0066	Enact
5751.09	H 0066	Enact
5751.10	H 0066	Enact
5751.11	H 0066	Enact
5751.12	H 0066	Enact
5751.20	H 0066	Enact
5751.21	H 0066	Enact
5751.22	H 0066	Enact
5751.23	H 0066	Enact
5751.31	H 0066	Enact
5751.50	H 0066	Enact
5751.51	H 0066	Enact
5751.52	H 0066	Enact
5751.53	H 0066	Enact
5751.98	H 0066	Enact
5751.99	H 0066	Enact

Title 59

5907.15	H 0066	Amend
5919.31	H 0066	Enact
5919.33	H 0066	Amend
5919.341	H 0066	Enact
5920.01	H 0066	Amend

Title 61

6109.21	H 0066	Amend
6111.30	H 0066	Enact
6111.31	H 0066	Enact
6121.04	H 0066	Amend
6123.04	H 0066	Amend

## UNCODIFIED LAWS AFFECTED

Listed below are uncodified laws affected by acts of the 126th General Assembly enacted in 2005. The left-hand column lists the bill and section number of the uncodified law, by General Assembly, and the two right-hand columns identify the bill number of the enactment of the 126th General Assembly affecting that section and whether the section was amended or repealed. One section was renumbered to codify in the Revised Code.

<u>Uncodified sections affected by legislation</u>	<u>Bill affecting uncodified law /Action</u>
<b>126th G.A.</b>	
H.B. 0016	
Sec. 16.09	H.B. 0066 Amend
Sec. 19.01	H.B. 0066 Amend
Sec. 20.01	H.B. 0066 Amend
Sec. 22.03	H.B. 0066 Amend
Sec. 22.04	H.B. 0066 Amend
Sec. 23.02	H.B. 0066 Amend
Sec. 23.12	H.B. 0066 Amend
Sec. 23.13	H.B. 0066 Amend
Sec. 23.19	H.B. 0066 Amend
Sec. 23.26	H.B. 0066 Amend
Sec. 23.45	H.B. 0066 Amend
Sec. 24.01	H.B. 0066 Amend
H.B. 0066	
Sec. 203.99	S.B. 0236 Amend
Sec. 203.99.33	S.B. 0236 Amend
Sec. 203.99.51	S.B. 0236 Amend
Sec. 206.66.53	S.B. 0087 Amend
Sec. 209.18.03	H.B. 0367 Amend
Sec. 209.99	S.B. 0236 Amend
Sec. 513.03	H.B. 0100 Amend
H.B. 0067	
Sec. 3	H.B. 0066 Amend
H.B. 0068	
Sec. 203.03	H.B. 0066 Amend
Sec. 203.03.09	H.B. 0066 Amend
Sec. 203.03.10	H.B. 0066 Amend
Sec. 203.06.06	H.B. 0066 Amend
Sec. 203.06.12	H.B. 0066 Amend
Sec. 203.06.15	H.B. 0066 Amend
Sec. 203.06.24	H.B. 0066 Amend
S.B. 0147	
Sec. 6	H.B. 0139 Amend
<b>125th G.A.</b>	
H.B. 0095	
Sec. 6	H.B. 0016 Amend
Sec. 31	H.B. 0016 Amend
Sec. 41.13	S.B. 0056 Amend
Sec. 41.21	S.B. 0056 Amend
Sec. 41.36	H.B. 0066 Amend
	& Old Number (R.C. 3323.19)
Sec. 59.19	H.B. 0066 Repeal
Sec. 89	H.B. 0016 Amend
Sec. 89.04	H.B. 0016 Amend
Sec. 89.08	H.B. 0016 Amend

Uncodified sections affected by legislation

Bill affecting uncodified law /Action

	Sec.	89.17	H.B. 0066	Repeal
	Sec.	147	H.B. 0066	Repeal
H.B. 0434	Sec.	14	H.B. 0066	Amend
H.B. 0516	Sec.	4	H.B. 0066	Amend
	Sec.	4	S.B. 0124	Amend
S.B. 0002	Sec.	4	H.B. 0107	Amend
S.B. 0080	Sec.	8	S.B. 0124	Repeal
S.B. 0133	Sec.	5	H.B. 0025	Amend
S.B. 0189	Sec.	3.01	H.B. 0066	Amend
	Sec.	3.04	H.B. 0066	Amend
	Sec.	18.02	H.B. 0016	Amend
	Sec.	18.16	H.B. 0016	Amend
	Sec.	22	H.B. 0016	Amend
	Sec.	22	H.B. 0066	Amend
	Sec.	26.01	H.B. 0066	Amend
	Sec.	26.10	H.B. 0016	Amend
	Sec.	26.14	H.B. 0016	Amend
	Sec.	26.19	H.B. 0016	Amend
	Sec.	26.23	H.B. 0016	Amend
	Sec.	26.48	H.B. 0016	Amend
	Sec.	27	H.B. 0016	Amend
<b>122nd G.A.</b>				
H.B. 0621	Sec.	3	H.B. 0066	Amend
<b>121st G.A.</b>				
H.B. 0117	Sec.	153	H.B. 0066	Amend
S.B. 0050	Sec.	5	H.B. 0066	Amend

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