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March 2014
The *Digest of Enactments 2013* summarizes legislation passed by the General Assembly during 2013, including 28 Senate bills, 31 House bills, and Am. S.J.R. 5.

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Am. S.B. 66

Sens. Hite, Burke, Balderson, LaRose, Peterson, Gentile, Cafaro, Smith, Manning, Bacon, Beagle, Brown, Coley, Eklund, Faber, Gardner, Hughes, Kearney, Lehner, Obhof, Oelslager, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Tavares, Turner, Uecker, Widener


Effective date: October 11, 2013

- Removes barley, oats, rye, grain sorghum, sunflower, and speltz from the agricultural commodities that are regulated under the Agricultural Commodity Handlers Law, but retains the regulation of corn, soybeans, wheat, and other crops designated by the Director of Agriculture.

- Requires the lien established under continuing law on all agricultural commodity assets of an agricultural commodity handler in favor of claimants meeting specified criteria to have priority over all competing lien claims asserted against those assets.

- Requires an agricultural commodity handler whose license is revoked to immediately notify all parties that are storing agricultural commodities in the handler's warehouse and all holders of receipts issued by the handler, if known.

- Revises certain conditions under which the Agricultural Commodity Handlers Fund is used to indemnify a depositor.

- Increases the required minimum and maximum balances of the Fund.

- Requires the Director to determine the validity of all claims against the Fund with the recommendation, rather than the approval, of the Commodity Advisory Commission.

- Revises the type of financial statements that must be submitted to the Director by an applicant for an agricultural commodity handler's license or renewal of a handler's license.
H.B. 33
(For details of fiscal provisions of the act, see LSC Budget in Detail, As Enacted; LSC Comparison Document, As Enacted; and LSC Greenbook, all of which are available online at www.lsc.state.oh.us)

Reps. Hackett, Amstutz, Burkley, Grossman, Hall, Hayes, Henne, Hottinger, Huffman, Maag, McGregor, Sears, Terhar, Wachtmann, Batchelder
Sens. Bacon, Hite, Peterson, Uecker
Effective date: March 26, 2013
• Makes appropriations for the Industrial Commission for the biennium beginning July 1, 2013, and ending June 30, 2015, but makes no statutory changes.

Sub. H.B. 34
(For details of fiscal provisions of the act, see LSC Budget in Detail, As Enacted; LSC Comparison Document, As Enacted; and LSC Greenbook, all of which are available online at www.lsc.state.oh.us)

Reps. Hackett, Amstutz, Anielski, Buchy, Grossman, Henne, Huffman, McGregor, Sears, Sprague, Wachtmann, Young, Batchelder
Sens. Bacon, Gardner, Hite, Peterson
Effective date: March 26, 2013
• Makes appropriations for the Bureau of Workers’ Compensation for the biennium beginning July 1, 2013, and ending June 30, 2015, but makes no statutory changes.

Am. Sub. H.B. 51
(For details of fiscal provisions of the act and the vetoed item, see LSC Budget in Detail, As Enacted; LSC Comparison Document, As Enacted; and LSC Greenbook, all of which are available online at www.lsc.state.oh.us)

Reps. McGregor and Patmon, Wachtmann, Amstutz, Beck, Grossman, Hackett, Huffman, Perales, Sears, Sprague, Stebelton, Terhar, Batchelder
Sens. Manning, Balderson, Beagle, Brown, Cafaro, Hite, Hughes, Lehner, Patton, Peterson, Schaffer, Uecker
**Effective date:** July 1, 2013; certain provisions effective April 1, 2013; certain provisions effective January 1, 2017, to maintain the act’s provisions after that date; one item vetoed

**TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Infrastructure projects**

- Authorizes the Ohio Turnpike Commission (renamed the Ohio Turnpike and Infrastructure Commission) to issue revenue bonds for infrastructure projects.

- Requires that infrastructure projects first be approved by the Transportation Review Advisory Council (TRAC) and then be recommended by the Director of Transportation and evaluated and approved by the Commission.

- Requires not less than 90% of the total cost of infrastructure project funding requests recommended by the Director of Transportation be used for infrastructure projects at least partially located within 75 miles of the Ohio turnpike system.

- Generally requires an infrastructure project to have: (1) an anticipated benefit on the system of public highways in Ohio, and (2) a transportation-related nexus with and relationship to the Ohio turnpike system and the Ohio turnpike and infrastructure system.

- Specifies criteria that the rules of the Commission must include to determine if an infrastructure project has the required nexus and relationship and when determining whether to approve an application for infrastructure project funding.

- Until 2023, generally prohibits the Commission from increasing the existing toll rates for passenger vehicles when: (1) the tolls are collected and remitted in accordance with a multi-jurisdiction electronic toll collection agreement (E-ZPass), and (2) the distance traveled is 30 miles or less; but allows the Commission to increase such tolls as necessary to comply with covenants in bond proceedings existing before July 1, 2013.

- Generally separates Commission duties related to turnpike projects and infrastructure projects.

- Specifies that a determination to fund an infrastructure project is conclusive and incontestable.

- Specifies that infrastructure bond proceeds, after expenses and required debt service payments, be exclusively used to pay the cost of approved infrastructure projects, but allows income earned by an infrastructure fund to be used by the Commission towards the payment of bond service charges.

- Specifies that in paying the cost of a turnpike project, the Commission may use funds specifically acquired for that turnpike project or excess funds available from
any other turnpike project, and removes language that restricted the use of toll revenue to the turnpike project generating the revenue.

- Revises the law on fixing and adjusting tolls for turnpike projects that continue to be toll roads after payment of outstanding bonds.

**Commission membership and other general provisions**

- Modifies the membership of the renamed Ohio Turnpike and Infrastructure Commission to: (1) add two new public members appointed by the Governor, (2) set terms for members appointed after July 1, 2013 at five years rather than eight, and (3) remove the Director of the Ohio Development Services Agency.

- Makes all voting Commission members, including the Director of Transportation, eligible to be elected as the chairperson or vice-chairperson of the Commission.

- Modifies the general purposes of the Commission to specify that it may finance infrastructure projects that improve and enhance mobility on the system of public highways in Ohio.

**Repeal of turnpike outsourcing laws**

- Repeals authority that: (1) allowed the Director of Budget and Management and Director of Transportation to execute a contract with a private entity for the purpose of outsourcing turnpike-related highway services, and (2) granted the Director of Transportation the authority to exercise the powers of the Commission.

- Eliminates the Highway Services Fund, which was created to receive money from the contract outsourcing highway services.

**Sale of tolling equipment**

- Authorizes the Commission to enter into agreements with retail locations, specifically including deputy registrars, to make electronic tolling equipment (transponders) available to the general public at those locations for a reasonable fee established by the Commission.

- Allows deputy registrars to make transponders available to the general public under an agreement with the Commission for fees as established by the Commission, without the prior approval of the Registrar of Motor Vehicles.

**Other turnpike provisions**

- Establishes that the Commission is a political subdivision for purposes of the Political Subdivision Sovereign Immunity Law.

- Allows the Commission to adopt rules governing citations for the evasion of toll payments.
• Modifies the authority of the Commission in regard to the business logo sign program by removing explicit language that allowed the Commission to contract with a private person to operate the program in accordance with Commission rules.
• Makes the Commission subject to certain general public contracting provisions as a public authority.
• Requires the Director of Transportation, not later than July 1, 2013, to establish a turnpike mitigation program to assist political subdivisions through which a portion of the Ohio Turnpike passes and address concerns resulting from the proximity of the turnpike.

DEPARTMENT OF TRANSPORTATION

ODOT public-private partnership agreements
• In regard to the authority for the Department of Transportation (ODOT) to enter into public-private partnership agreements (P3s), allows the Director of Transportation to adopt rules for the control of traffic on public-private transportation facilities, particularly rules related to the avoidance of user fees.
• Establishes criminal penalties for violations of the rules, and establishes civil penalties for failure to comply with rules related to user fees.
• Allows the Director to include a binding dispute resolution provision in any P3 agreement.

ODOT force account limits
• Establishes scope of work limits allowing ODOT to proceed by force account without competitive bidding for certain bridge, culvert, and paving projects based on the size of the project and not the cost of the project.
• Increases the ODOT force account limits for projects not covered by the scope of work limits: (1) from $25,000 per mile to $30,000 per centerline mile, (2) from $50,000 to $60,000 for any single traffic control signal, and (3) from $50,000 to $60,000 for other single projects.
• Requires the Director of Transportation to adjust the force account limits in odd-numbered years, beginning in 2015, by the lesser of 3% or the percentage amount of any increase in ODOT’s construction cost index for the prior two calendar years.
• Requires ODOT force account project cost estimates to include costs for subcontracted work and any competitively bid project components.
ODOT contracting changes

- Specifies that certain general laws related to the bidding of contracts and public improvements do not apply to the Director of Transportation when exercising the Director's authority to prepare plans for, acquire rights-of-way for, construct, or maintain roads, highways, or bridges.

- Permits ODOT to advertise for bids for construction contracts under a continuing optional provision of law that specifies that, after first advertising for bids by full publication, the second advertisement may be made in an abbreviated form.

- Requires the amount of an ODOT construction contract performance bond and payment bond to equal 100% of the contract amount, rather than 100% of the estimated cost of the work.

Speed limits

- Establishes new speed limits as follows:
  - 70 miles per hour for all vehicles at all times on all interstate freeways outside urbanized areas;
  - 65 miles per hour on interstate freeway outerbelts in urban areas as determined by the Director of Transportation; and
  - 55 miles per hour on all interstate freeways in congested areas as determined by the Director and located within a municipal corporation or within an interstate freeway outerbelt.

- Allows the Director to increase the speed limit from 55 to 60 miles per hour on two-lane state routes outside municipal corporations if the Director determines on the basis of a study that the speed limit is less than is reasonable or safe.

- Declares the intent of the General Assembly that the new speed limits are not to result in any decrease of any speed limit on any freeway that is in effect on the effective date of those new speed limits.

Vehicle weight and size limits

- Increases from 40 feet to 50 feet the general maximum length for the operation of certain vehicles on public roads.

- Requires the Director of Transportation and local authorities to establish and issue special regional heavy hauling permits for regional trips at distances of 150 miles or less.

- Establishes a $100 fee for an application to operate a triple trailer at locations authorized under federal law.
• Revises the penalty related to an overweight or oversize special permit to specifically prohibit the operation in violation of: (1) gross load limits, (2) axle load by more than 2,000 pounds per axle or group of axles, or (3) the terms of a permit that relate to an approved route except upon order of a law enforcement officer.

• Specifies that a special permit to operate an overweight or oversize vehicle is voidable by law enforcement only for operation of a vehicle in violation of the weight, dimension, or route provisions of the permit, except that a permit cannot be voided for violating a route provision pursuant to a law enforcement order.

• Allows vehicles fueled solely by compressed natural gas to exceed by 2,000 pounds the gross vehicle weight limits and the axle load limits without penalty, but establishes that the allowance does not apply to the operation of such vehicles on interstates or roads subject to reduced weight limits.

**Energy Industry Infrastructure Task Force**

• Creates the Energy Industry Infrastructure Task Force to do both of the following:
  
  --Study and make recommendations to the Director of Transportation on future infrastructure projects in districts established by ODOT that are affected by the energy industry; and
  
  --Make recommendations to the Director on infrastructure projects in those districts that support the economic development activities in the districts.

• Requires the Task Force to submit its recommendations by January 31, 2015, and states that the Task Force ceases to exist after submitting its recommendations.

**ODOT’s authority over aviation; ODOT’s general duties and powers**

• Requires ODOT to encourage the promotion of aviation research in Ohio, and permits ODOT to furnish engineering or other technical counsel and services to any appropriate government agency that desires the counsel or services in connection with the location, construction, maintenance, or operation of airports, landing fields, or other air navigation facilities.

• Permits ODOT to cooperate with any government agency in any of a number of specified matters relating to airports, landing fields, and other air navigation facilities, such as aviation education or research and joint meetings and hearings in connection with any matter arising under the aviation laws.

• Requires ODOT, in its research and development program, to consider technologies for improving safety, mobility, aviation and aviation education, and transportation facilities.
• Specifically permits the Director of Transportation to appoint additional personnel such as clerks, engineers, inspectors, and technicians as necessary for ODOT to carry out its duties relating to aviation.

• Permits up to 10% of the money deposited annually in the continuing Airport Assistance Fund to be spent annually to pay operating costs associated with ODOT’s Office of Aviation, as well as for maintenance and capital improvements to publicly owned airports as authorized under continuing law.

**Other provisions**

• Clarifies that the operator of a motor vehicle, when facing a red traffic signal, whether a round signal or an arrow, may not turn left after stopping at the signal unless the turn is being made from a one-way street into a one-way street.

• Modifies the definition of "bicycle" under the vehicle and traffic laws to mean every device, other than a device designed solely for use as a play vehicle by a child, that is propelled solely by human power on which a person may ride, and that has two or more wheels, any of which is more than 14" in diameter.

• Terminates Ohio’s participation in the Midwest Interstate Passenger Rail Compact.

• Authorizes the Director of Transportation to enter into an agreement or contract with any entity to establish a traveler information program to provide real-time traffic conditions and travel time information free to travelers.

• Authorizes the Director to remove snow and ice and maintain, repair, improve, or provide lighting on interstate highways that are located within the boundaries of a municipal corporation or, by agreement, to reimburse a municipal corporation for the costs of the work.

• Requires ODOT to reimburse a county for the cost of relocating a county water and sewer facility due to a highway construction project.

• Authorizes the Director to use revenues from the state motor vehicle fuel tax to match approved federal grants awarded to ODOT, regional transit authorities, or eligible public transportation systems for public transportation highway purposes.

• Authorizes the Director to enter into agreements with specified federal agencies for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents as necessary for the approval of federal permits.

• Permits a board of county commissioners to establish a fee to cover the actual costs the county incurs in providing required published and mailed notice when vacating a road.
• Creates a six-member Joint Legislative Task Force on Department of Transportation Funding, and requires it to examine the funding needs of ODOT and the issue of eliminating the Ohio motor fuel tax and to report its findings and recommendations by December 15, 2014.

• Repeals the law that prohibited ODOT from providing funds to more than five transportation improvement districts (TIDs).

• Changes the name of the U.S. Army Staff Sergeant Lester O. Kinney II Memorial Highway to the U.S. Army Staff Sergeant Lester O. "Buddy" Kinney II Memorial Highway.

• Generally requires ODOT and local authorities to erect stop signs at a railroad highway grade crossing if either: (1) new warning or protective devices that are not active grade crossing warning devices are being installed at a grade crossing and railroad crossbucks were the only warning devices at the grade crossing prior to the installation of the new warning devices, or (2) the grade crossing is constructed after the act’s effective date and only nonactive grade crossing warning devices are installed at the grade crossing.

DEPARTMENT OF PUBLIC SAFETY

Merger of boards

• Changes the name of the State Board of Emergency Medical Services to the State Board of Emergency Medical, Fire, and Transportation Services, eliminates the Ohio Medical Transportation Board, and assigns the duties of that Board to the renamed State Board of Emergency Medical, Fire, and Transportation Services.

• Provides that the renamed State Board of Emergency Medical, Fire, and Transportation Services be composed of 15 members of the former State Board of Emergency Medical Services and four former members of the Ohio Medical Transportation Board.

• Requires certain fees and money collected by the renamed State Board of Emergency Medical, Fire, and Transportation Services that the Ohio Medical Transportation Board previously collected to be deposited into the Trauma and Emergency Medical Services Fund, instead of the Occupational Licensing and Regulatory Fund.

• Creates the Medical Transportation Committee of the renamed State Board of Emergency Medical, Fire, and Transportation Services, and the Critical Care Subcommittee of the Medical Transportation Committee.
Multi-year registration

- Requires the Registrar of Motor Vehicles to adopt rules allowing a trailer or semitrailer to be registered for any number of years, including a permanent registration, rather than for up to five years as under prior law.
- Requires that the annual $25 registration tax, the additional $11 registration fees, and any local, permissive motor vehicle taxes must be paid for each year of registration, but specifies that the fees and taxes cannot exceed eight times the annual amount due, regardless of the number of years of registration.
- Specifies that the multi-year period of registration is not transferrable to any other trailer or semitrailer.
- Extends from two years to a maximum of five years the optional multi-year registration generally available for noncommercial motor vehicles, requires payment of all annual taxes and fees for each year of registration, and establishes the applicable Registrar or deputy registrar service fee as $5.25 for two years, $8 for three years, and $10 for four or five years.

License plates

- Creates an option for persons to retain the combination of numbers and letters on certain previously issued license plates upon payment of an additional $10 fee when the registration is renewed and new license plates are issued, and allows a deputy registrar who handles the registration renewal to retain $1 of the $10 fee.
- Specifies that license plates may be made of steel, aluminum, plastic, or any other suitable material, rather than only of steel.
- Commencing January 1, 2014, permits a company that owns or leases a fleet of apportioned vehicles to apply to the Registrar for a special company logo license plate bearing that company's logo.

Other provisions

- Reduces the fee charged for late vehicle registration renewals from $20 to $10, and extends the grace period from seven days to 30 days.
- Creates the Local Motor Vehicle License Tax Fund, and requires all revenue received from local permissive motor vehicle registration taxes to be deposited into the Fund for subsequent distribution to local authorities.
- Redirects certain driver's license revenue from the State Highway Safety Fund, which primarily funds the State Highway Patrol, to the State Bureau of Motor Vehicles Fund, which funds the expenses of the Bureau.
• Provides that a person who holds a current, valid driver's license from another state need pass only vision screening to be issued an Ohio driver's license, instead of the regular examination.

•Eliminates the requirement that every deputy registrar's office in each county be open to the public until 6:30 p.m. on at least one night each week.

•Requires the Registrar, as part of the selection process in awarding a deputy registrar contract, to consider the customer service performance record of any person previously awarded a deputy registrar contract.

•Requires that rental fees paid by a deputy registrar for the use of space in a driver's license examining station be paid into the State Bureau of Motor Vehicles Fund, rather than the Registrar Rental Fund.

•Eliminates the Registrar Rental Fund, which previously was used by the Department to pay the rent and expenses of driver's license examining stations.

•Changes the time period that a farm bus may be registered from two 90-day periods in any calendar year to one 210-day period in any calendar year.

•Requires that the fee charged by the State Highway Patrol for the annual inspection of certain commercial buses be paid directly into the State Highway Safety Fund, rather than the GRF and transferred to the State Highway Safety Fund.

•Permits a duly authorized subordinate acting on behalf of a county sheriff, police chief, State Highway Patrol trooper, or fire department chief to remove an unoccupied motor vehicle, its cargo, or personal property from a motor vehicle accident scene.

•Provides that the Superintendent of the State Highway Patrol must hold the rank of colonel, and requires the Superintendent to be appointed from within the eligible ranks of the Patrol.

•Specifies that all ranks of the Patrol below the Superintendent are classified.

•Requires that penalties imposed for failure to pay or forward fees charged for copies of birth records, certifications of birth, and death records, and for the filing of divorce and dissolution decrees, be paid to the Department of Public Safety, rather than the Treasurer of State.

•Requires the Department of Public Safety to forward the penalties to the Treasurer for deposit in the Family Violence Prevention Fund.

•Increases from two to four the number of classic motor vehicle auctions a person may conduct per year without being subject to certain licensing requirements under the Motor Vehicle Dealers Law.
Scrap metal dealers and bulk merchandise container dealers

- Relocates the offense for theft of a special purchase article or bulk merchandise container from the Secondhand Dealer Law to the Criminal Code.

- Incorporates the offense of receiving a stolen special purchase article, or receiving a stolen bulk merchandise container, into the offense of receiving stolen property in the Criminal Code.

- Makes all records, subject to certain exceptions, submitted to any law enforcement agency, railroad police officer, or the Director of Public Safety or the Director's designated representative under the Secondhand Dealer Law not public records for the purposes of the Ohio Public Records Law.

- Requires the Director to make the names and addresses of scrap metal dealers and bulk merchandise container dealers available to the public upon request.

- Prohibits a scrap metal dealer or a bulk merchandise container dealer from purchasing or receiving articles from any person identified as a thief or receiver of stolen property on a list created by law enforcement or made available by the Director of Public Safety.

- Creates a procedure for the removal of the name of an individual from the list of known thieves or receivers of stolen property.

- Repeals the requirement that 50% of the fees paid to recover a motor vehicle impounded because it was used in the theft or illegal transportation of metal be paid to the Department of Public Safety.

DEPARTMENT OF TAXATION

- Segregates commercial activity tax revenue attributable to selling motor vehicle fuel used on public highways from other commercial activity tax revenue based on taxpayers' reports, and credits such motor fuel-related revenue to a separate fund.

- Extends through the FY 2014-FY 2015 biennium the reductions in the motor fuel dealers' prompt payment and shrinkage allowances that applied during FY 2008-FY 2013 (1% and 0.5%, respectively).
MISCELLANEOUS

Horse racing

- Permits the State Racing Commission, through December 31, 2013, to issue a temporary permit to conduct live horse-racing meetings at a location where other permits to conduct live horse-racing meetings have been issued.
- States that the permits must be issued to a permit holder for a period not to aggregate more than one year from the first date of issuance.
- Permits the Commission to adopt rules under the Administrative Procedure Act to establish the temporary permit procedures.
- During calendar year 2013, allows an otherwise eligible temporary permit holder to apply to the State Lottery Commission for a video lottery sales agent license at the location where the temporary permit holder was previously issued a permit to conduct live horse racing meetings and to electronically televise simulcasts of horse races at that location.
- Adjusts the payment schedule related to payments from the Casino Operator Settlement Fund to the municipality or township in which a horseracing track is located or will be located.

Service station bond

- Repeals the law that generally required a service station property owner or lessee to file an annual $3,000 bond with the municipal corporation or county in which the service station was located to pay the costs of repair and restoration if the service station was determined to be an abandoned service station.
- States that the repeal does not cancel or otherwise terminate a bond in effect on the repeal's effective date (July 1, 2013).
- Adjusts the persons that receive notice of the finding that a service station is abandoned.
- Removes the ability of the municipal corporation or county to bring an action on the bond to recover costs of repair or removal and restoration of an abandoned service station, but retains the ability of the municipal corporation or county to bring an action to recover those costs.

State agency travel expenses

- Requires state agencies to control all their travel expenses, not just their nonessential travel expenses.
• Permits a state agency, as an additional method of travel expense control, to use a state-contracted rental vehicle provider for employee vehicle travel exceeding 100 miles.

Other provisions

• Requires the Director of the Ohio Public Works Commission to appoint from among the Commission's employees a deputy to act as Director when the Director is absent or temporarily unable to carry out the duties of office.

• Specifies that federal money received by the state for fiscal stabilization and recovery purposes is to be used in accordance with the Buy-U.S. and Buy-Ohio preferences established in state law, but only to the extent permitted by federal law.

• Regarding port authorities created on or before July 9, 1982, does the following:
  --Authorizes such a port authority to loan money to a governmental agency for the acquisition, construction, furnishing, and equipping of real or personal property;
  --Authorizes such a port authority to charge, alter, and collect rentals or other charges for the use of a port authority facility; and
  --Authorizes any governmental agency to cooperate with such a port authority in the acquisition or construction of port authority facilities through required agreements between the governmental agency and the port authority.

Am. Sub. H.B. 59

(For details of fiscal provisions of the act, see LSC Budget in Detail, As Enacted; LSC Comparison Document, As Enacted; and LSC Greenbooks, all of which are available online at www.lsc.state.oh.us)


Sens.  Beagle, Burke, Coley, Faber, Hite, Lehner, Oelslager, Peterson, Schaffer, Uecker, Widener

Effective date:  June 30, 2013; certain provisions effective September 29, 2013; certain other provisions effective on other dates; contains item vetoes

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otherwise deals with the subject matter. The *Digest* entry also includes, at the end, categories for Retirement Systems, Local Government, and Miscellaneous.

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ACCOUNTANCY BOARD

- Removes the language specifying the pay ranges in the exempt employee salary schedule from which the Executive Director of the Accountancy Board must be paid.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Public employee health care plans

- Ratifies and further amends R.C. 9.901, as amended by H.B. 153 of the 129th General Assembly, governing the quality of certain public employee health care plans.

- Requires that all health care benefits provided to employees of certain public employers be provided by health care plans that contain best practices established by the Department of Administrative Services (DAS) or the former School Employees Health Care Board.

- Requires all policies or contracts for certain health care benefits that are issued or renewed after the expiration of a collective bargaining agreement to contain all best practices established at the time of renewal.

- Allows a political subdivision, upon consulting with DAS, to adopt a delivery system of benefits that does not accord with DAS's adopted best practices if DAS considers it to be most financially advantageous to the political subdivision.

- Requires DAS to assist in the design of health care plans for public employers separate from the health care plans for state agencies.

- Permits the DAS Director to convene a Public Health Care Advisory Committee.

- Requires a joint self-insurance program to pay the run-off expenses of a participating political subdivision that terminates its participation in the program, under certain circumstances.
• Requires the run-off payment to be limited to an actuarially determined cap or 60 days, whichever is reached first, unless the program and terminating political subdivision specifically agree to maintain enrollment for a specified period.

Alternative fuel
• Eliminates the following: the annual fleet reporting requirement made by higher education institutions to DAS, the Credit Banking and Selling Program of DAS, and the position of State Alternative Fuel Officer within DAS.
• Transfers control of the State Biodiesel Revolving Fund from DAS to the Development Services Agency.
• Eliminates quarterly and annual reporting on alternative fuel usage by state agencies.

Public exigency power
• Eliminates the power of the DAS Director to declare a public exigency, a power formerly shared with the Executive Director of the Facilities Construction Commission (FCC).
• Eliminates the ability of the Director to ask FCC, in order to respond to a public exigency, to enter into public contracts without competitive bidding or selection.
• Transfers, from the DAS Director to the FCC Executive Director, the power to take and use lands, materials, and other property necessary for the maintenance, protection, or repair of the public works during a public exigency.

Transfer of Employee Assistance Program
• Transfers the Employee Assistance Program from the Department of Health to DAS, and eliminates the separate payroll charge assessed per pay period to state agencies to cover the cost of administering the program.
• Requires the Office of Budget and Management, at the request of DAS, to make budget changes necessitated by the transfer, including administrative reorganization or program transfers.
• Requires the transfer of employees of the Employee Assistance Program to DAS at their same classifications with retention of their statutory rights concerning layoffs.

Vehicle Management Commission
• Recreates and modifies the Vehicle Management Commission within DAS that was abolished in 2011.
• Requires the Commission to periodically review the implementation of the fleet management program by DAS, and authorizes it to recommend to DAS and the
General Assembly modifications to DAS procedures and functions and other statutory changes.

Other provisions

- Increases, from pay range 44 to pay range 47, the maximum compensation that each state department may pay to up to five of its unclassified employees who are involved in policy development and implementation.

- Specifies that the positions, offices, and employments for which the DAS Director must establish job classification plans are those in the service of the state.

- Extends, until July 1, 2015, the Director's temporary authority to implement certain provisions of the civil service law regarding classification plans and appointment incentive programs without adopting rules.

- Clarifies that the Director's authority to approve a policy to grant compensatory time or pay applies only with respect to "employees in the service of the state."

- Renames the Payroll Withholding Fund within the state treasury as the Payroll Deduction Fund.

- Provides that the Life Insurance Investment Fund is to include money from state agencies, and removes the requirement that the Fund include amounts from the renamed Payroll Deduction Fund.

- Prohibits the Controlling Board from authorizing transfers of cash balances in excess of needs from the Building Improvement Fund to the GRF or to another fund to which the money would have been credited in the absence of the Building Improvement Fund.

- Codifies the Building Improvement Fund, provides that the Fund consists of payments from the appropriation for office building operating payments, and requires money in the Fund to be used for major maintenance or improvements in certain state office buildings.

- Creates the Building Operation Fund within the state treasury, and allows DAS to deposit money collected for operating expenses of facilities owned or maintained by DAS into the new Fund or into the Building Management Fund.

- Replaces the phrase "skilled trade services" used under former law with the phrase "minor construction project management."

- Allows the Director to provide, and collect reimbursements for the cost of providing, minor construction project management services to any state agency instead of just state agencies that occupy space in a facility not owned by DAS.
• Renames the Skilled Trades Fund in the state treasury as the Minor Construction Project Management Fund, and provides that money collected for minor construction project management services be deposited into the renamed Fund.

• Authorizes an appointing authority, in cases where no vacancy exists, and with the written consent of an exempt employee, to assign the duties of a higher classification to the exempt employee for a period not to exceed two years.

• Eliminates the requirement that the state make available a long-term care insurance policy that state officials and employees may elect to participate in.

• Requires the Director to propose, to the Governor and legislative leaders, uniform standards for public offices that post public records on the Internet.

• Establishes the Local Government Efficiency Program to be administered by the Local Government Innovation Council.

9-1-1 service law changes

Transfer to Statewide Steering Committee

• Transfers the administration of 9-1-1 services from the Department of Public Safety to the Statewide Emergency Services Internet Protocol Network Steering Committee.

• Transfers to the Steering Committee and its members the same immunity from liability in civil actions arising from any act or omission in connection with the development or operation of a 9-1-1 system enjoyed by the Ohio 9-1-1 Council and the Wireless 9-1-1 Advisory Board in former law.

• Repeals the duty imposed on countywide 9-1-1 planning committees to report by February 15, 2013, and the penalty for failure to report, certain information to the Steering Committee, including:
  --Geographic location and population of the 9-1-1 service area;
  --9-1-1 call statistics;
  --Expenditures of 9-1-1 disbursements; and
  --9-1-1 network and equipment information.

• Requires any governmental entity or political subdivision operating a public safety answering point (PSAP) to report that same information, as well as any other information needed for the next generation 9-1-1 transition, to the Steering Committee.

• Requires a "9-1-1 service provider" to report to the Steering Committee the number of access lines in Ohio maintained by the provider, the provider's aggregate costs
and cost recovery associated with provision of 9-1-1 services, and any other information needed for the next generation 9-1-1 transition.

- Imposes a time limit of 45 days for 9-1-1 service providers and political subdivisions or governmental entities operating a PSAP to make their reports after a Steering Committee request for such information.

- Grants the Steering Committee and the 9-1-1 Program Office Administrator, until January 1, 2014, certain duties related to the remittance, disbursement, audit, and assessment of wireless 9-1-1 charges received from wireless 9-1-1 service providers and resellers.

**Changes to wireless 9-1-1 funds**

- Beginning January 1, 2014:
  - Reduces, from 98% to 97%, the portion of wireless 9-1-1 charge remittances to be deposited in the Wireless 9-1-1 Government Assistance Fund;
  - Replaces the Wireless 9-1-1 Public Safety Administrative Fund with the 9-1-1 Program Fund to defray the Steering Committee's administration of 9-1-1 services;
  - Specifies that 2% of wireless 9-1-1 charges be deposited in the 9-1-1 Program Fund; and
  - Makes the Wireless 9-1-1 Government Assistance Fund and the Next Generation 9-1-1 Fund state treasury funds rather than custodial funds, and removes provisions governing the Treasurer's administration of those funds.

**9-1-1 entity changes**

- Replaces the 9-1-1 Service Program housed in the Public Utilities Commission and the position of Ohio 9-1-1 Coordinator (set to be repealed as of January 1, 2014) with the 9-1-1 Program Office led by an administrator who is appointed by the DAS Director and reports to the State Chief Information Officer.

- Repeals the law that created and governed the Ohio 9-1-1 Council and the Wireless 9-1-1 Advisory Board.

**County 9-1-1 planning committee changes**

- Repeals the requirement that a 9-1-1 planning committee be disbanded and the option that it be replaced if it failed to adopt a final plan on or before the deadline of nine months after the resolution convening the 9-1-1 planning committee.

- Changes the method of amending a final plan for a countywide 9-1-1 system.
DEPARTMENT OF AGING

Records checks

- Makes a regional long-term care ombudsman program the responsible party for purposes of database reviews and criminal records checks for the regional program.

- Specifies that the database review and criminal records check requirements regarding community-based long-term care services covered by programs administered by the Ohio Department of Aging (ODA) apply to:

  --A person applying for employment with (or referred by an employment service to) a community-based long-term care provider; and

  --If ODA rules so require, a person already employed by (or referred to) such a provider when the person seeks or holds a direct-care position involving: (1) in-person contact with one or more consumers, or (2) access to one or more consumers’ personal property or records.

- Applies the database review and criminal records check requirements to:

  --Persons under final consideration for employment in a direct-care position with an area agency on aging (AAA), PASSPORT administrative agency (PAA), or subcontractor; and

  --Persons referred to an AAA, PAA, or subcontractor by an employment service for a direct-care position.

- Permits the ODA Director to adopt rules applying the database review and criminal records check requirements to a person: (1) employed in a direct-care position by an AAA, PAA, or subcontractor, or (2) working in a direct-care position following referral by an employment service to an AAA, PAA, or subcontractor.

- Excludes from the database review and criminal records check requirements for direct-care positions persons whose sole duties are transporting individuals under a county or regional transit system.

- Provides that the database review and criminal records check requirements do not apply to individuals subject to the criminal records check requirement for individuals applying for direct-care positions with nursing homes, residential care facilities, county or district homes, or other Ohio Department of Health-regulated long-term care facilities or adult day-care programs.

- Provides that the ODA Director or the Director’s designee may obtain the report of a criminal records check regarding an applicant for a direct-care position with a Department of Health-regulated long-term care facility if the facility is also a community-based long-term care services provider.
PASSPORT and Assisted Living programs

- Requires ODA to establish new appeal procedures for the state-funded components of the PASSPORT and Assisted Living programs.
- Provides that, if the Choices Program is terminated, ODA is authorized to suspend new enrollments and transfer existing participants to either the PASSPORT program or a unified long-term services and support Medicaid waiver component.
- Requires an applicant for the Medicaid-funded or state-funded component of the Assisted Living Program to undergo an assessment to determine whether the applicant needs an intermediate level of care.
- Requires the Ohio Department of Medicaid to enter into an interagency agreement with ODA under which ODA performs assessments to determine if a person requires a nursing facility level of care.
- Permits ODA to design and utilize a payment method for PAA operations that includes a pay-for-performance component.
- Specifies that the spending for PAAs’ site operating functions for PASSPORT, Choices, Assisted Living, and PACE are to be 105% of the level provided in fiscal year 2013.
- Requires the Medicaid payment rates for services provided under the PASSPORT program, other than adult day-care services, during fiscal years 2014 and 2015 to be not less than 98.5% of the Medicaid payment rates for the services in effect on June 30, 2011.
- Requires the Medicaid payment rates for adult day-care services provided under the PASSPORT program during fiscal years 2014 and 2015 to be 20% higher than the Medicaid payment rates for the services in effect on June 30, 2013.

Nursing homes

- Requires ODA to implement a nursing home quality initiative to improve person-centered care and make available a list of quality improvement projects.
- Beginning July 1, 2013, requires nursing homes to participate every two years in at least one quality improvement project listed by ODA.
- Beginning July 1, 2015, requires nursing homes to participate in advance care planning, and generally prohibits the use of overhead paging.

Board of Executives of Long-Term Services and Supports

- Transfers the Board of Examiners of Nursing Home Administrators from the Department of Health to ODA, and renames it the Board of Executives of Long-Term Services and Supports.
• Increases to 11 (from 9), the number of Board members, and modifies the membership eligibility requirements.

• Requires the Board to create opportunities for education, training, and credentialing of nursing home administrators and others in leadership positions in long-term services and supports settings.

• Requires the Board to enter into a written agreement with ODA for ODA to serve as the Board’s fiscal agent.

• Creates the Board of Executives of Long-Term Services and Supports Fund, and requires license and registration fees collected by the Board to be deposited in the Fund instead of the General Operations Fund.

Other provisions

• Bases the annual fee paid by a long-term care facility for support of regional ombudsman programs on the number of beds the facility was licensed or otherwise authorized to maintain for the previous year, rather than the number of beds maintained for use by residents.

• Eliminates the requirement that ODA prepare an annual report on individuals who, after long-term care consultations, elect to receive home and community-based services covered by ODA-administered Medicaid components.

• Replaces "ombudsperson" with "ombudsman" for ODA programs.

DEPARTMENT OF AGRICULTURE

Agricultural easements; Farmland Preservation Advisory Board

• Authorizes an agricultural easement acquired by the Director of Agriculture or a political subdivision or charitable organization that has received a matching grant from the Director to include a provision to preserve a unique natural or physical feature on the land if the use of the land remains predominantly agricultural.

• Requires one representative on the Farmland Preservation Advisory Board to be from a nonprofit organization (rather than a "national" nonprofit) dedicated to the preservation of farmland.

Concentrated animal feeding facilities

• Establishes a general prohibition against violations or failures to perform duties related to national pollutant discharge elimination system (NPDES) permits and the NPDES provisions of permits issued under the Concentrated Animal Feeding Facilities (CAFF) Law.
• Establishes an additional general prohibition against violations or failures to perform duties under the CAFF Law that are not related to NPDES permits and permit provisions.

• Requires the Attorney General, upon the written request of the Director of Agriculture, to prosecute any person who violates either prohibition.

• Replaces the criminal penalties established in former law for violations of specified provisions of the CAFF Law with criminal penalties that are based on the culpable mental state of the violator, and establishes a different standard for actions that constitute acting negligently for purposes of those penalties.

Dogs and other companion animals

• Beginning December 1, 2013, requires an individual to register a dog for one year, three years, or permanently, rather than requiring annual registration.

• Revises the fee structure for dog registrations by establishing a fee of $2 for each year of registration for a one-year or three-year registration and a $20 fee for permanent registration, rather than a fee of $2 per registration.

• Requires that any dog registration fee increase adopted by a board of county commissioners be in the ratio of $2 for each year of registration and in the ratio of $20 for a permanent registration, rather than in the ratio of $2 for each dog registration.

• Revises the formula for the transfer of a portion of such a county fee increase to the OSU College of Veterinary Medicine.

• Requires the county auditor to designate the color of dog registration tags, and eliminates the requirement that tags had to be a different color each year.

• Authorizes a board of county commissioners, in lieu of appointing and employing a county dog warden and deputies, to appoint the county sheriff to enforce the laws governing dogs and prohibiting cruelty to animals.

• Requires the board, if it chooses to appoint the sheriff, to enter into a two-year written agreement with the sheriff for that purpose, and specifies that an agreement may authorize both of the following:
  --The sheriff to appoint sheriff’s deputies or persons other than peace officers as deputy dog wardens; and
  --The transfer of any benefits accrued by employees who are transferred as a result of the county sheriff’s being appointed as the county dog warden.
• Requires dog wardens and deputy wardens appointed in accordance with the act to comply with training and other legal requirements applicable to county dog wardens and deputy dog wardens appointed or employed under continuing law.

• Revises the general prohibition against negligently committing specified types of cruel treatment against a companion animal that applies to anyone who confines or is the custodian or caretaker of a companion animal.

• Specifically prohibits an owner, manager, or employee of a registered animal rescue for dogs, a boarding kennel, or a training kennel (hereafter dog kennel) who confines or is the custodian or caretaker of a companion animal from negligently committing specified acts of cruel treatment against a companion animal, a violation of which is a first degree misdemeanor on each offense.

• Specifically prohibits an owner, manager, or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal from knowingly committing specified acts of cruel treatment against a companion animal, a violation of which is a fifth degree felony on each offense.

Apiaries

• Credits money that is collected from registration fees and fines under the Apiaries Law to the continuing Plant Pest Program Fund rather than the GRF.

• Requires money credited to the Plant Pest Program Fund to be used to administer the Apiaries Law, in addition to the Nursery Stock and Plant Pest Law as in continuing law.

Other animal provisions (PARTIALLY VETOED)

• Specifies that the care and housing standards adopted by the Zoological Association of America, with which persons who are issued restricted snake possession and propagation permits must comply as provided in continuing law, are those that were in effect on September 5, 2012.

• Exempts an applicant for a wildlife propagation permit from the requirement to sterilize each male dangerous wild animal.

• Would have removed spider monkeys from the permitting, standards-of-care, and housing requirements, but required a person that possesses one to register it with the Director (VETOED).

• Revises the procedure in accordance with which money in the High Volume Breeder Kennel Control License Fund is transferred to counties.
Auctioneers

- Exempts from licensure an approved bid calling contest that is conducted for the purposes of the advancement or promotion of the auction profession in Ohio and an auction at which a national or international bid calling champion appears, provided that certain conditions are met for each exemption.
- Makes technical changes in the Auctioneers Law to clarify that it applies to limited liability companies.

Agricultural commodity marketing programs

- Revises the procedures governing the approval by the Director of Agriculture of an amendment to an agricultural commodity marketing program that was established before April 10, 1985.
- Establishes specific eligibility requirements for producers voting in a referendum held on a proposed egg marketing program or a proposed amendment to such a program.

JOINT COMMITTEE ON AGENCY RULE REVIEW

- Authorizes the Joint Committee on Agency Rule Review to direct the Director of the Legislative Service Commission to remove obsolete administrative rules from the Administrative Code.

AIR QUALITY DEVELOPMENT AUTHORITY

- Expands the types of air quality facilities that may be acquired or financed by the Ohio Air Quality Development Authority to include any property, device, or equipment related to the recharging or refueling of vehicles that promotes the reduction of air contaminant emissions by using an alternative fuel or a renewable energy resource.

ATTORNEY GENERAL

Protection of state liens in judicial sale

- Generally requires that a party seeking a judicial sale of real estate include a state lienholder as a party defendant unless no state lien has been recorded against the owner of the real estate.
- Presumes the appearance of the state lienholder for jurisdictional purposes.
• Requires the court to take judicial notice that the state has a lien against the real estate subject to a judicial sale.

• Allows the state lienholder to file an answer to the complaint or any other pleading if the amount, validity, or priority of the state lien is not identified as disputed, and requires the state lienholder to file an answer if the amount, validity, or priority of the state lien is identified as disputed.

• Requires that, as part of any order confirming the sale of the real estate that is subject to any undisputed state lien or distributing the proceeds of any judicial sale of real estate, the undisputed state lien is protected as if the state had appeared in the action and filed an answer asserting the state lien.

• Requires that notice be given to the state lienholder and the Attorney General if any party asserts a dispute as to the amount, validity, or priority of the state lien or of any lien or other interest that has priority over the state lien.

• Requires that the interest of any undisputed state lien transfer to the proceeds of the sale of the real estate.

**Annual law enforcement agency report**

• Eliminates requirements that a law enforcement agency receiving fine moneys for its role in arresting and prosecuting an offender for certain drug offenses prepare an annual report that cumulated the agency's records with regard to the receipt and expenditure of the fine moneys and send a copy of the report to the Attorney General.

**State Victims Assistance Advisory Council**

• Adds two members to the State Victims Assistance Advisory Council.

**Rape crisis programs**

• Defines "rape crisis program" as any of the following: (1) the federally designated nonprofit state sexual assault coalition, (2) a victim witness assistance program operated by a prosecuting attorney, or (3) a governmental or nonprofit program that provides a full continuum of services to victims of sexual assault, that does not provide medical services, and that may refer victims to physicians for medical care but does not engage in or refer for services for which the use of genetic services funds is prohibited.

• Creates the Rape Crisis Program Trust Fund, consisting of specified fines and fees imposed by the act, appropriations, and donations, to help fund rape crisis programs; states the purposes for which the funds may be used; and requires the Attorney General to adopt rules concerning the Fund.
• Authorizes a court to impose a discretionary fine of $50 to $500 on a person convicted of a sexually oriented or child-victim oriented felony offense, with the fine money going to the Fund.

• Establishes a one-time additional $100 sex offender registration fee, authorizes the Attorney General to recover unpaid fees, and authorizes a court that imposes a community control sanction on a person convicted of a sexually oriented or child-victim oriented offense to make payment of the fee a condition of community control.

AUDITOR OF STATE

• Eliminates the special exception that excused the Auditor of State from preparing a rule summary and fiscal analysis of proposed auditing rules.

• Authorizes the Auditor of State to send notices of the public hearing on proposed auditing rules and to transmit copies of proposed auditing rules by electronic mail.

BARBER BOARD

• Extends, from three to six years, the time period in which the holder of an expired license to practice as a barber or to be a barber teacher or assistant barber teacher may apply to have the license restored without examination.

BROADCAST EDUCATIONAL MEDIA COMMISSION

• Renames and reconstitutes the former eTech Ohio Commission as the Broadcast Educational Media Commission (BEMC), and transfers all of eTech's educational broadcasting services to BEMC.

• Of eTech's duties not transferred to BEMC, transfers some to the Chancellor of the Board of Regents and to the Department of Education, and eliminates others.

• Allows for the continuation of some former eTech employees with BEMC and the transfer of other eTech employees to the Department or the Chancellor.

• Terminates the terms of all members of the eTech Ohio Commission, and modifies the membership of, and the initial terms of office for, the newly constituted BEMC.

• Eliminates the law requiring eTech to develop a state technology plan and establish an Interactive Distance Learning Pilot Project, and eliminates the Education Technology Trust Fund and the Information Technology Service Fund.
OFFICE OF BUDGET AND MANAGEMENT

Office of Internal Audit changes

- Changes the name of the Office of Internal Auditing, within the Office of Budget and Management, to the Office of Internal Audit (OIA).

- Expands the number of state agencies for whom the OIA is required to conduct internal audit programs to include the Opportunities for Ohioans with Disabilities Agency, the Public Utilities Commission of Ohio, the Adjutant General, and the State Lottery Commission.

- Permits the OIA, on request, to direct internal audits of any other organized body, office, or agency established by the laws of the state.

- Clarifies that the OIA is required to direct the internal audits of state agencies, rather than conduct the internal audits.

- Modifies the scope of internal audits directed by the OIA.

- Clarifies the application of the Public Records Law to certain documents produced or used as part of an internal audit conducted by the OIA.

- Moves to August 1, from July 1, the date by which the Office of Budget and Management must publish the Chief Internal Auditor’s annual report.

State Audit Committee

- Modifies the membership qualifications and duties of the State Audit Committee.

State Lottery Commission internal audit plan

- Requires the State Lottery Commission to establish an annual internal audit plan, instead of an internal audit program, and to submit the plan to the OIA instead of the Auditor of State.

- Requires the Commission to submit its annual report on its internal audit work to the OIA for review and approval, instead of the Auditor, and eliminates the authority of the Auditor to prescribe the form and manner of the annual report.

State appropriation limitation

- Provides that the state appropriation limitation for a fiscal year is to be increased by the amount of a non-GRF appropriation made in the immediately preceding fiscal year if the non-GRF appropriation:

  --Was made on or after July 1, 2013;
--Is included in the aggregate GRF appropriations proposed for that fiscal year;

and

--Is being made for the first time from the GRF.

**Payments from the state treasury**

- Authorizes the Director of Budget and Management to use electronic funds transfers to make payments from the state treasury.

- Eliminates a requirement that the Director of Administrative Services reimburse the Director of Budget and Management for certain costs related to making payments via direct deposit rather than drawing a paper warrant.

**Other provisions**

- Permits the Director of Budget and Management, under certain circumstances, to transfer interest earned by any state fund to the GRF.

- Authorizes the Director, in each fiscal year, to transfer up to $60 million in cash to the GRF from non-GRF funds that are not constitutionally restricted to ensure that GRF receipts and balances are sufficient to support GRF appropriations.

- Permits the Director to issue guidelines to agencies applying for federal money made available to the state for fiscal stabilization and recovery purposes.

- Prohibits cash transfers to the Income Tax Reduction Fund prior to July 1, 2015.

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**OHIO CASINO CONTROL COMMISSION**

**Age in casino areas**

- Requires that an individual under age 21 be personally escorted by licensed casino personnel in order to pass through an area of a casino facility where casino gaming is being conducted, as established by the Casino Control Commission, to another area where casino gaming is not being conducted.

**Gaming and wagering report**

- Requires the Joint Committee on Gaming and Wagering to prepare a report that includes findings on criminal problems posed by gaming and wagering at casino facilities and video lottery terminal facilities and that recommends curative actions.

**Casino Control Commission Enforcement Fund**

- Creates in the state treasury the Casino Control Commission Enforcement Fund, which must contain all moneys that are derived from any fines, mandatory fines, forfeited bail, or forfeitures to which the Commission is entitled.
• With certain exceptions, states that the moneys in the Fund must be used solely to subsidize the Commission's Division of Enforcement.

• Specifies that moneys in the Fund that are derived from forfeitures of property under federal law must be used and accounted for in accordance with the applicable federal law.

• Amends the Forfeiture Law to include the Commission as a law enforcement agency under that Law.

• Requires the Executive Director of the Commission to file an annual report verifying moneys in the Fund were used in accordance with relevant law.

STATE CHIROPRACTIC BOARD

• Would have authorized chiropractors to assess, and clear for return to play, youth athletes removed from play for exhibiting concussion and head injury symptoms (VETOED).

CIVIL RIGHTS COMMISSION

• Exempts religious corporations, associations, educational institutions, and societies from the Ohio Civil Rights Law's prohibitions relating to the unlawful discriminatory practices in employment, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by that religious corporation, association, educational institution, or society of its activities.

• Clarifies that it is not an unlawful discriminatory practice for a person or an appointing authority administering a civil service examination to obtain information about an applicant’s military status for the purpose of determining whether the applicant is entitled to receive additional credit as a military veteran.

DEPARTMENT OF COMMERCE

Underground Storage Tank Revolving Loan Program

• Creates the Underground Storage Tank Revolving Loan Program, to be administered by the State Fire Marshal (or designee).

• Requires that interest-free loans be made under the Program to certain political subdivisions, as follows:
--To a political subdivision that seeks to take action with regard to an underground storage tank, if the political subdivision is the owner but not the operator of the tank; and

--To a political subdivision that seeks to take action with regard to the site of a previously existing release, if the political subdivision is neither the tank’s owner nor the operator, and if the owner or operator cannot be identified or cannot pay for the action.

• Requires that the loans be financed exclusively through penalties and repaid loan amounts.

• For actions taken with regard to the site of a previously existing release, permits a political subdivision to take legal action to recover costs incurred if the tank owner or operator is identified or is determined to have been or be able to pay the costs of action taken by the political subdivision.

**Video-service disconnections**

• Permits video-service disconnection without notice if disconnection is necessary to prevent the use of video service through fraud.

• Shortens the grace period for video-service disconnection for nonpayment from 45 days to 14 days, and expressly permits disconnection if only part of a billed amount is past due.

• Requires video service providers to establish billing due dates of at least 14 days after bills are issued.

**Liquor control**

• Exempts from the Open Container Law a person on the property of an outdoor motorsports facility with a container of beer or intoxicating liquor that was not purchased from the owner of the facility if both of the following apply:
  --The person is attending a racing event at the facility; and
  --The owner of the facility grants permission for the possession and consumption of beer or intoxicating liquor on the property or facility.

• Exempts an application for a D liquor permit (on- or off-premises consumption of beer and intoxicating liquor) filed for a premises located within certain park districts from both:
  --The population-based quota restrictions on the issuance of certain D liquor permits; and
--Provisions of law that require a quota-exempted applicant to attempt to obtain the applicable liquor permit from an existing permit holder.

- Revises the definitions of "intoxicating liquor," "liquor," and "mixed beverages" for the purposes of the liquor control laws.
- Revises one of the conditions under which the D-5j liquor permit may be issued in a community entertainment district by specifying that the municipal corporation in which the permitted premises will be located must have been incorporated as a village prior to 1860 rather than 1840 as provided in former law.

**Unclaimed funds – interest payments**

- Provides for the payment of interest to claimants of unclaimed funds in accordance with a formula devised in the 2009 Ohio Supreme Court case of Sogg v. Zurz, its progeny, and the final settlement agreement.
- Removes the prohibition against the payment of interest on unclaimed funds in the possession of the state.
- Specifies time frames and amounts of interest allowed to claimants who otherwise are entitled to the unclaimed funds.

**Other provisions**

- Reduces from two to one the number of reports that bedding and stuffed toy manufacturers and importers must submit annually to the Superintendent of Industrial Compliance.
- Requires the Director of Commerce to fill mid-term vacancies on the Historical Boilers Licensing Board, but does not require the advice and consent of the Senate for the Director's appointments.
- Changes the index used to calculate biennial changes to the threshold levels that are used to determine whether a horizontal public improvement project is subject to Ohio's Prevailing Wage Law.

**COSMETOLOGY BOARD**

- Establishes a complaint process that students and former students of a cosmetology school may use to file a complaint with the State Board of Cosmetology, alleging a violation of the Cosmetology Law by the school.
- Requires a cosmetology school, in order to be issued a license, and each school that holds a license as of September 29, 2013, to establish and maintain an internal
procedure for processing complaints filed against the school by its students and to provide students with instructions on filing complaints with the Board.

- Specifies that a licensed cosmetology school is an educational institution and may offer educational programs beyond secondary education, advanced practice programs, or both in accordance with rules that must be adopted by the Board.

### STATE DENTAL BOARD

- Specifies that the requirement that a dentist perform an examination and diagnose a patient before the patient receives dental hygiene services through certain school-based or other programs does not apply when the only service to be provided is the placement of pit and fissure sealants.

### DEVELOPMENT SERVICES AGENCY

#### Alternative Fuel Transportation Program

- Allows the Director of Development Services, under the Alternative Fuel Transportation Program, to make grants and loans to businesses, nonprofit organizations, public school systems, or local governments to pay fleet conversion costs, in addition to the ongoing uses of the funds.
- Specifies that the Alternative Fuel Transportation Fund is also to consist of all money received from the repayment of loans made from the Fund or in the event of a default on any such loan.
- Provides that Program rules must require the recipient of a grant or loan to incur at least 20% of the total cost of the purchase and installation of an alternative fuel refueling or distribution facility or terminal.

#### Technology development assistance

- Terminates the Industrial Technology and Enterprise Advisory Council, which was created to:
  --Review applications for, and make final determinations regarding, the issuance of technology investment tax credits; and
  --Make recommendations to the Director as to applications for other industrial technology and enterprise development assistance.
- Eliminates the Technology Investment Tax Credit Program, which was established to benefit Ohio taxpayers who invested in certain research and development or technology-oriented businesses.
Community Services Division

- Changes the name of the Office of Community Services within the Development Services Agency to the Community Services Division.

- Prohibits a person or government entity from soliciting, releasing, disclosing, receiving, using, or knowingly permitting or participating in the use of any information regarding an individual receiving assistance from a Division program.

- Specifies the circumstances under which the Division, and any entity receiving funds from the Division, must provide information about individual assistance recipients to:
  -- A government entity;
  -- A law enforcement agency; or
  -- A government entity administering a children's protective services program.

- Permits the release of individual assistance recipient information upon written authorization voluntarily given by the recipient, and requires the Division, or entity administering a Division program, to provide a copy of each written authorization to the individual who signed it.

- Permits the release of individual assistance recipient information to a state, federal, or federally assisted program that directly provides cash or in-kind assistance or services to individuals based on need.

- Requires the Division, and any entity administering a Division program, to provide access to individual assistance recipient information to:
  -- The recipient;
  -- The recipient's legal guardian;
  -- The recipient’s attorney; and
  -- The authorized representative of the recipient (as may be defined by the Agency by rule).

Other provisions

- Expands the bribery provision that applies to JobsOhio personnel to also prohibit a JobsOhio director, officer, or employee, either before or after being appointed, qualified, or employed in that capacity, from knowingly soliciting or accepting for self or another person any valuable thing or valuable benefit to corrupt or improperly influence the director, officer, or employee or another JobsOhio director, officer, or employee with respect to the discharge of the particular director's, officer's, or employee's duty.
• Changes the date by which a taxpayer that has entered into an agreement with the Tax Credit Authority on the basis of home-based employees must report the number of employees and home-based employees employed by the employer in Ohio.

• Extends the refundable job retention tax credit to an eligible business whose principal place of business is not located in the same political subdivision as the capital investment so long as the business maintains a unit or division with at least 4,200 employees at the project site.

• Would have required the Director to utilize the Edison Center Network in issuing grants for research, development, or technology transfer efforts under the Thomas Alva Edison grant program (VETOED).

• Adds, to the purposes for which the Director may lend funds for minority business development, loans for contract financing.

• Changes the local government notification requirement when financial assistance under the Economic Development Program Law is requested from the Agency for the purpose of relocating a facility currently being operated in another county, municipal corporation, or township.

• Requires the Director to appoint specified members of the technical advisory committee of the Ohio Coal Development Office rather than the Director of the Office, and provides for transition to the new appointing authority.

• Eliminates the Ohio Research Commercialization Grant Program.

• Abolishes the Rapid Outreach Loan Fund.

• Abolishes six dormant funds codified in the Revised Code that were related to Agency activities.

DEPARTMENT OF DEVELOPMENTAL DISABILITIES

Employment First

• Modifies the state’s Employment First policy for individuals with developmental disabilities.

• Authorizes the Ohio Department of Developmental Disabilities (ODODD) Director to establish an employment first task force consisting of certain state departments and enter into interagency agreements with those departments.

• Requires each county board of developmental disabilities (county DD board) to implement an employment first policy that clearly identifies community
employment as the desired outcome for every individual of working age who receives services from the board.

- Specifies that any prevocational services provided by a county DD board must be provided in accordance with an individual service plan and occur over a specified period of time with specific outcomes sought to be achieved.

**Regional council and county DD board cost report**

- Requires each regional council and county DD board to file with ODODD a cost report on its expenditures and income, and requires each report to be audited.

- Permits ODODD to withhold subsidy payments if a cost report is not timely filed or determined not auditable.

**County DD board vacancy**

- Creates an exception to the limitation of no more than three consecutive member terms, if a county DD board experiences extenuating circumstances, as determined by the ODODD Director, and the appointing authority requests a waiver.

**Intermediate care facilities for individuals with intellectual disabilities**

- Replaces "intermediate care facility for the mentally retarded" (ICF/MR) in state law with "intermediate care facility for individuals with intellectual disabilities" (ICF/IID).

- Relocates and reorganizes the law governing Medicaid coverage of ICF/IID services as part of the process of ODODD's assuming many duties of the Ohio Department of Medicaid (ODM) regarding those services.

- Provides that the contract between ODODD and ODM that provides for ODODD to assume the powers and duties of ODM with regard to the Medicaid program's coverage of ICF/IID services may provide for ODM to perform one or more of ODODD's duties regarding ICFs/IID that undergo a change of operator, close, or cease to participate in Medicaid.

- Modifies, effective July 1, 2014, Medicaid payments for capital costs of ICFs/IID by: (1) halving, except under a certain circumstance, the efficiency incentive payments to ICFs/IID with more than eight beds, (2) eliminating, except under certain circumstances, nonextensive renovation payments to ICFs/IID with more than eight beds, and (3) eliminating return on equity payments to all ICFs/IID.

- Uses an ICF/IID's annual average case-mix score for the calendar year immediately preceding the fiscal year for which the rate will be paid to determine an ICF/IID's annual Medicaid payment rate for direct care costs rather than a quarterly case-mix score to determine an ICF/IID's quarterly rate.
• Reduces to 45 (from 80) the number of days that an ICF/IID has to submit corrected resident assessment data before ODODD may assign a case-mix score to the ICF/IID for failure to submit the corrected data.

• Requires that the average of specified case-mix scores be used for certain calculations for the purpose of determining an ICF/IID’s fiscal year 2014 Medicaid payment rate for direct care costs.

• Uses, for the purpose of determining an ICF/IID’s fiscal year 2015 rate, the ICF/IID’s case-mix score for the first quarter of calendar year 2013 determined by using resident assessment data that ODODD, or any entity under contract with ODODD, compiled if the ICF/IID did not submit resident assessment data for that quarter.

• Reduces, beginning with fiscal year 2016, the efficiency incentive that is part of the Medicaid payment rate for the indirect care costs of ICFs/IID with more than eight beds that do not obtain ODODD’s approval to become downsized ICFs/IID.

• Updates, in the law governing Medicaid payments for ICF/IID services, terminology related to the Consumer Price Index and Employment Cost Index published by the U.S. Bureau of Labor Statistics.

• Permits ODODD, subject to ODM’s approval, to pay a qualifying ICF/IID a Medicaid rate add-on for outlier ICF/IID services provided to a resident who is a Medicaid recipient, is under 22 years of age, is dependent on a ventilator, and meets other requirements established in rules.

• For fiscal year 2014, requires ODODD to determine modified Medicaid payment rates for existing and new ICFs/IID, and provides for an existing or new ICF/IID to be paid its modified rate, unless the mean of such rates for all existing and new ICFs/IID is other than $282.84, in which case the ICF/IID’s rate is to be adjusted by a percentage that equals the percentage by which the mean rate is greater or less than $282.84.

• For fiscal year 2015, requires ODODD to determine modified Medicaid payment rates for existing and new ICFs/IID, and provides for an existing or new ICF/IID to be paid its modified rate, unless the mean of such rates for all existing and new ICFs/IID is other than $282.77, in which case the ICF/IID’s rate is to be adjusted by a percentage that equals the percentage by which the mean rate is greater or less than $282.77.

• Requires the ODODD Director, in consultation with certain organizations, to study: (1) establishing a new grouper methodology to be used when determining ICFs/IID’s case-mix scores for fiscal year 2015, (2) whether the amounts set as the maximum costs per case-mix units that may be used in determining fiscal year 2015 direct care rates will avoid or minimize rate reductions, and (3) specifying additional
diagnoses and special care needs that individuals must have to meet criteria for special rates for outlier services and sources of funding for, or mechanisms to ensure the budget neutrality of, the additional diagnoses and special care needs.

- Requires ODODD to strive to achieve, not later than July 1, 2018, statewide reductions in the number of ICF/IID beds.

- Requires ODODD, in its efforts to achieve the ICF/IID bed reductions, to collaborate with the Ohio Association of County Boards Serving People with Developmental Disabilities, the Ohio Provider Resource Association, the Ohio Centers for Intellectual Disabilities formed by the Ohio Health Care Association, and the Values and Faith Alliance.

- Increases to 600 (from 500) the number of: (1) Medicaid waiver slots for which the ODM Director may seek federal approval as part of continuing law regarding ICFs/IID that convert to providing Medicaid waiver services, and (2) ICF/IID beds that may be so converted.

- Permits an ICF/IID that downsizes or partially converts to providing home and community-based services on or after July 1, 2013, to file a Medicaid cost report if the ICF/IID has, on the day it downsizes or partially converts, a Medicaid-certified capacity that is at least 10% lower than its Medicaid-certified capacity on the day before or at least five fewer ICF/IID beds than it has on the day before.

- Permits a new ICF/IID also to file a Medicaid cost report if its beds are from a downsized ICF/IID and the downsized ICF/IID either has reduced its Medicaid-certified capacity by at least 10% or reduced the number of its ICF/IID-certified beds by at least five.

- Provides for the cost report for a downsized or partially converted ICF/IID to cover the period that begins with the day the ICF/IID downsizes or partially converts and ends on the last day of the last month of the first three full months of operation as a downsized ICF/IID or partially converted ICF/IID.

- Provides for the cost report for a new ICF/IID to cover the period that begins with the day that the ICF/IID's provider agreement takes effect and ends on the last day of the last month of the first full three months that the provider agreement is in effect.

- Provides for the cost report for a downsized or partially converted ICF/IID to be used to determine the ICF/IID's Medicaid payment rate for the period:

  --Beginning on the day it downsizes or partially converts if that day is the first day of a month or, if not, beginning on the first day of the month immediately following the month the ICF/IID downsizes or partially converts; and
Ending on the last day of the fiscal year immediately preceding the fiscal year for which it begins to be paid a rate determined using a cost report filed in accordance with regular filing procedures.

- Provides for the cost report for a new ICF/IID to be used to determine the ICF/IID’s Medicaid payment rate for the period beginning on the day that the ICF/IID’s provider agreement takes effect and ending on the last day of the fiscal year immediately preceding the fiscal year for which it begins to be paid a rate determined using a cost report filed in accordance with regular filing procedures.

- Revises the law governing adjustments to new ICFs/IID’s initial total Medicaid payment rates.

- Provides that ODODD is permitted, rather than required, to increase an existing ICF/IID’s Medicaid payment rate for capital costs when Medicaid-certified beds are added to, or replaced at, the ICF/IID.

- Requires ODODD and a workgroup to evaluate revisions to the formula used to determine Medicaid payment rates for ICF/IID services.

- Requires the ODODD Director to pay the nonfederal share of a claim for ICF/IID services using subsidies otherwise allocated to county DD boards if:
  - Medicaid covers the services;
  - The services are provided to a Medicaid recipient who is eligible for the services and does not occupy a bed in the ICF/IID that was included in the Medicaid-certified capacity of another ICF/IID certified before June 1, 2003;
  - The services are provided by an ICF/IID whose Medicaid certification was initiated or supported by a county DD board; and
  - The provider has a valid Medicaid provider agreement for the time the services are provided.

- Sets the rate for the franchise permit fee charged ICFs/IID at $18.24 for fiscal year 2014 and $18.17 for fiscal year 2015 and thereafter.

- Provides that the authority of an individual with mental retardation or other developmental disability, other than such an individual for whom a guardian has been appointed, to make decisions regarding the receipt of services or participation in programs applies to decisions regarding ICF/IID services.

**Home and community-based services**

- Provides for an Individual Options waiver provider to continue to receive for fiscal years 2014 and 2015 at least the higher Medicaid payment rate for routine
homemaker/personal care services that the provider received for up to a year during fiscal years 2012 and 2013.

- Provides for ODODD to retain all of the fees that county DD boards pay regarding Medicaid-paid claims for home and community-based services provided to individuals eligible for services from the county DD boards.

- Requires the ODODD Director to establish a methodology to be used in fiscal years 2014 and 2015 to estimate the quarterly amount each county DD board is to pay of the nonfederal share of the Medicaid expenditures for which the board is responsible.

- Permits a developmental center to provide services to persons with mental retardation and developmental disabilities living in the community or to providers of services to these persons.

**Innovative pilot projects**

- Permits the ODODD Director to authorize, in fiscal years 2014 and 2015, innovative pilot projects that are likely to assist in promoting the objectives of state law governing ODODD and county DD boards.

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**DEPARTMENT OF EDUCATION**

**School funding in general**

- Creates a new system of state financing for school districts and community schools and science, technology, engineering, and mathematics (STEM) schools.

- Specifies a per-pupil formula amount of $5,745 for fiscal year 2014, and $5,800 for fiscal year 2015.

- Beginning July 1, 2014, requires the superintendent of each school district to report (rather than certify) the enrollment (rather than the average daily membership) of students receiving services from schools under the superintendent’s supervision as of the last day of October, March, and June of each year (rather than during the first full week of October).

- Requires the Department of Education to create reports of the enrollment reported by each district, requires the superintendent of each district to certify those reports, and requires the Department to calculate a district’s average daily membership for the act’s school funding system.

- Requires counting kindergarten students on the basis of the full-time equivalency for which they are enrolled, rather than counting each as one full-time student.
regardless of whether the student attends an all-day or part-day program as under prior law.

- Prohibits a school district, community school, or STEM school from categorically excluding a student from its reported number of economically disadvantaged students based on anything other than family income.

- Creates the Straight A Program for fiscal years 2014 and 2015 to provide grants to school districts; educational service centers; community schools; STEM schools; public college-preparatory boarding schools; individual school buildings; education consortia; institutions of higher education; and private entities partnering with one or more educational entities for projects that aim to achieve significant advancement in student achievement, spending reduction in the five-year fiscal forecast, or utilization of a greater share of resources in the classroom.

**Special education funding**

- Specifies dollar amounts, rather than multiples of the formula amount as under prior law, for each category of special education services.

- Adds "preschool child who is developmentally delayed" to the disabilities included in category two of special education services.

- Specifies a formula for additional state aid for preschool special education children for city, local, and exempted village school districts and certain state institutions.

**Funding for limited English proficient students**

- Specifies dollar amounts for each of three categories of limited English proficient students.

**Gifted unit funding (PARTIALLY VETOED)**

- Prescribes a formula for allocating gifted coordinator and gifted intervention specialist funding units to each city, local, and exempted village school district, and requires the Department to make payments based on the units allocated.

- Would have required a district to use the funds it receives for gifted coordinator units only for gifted coordinator services and the funds it receives for gifted intervention specialist units only for gifted intervention specialist services (VETOED).

- Would have required a district to employ qualified personnel to provide gifted services on a full-time equivalency basis that corresponded to either the gifted coordinator or gifted intervention specialist units allocated for the district (VETOED).
• Permits a school district to assign its gifted unit funding to another school district, an educational service center, a community school, or a STEM school (PARTIALLY VETOED).

**Career-technical education funding**

• Revises the career-technical education program categories, and creates three additional categories.

• Specifies dollar amounts, rather than multiples of the formula amount as under prior law, for each category of career-technical education.

• Specifies a timeline for the approval of career-technical education programs and criteria that must be considered by the lead district of a career-technical planning district and the Department when deciding whether to approve or disapprove a program.

• Requires the Department to adopt new quality program standards for category three career-technical education programs by December 31, 2013, and for category one, two, four, and five career-technical education programs by June 30, 2015.

• Requires the Department to review all category three career-technical education programs during fiscal year 2015, using the new quality program standards, to decide whether to approve or disapprove funding for those programs in fiscal years 2016 through 2020.

• Specifies that a city, local, exempted village, or joint vocational school district, community school, or STEM school must spend at least 75% of its state career-technical education funding on costs directly associated with career-technical education programs and no more than 25% on personnel expenditures.

• Specifies (1) that a community school or STEM school that receives state career-technical education funding must spend it only for the purposes that the Department designates as approved for career-technical education expenses, and (2) that the Department must require the school to report data annually in order to monitor the school’s compliance.

• Authorizes community schools to provide career-technical education and to contract with any public agency, board, or bureau or with any private individual or firm for the purchase of any career-technical education or vocational rehabilitation service for any student.

• Permits a student enrolled in a community school to simultaneously enroll in the career-technical program operated by the career-technical planning district to which the student's resident district belongs.

• Maintains unit funding for career-technical education at state institutions.
• Requires the Department to assign community schools and STEM schools serving students in any of grades 7 to 12 to a career-technical planning district.

**Spending economically disadvantaged funds**

• Requires a city, local, exempted village, or joint vocational school district, community school, or STEM school to spend the economically disadvantaged funds it receives on specified initiatives.

• Requires each district and school to submit a report to the Department at the end of each fiscal year describing the initiatives on which its economically disadvantaged funds were spent, and requires the Department to report this information to the General Assembly by December 1 of each odd-numbered year, starting in 2015.

**Transportation funding**

• Eliminates certain adjustments of transportation payments, but maintains the transportation base payment for each city, local, and exempted village school district.

• Requires the Department, for fiscal years 2014 and 2015, to pay each district a pro rata portion of the calculated transportation funding.

• Requires the Department to pay low-wealth, low-rider density districts an additional payment on top of the pro rata payment.

**Accountability for subgroups**

• Specifies that the certification of state operating funds to school districts must include the amounts payable to each school building for each subgroup of students that receives certain state-funded services (students with disabilities, economically disadvantaged students, limited English proficient students, and gifted students).

• Requires that, if the Department determines that a district or school has not reached satisfactory achievement and progress for a subgroup, based on measures established by the State Board of Education, a district or school must submit an improvement plan to the Department, which may include partnering with another entity for services to that subgroup.

• Requires the State Board to establish measures of satisfactory achievement and progress by December 31, 2014, and requires the Department to use these measures to determine if a district or school has made satisfactory achievement and progress for certain subgroups beginning September 1, 2015.
Educational service center funding

- Repeals the law that set forth a permanent system for state payments for educational service center (ESC) supervisory services and, instead, temporarily prescribes per pupil payments for fiscal years 2014 and 2015.
- Retains the requirement that the Department deduct from each client school district of an ESC, and pay to the ESC, $6.50 times the school district’s total student count.
- Authorizes school districts, community schools, and STEM schools to enter into ESC shared services agreements.
- Expressly permits joint vocational school districts to enter into fee-for-service agreements with ESCs.
- Permits a school district, community school, STEM school, or municipal corporation or other political subdivision to elect, at the end of a fiscal year, to have unexpended and unobligated funds that were paid to an ESC during that fiscal year applied toward any payment owed to the ESC in the next fiscal year.

Payments for students in county detention facilities

- Requires the county or joint county juvenile detention facility that cares for a child to coordinate the education of that child, and provides that the facility, or the chartered nonpublic school that the facility operates, under certain circumstances, may provide education services to the child.
- Permits a county or joint county juvenile detention facility to contract with an educational service center, the school district in which the facility is located or, in some cases, an Internet- or computer-based community school (e-school) to provide education services to a child under the facility’s care.
- Permits any entity that provides education services to a child under a county or joint county juvenile detention facility’s care (except an e-school) to directly bill the school district responsible for paying the costs of educating the child.
- Provides that an e-school receive payment under the community school law for a child in a county or joint county facility.

Other funding provisions

- Regarding the expenditure of Auxiliary Services funds for nonpublic school students, replaces the term "electronic textbook" with the term "digital text," as a consumable book accessed through electronic means, and specifies that certain low-cost mobile instructional applications are "consumable," with no expectation of applications being returned.
• Increases to $360 (from $325) the maximum per pupil amount for reimbursement of chartered nonpublic school administrative costs.

• Provides that a school district (and apparently a community school, too) may charge tuition for a student enrolled in all-day kindergarten, as long as it is offering all-day kindergarten for the first time or it charged for all-day kindergarten in the 2012-2013 school year.

• Establishes a temporary task force to review and make recommendations on open enrollment by December 31, 2013.

• Creates the Electronic Textbook Pilot Project to provide competitive grants to public and chartered nonpublic schools to purchase electronic textbooks through the Distance Learning Clearinghouse.

• Repeals some obsolete funding provisions.

Community schools

• Removes the requirement that a community school must have filed its contract by May 15, 2008, but not opened prior to July 1, 2008, in order to operate in multiple facilities if it meets certain other conditions regarding its operator.

• Specifies that the initial term under an agreement between the Department and a community school sponsor runs for up to seven years, and establishes eligibility qualifications for extensions of that term.

• Permits the Department to place sponsors of community schools in probationary status if they are found to be noncompliant with laws and administrative rules, and permits the Department to limit a sponsor's ability to sponsor additional schools.

• Specifies that the Department's authority to approve, disapprove, revoke, or limit the approval of a sponsor applies to sponsors of both start-up community schools and conversion community schools.

• Authorizes the Department to deny an application submitted under the Ohio School Sponsorship Program by an existing community school, if the school's contract with its sponsor was terminated.

• Permits a community school to enroll students who are not Ohio residents and charge tuition for the enrollment of such students.

• Modifies language regarding grandfathered community school sponsors whose authority to sponsor is not subject to approval by the Department.

• Specifies that a community school that offers any of grades 4 to 8 and does not offer a grade higher than grade 9, in at least two of the three most recent school years, must have been both: (1) in a state of academic emergency, and (2) showed less than
one standard year of academic growth in either reading or mathematics, as determined by the Department, to trigger permanent closure of that school.

• Beginning in the 2014-2015 school year, limits the percentage by which an e-school may increase its enrollment by a prescribed rate of growth above its enrollment limit for the previous school year.

• Limits the first-year enrollment of a new e-school that opens after September 29, 2013, to 1,000 students.

• Includes the rating of "exceeds standards," in addition to "meets standards" under continuing law, as a rating a community school that primarily serves students enrolled in a dropout prevention and recovery program can attain if the program improves by 10% both its graduation rates and percentage of twelfth-grade students and other students passing the graduation assessments.

• Requires the State Board, by December 31, 2014, to review the performance levels and benchmarks for report cards issued for dropout recovery community schools.

• Specifies that a suspended community school's contract is void, if the school's governing authority fails to provide a proposal to remedy issues for which it was suspended by September 30 of the following school year.

• Removes a requirement that any classroom teacher initially hired by a community school on or after July 1, 2013, to provide instruction in physical education hold a valid educator license for teaching physical education.

Minimum school year

Effective July 1, 2014:

• Changes the minimum school year for school districts, STEM schools, and chartered nonpublic schools from 182 days to: (1) 455 hours for half-day kindergarten, (2) 910 hours for full-day kindergarten and grades 1 to 6, and (3) 1,001 hours for grades 7 to 12.

• Eliminates excused calamity days for schools generally, as well as the requirement for a contingency plan to make up calamity days, but retains: (1) calamity days for community schools, and (2) the option for districts and schools to make up some calamity days via online lessons or paper "blizzard bags."

• Retains the law defining a school week as five days for school districts, but specifies that a chartered nonpublic school may be open for instruction on any day of the week, including Saturday and Sunday.
• Exempts school districts from transporting students to and from chartered nonpublic and community schools on Saturday or Sunday, unless an agreement to do so is in place prior to July 1, 2014.

• Provides that the restructuring of the minimum school year does not apply to any collective bargaining agreement executed prior to July 1, 2014, but that any collective bargaining agreement or renewal executed after that date must comply with those provisions.

**Ed Choice scholarships**

• Beginning with the 2016-2017 school year, qualifies for Educational Choice (Ed Choice) scholarships students in grades K to 3 enrolled in a district-operated school that has received a "D" or "F" in "making progress in improving K-3 literacy" in two of the three most recent state report cards and has not received an "A" in that measure in the most recent state report card.

• Beginning with the 2013-2014 school year, expands the Ed Choice scholarship to qualify students whose family incomes are at or below 200% of the federal poverty guidelines, and phases in the expansion by grade level over 13 years.

• Funds the new income-based Ed Choice scholarships from an appropriation made for that purpose by the General Assembly, rather than the deduct-and-transfer method used for all other Ed Choice scholarships.

• Prescribes a tiered system of reducing income-based scholarships if a student’s family income rises above 200%, 300%, or 400% of the federal poverty guidelines by limiting the student’s scholarship to 75%, 50%, and 0% of the full amount, respectively.

• Specifies that if a student is eligible for the Ed Choice scholarship based on both the student’s public school performance and the act’s Ed Choice expansion based on family income, the student applying for the scholarship for the first time must receive the scholarship based on public school performance and not family income.

• Specifies that once a student receives an Ed Choice scholarship, the student will continue to receive the scholarship under the eligibility standard (public school performance or income) for which the student received the scholarship for the previous year.

• Qualifies a student for an Ed Choice scholarship if the student will be enrolling in any of grades K to 12 in Ohio for the first time (instead of "eligible to enroll in kindergarten," as under prior law) in the school year for which the scholarship is sought and the district or building the student would otherwise attend qualifies for scholarships.
• Specifies that a student who will be enrolling in any of grades K to 12 in Ohio for the first time and would otherwise be assigned to a school building that would qualify for the Ed Choice scholarship must be at least five years old by January 1 of the school year for which the scholarship is sought.

Cleveland scholarships
• Beginning in the 2013-2014 school year (fiscal year 2014), increases to $5,700 (from $5,000) the maximum amount of a scholarship awarded under the Cleveland Scholarship Program.

Jon Peterson Special Needs scholarships
• Requires the Department to reimburse school districts in fiscal year 2014 for the full amount deducted from their state education payments under the Jon Peterson Special Needs Scholarship Program for scholarships for students who did not attend a public school in their resident district in the previous school year, and appropriates $5 million from the General Revenue Fund for this purpose.
• Specifies that beginning in the 2014-2015 school year, a scholarship received by an eligible applicant under the Jon Peterson Special Needs Scholarship Program for a child whose primary or only identified disability is a speech and language disability may only be used to pay for "related services" that are included in the child's individualized education program (IEP).
• Requires the Department to conduct a formative evaluation of the Jon Peterson Special Needs Scholarship Program and to report the findings to the General Assembly by December 31, 2015.

Autism scholarships
• Specifies that individuals who provide services to a child under the Autism Scholarship Program are not required to obtain a one-year, renewable instructional assistant permit until December 20, 2014 (instead of December 20, 2013, as under prior law).

Administration of state assessments to scholarship students
• Requires a chartered nonpublic school to administer the state achievement assessments to all of its students if at least 65% of its total enrollment is made up of students participating in the Ed Choice, Autism, Jon Peterson Special Needs, or Cleveland scholarship program, but provides for a parental opt-out of the elementary assessments for students not participating in a scholarship program.
State Board of Education standards and reporting

- Makes changes to the requirements for minimum operating standards for all elementary and secondary schools.
- Revises the specifications for the State Board’s financial reporting standards to require reporting at both the school district and the school building level, and requires community schools, STEM schools, and college-preparatory boarding schools to report financial information in the same manner as school districts.
- Requires the Department: (1) to post financial reports of each school district and school building in a prominent location on its web site, (2) to notify each school when the reports are made available, and (3) to make all reports available in such a way that allows for comparison between financial information included in these reports and in reports produced prior to July 1, 2013.
- Requires the Department to create a performance management section on its web site that (1) includes academic and performance metrics for each school district based on performance index score and the expenditure per equivalent pupils, and graphs with comparisons of the performance of like districts, and (2) permits the Department to contract with an independent organization to develop and host the performance management section.
- Requires the Department to compute and to post, for each school district and public school, both: (1) the total operating expenditures per pupil, and (2) the total operating expenditure per equivalent pupils, but only requires that the total operating "expenditure per equivalent pupils" measure be used by the Department in the ranking of school districts and schools.

Student transportation

- Effective July 1, 2014, changes the minimum amount for payment in lieu of transportation from an amount determined by the Department to an amount determined by the General Assembly.
- Sets the minimum amount for a payment in lieu of transportation at $250 for fiscal years 2014 and 2015.
- Permits the governing authority of a chartered nonpublic school to charge a student's parent or guardian a fee for transportation to and from school, regardless of whether the student is eligible for transportation by a school district, if the governing authority purchased the vehicle transporting the student without state or federal funds.
• Beginning July 1, 2014, allows a newly opening community school to accept responsibility for providing or arranging for the transportation of a district’s resident students who will attend the school.

• Requires school districts to report transportation funding data to the Education Management Information System.

**Educational service center supervision**

• Makes a number of changes to the relationship between educational service centers and school districts, specifically regarding administrative oversight and duties customarily performed by service centers.

**Post-Secondary Enrollment Options**

• Qualifies homeschooled students for the Post-Secondary Enrollment Options Program (PSEO).

• Requires that payments made to a participating college in which students are enrolled under PSEO be made in the same manner as payments for participating students from nonpublic secondary schools.

• Prohibits a district or school from entering into an alternative funding agreement that provides for charging a participating student any tuition or fees for college courses under PSEO.

• Prohibits state reimbursement to participating colleges under PSEO for remedial college courses.

• Requires that students be qualified to participate in PSEO based solely on the participating college’s established placement standards for credit-bearing, college-level courses.

• Requires the Department annually to compile a list of all institutions of higher education that participate in PSEO or other dual enrollment programs and, by December 31 each year, to distribute that list to all school districts, community schools, STEM schools, and chartered nonpublic schools.

• Requires each district or school to provide the list of participating higher education institutions, as part of the counseling services required of the district or school prior to a student’s participation in PSEO, to interested students and their parents or guardians.

**Dual enrollment programs**

• Specifically includes early college high schools as programs that qualify as "dual enrollment."
• Prohibits school districts and public schools from charging an enrolled student any additional fee or tuition for participation in a dual enrollment program it offers, but specifies that a student may be required to pay for an Advanced Placement or International Baccalaureate exam.

**College Credit Plus recommendations**

• Requires the Chancellor of the Board of Regents, by December 31, 2013, to make recommendations for the establishment of the "College Credit Plus" program to the Governor, the President of the Senate, and the Speaker of the House.

**Articulation agreements for technical coursework**

• States that the act's changes regarding PSEO do not require the alteration of: (1) any existing or future articulation agreement for technical coursework, or (2) any corresponding payment structure between a state institution of higher education and a career-technical planning district.

• Requires the Department and the Board of Regents to submit to the Governor's Office of 21st Century Education and the General Assembly, by July 1, 2014, recommendations regarding the inclusion of career-technical programs in PSEO.

**Participation in district extracurriculars**

• Affords students enrolled in chartered or nonchartered nonpublic schools and homeschooled students the opportunity to participate, under specified conditions, in an extracurricular activity at the school of the student's resident school district.

• Permits a school district superintendent to afford to any student, who is enrolled in a nonpublic school and is *not* entitled to attend public school in that district, the opportunity to participate in a public school's extracurricular activities if: (1) the student's nonpublic school does not offer the activity, and (2) the activity is not interscholastic athletics or interscholastic competition in music, drama, or forensics.

• Authorizes, but does not require, a school district superintendent to afford any homeschooled student who is *not* entitled to attend public school in that district the opportunity to participate in a public school's extracurricular activities, if the activity is not offered by the student's resident district.

• Replaces a requirement that a student enrolled in a STEM school must "be afforded the opportunity to participate" in an extracurricular activity at the school operated by the student's resident district with a prohibition that a STEM school student must "not be prohibited from participating."

• Prohibits a school district board of education from taking any action contrary to the laws that generally authorize students enrolled in a community or STEM school the
opportunity to participate in an extracurricular activity at the school operated by the student’s resident district.

**End-of-course exam exemption**

- Exempts students who attend chartered nonpublic schools accredited through the Independent School Association of the Central States from passing the end-of-course examinations as a prerequisite for high school graduation.

**Kindergarten**

- Modifies the timeline for administering kindergarten readiness assessments, beginning July 1, 2014, to not earlier than the first day of the school year and not later than November 1, and requires that the language and reading skills portion be administered by September 30.
- Prohibits any entity from requiring a student who was admitted to and successfully completed kindergarten in the 2012-2013 school year to repeat kindergarten based solely on the student’s age.
- Specifies that a child who will be five or six years old prior to January 1 of the year in which admission is requested be evaluated for early admittance and admitted, based on the district’s decision, in accordance with the school district's policy.

**JVSD board membership**

- Requires members of a joint vocational school district (JVSD) board of education to meet specified qualifications.
- Limits JVSD board members to two consecutive three-year terms of office.

**Extended programming**

- Requires that extended programming offered by school districts for career-technical education students be used for activities that involve direct contact with students or are directly related to student programs and activities.
- Prohibits a licensed educator from providing more than eight hours of extended programming in a 24-hour day.
- Permits a school district to employ certificated instructional personnel for "hours" outside of the normal school day for the purpose of providing extended programming.
- Requires the Department to issue a report by December 31, 2013, with recommendations for quality agricultural programs, and permits the Department to periodically review and update the report as it considers necessary.
• Requires all agricultural education instructors to: (1) utilize a three-part model of agricultural education instruction focusing on classroom instruction, FFA activities, and extended programming projects, and (2) submit a monthly time log to the principal of the school where the extended programming is offered.

School employees
• Specifies that a student who has 45 or more excused or unexcused absences in a "full academic year" must not be included in calculating student academic growth for a teacher evaluation.
• Replaces the term "proficient" with the term "skilled" for the second highest level of performance for teacher and principal evaluation ratings.
• Would have exempted, from the teacher content knowledge retesting requirement, teachers of a community school comprised of students with disabilities (VETOED).
• Authorizes the board of education of a school district that elects not to appoint a licensed business manager to assign the statutory duties of a business manager to other employees or officers, including the district treasurer, and to give those employees any title that reflects the assignment of those duties.
• Permits a school district or educational service center board to designate an individual other than the superintendent to perform the task of nominating for employment any teacher who is related to the superintendent.
• Requires that human trafficking content be included in a school's in-service staff training program for school safety and violence prevention.

Other provisions
• Makes changes in the administration of the Governor's Effective and Efficient Schools Recognition Program, including qualifying public college-preparatory boarding schools for the program.
• Expressly permits a STEM school to contract for any services necessary for the operation of the school.
• Revises the provisions of the voluntary physical activity pilot program.
• Specifies that the State Board, beginning with the 2015-2016 school year and at least once every three years thereafter, must review and may adjust the benchmarks for assigning letter grades under the academic performance rating system for school districts and schools.
• Repeals an apparently obsolete provision that permitted the Ohio Department of Education to implement a No Child Left Behind waiver application once approved by the U.S. Department of Education.
• Modifies the Ohio statutory definition of the "No Child Left Behind Act" to include any waiver approved by the U.S. Department of Education.

• Requires the Superintendent to appoint three individuals to create a nonprofit corporation named "New Leaders for Ohio Schools" to create and implement a pilot program that provides an alternative path for individuals to receive training and development in the administration of primary and secondary education.

• Requires the State Board to adopt rules for the issuance of an alternative principal or administrator license to an individual who successfully completes the New Leaders for Ohio Schools pilot program.

• Authorizes a school district board to pay money received from the sale of real property into the district’s capital and maintenance fund and use it only to pay for nonoperating capital expenses related to technology infrastructure and equipment for instruction and assessment.

• Clarifies that the board of directors of a municipal school district (Cleveland) transformation alliance, and its committees and subcommittees, may hold executive sessions, as if they were a public body with public employees, for any of the reasons for which an executive session may be held under the Open Meetings Law.

• Creates the State School for the Blind Employees Food Service Fund and the State School for the Deaf Employees Food Service Fund, each to consist of payments from each school’s employees who make purchases from its food service program.

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ENVIRONMENTAL PROTECTION AGENCY

Fees

• Requires application fees for state isolated wetlands permits to be credited to the Surface Water Protection Fund, which is used for the administration of surface water protection programs, rather than the Dredge and Fill Fund.

• Abolishes the Dredge and Fill Fund, which was used for the administration of the isolated wetlands permit program.

• Extends from June 30, 2014, to June 30, 2016, the expiration of a $1 per-ton fee on the transfer or disposal of solid wastes, and revises the distribution of the proceeds to allocate 30% to the Hazardous Waste Facility Management Fund and 70% to the Hazardous Waste Clean-Up Fund, rather than 50% to each Fund.

• Extends to June 30, 2016, the expiration of the following fees on the transfer or disposal of solid wastes:
--$1 per ton, the proceeds of which are credited to the Solid Waste Fund for the solid and infectious waste and construction and demolition debris management programs;

--$2.50 per ton, the proceeds of which are credited to the Environmental Protection Fund for administering and enforcing environmental protection programs; and

--25¢ per ton, the proceeds of which are credited to the Soil and Water Conservation District Assistance Fund.

• Extends for three years, to June 30, 2016, the sunset of (1) the 50¢ per-tire fee on the sale of tires the proceeds of which are used to fund the scrap tire management program, and (2) the additional 50¢ per-tire fee on the sale of tires the proceeds of which are credited to the Soil and Water Conservation District Assistance Fund.

• 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;

  --The sunset of the annual discharge fees for holders of national pollutant discharge elimination system permits;

  --The sunset of license fees for public water system licenses;

  --A higher cap on the total fee due for plan approval for a public water supply system 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 to take examinations for certification as operators of water supply systems or wastewater systems; 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.

**Title V air emissions fees**

• Defines "organic compound," for purposes of assessing air emissions fees under the Title V permit program, as any chemical compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.
Beneficial use of scrap tires

- Expands the definition of "beneficially use" with regard to scrap tires by stating that the term "includes," rather than "means," using a scrap tire in a manner that results in a commodity for sale or exchange or in any other manner authorized as a beneficial use in rules adopted by the Director of Environmental Protection.

Hazardous waste

- Authorizes the continuing Hazardous Waste Clean-up Fund to be used for administrative expenses of any hazardous waste closure or corrective action program.

Environmental audits

- Removes the January 1, 2014, sunset on immunity from administrative and civil penalties that is provided to an owner or operator of a facility or property who conducts an environmental audit of the facility or property and voluntarily discloses information regarding an alleged violation of an environmental law.

Construction and demolition debris

- Allows a board of health to use money in its construction and demolition debris fund to abate abandoned accumulations of construction and demolition debris if it is the end of the board's fiscal year and the money is not needed for administration and enforcement for the following fiscal year.

- Authorizes a board to use the excess money for that purpose only at a location for which a license has not been issued under the Construction and Demolition Debris Law if the board believes that there is a substantial threat to public health or safety or the environment and certain conditions are met.

Nonpoint source pollution management

- Requires federal grant money for nonpoint source water pollution management received by the Director to be credited to the continuing Water Quality Protection Fund rather than the Nonpoint Source Pollution Management Fund, and eliminates the Nonpoint Source Pollution Management Fund.

- Requires the grant money to be used to provide financial assistance, in part, to implement ground and surface water quality protection activities and water quality assessments rather than only ground water quality protection activities and assessments.
Funding for converting school buses to alternative fuels

- Requires money credited to the continuing Clean Diesel School Bus Fund to be used for grants to school districts and to county boards of developmental disabilities for converting diesel-powered school buses to alternative fuels by specified means.
- Eliminates the authority of the Director to use money from the Fund to pay the additional costs incurred by such districts or boards for using ultra-low sulfur diesel fuel, instead of diesel fuel, for the operation of diesel-powered school buses.

**OHIO ETHICS COMMISSION**

- Allows a public official who is required to file financial disclosure statements with the appropriate ethics commission to file those statements electronically.

**EXPOSITIONS COMMISSION**

- Requires the Ohio Expositions Commission to accept gifts, devises, and bequests of money, lands, and other property, and requires the Commission to apply the money, lands, or other property according to the terms of the gift, devise, or bequest.
- Authorizes a political subdivision, insofar as authorized by law, to make gifts and devises to the Commission, and requires the Commission to apply such a gift or devise according to the terms of the gift or devise.
- Establishes the Ohio Expositions Support Fund in the state treasury, and requires all gifts and bequests of money accepted by the Commission to be deposited in the Fund.

**OHIO FACILITIES CONSTRUCTION COMMISSION**

**Elimination of Cultural Facilities Commission; transfer of authority**

- Abolishes the Ohio Cultural Facilities Commission (CFC) as of July 1, 2013.
- Transfers CFC’s functions to the Ohio Facilities Construction Commission (FCC).
- Revises the requirements for a cooperative agreement between FCC and a governmental agency or cultural organization to provide construction services for a state-funded cultural project.
- Revises the conditions under which state funds may be spent on a sports facility.
- Makes changes to the permitted content and use of cultural facility-related funds.
• Specifies procedures for the transfer of CFC's responsibilities, financial obligations, employees, equipment, assets, and records to FCC, and allows FCC to enter into an agreement to transfer some of those responsibilities to the Department of Administrative Services (DAS).

**Transfer of construction authority from DNR**

• Transfers from the Department of Natural Resources (DNR) to FCC, with certain exceptions, the authority to administer DNR's capital facilities projects.

• Authorizes DNR to administer improvements under an agreement with the supervisors of a soil and water conservation district.

• Authorizes DNR to administer certain dam, waterway, wildlife, and roadway activities and projects, and requires FCC and DNR to review this provision in two years.

• Allows DNR, in the case of a public exigency, to let contracts for those dam, waterway, wildlife, and roadway activities and projects without competitive bidding or selection.

• Permits the Executive Director of FCC to allow DNR to administer any other project of which the estimated cost is not more than $1.5 million.

**School Facilities Commission**

• Requires that the Executive Director of FCC also serve as the Executive Director of the School Facilities Commission (SFC).

• Permits SFC to delegate contracting authority to FCC.

• Requires SFC to consider the extent to which its classroom facilities project design standards support the trends in educational delivery methods, including digital access and blended learning.

• Eliminates the requirement that, at the time SFC conditionally approves projects for which it intends to provide assistance for a fiscal year, it had to identify and give priority to the next ten school districts in future fiscal years.

• Would have revised the method of determining a school district's priority for assistance, and local share, under the Classroom Facilities Assistance Program, if the district is participating in the Expedited Local Partnership Program and its tangible personal property valuation (not including public utility personal property) made up 18% or more of its total taxable value for tax year 2005 (VETOED).

• Requires that school facilities project agreements contain stipulations ensuring compliance by the school district with the continuing law requiring a district to offer to sell or lease unused real property.
• Conditions approval of a school district board’s request to incur debt for energy conservation measures on SFC determining that the request for approval is complete and that the modifications are consistent with a specific state-assisted school facilities project.

• Provides specific conditions for a school district in fiscal watch or fiscal emergency or that has an academic distress commission to receive approval to incur debt for energy conservation measures.

• Requires (1) that energy savings installment contracts contain a provision requiring that payment be stated as a percentage of savings and avoided costs attributable to one or more measures to be taken over a defined period of time, and (2) that payments be made only to the extent that the projected savings and avoided costs actually occur.

Other provisions

• Requires a public authority that plans to contract for design-build services and that uses an in-house criteria architect or engineer to notify FCC, instead of DAS, before the architect or engineer performs the work.

• Transfers from DAS to the Executive Director of FCC the authority to contract for the design and implementation of energy and water conservation programs for state institutions and the authority to adopt and enforce rules regarding those contracts.

BOARD OF EMBALMERS AND FUNERAL DIRECTORS

• Allows a funeral director to supervise more than one funeral home.

• Increases certain fees for licenses issued by the Board of Embalmers and Funeral Directors.

• Caps the fee for reinstatement of a lapsed embalmer’s or funeral director’s license at $1,000.

• Transfers the authority to hire inspectors and staff from the Board to the Executive Director of the Board.

• Expands the Executive Director’s authority to employ staff to allow the Executive Director to employ staff to provide any assistance to the Board that the Board considers necessary.

• Revises the duties of inspectors.
• Allows the Executive Director to enter a funeral home, embalming facility, or crematory facility for purposes of inspection if the Director is accompanied by an inspector or if there is danger of immediate and serious harm to the public.

DEPARTMENT OF HEALTH

General and city health districts

• Authorizes the Ohio Department of Health (ODH) to require general or city health districts to enter into shared services agreements, and authorizes ODH to offer financial and technical assistance to boards of health to encourage the sharing of services.

• Authorizes ODH to reassign substantive authority for mandatory programs from a general or city health district to another general or city health district under certain circumstances.

• Authorizes the ODH Director to require general or city health districts to apply for accreditation by July 1, 2018, and to be accredited by July 1, 2020, as a condition of receiving funding from ODH.

• Requires the Director, by July 1, 2016, to conduct an evaluation of health districts' preparation for accreditation.

• Eliminates a requirement that two or more city health districts be contiguous to form a single city health district.

• Eliminates the requirements that: (1) two or more general health districts be contiguous to form a combined general health district, and (2) not more than five contiguous general health districts could combine.

• Requires the Director to adopt rules to assure annual completion of two hours of continuing education by each member of a board of health, and specifies the topics.

• Eliminates the Public Health Standards Task Force that assisted and advised the Director in the adoption of standards for boards of health.

• Requires the Director, by July 1, 2014, to establish by rule (1) a standardized process by which all general and city health districts must collect and report to the Director information about public health quality indicators, and (2) a policy and procedures for sharing the data with other specified persons.

Patient Centered Medical Home Program

• Establishes in ODH the Patient Centered Medical Home Program.
• Requires ODH to establish a patient centered medical home certificate, specifies the requirements and goals to be achieved through voluntary certification, and permits ODH to establish an application and annual renewal fee for certification.

• Requires each certified patient centered medical home to report health care quality and performance information to ODH.

• Requires ODH to submit a report to the Governor and General Assembly three and five years after it adopts rules for certifying patient centered medical homes.

Abortion informed consent and fetal ultrasound requirements

• Requires a physician who is to perform or induce an abortion when there is a detectable fetal heartbeat to comply with specific informed consent requirements.

• Modifies the definition of "medical emergency" for purposes of the informed consent requirements.

• Requires a person who intends to perform or induce an abortion on a pregnant woman to determine the presence of a detectable fetal heartbeat of the unborn human individual the pregnant woman is carrying.

• Requires that the method of determining the presence of a detectable fetal heartbeat be consistent with the person’s good faith understanding of standard medical practice or consistent with rules adopted by the ODH Director.

• Allows the ODH Director to promulgate rules specifying the appropriate methods of performing an examination for the presence of a fetal heartbeat and specifies that the rules must require only that an examination for a fetal heartbeat be performed externally.

• Prohibits a person from knowingly and purposefully performing or inducing an abortion on a pregnant woman before determining the presence of a detectable fetal heartbeat unless there is a medical emergency.

• Provides that the failure to determine the presence of a detectable fetal heartbeat prior to the performance or inducement of an abortion on a pregnant woman may be the basis for a civil action for compensatory and exemplary damages or disciplinary action.

• Allows a woman on whom an abortion is performed in violation of the informed consent requirements to file a civil action for wrongful death of the woman's unborn child.

• Requires a person who is to perform or induce an abortion on a pregnant woman to inform the pregnant woman in writing that the unborn human individual the pregnant woman is carrying has a fetal heartbeat and the statistical probability of
bringing the unborn human individual possessing a detectable fetal heartbeat to term.

- Provides that if a person who is to perform or induce an abortion fails to provide the pregnant woman with the heartbeat and probability information, that person is guilty of performing or inducing an abortion without informed consent when there is a detectable fetal heartbeat.

- Makes the offense of performing or inducing an abortion without informed consent when there is a detectable fetal heartbeat a misdemeanor of the first degree on a first offense and a felony of the fourth degree on each subsequent offense.

- Allows the ODH Director to adopt rules that specify information regarding the statistical probability of bringing an unborn human individual possessing a detectable fetal heartbeat to term based on the gestational age of the unborn human individual.

- Provides that a pregnant woman on whom an abortion is performed or induced prior to a determination of a detectable fetal heartbeat or without receiving the required information:
  - Is not guilty of violating those provisions;
  - Is not guilty of attempting to commit, conspiring to commit, or complicity to commit a violation; and
  - Is not subject to a civil penalty.

**Ambulatory surgical facilities**

- Specifies in statute provisions similar to preexisting ODH rules requiring each ambulatory surgical facility (ASF) to maintain an infection control program and generally have a written transfer agreement with a local hospital.

- Requires the ODH Director to conduct inspections of ASFs that are not certified by the federal Centers for Medicare and Medicaid Services, deny license renewals unless certain conditions are met, and specify ASF inspection forms in rules.

- Requires an ASF to notify the ODH Director within certain time frames when it modifies its most recent written transfer agreement or operating procedures or protocols or becomes aware of an event that adversely affects a consulting physician's ability to practice or admit patients to a local hospital.

**Public hospitals and written transfer agreements**

- Prohibits a public hospital from entering into a written transfer agreement with an ASF in which nontherapeutic abortions are performed or induced.
• Prohibits a public hospital from authorizing a physician to use staff membership or professional privileges to meet the criteria for a variance from the requirement that an ASF in which nontherapeutic abortions are performed or induced have a written transfer agreement with a local hospital.

Prioritized distribution of funds for family planning
• Establishes levels of priority regarding the distribution of public funds used for family planning services, including funds received from the federal government.

Management of residents’ financial affairs
• Increases the maximum amount that a nursing home, residential care facility, or veterans’ home that manages a resident’s financial affairs may keep in a noninterest bearing account.

Nursing facilities' plans of correction
• Requires a nursing facility’s plan of correction regarding a deficiency to include additional information, including a detailed description of an ongoing monitoring and improvement process to be used at the facility.
• Permits ODH to consult with the Ohio Departments of Medicaid and Aging and the Office of the State Long-Term Care Ombudsman Program in certain circumstances when determining whether a nursing facility’s plan of correction or modification of an existing plan meets ODH’s requirements for approval.

Nursing facility technical assistance
• Eliminates a requirement that ODH provide advice and technical assistance and conduct on-site visits to nursing facilities for the purpose of improving resident outcomes.

Distribution of household sewage treatment permit fees
• Reallocates the distribution of money collected from state household sewage treatment system permit fees by:
  --Decreasing the percentage of money allocated to fund installation and evaluation of sewage treatment system new technology pilot projects; and
  --Increasing the percentage of money allocated for use by the ODH Director to administer and enforce the Household and Small Flow On-Site Sewage Treatment Systems Law and rules adopted under it.

Water systems
• Exempts a water system that will be used in agriculture and that does not provide water for human consumption from obtaining a permit or license, paying fees, or
complying with any rule adopted under the continuing statutes governing private water systems, which are systems that provide water for human consumption.

**Ohio Cancer Incidence Surveillance System**

- Authorizes ODH to designate, by contract, a state university as an agent to implement the Ohio Cancer Incidence Surveillance System.
- Repeals provisions expressly governing the confidentiality of cancer information provided to or acquired by an Ohio cancer registry or ODH, but continues general provisions governing the confidentiality of protected health information.

**Zoonotic disease program**

- Authorizes the ODH Director, if ODH administers a program on zoonotic diseases (which are contagious diseases spread between animals and humans), to charge a local board of health a fee for each service the program provides to the board.

**Hope for a Smile Program (VETOED)**

- Would have established the Hope for a Smile Program with a specified objective of improving the oral health of school-age children, particularly those who are indigent and uninsured (VETOED).
- Would have created a state income tax deduction, to be used by a dentist or dental hygienist, equal to the fair market value of the services provided for free under the Program (VETOED).

**Other provisions**

- Requires the ODH Director to adopt rules governing the distribution of funds in fiscal years 2014 and 2015 to assist families in purchasing hearing aids for children.
- Eliminates the January 1 deadline for the Director to determine the annual adjustments in charges that may be imposed for copies of medical records.
- Eliminates a requirement that trauma centers report to the Director information on preparedness and capacity to respond to disasters, mass casualties, and bioterrorism.
- Abolishes the Council on Stroke Prevention and Education.
- Requires ODH to process an application for a Women, Infants, and Children (WIC) vendor contract within 45 days if the applicant already has a WIC vendor contract.
- Creates in the state treasury the Department of Health Medicaid Fund, and requires that all funds ODH receives for paying the expenses ODH incurs under the Medicaid program be deposited into the Fund.
OHIO HISTORICAL SOCIETY

- Repeals requirements that the Ohio Historical Society maintain a State Registry of Archaeological Landmarks and a State Registry of Historic Landmarks.
- Exempts purchases from and payments to the Society from the prohibition of certain purchases and leases unless they are made by competitive selection or with the approval of the Controlling Board.
- Establishes the Ohio Cemetery Law Task Force to develop recommendations on modifying Ohio laws relating to cemeteries.

OFFICE OF INSPECTOR GENERAL

- Provides that a deputy inspector general, who has been awarded a certificate by the Executive Director of the Ohio Peace Officer Training Commission, is to be considered a peace officer during the term of the deputy inspector general’s appointment for the purpose of maintaining a current and valid basic training certificate.
- Extends the position of the Deputy Inspector General for funds received through the American Recovery and Reinvestment Act of 2009, which would have expired on September 30, 2013, through June 30, 2014.

DEPARTMENT OF INSURANCE

- Limits agent appointment and agent appointment renewal fees charged by the Department of Insurance to not more than $20, and terminates the $5 agent appointment termination fee.

DEPARTMENT OF JOB AND FAMILY SERVICES

Child care

- Changes the periodic criminal records check required for certain child care providers from every four to every five years.
- Permits the Ohio Department of Job and Family Services (ODJFS) Director to issue a child care license or provisional license to an applicant whose type B family day-care home certificate was revoked, if the revocation occurred more than five years before applying for the license.
• Requires a county department of job and family services, as part of the certification process for type B homes, to request from the public children services agency (rather than ODJFS) information concerning abuse or neglect reports.

• Permits ODJFS to issue a child care license to a youth development center that applies for and meets the requirements for the license.

• Exempts preschool programs operated by nonchartered, nontax-supported schools from child day-care licensing requirements, provided the programs meet specified conditions.

• Requires ODJFS to establish the Ohio Electronic Child Care System to track attendance and calculate payments for publicly funded child care, and requires all publicly funded child care providers to participate in the system.

**Child welfare**

• Requires a private child placing agency or private noncustodial agency seeking renewal of a certificate of fitness to provide ODJFS evidence of an independent financial statement audit performed by a licensed public accounting firm.

• Requires that the independent audits demonstrate that the agency operated in a fiscally accountable manner as determined by ODJFS.

• Eliminates provisions authorizing ODJFS, with respect to a criminal records check required for an adult resident of a prospective adoptive or foster home or a foster caregiver's home, to waive the requirement that the records check be based on fingerprints if the adult resident was physically unable to provide fingerprints and posed no danger to the children who might be placed in the home.

**Child support**

• Revises the frequency of publication by ODJFS's Office of Child Support of a set of posters of delinquent child support obligors who cannot be located from not less than twice annually to annually, and makes it discretionary for the Office to publish the poster.

• Relieves an employer of the obligation to make a new hire report to ODJFS when an employee is rehired after a period of separation from employment of less than 60 days.

**Ohio Parenting and Pregnancy Program**

• Establishes the Ohio Parenting and Pregnancy Program to provide to pregnant women and parents or other relatives caring for children under 12 months of age services that promote childbirth, parenting, and alternatives to abortion.
• Specifies requirements that an entity seeking funds from the Program must meet, including having the primary purpose of promoting childbirth, not abortion.

• Allows an entity receiving funds under the Program to provide services through a subcontractor.

**Therapeutic wilderness camps (VETOED)**

• Would have exempted therapeutic wilderness camps from certification by ODJFS (VETOED).

• Would have required a therapeutic wilderness camp to certify annually to the parents of the children attending the camp that the camp met specified minimum standards (VETOED).

**Workforce training pilot (VETOED)**

• Would have established the Workforce Training Pilot Program for the Economically Disadvantaged, which would have required the ODJFS Director to award grants to demonstration projects to provide training in life and technical skills (VETOED).

### JUDICIARY/SUPREME COURT

**Court of Claims – wrongful imprisonment**

• Provides that if an individual at the time of a wrongful imprisonment was serving concurrent sentences on other convictions that were not vacated, dismissed, or reversed on appeal, the individual is not eligible for compensation for any portion of wrongful imprisonment that occurred during the concurrent sentence.

**Franklin County Probate Court Mental Health Fund**

• Authorizes the Franklin County Probate Court to accept funds or other assistance from the county board of alcohol, drug addiction, and mental health services or the county board of developmental disabilities, to be paid into the county treasury and credited to the Franklin County Probate Court Mental Health Fund.

• Requires the money in the Fund to be used for services, including involuntary commitment proceedings and establishment and management of adult guardianships, to ensure the treatment of persons who are under the care of the Franklin County ADAMH or DD board.

• Permits some money in the Fund to be used for specified court purposes, such as equipment purchases, staff hiring, and volunteer guardianship training, if the Franklin County probate judge determines that use is needed for the court's efficient operation.
Common pleas special projects funds

- Provides that if the court of common pleas requires a special program or additional services in cases of a specific type, the court by rule may assess an additional charge in a case of that type, over and above court costs, to cover the special program or service.

LEGISLATIVE SERVICE COMMISSION

- Specifies that beginning in 2014, the General Assembly members of the Ohio Constitutional Modernization Commission must elect one of the Commission's co-chairs from each house of the General Assembly.

STATE LIBRARY BOARD

- Revises the manner by which the State Library Board may forward legislative documents to depository libraries, by permitting the documents to be sent in a paper or electronic format.

OHIO LOTTERY COMMISSION

- Removes the option that a lottery sales agent mail directly to the State Lottery Commission net proceeds due to the Commission.
- Removes the requirement that a lottery sales agent file with the Director of the Commission or the Director's designee reports of the agent's receipts and transactions in the sale of lottery tickets.

DEPARTMENT OF MEDICAID

Creation of the Ohio Department of Medicaid

- Creates the Ohio Department of Medicaid (ODM), and makes the Medicaid Director (ODM Director) the executive head of ODM.
- Gives ODM and its Director many of the same types of responsibilities and authorities that the Ohio Department of Job and Family Services (ODJFS) and the ODJFS Director have regarding administrative and program matters.
- Transfers to ODM (from ODJFS) responsibility for the state-level administration of Medicaid, the Children's Health Insurance Program (CHIP), and the Refugee Medical Assistance (RMA).
• Subjects CHIP and RMA to general requirements applicable to Medicaid, including requirements regarding third party liability, ODM's automatic right of recovery, automatic assignment of the right to medical support, and the rights of applicants, recipients, and former recipients to administrative appeals.

• Provides that the creation of ODM and reassignment of the functions and duties of ODJFS regarding medical assistance programs are not appropriate subjects for public employees' collective bargaining.

• Authorizes the ODM and ODJFS Directors, from July 1, 2013 to June 30, 2015, to establish, change, and abolish positions for their respective agencies and to assign, reassign, classify, reclassify, transfer, reduce, promote, or demote employees who are not subject to collective bargaining.

Medicaid eligibility

Mandatory and optional eligibility groups

• Repeals laws that required or permitted Medicaid to cover certain groups.

• Requires Medicaid to cover all mandatory eligibility groups, and permits Medicaid's eligibility requirements for aged, blind, and disabled individuals to continue to be more restrictive than the eligibility requirements for the Supplemental Security Income (SSI) program as authorized by the federal law known as the 209(b) option.

• Requires Medicaid to cover all optional eligibility requirements that state statutes require Medicaid to cover.

• Permits Medicaid to cover optional eligibility groups that state statutes expressly permit Medicaid to cover or do not address whether Medicaid may cover.

• Prohibits Medicaid from covering any eligibility group that state statutes prohibit Medicaid from covering.

• Requires Medicaid to cover the following optional eligibility groups: (1) children placed with adoptive parents, (2) women during and immediately after pregnancy, infants, and children, (3) employed individuals with disabilities or medically improved disabilities who qualify for the Medicaid Buy-In for Workers with Disabilities program, (4) independent foster care adolescents, (5) women in need of treatment for breast or cervical cancer, and (6) nonpregnant individuals who may receive family planning services and supplies.

Medicaid expansion (VETOED)

• Would have prohibited Medicaid from covering the eligibility group popularly known as the Medicaid expansion (VETOED).

Transitional Medicaid
• Requires the ODM Director to implement a federal option that permits individuals to receive transitional Medicaid for a single 12-month period rather than an initial 6-month period followed by a second 6-month period.

**Maintenance of effort**

• Repeals the law that required Medicaid to comply with the federal maintenance of effort requirement regarding Medicaid eligibility.

**Reduction in complexity**

• Repeals the law that required a reduction in the complexity of the eligibility determination processes for Medicaid caused by the different income and resource standards for numerous Medicaid eligibility categories.

**Tuition savings and scholarships**

• Repeals the law that required the values of certain tuition payment contracts, scholarships, and payments by the Ohio Tuition Trust Authority to be excluded from Medicaid eligibility determinations.

**Copies of trust instruments**

• Requires a Medicaid applicant or recipient who is a beneficiary of a trust to submit a complete copy of the trust instrument to the county department of job and family services and ODM, and specifies that the copies are confidential and not public records.

**Third-party payers**

• Requires a medical assistance recipient and the recipient’s attorney, if any, to cooperate with each of the recipient’s medical providers by disclosing third-party payer information to the providers, specifies liability for failure to make those disclosures, and clarifies who must be notified about recovery actions.

• Beginning January 1, 2014, authorizes ODM to assign to a provider its right of recovery against a third party for a claim for medical assistance if ODM notifies the provider that ODM intends to recoup its prior payment for the claim.

• Requires a third party, if ODM makes such an assignment, to do both of the following: (1) treat the provider as ODM, and (2) pay the provider the greater of (a) the amount ODM intends to recoup from the provider for the claim, or (b) the amount that is to be paid under an agreement between the third party and the provider.

• Repeals a provision that gave ODJFS a right of subrogation for workers' compensation benefits payable to a person who was subject to a child or spousal support order and who was a Medicaid recipient.
Provider agreements

- Requires that all Medicaid provider agreements be time-limited.
- Eliminates the phase-in period for subjecting Medicaid provider agreements to time limits.
- Provides that Medicaid provider agreements expire after a maximum of five (rather than seven) years.
- Requires that rules regarding time-limited Medicaid provider agreements be consistent with federal regulations governing provider screening and enrollment and include a process for revalidating providers’ continued enrollment as providers rather than a process for re-enrolling providers.
- Requires ODM to refuse to revalidate a Medicaid provider agreement if the provider fails to file a complete application for revalidation within the time and in the manner required by the revalidation process.
- Provides that, if a provider continues operating under an expired Medicaid provider agreement while waiting for ODM to revalidate the agreement and ODM decides against revalidation, Medicaid payments are not to be made for services provided beginning on the date the provider agreement expired and ending on the effective date of a subsequent provider agreement.
- Provides that ODM is not required to issue an adjudication order in accordance with the Administrative Procedure Act when it: (1) denies an application for a Medicaid provider agreement because the application is not complete, or (2) under certain circumstances, refuses to revalidate a provider agreement because the provider fails to file a complete application within the required time and in the required manner.
- Clarifies that the requirement to pay an application fee for a Medicaid provider agreement applies to former providers that seek re-enrollment as providers as well as providers seeking initial provider agreements or revalidation.
- Provides that application fees are nonrefundable when collected in accordance with a federal regulation governing such fees.
- Expressly permits the ODM Director to deny, refuse to revalidate, or terminate a Medicaid provider agreement for any type of provider, rather than only nursing facilities and intermediate care facilities for individuals with intellectual disabilities (ICFs/IID), when the Director determines that the action is in the best interests of Medicaid recipients or the state.
- Permits the Director to exclude an individual, provider of services or goods, or other entity from participation in the Medicaid program when the Director determines that the exclusion is in the best interests of Medicaid recipients or the state.
• Permits the Director to suspend a Medicaid provider agreement for any reason permitted or required by federal law and when the Director determines that the suspension is in the best interests of Medicaid recipients or the state.

• Eliminates a requirement that ODM issue an order pursuant to an adjudication under the Administrative Procedure Act when entering into or revalidating a Medicaid provider agreement, but maintains a requirement for such an order when ODM refuses to enter into or revalidate a provider agreement.

• Permits, until January 1, 2015, a nursing facility provider to exclude one or more of its parts from a Medicaid provider agreement if (1) the facility initially obtained its license and Medicaid certification on or after January 1, 2008, (2) the facility is located in a county that has more long-term care beds than it needs, (3) federal law permits the exclusion, and (4) the provider gives ODM notice of the exclusion.

• Creates the Nursing Facility Distinct Part Advisory Workgroup, and requires it to develop findings regarding the impact that allowing nursing facilities to exclude distinct parts of their facilities from Medicaid provider agreements would have on access, quality of care, and purchasing strategies for nursing facility services provided to Medicaid recipients with specialized health care needs.

• Permits, until January 1, 2015, a nursing facility to refuse to admit a person because the person is or may become, as a resident of the nursing facility, a Medicaid recipient, if at least 25% (rather than 80%) of its Medicaid-certified beds are occupied by Medicaid recipients at the time the person would be admitted.

**Criminal records checks**

• Permits an individual to be any of the following despite having been found eligible for intervention in lieu of conviction for certain disqualifying offenses: (1) a Medicaid provider, (2) an owner, officer, or board member of a Medicaid provider, and (3) with certain exceptions, an employee of a Medicaid provider.

• Permits certain individuals receiving or deciding whether to receive services from the subject of a criminal records check to receive the results of that records check.

**Interest on excess payments**

• Requires a Medicaid provider who, without intent, obtains excess Medicaid payments to pay interest on the excess payments at the average bank prime rate in effect on the first day of the calendar quarter during which the provider receives notice of the excess payment.
Dispensing fee; generic drug copayments

- Sets the Medicaid dispensing fee for noncompounded drugs at $1.80 for the period beginning July 1, 2013, and ending on the effective date of a rule changing the amount of the fee.

- Effective July 1, 2014, provides that the survey used under continuing law to set the Medicaid drug dispensing fee applies to only Medicaid-participating terminal distributors of dangerous drugs (rather than retail pharmacy operations).

- Requires each terminal distributor that is a Medicaid provider to participate in the survey, and provides that survey responses are confidential and not a public record.

- Provides for the Medicaid dispensing fee established in December of each even-numbered year to take effect the following July, rather than the following January.

- Eliminates the exclusion of generic drugs from Medicaid copayment requirements.

Miscellaneous payment rates

- Would have required that the Medicaid payment rates for certain services provided by physician practice groups meeting requirements regarding hospital outpatient clinic services be determined in accordance with a preexisting Medicaid rule, and would have required ODM to report to the General Assembly on this provision within four years (VETOED).

- Provides for the Medicaid payment rates for hospital inpatient services to be the same as the Medicaid payment rates for the services in effect on June 30, 2013, until the effective date of the first of any ODM rules establishing new diagnosis-related groups for the services.

- Requires that the Medicaid payment rates for hospital outpatient services be, until June 30, 2015, the same as the Medicaid payment rates for the services in effect on June 30, 2013.

- Requires that the ODM Director, not earlier than January 1, 2014, reduce Medicaid payment rates for certain outpatient radiological services when repeated during the same session, establish varying payment rates for physician services based on the location of the services, and align Medicaid payment methodologies with Medicare payment methodologies.

- Establishes Medicaid payment amounts for noninstitutional services provided from January 1, 2014 to July 1, 2016, to a dual eligible individual enrolled in Medicare Part B.
• Provides that specified persons are not eligible for Medicaid payments for providing certain nursing, home health aide, or private duty nursing services to the Medicaid recipient unless conditions specified by the ODM Director are met.

Mental health services
• During fiscal years 2014 and 2015, permits Medicaid to cover inpatient psychiatric hospital services provided by psychiatric residential treatment facilities to Medicaid recipients under age 21 who are in the custody of the Ohio Department of Youth Services and have been identified as meeting a clinical criterion of serious emotional disturbance.
• Provides, for fiscal years 2014 and 2015, that a Medicaid recipient under age 21 satisfies all requirements for any prior authorization process for community mental health services provided under a Medicaid component administered by the Department of Mental Health and Addiction Services if the child meets certain requirements related to being an abused, neglected, dependent, unruly, or delinquent child.

Home health
• Authorizes ODM to review Medicaid-covered home health nursing services, home health aide services, and private duty nursing services to improve efficiency and individual care in long-term care services.

Wheelchair, oxygen, and resident transportation services
• Beginning January 1, 2014: (1) excludes custom wheelchair costs, repairs to and replacements of custom wheelchairs and parts, oxygen (other than emergency oxygen), and resident transportation services from the costs for bundled services included in the direct care costs that are part of nursing facilities' Medicaid-allowable costs, and (2) reduces to 86¢ (from $1.88) the amount added, because of bundled services, to Medicaid rates paid for direct care costs.
• Requires the ODM Director, for the period beginning January 1, 2014, and ending June 30, 2015, to implement strategies for purchasing custom wheelchairs, oxygen (other than emergency oxygen), and resident transportation services for Medicaid recipients residing in nursing facilities.

Nursing facility services
• To determine Medicaid payment rates for nursing facilities in Mahoning and Stark counties for services provided during the period beginning October 1, 2013, and ending on the first day of the first rebasing of the rates, requires that the facilities be treated as if they were in the peer group that includes Cuyahoga, Franklin, and Montgomery counties.
Requires that nursing facilities in Mahoning and Stark counties be placed in the peer groups that include Cuyahoga, Franklin, and Montgomery counties when ODM first rebases nursing facilities' Medicaid payment rates.

Revises the accountability measures that are used in determining nursing facilities' Medicaid quality incentive payments for fiscal year 2015 and thereafter.

Specifies a lower maximum quality incentive payment ($13.16 rather than $16.44 per Medicaid day) starting in fiscal year 2015 for nursing facilities that fail to meet at least one of the accountability measures regarding pain, pressure ulcers, physical restraints, urinary tract infections, and vaccinations.

Would have provided for the total amount to be spent on quality bonuses paid to nursing facilities for a fiscal year to be $30 million plus the amount, if any, that is budgeted for quality incentive payments but not spent (VETOED).

Would have required ODM to pay the quality bonuses not later than the first day of each November (VETOED).

Would have required a nursing facility to meet at least two of certain accountability measures to qualify for the quality bonus (VETOED).

Establishes the following additional requirement for a nursing facility to qualify for a critical access incentive payment under Medicaid for a fiscal year: the nursing facility must have been awarded at least five points for meeting accountability measures and at least one of the points must have been for meeting specific accountability measures.

Specifies the Medicaid cost report to be used to determine the occupancy rate used in setting a nursing facility's Medicaid rate for a reserved bed.

Permits the ODM Director to establish as a Medicaid waiver program an alternative purchasing model for nursing facility services provided to Medicaid recipients with specialized health care needs during the period beginning July 1, 2013, and ending July 1, 2015.

Requires ODM to terminate a nursing facility’s Medicaid participation if the facility is placed on the federal Special Focus Facility (SFF) list and fails to make improvements or graduate from the SFF program within certain periods of time.

Requires the Department of Aging to provide technical assistance to such a nursing facility through the nursing home quality initiative at least four months before ODM would be required to terminate the facility’s Medicaid participation.

Eliminates a requirement that a nursing facility that undergoes a change of operator that is an arm’s length transaction, file a Medicaid cost report covering the period
beginning with the facility’s first day of operation under the new provider and ending on the first day of the month immediately following the first three full months of operation under the new provider.

- Permits ODM to conduct post-payment reviews of nursing facilities' Medicaid claims to determine whether overpayments have been made, and requires nursing facilities to refund overpayments discovered by the reviews.

- Increases the monthly personal needs allowance for Medicaid recipients residing in nursing facilities.

**Home and community-based services**

- For fiscal years 2014 and 2015, authorizes the ODM Director to contract with a person or government entity to collect patient liabilities for home and community-based services available under a Medicaid waiver component.

- Permits the Director to create, as part of the Integrated Care Delivery System (ICDS), a Medicaid waiver program providing home and community-based services.

- Provides for eligible ICDS participants to be enrolled in the ICDS Medicaid waiver program instead of: (1) the Medicaid-funded component of the PASSPORT program, (2) the Choices program, (3) the Medicaid-funded component of the Assisted Living program, (4) the Ohio Home Care program, and (5) the Ohio Transitions II Aging Carve-Out program.

- Requires the Director to have the following additional Medicaid waiver programs cover home care attendant services: the Medicaid-funded component of the PASSPORT program and the ICDS Medicaid waiver program.

- During fiscal years 2014 and 2015, permits Medicaid to cover state plan home and community-based services for Medicaid recipients of any age who have behavioral health issues and countable incomes not exceeding 150% of the federal poverty line.

- Addresses administrative issues regarding termination of waiver programs.

**Medicaid managed care**

- Eliminates a requirement that ODM prepare and submit to the General Assembly an annual report on the Medicaid care management system.

- Beginning January 1, 2014, prohibits the hospital inpatient capital payment portion of the payment made to Medicaid managed care organizations from exceeding any maximum rate that the ODM Director may establish in rules, and prohibits the organizations from compensating hospitals for inpatient capital costs in an amount that exceeds that rate.
• Provides that an agreement entered into between a Medicaid managed care participant, a participant's parent, or a participant's legal guardian that violates Ohio law regarding payment for emergency services is void and unenforceable.

• Beginning January 1, 2014, modifies provisions governing Medicaid payments for graduate medical education (GME) costs by: (1) requiring the ODM Director to adopt rules that govern the allocation of payments for GME costs, and (2) eliminating provisions specifying how payments for GME costs were to be made under the Medicaid managed care system.

• Establishes 2% (an increase from 1%) as the maximum total amount of all Medicaid managed care premiums that may be withheld for the purpose of making performance payments to Medicaid managed care organizations through the Medicaid Managed Care Performance Fund.

• Modifies the uses of the Medicaid Managed Care Performance Payment Fund by: (1) permitting, rather than requiring, amounts in the Fund to be used to make performance payments, and (2) permitting amounts to be used to meet provider agreement obligations or to pay for Medicaid services provided by a Medicaid managed care organization.

• For fiscal years 2014 and 2015, permits ODM to provide performance payments to Medicaid managed care organizations that provide care to participants of the Integrated Care Delivery System, and requires ODM to withhold a percentage of the premium payments made to the organizations for the purpose of providing the performance payments.

• Permits, rather than requires, ODM to recognize pediatric accountable care organizations that provide care coordination and other services under the Medicaid care management system to individuals under age 21 who are blind or disabled.

• Excludes (until July 1, 2014) certain recipients of services through the Bureau for Children with Medical Handicaps who have cystic fibrosis, hemophilia, or cancer from any required participation in the Medicaid care management system.

**Sources of Medicaid revenues**

• Replaces the specific dollar amounts used for the franchise permit fee on nursing homes and hospital long-term care units with a formula for determining the amount of the franchise permit fee rate.

• Continues, for two additional years, both of the following: (1) the Hospital Care Assurance Program, and (2) the assessments imposed on hospitals for purposes of obtaining funds for the Medicaid program.
• Requires ODM to continue the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program to provide supplemental Medicaid payments to hospitals for providing Medicaid-covered inpatient and outpatient services.

• Requires ODM to continue the Medicaid Managed Care Hospital Incentive Payment Program under which Medicaid managed care organizations are provided funds to increase payments to hospitals under contract with the organizations.

**Recipient confidentiality**

• Reinstates the penalty (first degree misdemeanor) for violating confidentiality provisions regarding recipients of Medicaid, CHIP, or RMA.

**Electronic health record and e-prescribing applications**

• Effective January 1, 2014, replaces a provision authorizing a Medicaid e-prescribing system with a provision authorizing the ODM Director to acquire or specify technologies to give information regarding Medicaid recipient eligibility, claims history, and drug coverage to Medicaid providers through certain electronic health record and e-prescribing applications.

**State agency collaboration**

• Extends to fiscal years 2014 and 2015 provisions that authorize the Office of Health Transformation (OHT) Executive Director to facilitate collaboration between certain state agencies ("participating agencies") for health transformation purposes, authorize the exchange of personally identifiable information between participating agencies regarding a health transformation initiative, and require the use and disclosure of such information in accordance with operating protocols.

• Includes ODM and the Department of Administrative Services (DAS) as participating agencies.

**Health information exchanges**

• Includes ODM and DAS as state agencies to which covered entities may disclose certain protected health information.

• Transfers from the ODJFS Director to the ODM Director rule-making authority pertaining to: (1) a standard authorization form for the use and disclosure of protected health information and substance abuse records by covered entities, and (2) the operation of health information exchanges in Ohio.

**Direct Care Worker Advisory Workgroup**

• Creates the Direct Care Worker Advisory Workgroup with the OHT Executive Director serving as chairperson, and specifies its responsibilities, including
recommending policies to be incorporated in legislation regarding direct care worker certification.

• Requires the Workgroup to submit a report to the General Assembly by December 31, 2013.

**Medicaid data**

• Authorizes the ODM Director to enter into contracts with one or more persons to receive and process, on the Director's behalf, certain requests for Medicaid data by persons who intend to use the data for commercial or academic purposes.

**Long-term services**

• Continues the Joint Legislative Committee for Unified Long-Term Services and Supports.

• Requires ODM and the Departments of Aging and Developmental Disabilities to have, by June 30, 2015, noninstitutionally based long-term services used by: (1) at least 50% of Medicaid recipients who are age 60 or older and need long-term services, and (2) at least 60% of Medicaid recipients who are under age 60 and have cognitive or physical disabilities for which long-term services are needed.

• Permits ODM to apply to participate in the federal Balancing Incentive Payments Program, and requires that any funds Ohio receives be deposited into the Balancing Incentive Payments Program Fund.

**Quality initiatives**

• Permits ODM to implement a quality incentive program to reduce available hospital and nursing facility admissions and emergency department utilizations by Medicaid recipients receiving certain home and community-based waiver services, home health services, or private duty nursing services.

• Permits the ODM Director to implement a children's hospitals quality outcomes program to encourage the development of certain programs and methods aimed at improving patient care and outcomes.

• Authorizes the Director to develop and implement, during fiscal years 2014 and 2015, initiatives designed to improve birth outcomes for Medicaid recipients.

**Veterans services**

• Authorizes ODM to collaborate with the Ohio Department of Veterans Services regarding the coordination of veterans' services and to implement, during fiscal years 2014 and 2015, certain initiatives that they determine will maximize the efficiency of the services and ensure that veterans' needs are met.
Health home services

- Authorizes the ODM Director, in consultation with the Director of Developmental Disabilities, to develop and implement a system within the Medicaid program to provide health home services to Medicaid-eligible individuals with chronic health conditions and developmental disabilities.

Telemedicine policy workgroup

- Creates a workgroup to study telemedicine and develop a comprehensive statewide policy encouraging its use.

Integrated Care Delivery System evaluation

- Requires the ODM Director, if the ICDS is implemented, to conduct an annual evaluation of it unless the same evaluation is conducted for that year by an organization under contract with the U.S. Department of Health and Human Services.

Funds

- Requires that federal payments made to Ohio for the Money Follows the Person demonstration project be deposited into the Money Follows the Person Enhanced Reimbursement Fund.

- Abolishes the Health Care Compliance Fund, and provides for the money that would have been credited to that fund to be credited to the Managed Care Performance Payment Fund and the Health Care Services Administration Fund.

- Abolishes the Prescription Drug Rebates Fund, and provides for the money that would have been credited to that fund to be credited to the Health Care/Medicaid Support and Recoveries Fund.

STATE MEDICAL BOARD

- Allows the State Medical Board to enter into a personal service contract with an attorney to serve as a temporary hearing examiner, subject to the Controlling Board’s general authority to approve a purchase without competitive selection, rather than subject to only Controlling Board approval as under former law.

- Requires the State Medical Board to adopt internal management rules setting forth criteria for assessing the Board’s accomplishments, and to include data gleaned from the assessments in its annual report.

- Requires the rules and the annual report to be publicly accessible on the Board’s website.
• Creates an expedited certificate to practice medicine and surgery or osteopathic medicine and surgery by endorsement for certain physicians who are licensed in another state or in Canada.

• Provides that an individual who meets all other genetic counselor licensure requirements is eligible for a license by attaining a master’s or higher degree in education or in a field closely related to genetic counseling, and requires the individual to apply for licensure by December 31, 2013.

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

I. Merger; creation of new department

• Merges the Department of Mental Health (ODMH) and the Department of Alcohol and Drug Addiction Services (ODADAS), making the Department of Mental Health and Addiction Services (ODMHAS).

Administrative changes

• Removes the requirement that ODMH receive the approval of the Governor and the Attorney General when conducting a transaction involving real estate, in favor of utilizing the services of the Department of Administrative Services (DAS) for such transactions.

• Specifies that moneys received from the sale, lease, or exchange of property be deposited into the Department of Mental Health Trust Fund, rather than the GRF.

• Removes specifications for rules adopted by ODMH for the purpose of prior law related to local boards and the hospitalization of the mentally ill.

• Alters policies and procedures related to confidential records and compilation of statistics.

Interaction with other departments, agencies, and facilities

• Revises the laws relating to certification of services providers.

• Alters requirements ODMHAS places on local boards related to providing information for inclusion in ODMHAS’ behavioral health information systems.

• Alters ODMHAS’ policies and procedures related to the submission of services plans by local boards and the allocation and withholding of funds.

• Makes the requirement that ODMH (ODMHAS) contract with licensed hospitals to provide services for mentally ill patients a permissive authority.
• Removes the authority of ODMH to provide for the care of mentally ill persons hospitalized elsewhere than within a hospital, if ODMH determined that such care was necessary.

• Makes permissive ODMHAS and the Department of Youth Services (DYS) entering into a written agreement for ODMHAS to receive from DYS certain persons for psychiatric observation, diagnosis, or treatment.

• Removes the requirement that ODMH provide training to those ODMH employees who are utilized by state operated, community-based mental health services providers.

• Requires ODMHAS to design and set criteria for the determination of "priority populations" rather than the determination of "severe mental disability."

• Requires that an individual with a mental illness undergo a level of care determination before admission or readmission to a nursing facility from a hospital if the hospital is either of the following:
  --Maintained, operated, managed, and governed by ODMHAS; or
  --Licensed by ODMHAS as a freestanding hospital or unit of a hospital.

• Increases, from two years to up to three years after the date of issuance, that a full license for a residential facility is valid.

• Requires ODMHAS, in consultation with the Department of Medicaid, to administer the Recovery Requires a Community Program to identify individuals residing in nursing facilities who can be moved successfully into community settings.

• Requires ODMHAS to conduct a pilot program to provide addiction treatment to offenders participating in certified drug court programs in certain counties.

**Funds and funding**

• Authorizes the issuance of bonds to finance capital facilities for the housing of people with substance abuse disorders.

• Alters certification standards and provisions related to the provision of mental health and addiction services.

• Alters eligibility standards and policies related to residential state supplement payments.

**Personnel changes**

• Removes the authority of ODMH to appoint an individual to the position of chief executive officer of an institution from persons holding positions in the classified services in ODMH.
• Specifies that the suspension from employment of a special police officer positioned at a mental health institution is to be done in accordance with applicable collective bargaining agreements, rather than the Administrative Procedure Act.

• Revises the required qualifications of the ODMHAS medical director.

• Removes the procedures prescribed for ODMH in relation to the appointment of a person in a classified to an unclassified position, in favor of standard procedures and stipulations prescribed by DAS.

Other changes
• Abolishes the Council on Alcohol, Drug, and Gambling Addiction Services.

• Abolishes the Revolving Loans for Recovery Homes Fund.

• Updates certain terms to reflect industry terminology.

II. Alcohol, drug addiction, and mental health service districts

Local boards
• Makes changes to the membership requirements of alcohol, drug addiction, and mental health services boards; alcohol and drug addiction services boards; and community mental health boards.

• Removes the requirement that each service district without an alcohol and drug addiction services board create a standing committee on alcohol and drug addiction services.

Boards' duties
• Revises the planning duties of the local boards.

• Requires a board of alcohol, drug addiction, and mental health services to submit to ODMHAS a budget for all federal, state, and local moneys the board expects to receive, and establishes a procedure for approval and amendment of the budget.

• Permits ODMHAS to withhold funds to a board if the board's use of the funds fails to comply with an approved budget.

• Requires a board to create lists of services that are compatible with the approved budget and to include crisis intervention services and services required for a parent, guardian, or custodian of a child who is in imminent risk of being abused or neglected.

• Requires a board to enter into a continuity of care agreement with the state institution operated by ODMHAS that serves the district.
• Requires boards to submit to ODMHAS a report summarizing complaints concerning the rights of persons receiving services, investigation of the complaints, and outcomes of the investigations.

• Requires boards to submit annually, and upon any change in membership, to ODMHAS a list of all current members of the boards, the appointing authority of each member, and the members’ specific qualifications.

• Prohibits a board from contracting with an unlicensed residential facility that is required to be licensed by the Director.

• Authorizes a board of alcohol, drug addiction, and mental health services to inspect any residential facility located in its district and licensed under the Hospitalization of the Mentally Ill Law, eliminating the requirement that the inspection be pursuant to a contract with ODMH.

• Requires a board to submit any other information reasonably required for ODMHAS’s operations, service evaluation, reporting activities, research, system administration, and oversight.

• Makes permissive that a utilization review process be established as part of a contract for services entered into between a board and a community addiction or mental health agency services provider.

• Removes the requirement that boards administer mental health clinics and child guidance homes financed partly by state funds as of June 30, 1967.

**ODMHAS reimbursement**

• Reorganizes the list of services performed by a board for which a county can be reimbursed, and specifies that the services must be approved by ODMHAS within the continuum of care or approved support functions.

**EDGE business enterprise procurement goals**

• Requires a board to strive to attain a yearly construction contract dollar procurement goal of 5% for EDGE business enterprises, instead of setting the percentage aside for minority business enterprises.

• Permits a board that is unable to comply with the EDGE procurement goal after having made a good faith effort to apply in writing to the Director for a waiver or modification of the goal.
DEPARTMENT OF NATURAL RESOURCES

Oil and gas

• Revises restrictions regarding the disposal of brine, crude oil, natural gas, or other fluids associated with the exploration or development of oil and gas resources, and applies the restrictions to such fluids associated with well stimulation, production operations, and plugging.

• Prohibits a person, beginning January 1, 2014, from storing, recycling, treating, processing, or disposing of brine or other waste substances associated with oil and gas operations unless the person has been issued a specified order or permit.

• Excludes from the above prohibition:
  --A person who disposes of such waste substances other than brine in accordance with the Solid, Hazardous, and Infectious Wastes Law; and
  --A person who is in operation prior to January 1, 2014, and who has received approval of the Chief of the Division of Oil and Gas Resources Management to conduct such activities and has been issued any permit or authorization required under environmental law.

• Requires the Chief to adopt rules regarding recycling, treatment, and processing of brine and other waste substances in addition to storage and disposal as in ongoing law.

• Requires that the rules establish procedures and requirements by which a person must apply for a permit or order to store, recycle, treat, process, or dispose of brine and other waste substances that are not subject to specified oil and gas permits, and establishes a nonrefundable $2,500 permit application fee.

• States that the recycling, treatment, and processing of brine and other waste substances and the Chief's rules regarding those activities, in addition to storage and disposal as in continuing law, are subject to statutory standards.

• Allows disposal of brine by any method not specified in the statutory standards governing disposal of brine that is approved by a permit or order of the Chief, rather than by methods approved by the Chief for testing or implementing a new technology or method of disposal as in former law.

• With regard to impoundments used for temporary storage:
  --Refers to "impoundments" rather than "earthen impoundments";
  --Requires that impoundments be constructed utilizing a synthetic liner; and
--Adds that impoundments may be used for the temporary storage of "waste substances," rather than "fluids" as in former law, used in the construction or plugging of a well, in addition to the stimulation of a well as in ongoing law.

- Precludes brine that is produced from a horizontal well from being allowed to be spread on a road.

- Revises the definition of "production operation" in the Oil and Gas Law by including equipment and facilities at a wellpad or other location that are used for specified purposes and that may be used or reused at the same or another operation or will be disposed of in accordance with applicable laws and rules.

- Requires the owner of a horizontal well to file production statements quarterly rather than annually.

- Generally requires an owner of a well, beginning March 31, 2015, to disclose to the Division of Oil and Gas Resources Management the country in which each oil country tubular good initially used in a production operation was manufactured, unless that country cannot be determined by the owner.

- Requires the Division to perform specified duties related to the country of origin requirement, including prescribing the disclosure form in consultation with certain industry representatives and using the information specified on the form to establish a quality well infrastructure catalog.

- Requires the term "material safety data sheet," as used in the statute governing well completion records in the Oil and Gas Law, to conform to any changes in the term by the U.S. Occupational Safety and Health Administration.

**TENORM and other material from horizontal wells**

- Does all of the following with regard to material that results from the construction, operation, or plugging of a horizontal well:
  
  --Generally requires the owner of a well or a person that is an authorized agent of the owner (hereafter owner) to determine the concentration level of radium in representative samples of the material if it is technologically enhanced naturally occurring radioactive material (TENORM);

  --Generally prohibits the material from being removed from the location associated with the production operation of the well until an analysis of the material is complete and the results are available;

  --Specifies that the owner is not required to determine the concentration level of radium in TENORM if specified circumstances apply, including that the material is reused in the horizontal well from where it originated or is transferred to another site for reuse in a horizontal well;
--Requires the owner to transport and dispose of TENORM in accordance with all applicable laws;
--If the material is not TENORM, and has come in contact with a refined oil-based substance, requires the owner to dispose of it at a solid waste facility, beneficially use it, or recycle it; and
--If the material is not TENORM and has not come in contact with a refined oil-based substance, allows the material to be used at the location associated with the production operation of the horizontal well or at another location associated with a production operation.

- Prohibits the owner or operator of a solid waste facility from accepting for transfer or disposal TENORM if that material contains or is contaminated with a specified concentration level of radium (hereafter "contaminated TENORM").
- Generally authorizes the owner or operator of a solid waste facility to receive and process contaminated TENORM for purposes other than transfer or disposal.
- Authorizes the Director of Environmental Protection to adopt rules regarding the receipt, acceptance, processing, handling, management, and disposal by solid waste facilities of material that contains or is contaminated with radioactive material, including contaminated TENORM.
- Authorizes the rules to include, at a minimum, requirements in accordance with which the owner or operator of a solid waste facility must perform specified activities, including monitoring leachate and ground water for radionuclides.
- Prohibits the owner or operator of a solid waste facility from receiving, accepting, processing, handling, managing, or disposing of TENORM associated with drilling operations without first obtaining representative analytical results to determine compliance with the act and rules adopted under it.
- Authorizes the EPA Director to adopt rules establishing requirements governing the beneficial use of material from a horizontal well that has come in contact with a refined oil-based substance and that is not TENORM.
- Requires the Director of Health to adopt rules establishing requirements governing TENORM and requiring the maintenance of certain records regarding TENORM, and states that the rules must not apply to naturally occurring radioactive material.
- Defines "TENORM" as naturally occurring radioactive material with radionuclide concentrations that are increased by or as a result of past or present human activities, excluding drill cuttings, natural background radiation, byproduct material, or source material.
- Defines "naturally occurring radioactive material" as material that contains any nuclide that is radioactive in its natural physical state, excluding source material, byproduct material, or special nuclear material.

**Watercraft and waterways**

- Exempts sailboards, kiteboards, paddleboards, and belly boats or float tubes from the requirement to register watercraft with the Division of Watercraft, and defines those terms.
- Requires a livery owner to be issued a tag for each watercraft that has been registered in accordance with the law governing liveries, and requires the tag to be affixed to each such watercraft prior to the watercraft's being rented to the public.
- Revises the requirement that a livery watercraft registration number be displayed on each watercraft in the fleet for which an annual certificate of livery registration has been issued by requiring a livery owner, not later than March 15, 2015, to identify each watercraft in the owner's fleet in one of two specified ways.
- Requires each watercraft in a livery fleet to be identified in a uniform and consistent manner.
- Specifies that rental agreements, rather than rental receipts as in former law, are subject to inspection by Division of Watercraft personnel.
- Eliminates the authority of the Chief of the Division to permanently restrict or suspend a certificate of livery registration and associated privileges without a hearing if the Chief finds that the certificate holder has violated the Watercraft and Waterways Law, but retains the Chief's authority to temporarily do so.

**Watercraft Revolving Loan Program**

- Eliminates the Watercraft Revolving Loan Program and the Watercraft Revolving Loan Fund.

**Funds**

- Eliminates the Division of Forestry Law Enforcement Fund and the Division of Natural Areas and Preserves Law Enforcement Fund.
- Requires proceeds from forfeited property resulting from investigations by the Divisions of Forestry and Natural Areas and Preserves to be deposited in the Division of Parks and Recreation Law Enforcement Fund, and requires that Fund to be used by the Division of Parks and Recreation for law enforcement purposes.
- Eliminates the Wild Animal Fund, which consisted of moneys received from the sale of wild animals to other states, state or federal agencies, and conservation or
zoological organizations, and requires the moneys instead to be credited to the Wildlife Fund.

- Eliminates the Mined Land Set Aside Fund, which consisted of federal grants and was used for specified reclamation and restoration activities.

- Eliminates annual transfers of investment earnings from the Coal-Workers Pneumoconiosis Fund to the Mine Safety Fund and the Coal Mining Administration and Reclamation Reserve Fund, the authority for which expired on June 30, 2013.

- Eliminates the Conservancy District Organization Fund, which was used to provide an advance of money to a conservancy district for specified purposes.

**Ohio Lake Erie Commission**

- Adds the Director of Development Services as a member of the Ohio Lake Erie Commission.

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

- Permits each section of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board, when determining whether to issue a summary suspension of a license or limited permit, to review the allegations and vote on the suspension by telephone conference call.

- Exempts the summary suspension meeting held by conference call from the requirements of the Open Meetings Law.

- Prohibits a court of common pleas from suspending a summary suspension issued by one of the sections of the Board during an administrative appeal of that summary suspension.

- Requires a summary suspension to remain in effect, unless reversed on appeal, until a final adjudication order is issued by the appropriate section of the Board.

- Requires each section of the Board to issue its final adjudication order regarding a summary suspension not later than 90 days after completing its hearing.

- Dissolves a summary suspension if the section of the Board fails to issue its final adjudication order within 90 days, but states that the failure does not invalidate any subsequent, final adjudication order.
OPPORTUNITIES FOR OHIOANS WITH DISABILITIES AGENCY

- Replaces the Rehabilitation Services Commission (RSC) with the Opportunities for Ohioans with Disabilities Agency (OODA), and generally requires the OODA to perform the duties and exercise the responsibilities assigned to the RSC under prior law.

- Replaces the Administrator of the RSC with the Executive Director of the OODA, and generally requires the Executive Director to perform the duties and exercise the responsibilities assigned to the Administrator under prior law.

- Requires the Governor to appoint the Opportunities for Ohioans with Disabilities Commission (OODC), and provides that members serving on the RSC immediately prior to September 29, 2013, are to continue serving on the new OODC.

- Requires the OODC to do all of the following:
  - approve the state vocational rehabilitation plan and, with the Ohio State Independent Living Council, the state plan for independent living;
  - appoint a consumer advisory committee, which is a continuation of the consumer advisory committee appointed by the RSC under former law; and
  - review and analyze the effectiveness of and consumer satisfaction with the functions performed by the OODA, vocational rehabilitation services provided by state agencies and other entities, and employment outcomes achieved by individuals receiving services.

- Revises terminology in the law governing the OODA, including replacing "handicapped person" with "person with a disability."

- Eliminates the Governor’s Program on Employment Initiatives in the former RSC.

STATE BOARD OF OPTOMETRY

- Requires the State Board of Optometry to post once annually on its web site a list of courses approved for continuing education.

- Permits the Board to notify licensees of approved continuing education courses and to send notices regarding license renewals by electronic mail.

- Requires the Board to send notices regarding license renewals to the most recent electronic mail or mailing address shown in the Board’s records.
STATE BOARD OF PHARMACY

- Requires, rather than permits, the State Board of Pharmacy to provide information in the Ohio Automated Rx Reporting System (OARRS) to the medical director of a Medicaid managed care organization and the Medicaid Director.
- Requires the Board to notify the Medicaid Director if it determines from a review of OARRS information that a provider of services under a program administered by the Department of Medicaid may have violated the law.

STATE BOARD OF PSYCHOLOGY

- Prohibits, beginning September 29, 2014, an individual from practicing applied behavior analysis in Ohio or holding the individual’s self out to be a certified Ohio behavior analyst without a certificate from the State Board of Psychology.
- Subjects an individual who violates the prohibition to a fine of not less than $100 nor more than $500, imprisonment for not less than six months nor more than one year, or both.
- Defines the practice of applied behavior analysis.
- Lists the requirements an applicant must satisfy to receive a certificate.
- Makes a certificate valid for two years, and lists renewal requirements, including a renewal fee of $150 and continuing education requirements.
- Lists the disciplinary actions and the reasons for which the Board may impose discipline.

OHIO PUBLIC DEFENDER COMMISSION

- Authorizes the State Public Defender, effective July 1, 2013, to conduct a legal assistance referral service for children committed to the Department of Youth Services (DYS) relative to conditions of confinement claims.
- Requires DYS, effective July 1, 2013, to provide the State Public Defender reasonable access to any child committed to DYS, to any DYS institution, and to any DYS record that the State Public Defender needs to provide the child access to the courts.
DEPARTMENT OF PUBLIC SAFETY

Deputy registrars

- Allows only an individual or a nonprofit corporation (in addition to a county auditor or a clerk of a common pleas court) to be designated as a deputy registrar, rather than "other persons" as in prior law, and makes conforming changes.

- Modifies the limitation on the operation of more than one office by a deputy registrar to allow the Registrar of Motor Vehicles to award a contract to a deputy registrar to operate more than one office if the Registrar determines it to be practical.

- Requires each deputy registrar, during the deputy's contract, to occupy a primary residence that is within a one-hour commute from the deputy registrar's office or offices.

- Generally requires deputy registrar contracts entered into on or after June 29, 2014, to be for five years (rather than for two to three years), unless certain exceptions apply.

- Eliminates the requirement that every deputy registrar display the toll-free telephone number for the Bureau of Motor Vehicles.

Speed limits

- Establishes the following speed limits for all vehicles at all times:
  - 60 miles per hour on all portions of rural divided highways;
  - 65 miles per hour on all portions of rural expressways without traffic control signals; and
  - 70 miles per hour on all portions of rural freeways.

Anatomical gift designation

- Provides that an organ donation designation on a person's driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card, once authorized, remains in effect until it is revoked.

- Requires an application for a driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card to include a statement of the applicant's willingness to be an organ donor only if an applicant has not previously certified willingness to be an organ donor.
Motorcycle parking

- Permits the operators of not more than two motorcycles to back their motorcycles into a parking space that is located on the side of, and parallel to, a road or highway, whether or not the space is metered.
- Permits motorcycles to face any direction when so parked.

License plates

- Creates the "Truth, Justice, and the American Way" license plate, and requires the contributions that persons pay for the plate to be paid to the Siegel and Shuster Society, a nonprofit organization dedicated to commemorating and celebrating the creation of Superman in Cleveland.
- Creates the "Kiwanis Club" license plate, and requires the contributions that persons pay for the plate to be paid to the Ohio District Kiwanis Foundation for its educational and humanitarian activities.
- Creates the "Massillon Tiger Football Booster Club" license plate, and requires the club to use the contributions that persons pay for the plate only to promote and support the football team of Washington High School of the Massillon City School District.
- Creates the "Ohio History" license plate, and requires the Ohio Historical Society to use the contributions that persons pay for the plate to provide grants to historical organizations in Ohio.
- Creates the "Ohio Coal" license plate.
- Delays, from July 1, 2013, to January 1, 2014, the effective date of R.C. 4503.192 (enacted by H.B. 51), which permits a person replacing license plates to retain the distinctive combination of letters and numerals on the current plates for a $10 fee.
- Creates the eight-member License Plate Safety Task Force, and requires it to study issues involving (1) license plate degradation over time and (2) the dual plate requirement and its relationship to law enforcement.

Other provisions

- Requires the Registrar to comply with the Financial Transaction Device Contracting Law, and removes a provision that allowed the Registrar to contract with a third party to accept and process payments made using a financial transaction device.
- Requires clerks of the common pleas courts to use money in the Automated Title Processing Fund to pay for ribbons, cartridges, or other devices necessary for the operation of watercraft and outboard motor and motor vehicle certificate of title processing equipment.
- Removes from the definition of "chauffeured limousine" a provision that required the vehicle to be operated for hire on an hourly basis, and removes a provision that required a prearranged chauffeured limousine contract to specify the amount charged at a fixed rate per hour or trip.

- Allows the operator of a chauffeured limousine to:
  -- Provide transportation to passengers who arrange for the transportation through an intermediary, including a digital dispatching service; and
  -- Establish the fare and method of fare calculation for such transportation so long as the method of fare calculation is provided to the passenger upon request.

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**PUBLIC UTILITIES COMMISSION**

**Wind farm setback**

- Changes, from 750 feet to 1,125 feet, the minimum setback distance for wind turbines of an economically significant wind farm (5-50 megawatts) beginning September 29, 2013.

- Applies the minimum setback requirements established in Power Siting Board (PSB) rules, including the 1,125-foot minimum setback distance, also to wind farms that are major utility facilities (50 megawatts or more).

- Maintains the 750-foot distance for both types of wind farms (economically significant and major utility facilities) for any existing certificates and amendments thereto, and any existing certification applications found to be in compliance with PSB application requirements before September 29, 2013.

**Railroad audible warnings**

- Changes the railroad audible-warning requirement to sounding a horn, rather than a whistle and bell.

- Applies the horn-sounding requirement only to public highways and grade crossings, rather than to private crossings and crossings at a turnpike, highway, street, or other traveled place.

- Establishes that sounding a locomotive horn at a private crossing or failure to sound a locomotive horn at a private crossing is not a basis for a civil action against the railroad, a board of county commissioners, or any local authority, or any of their agents or employees.
Establishes a criminal penalty of a fourth degree misdemeanor for violating the horn-sounding requirement, and a third degree misdemeanor if a person is physically harmed, but provides an affirmative defense if an alternative audible warning system was activated.

Repeals the provision that made it a fourth degree misdemeanor for a person to fail to sound a locomotive whistle when approaching and passing through a grade crossing or a third degree misdemeanor if a person was physically harmed because of the failure.

Removes the provision that specified that railroad audible-warning requirements do not interfere with local ordinances.

Recovery of environmental remediation costs (VETOED)

Would have permitted PUCO to authorize a natural gas company or gas company to recover environmental remediation costs that were (1) prudently incurred before 2025, and (2) related to real property that, at the time recovery was authorized, was being or was previously used for the provision of public utility service (VETOED).

If recovery were authorized, would have required the company, upon the sale of the real property, to return to customers the difference between the sale price, minus reasonable sale expenses, and the property’s fair market value prior to remediation (VETOED).

Would have declared that certain rate-making provisions did not preclude recovery of the environmental remediation costs (VETOED).

STATE RACING COMMISSION

Requires, instead of permits, the State Racing Commission to direct through rule that a percentage of a video lottery sales agent’s commission be paid to the State Racing Commission for the benefit of breeding and racing in Ohio, unless video lottery sales agents and horsemen’s associations enter into agreements regarding the percentage by certain dates.

Specifies that the percentage (not less than 9% or more than 11% of the video lottery terminal income) must be a sliding scale based upon capital expenditures necessary to build the video lottery sales agent’s facility.

Clarifies the municipal corporations and townships that are eligible to receive annual $500,000 payments under an agreement between the Governor and necessary parties.

Removes the requirement that the agreement be made by December 11, 2012.
• States that payments from the Casino Operator Settlement Fund must be made to the municipal corporation or township in which more than 50% of the real property of a racetrack was located on June 11, 2012, or to a municipal corporation or township to which more than 50% of the real property of a racetrack is to relocate.

• Requires the Director of Budget and Management to make an eligibility determination so that not more than six municipal corporations or townships receive the payments.

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**OHIO REAL ESTATE COMMISSION**

• Exempts certain applicants for a real estate broker license, and applicants for a real estate salesperson license, from the requirement that the applicant complete classroom instruction in real estate appraisal, if the applicant holds a valid Ohio real estate appraiser license or certificate.

• Limits the transactions for which a real estate broker or salesperson must provide a written "brokerage policy on agency" to a seller or purchaser to the sale or lease of vacant land and certain sales and leases of residential units and premises.

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**OHIO BOARD OF REGENTS**

**Cap on undergraduate tuition increases**

• For fiscal years 2014 and 2015, limits the increases of in-state undergraduate instructional and general fees for:
  --State universities and the Northeast Ohio Medical University, to 2% or $188, whichever is higher, over the previous year;
  --Regional campuses, to 2% or $114, whichever is higher, over the previous year; and
  --Community colleges, state community colleges, and technical colleges, to $100 over the previous year.

**Undergraduate tuition guarantee programs**

• Authorizes the board of trustees of a state university to establish an undergraduate tuition guarantee program under which the university guarantees a cohort of students a set rate for general and instructional fees for four years.

• Requires the Chancellor of the Board of Regents to publish a report on the undergraduate tuition guarantee programs established under the act.

• Suspends the act's temporary tuition caps for a university that establishes an undergraduate tuition guarantee program.
Strategic completion plans
- Requires the board of trustees of each state institution of higher education to adopt, by June 30, 2014, an institution-specific strategic completion plan to increase the number of degrees and certificates awarded and to submit it to the Chancellor.
- Requires a board of trustees to update its plan at least once every two years and submit the update to the Chancellor.

Certificates of value and technical credit articulation
- Authorizes the Chancellor to designate "certificates of value" for certificate programs at adult career-technical education institutions and state institutions of higher education, and requires the Chancellor to develop quality standards for those designations.
- Requires the Chancellor to establish a One-Year Option credit articulation system for technical center graduates in the state to receive college credit for a technical degree.

Northeast Ohio Medical University partnership
- Allows the Northeast Ohio Medical University to enter into a partnership with Cleveland State University to establish an academic campus at Cleveland State University to enable students to receive at least 50% of their training in the Cleveland area.

Scholarship and grant reserve funds
- Creates the Ohio College Opportunity Grant Program Reserve Fund in the state treasury.
- Creates the Choose Ohio First Scholarship Reserve Fund in the state treasury.
- Creates the War Orphans Scholarship Reserve Fund in the state treasury.
- Creates the National Guard Scholarship Donation Fund within the state treasury.
- Renames the Ohio War Orphans Scholarship Fund within the state treasury to the Ohio War Orphans Scholarship Donation Fund.

Alternative retirement plan investment entities
- Includes, as entities that may offer investment options under an alternative retirement plan (ARP) maintained by a public institution of higher education, entities that have provided investment options for at least ten years under ARPs at Ohio public institutions of higher education.

Other provisions
- Authorizes the Chancellor to contract with an entity to perform any or all of the Chancellor’s duties related to the Distance Learning Clearinghouse.
• Permits the Chancellor to provide professional development and training on the use of the Distance Learning Clearinghouse.

• Requires the Chancellor to offer digital texts through the Distance Learning Clearinghouse.

• Changes some of the criteria that the Chancellor uses in determining Ohio Co-Op/Internship Program awards to align with policies of the Governor’s Office of Workforce Transformation.

• Authorizes a state university to enroll Ohio residents who graduate from high school after 2014 without completing the Ohio Core curriculum, if they successfully complete topics or courses lacked from the Ohio Core curriculum either at any post-secondary institution or at a summer program offered by the state university.

• Creates the Youth STEM Commercialization and Entrepreneurship Program to develop new entrepreneurs; to create jobs through the application of science, technology, engineering, and mathematics; and to innovate new products and services.

• Exempts from liability for breach of confidentiality a nonprofit private university or college for submitting student information to the Board of Regents or any other state agency under certain specified circumstances.

• Eliminates requirements that the Chancellor submit annual reports to the Governor and the General Assembly on: (1) the status of faculty improvement programs, (2) biobased products purchased by state institutions of higher education, and (3) the academic and economic impact of the Ohio Innovation Partnership.

• Eliminates an obsolete provision that required the Chancellor to develop a plan for designating state institutions of higher education as charter universities.

• Requires the Chancellor to establish an efficiency advisory committee to generate optimal efficiency plans for campuses.

• Permits the President of Ohio University to create an advisory committee to review the comprehensive land use plans and any update of those plans prepared by the University, and to comment on and periodically review the progress on the implementation of those plans, for the property known as "The Ridges" (formerly the Athens Mental Health Center).

• Changes references to the "Ohio Cooperative Extension" to "OSU Extension" throughout the Revised Code, and defines "OSU Extension."
DEPARTMENT OF REHABILITATION AND CORRECTION

- Creates the Office of Enterprise Development Advisory Board to advise and assist the Department of Rehabilitation and Correction (DRC) in implementing the DRC's job training and employment program.

- Eliminates the Advisory Council of Directors for Prison Labor that formerly provided some services similar to those provided by the Office of Enterprise Development Advisory Board.

- Increases the penalty for assault from a fifth degree felony to a third degree felony if the assault occurs in or on the grounds of a state correctional institution or an institution of the Department of Youth Services (DYS), the victim of the offense is an employee of DRC or DYS, and the offense is committed by a person incarcerated in the state correctional institution or by a person institutionalized in the DYS institution pursuant to a commitment to DYS.

- Eliminates the law that increased the penalty for assault when the assault was committed against a probation department employee, visitor, or business visitor and the assault was committed in a DRC or DYS institution or against a DRC or DYS employee in a DRC or DYS institution by a person not incarcerated in the institution.

SECRETARY OF STATE

Gifts to political entities for office facilities

- Expands the permitted recipients and uses of a gift, which is exempt from the limits on campaign contributions and expenditures, that any person may give to a political entity for the purpose of funding an office facility.

- Clarifies the definition of a "person" who may give such a gift.

- Allows a legislative campaign fund to receive such a gift, in addition to a state or county political party, as under continuing law.

- Exempts a gift made by a corporation for these purposes from the general prohibition against a corporation using its money in support of or opposition to a candidate.

- Permits such a gift to be used for the lease of an office facility; for real property taxes; for furniture, fixtures, equipment, and supplies to be used in an office facility; and for the operating costs, maintenance, and repair of an office facility, other than personnel costs, in addition to the construction, renovation, or purchase of an office facility, as under continuing law.
• Eliminates a prohibition against a corporation giving a monetary gift exceeding 10% of the costs incurred for the office facility, and instead prohibits any person from giving a monetary gift that exceeds $10,000 per calendar year, as adjusted for inflation.

• Applies all of the continuing administrative requirements for office facility gifts to legislative campaign funds.

• Modifies those administrative requirements to include references to the expanded permitted uses of an office facility gift.

**Source of political publication**

•Eliminates the requirement that a candidate or legislative campaign fund include the residence or business address of the candidate or of the chairperson, treasurer, or secretary of the legislative campaign fund in its disclaimer on a political publication.

•Requires the disclaimer for a candidate, legislative campaign fund, or campaign committee only to include the words "paid for by" followed by the name of the entity.

**Miscellaneous Federal Grants Fund**

• Creates the Miscellaneous Federal Grants Fund to be credited with grants the Secretary of State receives from federal sources for which continuing law does not designate a fund.

•Requires the Secretary of State to use the moneys credited to the fund for the purposes and activities required by the federal grant agreements.

•Specifies that all investment earnings of the fund are to be credited to the fund.

**Corporation law**

• Allows a corporation that is filing for voluntary dissolution, in order to meet the state tax responsibility portion of the filing, to provide evidence from the Department of Taxation showing that the Department has received an adequate guarantee for the payment of taxes due from the corporation.

•Eliminates the prior law ability of a voluntarily dissolving corporation, in order to meet the state tax responsibility portion of the filing, to provide an affidavit stating that the corporation did not have any outstanding tax liability.

•Requires an unlicensed foreign corporation to file a certificate from the Tax Commissioner that the corporation has paid all state taxes, rather than only franchise taxes and penalties as under prior law.

•Requires the Tax Commissioner to certify to the Secretary of State the failure of a for-profit corporation or a for-profit foreign corporation to file any required reports or
returns or to pay any tax or fee within 90 days after the time prescribed by law for filing.

- Requires the Secretary of State to cancel the articles of incorporation or the certificate of authority of a corporation or foreign corporation upon receiving that certification, and requires the Secretary of State to immediately notify that corporation or foreign corporation of the cancellation.

- Requires the Secretary of State to forward a certificate of the cancellation action to the county recorder of the county that is the principal place of the corporation’s business within Ohio.

- Prohibits a person from exercising or attempting to exercise any powers, privileges, or franchises under the articles of incorporation or certificate of authority after the articles or certificate have been canceled, and establishes a penalty for each day a person exercises powers, privileges, or franchises that are prohibited.

- Requires the Secretary of State to reinstate a corporation’s articles of incorporation or license certificate if the corporation pays any additional required fees and penalties, files a certificate from the Tax Commissioner affirming compliance with tax law, pays a fee of $25, and changes its name in certain circumstances.

- Permits a certificate of reinstatement to be filed in the recorder’s office of any county in the state, and requires the recorder to charge and collect a base fee of $3 and a Low- and Moderate-Income Housing Trust Fund fee of $3.

- Allows any officer, shareholder, creditor, or receiver of any reinstated corporation to take all steps required to effect reinstatement.

- Prohibits invalidation of an officer’s, agent’s, or employee’s exercise or attempted exercise of any right, privilege, or franchise on behalf of a corporation whose articles of incorporation were canceled from between the time of cancellation and reinstatement if certain conditions are met.

**Other provisions**

- Eliminates the forms for financing statements and financing statement amendments prescribed in former law, and instead requires a filing office to accept forms promulgated by the American Law Institute and the National Conference of Commissioners on Uniform State Laws.

- Eliminates provisions of the Campaign Finance Law that were permanently enjoined due to their unconstitutionality, which governed the expenditure of personal funds by candidates and permitted the opponents of personal funds candidates to accept contributions in excess of the contribution limits.
SOUTHERN OHIO AGRICULTURAL AND COMMUNITY DEVELOPMENT FOUNDATION

• Abolishes the Southern Ohio Agricultural and Community Development Trust Fund as of July 1, 2014.

DEPARTMENT OF TAXATION

Income tax

• Reduces income tax rates in all brackets by 10% over three years.
• Creates a new income tax deduction for individuals receiving business income as a sole proprietor or through a pass-through entity whereby 50% of such income is deductible, with the deduction limited to $125,000 (or $62,500 for each spouse if spouses file separately), beginning with taxable years that begin in 2013.
• Authorizes a nonrefundable state earned income tax credit for low-income taxpayers equal to 5% of the taxpayer’s federal earned income tax credit.
• Repeals the income tax deduction for wagering losses.
• Prohibits an individual income taxpayer from claiming a personal exemption or a personal exemption credit for a taxable year if another taxpayer may claim the individual as a dependent.
• Limits the $20 personal exemption tax credit to taxpayers with an Ohio taxable income of less than $30,000.
• Specifies that any investor in a pass-through entity on whose behalf the entity files a composite return and pays tax may file an individual return and claim the refundable credit for taxes the entity paid on the investor's behalf.
• Extends an income tax deduction for retired military personnel pay to retirees of the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Commissioned Corps of the Public Health Service.
• Suspends the annual inflation indexing adjustment of income tax brackets and personal exemption amounts for taxable years beginning in 2013, 2014, and 2015, and reconciles a timing issue related to such adjustments.
• Requires nonresident taxpayers and pass-through entities petitioning the Tax Commissioner for alternative apportionment of Ohio-sourced income to submit the request with a return or amended return filed on or before the due date.
• Clarifies that taxpayers and pass-through entities may request another method to effectuate an equitable allocation and apportionment of business income in the state.

• Clarifies that nonresident taxpayers receive an income tax credit equal to the amount of tax otherwise due on the portion of adjusted gross income not allocable or apportionable to Ohio.

Sales and use taxes

• Increases the state sales and use tax rate from 5.5% to 5.75% beginning September 1, 2013.

• Subjects to sales and use taxation the sale or use of electronically transferred digital audio or audiovisual products or digital books beginning January 1, 2014.

• Specifically exempts from sales and use taxation cable, video, and audio service and programming, and digital audio and audiovisual works bought or sold by a cable or video service provider or a federally regulated radio or television broadcaster.

• Eliminates the sales and use tax exemption for sales of magazine subscriptions beginning January 1, 2014.

• Would have exempted from sales and use taxation investment metal bullion and investment coins (VETOED).

• Would have authorized a sales and use tax exemption for goods and services used in aerospace vehicle research and development (VETOED).

• Authorizes a sales and use tax exemption for purchases made by a nonprofit organization that leases a professional or minor league sports facility from Lucas County and that remits its net revenue from operating the facility to the county.

• Would have prescribed new criteria for determining whether sellers are presumed to have "substantial nexus" with Ohio and therefore required to register with the Tax Commissioner and collect and remit use tax, including sellers that enter into an agreement with Ohio residents to refer potential customers to the seller (VETOED).

• Would have allowed a seller presumed to have substantial nexus with Ohio to rebut that presumption (VETOED).

• Would have required a person or that person's affiliates, before selling or leasing tangible personal property or services to a state agency, to register with the Commissioner and collect and remit use tax (VETOED).

• Expresses the intent of the General Assembly to enact conforming state legislation upon the enactment of federal "Marketplace Fairness" Internet sales and use tax legislation by Congress.
- Specifies that a "remote" seller is not legally required to collect use tax if the seller has $1 million or less in annual sales for which the seller is not required to collect and remit any state's use tax.

- Creates the Remote Seller Administration Fund, made up of 0.5% of voluntary Ohio use tax collections by out-of-state sellers that currently are not legally required to collect the tax ("remote sellers"), to offset the state's cost of administering taxes collected by remote sellers.


- Specifies that Ohio sales tax does not apply to sales that are not within the taxing power of the state according to federal law, the U.S. Constitution, or the Ohio Constitution.

- Allows the Tax Credit Authority to enter into a single agreement authorizing a sales and use tax exemption for computer data center equipment purchased by multiple businesses operating at a single data center.

- Authorizes a business to join an existing computer data center equipment exemption agreement between the Tax Credit Authority and another business.

- Allows a business to receive the computer data center equipment exemption if the business leases a facility to a person that would have qualified as a "computer data center business" prior to the act.

- Provides that, in order to qualify for the computer data center equipment exemption, a business or group of businesses need only maintain an annual payroll at the data center of $1.5 million, instead of the $5 million required under prior law.

**Other excise taxes**

- Extends through June 30, 2015, the extra 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund.

- Increases the rate of the tobacco product excise tax imposed on "little cigars" from 17% to 37% of little cigars' wholesale price beginning on and after October 1, 2013.

- Allows the Tax Commissioner to deny the license application of a cigarette dealer, manufacturer, or importer if the applicant has not submitted tax returns, payments, or information due at the time of the license application.
• Requires that the motor fuel excise tax on liquid natural gas be measured in pounds, rather than gallons, and specifies a gallon-equivalent standard for pounds of liquid natural gas for the purpose of calculating the tax.

• Requires a motor fuel dealer that sells or discontinues the dealer’s business to notify the Tax Commissioner that the business has been sold or discontinued and of the purchaser’s contact information.

• Authorizes Cuyahoga County to renew county alcoholic beverage and cigarette taxes that are set to expire in 2015.

**Commercial activity tax**

• Increases the "minimum" commercial activity tax (CAT) due on a taxpayer’s first $1 million in taxable gross receipts for taxpayers having more than $1 million in such receipts.

• Excludes, from the taxable gross receipts base of the CAT, receipts of licensed agricultural commodity handlers from the sale of agricultural commodities.

• Eliminates the $500,000 penalty on operators of distribution centers that improperly qualified their suppliers for the CAT exclusion for "qualified distribution center" (QDC) receipts, and instead requires the operator of such a QDC to pay the total supplier tax liability.

• Authorizes the Tax Commissioner to request from a distribution center that improperly qualified as a QDC a list of all suppliers of the distribution center along with the corresponding costs of property that is used to determine the improper exclusion.

• Expressly prohibits municipal corporations from levying a tax that is the same as or similar to the CAT.

• Beginning July 1, 2014, replaces the CAT as it applies to receipts from the sale or exchange of motor fuel with a separate tax, the motor fuel receipts tax (MFRT), that is modeled on the CAT and that applies solely to such receipts.

• Provides that the MFRT is measured by the gross receipts that a supplier receives from the first transaction in which motor fuel is sold for delivery to a location in Ohio.

• Defines a supplier as a person that imports motor fuel for sale or distribution by the person within the state or that acquires motor fuel from a terminal or refinery rack and distributes that fuel within the state.

• Imposes a tax rate equal to 0.65% on a supplier’s gross receipts and, similar to the CAT, requires suppliers to pay the tax on a quarterly basis.
• Requires suppliers to obtain a license from the Tax Commissioner and to renew the license annually.

• Prescribes several procedures and requirements for the MFRT that are similar to the CAT, including provisions related to assessments, refunds, penalties, joint liability, and the electronic filing of returns.

• Specifies that MFRT revenue, and CAT liability accruing before July 1, 2014, arising from the sale of motor fuel used on public highways may be credited first to the GRF to pay debt service on state-issued bonds whose proceeds the Ohio Public Works Commission (OPWC) awarded to fund local highway-related infrastructure projects, and the balance to the Highway Operating Fund.

• Excludes, from the gross premiums of a mutual or stock insurance company for the purposes of the franchise tax, workers’ compensation insurance premium deposits exceeding the cost of the insurance if the excess is returned to policyholders.

**Property taxes**

• Restricts the availability of the homestead exemption for homeowners who do not receive the exemption for tax year 2013 (or tax year 2014 for manufactured home taxpayers) to owners with an Ohio adjusted gross income of $30,000 or less.

• Limits the application of the 2.5% and 10% real property tax rollbacks to levies approved before September 29, 2013, and to subsequent renewals of such levies.

• Allows a school district that levies an existing combined levy for current expenses and permanent improvements to replace or renew that levy solely for the purpose of funding general permanent improvements.

• Authorizes a school district to replace an existing combined levy for a term of years different from the term for which the original tax was levied.

• Specifies that all new combined levies must be levied for current expenses and general (not specific) permanent improvements.

• Authorizes school districts to levy a property tax exclusively for school safety and security purposes.

• Creates a tax exemption for real property used primarily for meetings and administration of long-standing fraternal organizations that provide financial support for charitable purposes.

• Extends by two years the deadlines by which the owner of a qualified energy project must submit a property tax exemption application, begin construction, and place into service an energy facility using renewable energy resources or advanced energy
technology to qualify for an ongoing real and tangible personal property tax exemption.

- Allows a tax increment financing (TIF) resolution or ordinance authorizing a property tax exemption to specify that the exemption begins upon the occurrence of certain triggering conditions, rather than in a year stated in the resolution or ordinance.

- Allows a TIF resolution or ordinance that grants an exemption for more than one individual parcel to specify that the exemption of different parcels begins in different tax years.

- Increases the maximum amount of income that may be generated by a veterans' organization's real property before the property becomes disqualified from property tax exemption, from $10,000 to $36,000, and specifies that only rental income counts towards the maximum income limit.

- Authorizes the transfer of a tax-delinquent cemetery to a county, municipal corporation, or township if foreclosed through a continuing law expedited nonjudicial foreclosure procedure for disposing of abandoned lands.

- Prohibits the sale by public auction of any tax-delinquent cemeteries foreclosed through the expedited nonjudicial foreclosure procedure.

Local Government Fund and other revenue distributions

- Clarifies the method of calculating the tax revenue credited to the GRF for the purposes of determining Local Government Fund and Public Library Fund allocations.

- Requires that, for fiscal year 2014 and thereafter, distributions to each county from the Local Government Fund must be at least $750,000 or the amount distributed to the county in FY 2013, whichever is less.

- Authorizes the Director of Budget and Management (OBM) to use revenue from the new motor fuel receipts-based tax or from the CAT revenue derived from receipts from the sale of motor fuel to compensate the GRF for GRF-sourced debt service on state-issued bonds whose proceeds the OPWC awarded to fund local infrastructure projects that are highway-related.

- Requires the OBM Director to transfer to the Highway Operating Fund CAT revenue derived from receipts from the sale of motor fuel remaining after the GRF is compensated for that debt service.

- Imposes a quarterly deadline on the Ohio State Racing Commission for distributing casino tax revenue deposited in the Ohio State Racing Commission Fund.
• Permits the Commission to retain up to 5% of the share of casino tax revenue transferred to the Fund for operating expenses necessary for administration of the Fund.

• Requires that any payment the Tax Commissioner makes to a political subdivision or political party be made electronically.

• Changes the date by which the Tax Commissioner must certify to county auditors the estimated amount each county is to receive from the Public Library Fund.

• Postpones the due date for November tangible personal property tax "replacement payments" to school districts to the last day of the month.

Tax credits; administration and compliance

• Would have increased the maximum historic rehabilitation tax credit that may be claimed by an owner or qualifying lessee from $5 million to $10 million (VETOED).

• Eliminates the requirement that the owner of a historic building who has entered into a pass-through agreement with a qualified lessee for purpose of the federal rehabilitation tax credit attribute qualified rehabilitation expenditures to the qualified lessee.

• Extends the date by which a county and a business may enter into an agreement under which the business agrees to construct an "impact facility" and the county agrees to remit to the business up to 75% of the revenue from certain county sales taxes collected on retail sales made at the facility.

• Modifies two of the criteria a facility must meet to qualify as an "impact facility."

• Modifies the continuing relocation prohibition to prohibit any relocation of full-time equivalent positions or any tangible personal property to the impact facility from another Ohio location.

• Would have allowed, for the purposes of the state New Markets Tax Credit, investments to be made in low-income community businesses that derive 15% or more of their annual revenue from renting or selling real estate (VETOED).

• Would have eliminated the requirement that a taxpayer receive a federal New Markets Tax Credit in order to qualify for the state New Markets Tax Credit (VETOED).

• Provides general authorization for the Tax Commissioner to issue an assessment for unpaid taxes, penalties, and interest against any person liable for the unpaid amount.
• Requires the Tax Commissioner to calculate interest charged after an assessment has been issued, but before the assessment has been certified to the Attorney General for collection, based on tax liability only and not on penalty or pre-assessment interest.

• Requires the Tax Commissioner to deliver a tax notice to a person by ordinary mail, instead of by certified mail or personal or delivery service, if the person does not timely access the notice electronically.

• Requires annual taxpayers of the CAT, like quarterly taxpayers, to pay the tax electronically and, if required by the Tax Commissioner, file electronic returns.

• Prescribes minimum penalties for the failure to submit an electronic CAT return or payment, equal to $25 for each of the first two violations and $50 for each subsequent violation, that apply if the continuing law penalties of 5% or 10% of the tax due, respectively, do not exceed those amounts.

• Expressly authorizes the Tax Commissioner to adopt rules governing the electronic payment of, and filing of returns for, the CAT, financial institutions tax, horse-racing tax, and new motor fuel receipts tax.

• Requires severance tax payments to be remitted electronically, and authorizes the Tax Commissioner to require severance tax returns to be filed electronically.

• Specifies that payment for severance tax refunds be derived from the proceeds of the same severance tax against which the refund is claimed.

• Authorizes the Department of Natural Resources to publicly disclose otherwise confidential tax information furnished by the Department of Taxation in order to enforce oil and gas regulatory laws.

• Relieves the Tax Commissioner from issuing any tax refund if the amount of the refund is $1 or less, and relieves taxpayers from paying a tax if the total amount due with the taxpayer’s return is $1 or less.

• Provides a single rule for the accrual of interest on income tax refunds, and removes two provisions of prior law that provided separate rules for the accrual of interest on refunds arising from overpayments under certain circumstances.

• Eliminates the Discovery Project Fund, which financed the Department of Taxation’s implementation and operation of the Tax Discovery Data System, which is devoted to identifying noncompliant taxpayers and analyzing revenue.

• Eliminates the requirement that tax refunds be paid from sales tax receipts if current receipts from another tax do not exceed refunds required to be paid against that tax.

• Includes estate taxes among other taxes for which refunds are paid from the Tax Refund Fund and derived from the receipts of the same tax.
• Renames the fund receiving income tax refund "check-off" funds the "Income Tax Contribution Fund."

• Specifies that the "first" 2% of motor fuel tax revenue generated each month is credited to the Highway Operating Fund only after enough revenue is transferred to the Tax Refund Fund to cover motor fuel tax refunds.

• Changes the date for crediting the first 2% of motor fuel tax revenue to the Highway Operating Fund from the first to the last day of each month.

• Allows the Tax Commissioner to require horse-racing tax returns and payments be made electronically.

• Creates two new administrative funds for the collection and distribution of horse-racing tax revenue.

• Requires the Tax Commissioner to distribute horse-racing tax revenue on a monthly basis, rather than on a weekly basis for state funds or immediately upon receipt in the case of local governments.

**Wireless 9-1-1 charges**

• Makes the following changes, as of January 1, 2014:
  o Requires wireless service providers, wireless resellers, and prepaid wireless sellers to keep records of collected wireless 9-1-1 charges for four years, and to allow the Tax Commissioner to inspect those records.
  o Establishes a four-year statute of limitations, with exceptions, on assessments for noncompliance with wireless 9-1-1 charge remittance requirements.
  o Applies the interest on an assessment for unremitting wireless 9-1-1 charges to only the portion of the assessment that consists of wireless 9-1-1 charges due.
  o Removes provisions specifying how the interest on an assessment and assessments were to be remitted.
  o Requires wireless 9-1-1 charges to be subject to the federal short-term interest rate from the day that they are due until they are remitted or until the collector is assessed, whichever occurs first.
  o Permits, in some cases, the Tax Commissioner to issue refunds for illegal or erroneous payments, charging, and billing of wireless 9-1-1 charges.
  o Requires monthly disbursements of wireless 9-1-1 charges (and interest) to be made to counties in the same amounts as the counties’ disbursements in the corresponding calendar months in 2013, and provides for proportionate reductions if funds available are insufficient.
- Repeals the requirement that the Treasurer disburse money from the Wireless 9-1-1 Government Assistance Fund solely upon order of the Tax Commissioner according to policies established by the Statewide Emergency Services Internet Protocol Network Steering Committee.

- Permits the Tax Commissioner to impose the following penalties:
  - A late-filing penalty, for a failure to file a monthly return showing the amount of wireless 9-1-1 charges due, of the greater of $50 or 5% of the amount due.
  - A late-payment penalty, for a failure to remit the amount due on time, of the greater of $50 or 5% of the amount due.
  - An assessment penalty of the greater of $100 or 35% of the amount of wireless 9-1-1 charges due "after the [T]ax [C]ommissioner notifies the person of an audit, an examination, a delinquency, assessment, or other notice that additional wireless 9-1-1 charges are due."
  - An electronic penalty, for a failure to remit a return electronically or pay an amount due electronically, of the lesser of (1) the greater of $100 or 10% of the amount not remitted electronically or (2) $5,000.

- Repeals the requirement that the Treasurer disburse money from the Next Generation 9-1-1 Fund solely upon order of the Tax Commissioner according to policies established by the Statewide Emergency Services Internet Protocol Steering Committee.

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**TREASURER OF STATE**

- Modifies the interest rate of loans made under the Housing Linked Deposit Program.
- Defines "loan" for purposes of the Small Business Linked Deposit Program, the Agricultural Linked Deposit Program, and the Housing Linked Deposit Program.
- Changes the filing date for the annual report of the transactions and proceedings of the Treasurer of State's office from August 1 to December 31.
- Authorizes the Treasurer of State to include, in the annual continuing education program for treasurers, education regarding the collection of taxes and in any other subject area that the Treasurer of State determines is reasonably related to treasurers' duties.
- Adds to investments for which a treasurer is exempt from the annual continuing education program, any treasurer who deposits interim moneys in a public
depository that is authorized to re-deposit the interim moneys into deposit accounts, under certain conditions.

DEPARTMENT OF TRANSPORTATION

- Deems three or fewer aluminum coils to be a nondivisible load for purposes of obtaining a permit to operate a vehicle exceeding legal maximum size, weight, or load restrictions.
- Requires the Director of Transportation to adopt aluminum coil permit rules that are substantially similar to requirements for a steel coil permit.
- Specifies that it is not a violation of an approved route established in the terms of an overweight or oversize vehicle permit if a route change is ordered by an authorized agent of the permit issuing authority (Department of Transportation or a local authority).
- Authorizes a Transportation Improvement District (TID) to enter into an agreement and undertake a project located in a contiguous county, and authorizes a board of county commissioners to enter into an agreement with a contiguous TID under certain circumstances.
- Requires the Director of Transportation to establish a county bridge program to assist counties with financial or other resources for bridge maintenance.
- Directs to the Highway Operating Fund proceeds from: (1) the lease or sale of transportation facilities, (2) commercial advertising at roadside rest areas (proceeds of which previously went to the Roadside Rest Area Improvement Fund), and (3) public private partnership agreements.

DEPARTMENT OF VETERANS SERVICES

- Requires a veterans organization that receives state funding to submit its annual report to the Director of Veterans Services by July 30.
- Prohibits the Director of Budget and Management from releasing funds to a veterans organization until the Director of Veterans Services has advised that the organization has submitted a satisfactory report.
- Requires the Director of Veterans Services to furnish a copy of all satisfactory reports to the chairpersons of the finance committees of the Senate and House.
BUREAU OF WORKERS’ COMPENSATION

- Allows the Administrator of Workers’ Compensation, with the advice and consent of the Bureau of Workers’ Compensation (BWC) Board of Directors, to adopt rules to provide for a system of prospective payment of workers’ compensation premiums.

- If the Administrator establishes a prospective payment system, requires all private sector employers, and all public employers other than state agencies and state universities and colleges to pay premiums in accordance with that system.

- If the Administrator establishes a prospective payment system, requires the rules to include requirements to convert to that system; requirements for payroll reports and payment due dates; penalties for late payroll reconciliation payments, payroll estimates, and payroll reconciliation reports; and penalties for inaccurate payroll estimates.

- Statutorily allows BWC to enter into a contract with a managed care organization (MCO) to provide medical management and cost containment services in the Health Partnership Program.

- Requires a contract with an MCO to include incentives that may be awarded based on the MCO’s compliance and performance and penalties, including contract termination, that may be imposed based on the MCO’s failure to reasonably comply with or perform terms of the contract.

- Permits a contract with an MCO to include provisions limiting, restricting, or regulating any marketing or advertising by the MCO, or by any individual or entity affiliated with or acting on behalf of the MCO, under the Health Partnership Program.

- Lists reasons for which an MCO may be decertified.

- Requires the Administrator to adopt rules establishing the criteria a private sector employer must satisfy to have specified requirements, which the Administrator may waive under continuing law, potentially enabling the employer to self-insure workers’ compensation claims.

- Allows the Administrator to include in the waiver rules a requirement that the employer must pay a security in accordance with continuing law requirements in addition to the employer’s contribution to the Self-Insuring Employers’ Guaranty Fund.
RETIREMENT SYSTEMS

- Requires that copies of certain financial reports and actuarial valuations of the five state retirement systems be submitted to the Director of Budget and Management in addition to the Ohio Retirement Study Council and the retirement committees of the General Assembly.
- Requires that the annual financial reports and actuarial valuations be submitted immediately upon their availability.
- Modifies procedures for, and establishes limits on, membership determinations in the Public Employees Retirement System for individuals who have provided personal services to a public employer.
- Requires the five state retirement systems to pay the Ohio Retirement Study Council's expenses by electronic funds transfer or other electronic payment method or device.

LOCAL GOVERNMENT

Open meetings

- Allows a public body subject to the Open Meetings Law to hold an executive (i.e., closed) session to consider the terms of an application for economic development assistance to be provided or administered by a local government.

Municipal watershed management (VETOED)

- Would have prohibited a municipal corporation that has established and implemented a watershed management program with regard to reservoirs from including in the program any prohibition against maintenance of property that constitutes a buffer around such a reservoir by the owner of contiguous property (VETOED).
- Would have prohibited a municipal corporation from including in its watershed management program, with regard to its reservoirs for drinking water, a prohibition against mowing grass, weeds, or other vegetation by an owner of property that is contiguous to reservoir buffer property (VETOED).
- Would have provided that no peace officer or other official could issue a citation to any individual who entered municipal reservoir property for the sole purpose of mowing in an effort to beautify the property (VETOED).

County recorder funding for technology

- Renames the special fund used by the county recorder for equipment needs as the "county recorder's technology fund."
• Revises the proposal procedure by which, and the purposes for which, a county recorder may request funding from the board of county commissioners for imaging and other technological equipment needs.

• Changes from mandatory to permissive the board’s authority to approve requests for reserving funds for future imaging and technology needs.

• Increases from $7 to $8 the total maximum dollar amount of specific filing fees that the county recorder may request for funding technology needs.

• Reduces the amount the county recorder receives for technology needs for recording and indexing the first two pages of certain instruments if the technology fund has been established: of the $28 fee, $14 must be deposited into the technology fund and $14 must be deposited into the county general fund, rather than depositing the entire $28 in the technology fund.

• Requires that if no technology fund has been established, the $28 fee must be deposited into the county general fund.

• Extends to January 1, 2019, the term of a funding proposal in effect on September 29, 2013 (the act’s 90-day effective date), regardless of the number of years specified in the approved proposal.

• Establishes a four-year window during which a county recorder may request each year that up to $3 be placed into the technology fund, and requires the board of county commissioners to approve the amount requested if the amount, when added to any amount previously approved under a proposal in effect on September 29, 2013, does not exceed the $8 cap.

• Limits the use of the county recorder’s technology fund when paying expenses for personnel, to those personnel directly related to imaging and other technological equipment.

• Allows the board of county commissioners, as it deems necessary, to transfer moneys from the county recorder’s technology fund if the county is under a fiscal caution, fiscal watch, or fiscal emergency.

• Requires that the cost a county recorder must incur for training programs and continuing education be paid from the county recorder’s technology fund if one has been established.

**Registered land**

• Authorizes county recorders who maintain registered land records by nonpaper means to use an electronic facsimile of the recorder’s signature and seal on a certificate of title or on a duplicate of it.
• Requires a county recorder to record the court order canceling a certificate of title and surrendering a registration certificate in the recorder's unregistered land official records, rather than recording all previously filed deeds and mortgages conveying the registered land for which the registration certificate is being surrendered.

**County hospital trustees**

• Requires county hospital trustees to be representative of the areas served by the hospital.

• Removes a criterion that prohibited more than one half of the members of a board of county hospital trustees from being independents or from being members of any one political party.

• Authorizes the board of county commissioners to provide a stipend for service on the board of county hospital trustees.

• Requires a board of county hospital trustees to hold meetings at least quarterly, rather than once a month.

• Authorizes boards of county hospital trustees to adopt annual leasing policies provided through a joint purchasing arrangement sponsored by a nonprofit organization, for certain services, supplies, and equipment.

• Exempts from competitive bidding, with a unanimous vote of the board of county hospital trustees, emergency purchases under $100,000 or when there is actual physical damage to structures or equipment.

• Requires a board of county hospital trustees, whenever a contract of purchase, lease, or construction is exempt from competitive bidding, to solicit at least three informal estimates when the estimated cost is $50,000 or more, but less than $100,000.

• Permits the board of county hospital trustees to delegate its management and control of the county hospital to the hospital administrator through a written delegation.

• Requires the board of county hospital trustees to provide for management and control of the county hospital, in addition to providing for government of, and admission to, the hospital.

**Lake facilities authorities**

• Authorizes one or more boards of county commissioners to create a lake facilities authority (LFA), a body politic and corporate, for the purpose of remediating watersheds impacted by elevated levels of microcystin.
• Creates an LFA board of directors consisting of the county commissioners of each county with territory in the "impacted lake district" – i.e., the territory of all townships and municipal corporations with territory in the impacted watershed.

• Requires the creation of an advisory council for each LFA consisting of an appointee of each political subdivision with territory in the impacted lake district, to consult with the board of directors.

• Authorizes a board of county commissioners to levy a sales tax to provide revenue to an LFA.

• Authorizes an LFA to levy a property tax with voter approval for current expenses, debt charges, permanent improvements, and parks and recreation, not to exceed one mill.

• Authorizes an LFA to levy a lodging tax with voter approval, the rate of which may not cause the aggregate rate of lodging taxes in the impacted lake district to exceed 5%.

• Authorizes an LFA to issue general obligation securities for the remediation of an impacted watershed and related permanent improvements, not to exceed 0.1% of the total value of property in the impacted lake district.

• Authorizes an LFA to issue revenue bonds and anticipation bonds and notes.

• Prohibits the creation of any new special district that would overlap with an LFA district (e.g., a conservancy district) if the new district would have powers or duties that are the same as the LFA’s.

• Prohibits any taxing authority from levying a property tax in the territory of an LFA if the purpose of the tax is substantially similar to the purpose of a tax that the LFA is authorized to levy.

• Authorizes the Director of Natural Resources to transfer real property to an LFA to promote wetland mitigation banking, wildlife, or sporting activities, and authorizes the Division of Wildlife to enter into agreements with an LFA to establish wetland or natural areas to benefit wildlife or sporting activities.

• Requires competitive bidding for LFA construction projects in excess of $25,000 except under certain circumstances.

• Permits, but does not require, an LFA to apply prevailing wage requirements to public improvements it undertakes or contracts for.
Disposition of body at local government expense

- Permits a political subdivision to provide a metal grave marker, instead of a stone or concrete marker, when the political subdivision buries a body or cremated remains that are unclaimed or that an indigent person has claimed.
- Defines an indigent person as a person whose income does not exceed 150% of the federal poverty line, for purposes of the continuing requirement that a political subdivision pay to bury or cremate a body that an indigent person has claimed.

Recovery of township-owned cemetery

- Permits the company, association, or religious society that most recently owned and operated a cemetery now owned by a board of township trustees to petition a probate court to restore ownership of the cemetery to the petitioner.
- Requires the court, if the petitioner meets all applicable requirements, to transfer to the petitioner ownership of the cemetery and all necessary records and documents.
- Requires that the petitioner have the financial resources to operate and maintain the cemetery, be in compliance with all laws and rules concerning cemeteries, and owe no delinquent taxes.

Community reinvestment areas

- Specifies the types of amendments to a community reinvestment area (CRA) ordinance or resolution adopted before July 22, 1994, that cause the CRA to lose its grandfathered status exemption from various limitations and requirements that apply to CRAs created after that date.

New community authorities

- Requires the organizational board of commissioners of a new community district that is located entirely within the boundaries of a municipal corporation to be the legislative authority of that municipal corporation.
- Permits the organizational board of commissioners of any new community authority (NCA) to adopt an alternative method of selecting or electing successor members of a board of trustees.
- Limits the authority of a board of trustees of an NCA organized before March 22, 2012, which adopts an alternative method of subsequent selection for the board of trustees, to collect community development charges and issue bonds or notes to the amount permitted for a board of trustees whose members are not resident-elected.
Tax levy for fairs

- Allows a board of county commissioners to place on a ballot a tax levy in excess of ten mills for the purpose of operating expenses of an agricultural fair that is operated by a county or independent agricultural society.
- Allows a board of county commissioners to place on a ballot a tax levy in excess of ten mills for any combination of agricultural fairs, soil and water conservation district program funding, and the OSU Extension Fund.

Township use development zone income tax revenue

- Authorizes municipal corporations and townships that enter into a joint economic development zone contract to use income tax revenue collected under the contract for the general purposes of a township that is subject to the contract.

Allocation of lodging tax revenues by convention facilities authorities

- Authorizes the convention facilities authority in Muskingum County to allocate a portion of lodging tax revenue (not exceeding 15% of the total revenue from the tax in the preceding year) to county and municipal tourism facilities and programs and to county fair purposes.
- Requires that lodging tax revenue distributed by a county to a convention and visitors' bureau in existence on September 29, 2013, be used solely for tourism sales, marketing and promotion, and their associated costs.
- Limits the amount of county lodging tax revenue that a convention and visitors' bureau may retain for administrative purposes.

Use of oil and gas money for local parks

- Requires royalties and other moneys from the sale or lease of mineral rights regarding parks within township or metropolitan park districts or land within municipal parks to be deposited into special funds and used for park maintenance and acquisition of new park lands.

Township use of TIF revenue

- Authorizes townships that have, at any time, adopted a resolution exempting real property from taxation using a TIF (tax increment financing) to borrow unencumbered money in the TIF fund to pay for current public safety expenses.

Township use of motor fuel tax revenue

- Allows a township to use its distribution of motor fuel tax revenue to service bonds issued to pay for the purchase of road machinery and equipment, the planning, construction, and maintenance of buildings that house such equipment, and other highway improvement projects.
Other provisions

- Permits a superintendent serving multiple county developmental disabilities boards to appoint a designee to participate on a county’s family and children first council.

- Requires the Butler County public children services agency (PCSA) to establish and maintain a regional training center for PCSA caseworkers and supervisors; eliminates the Hamilton County PCSA’s duty to establish and maintain such a center; and specifies that the Butler County center replaces the Hamilton County center.

- Adds, to the definition of "county expenses" that may be paid to a county office by use of a financial transaction device: money confiscated during the commitment of an individual to a county jail, bail, money for a prisoner’s inmate account, and money for goods and services for an individual incarcerated by a county sheriff.

- Specifies that, when the Treasurer of State is holding an obligation purchased from a county, township, or municipal corporation, the county auditor, upon demand of the Treasurer, must withhold from settlement payments or advance payments of money to which the county, township, or municipal corporation is entitled, an amount sufficient to pay debt service charges on the obligation.

- Authorizes a nonchartered city to sell real estate no longer needed for city purposes to a board of county commissioners without complying with state law that otherwise requires advertising and competitive bidding.

- Clarifies the number of members who are eligible to be elected when the legislative authority of a nonchartered village adopts nonstaggered terms of office for its membership.

- Allows a board of county commissioners, a county auditor, and a county treasurer each to enter into a contract with a county land reutilization corporation to provide employees to provide services to the corporation, who remain employees of the county for the duration of the service.

- Requires that the township member of the board of directors of a county land reutilization corporation be chosen by a majority of the boards of township trustees of townships having a population of at least 10,000 in the unincorporated area of the township.

MISCELLANEOUS

Trafficking in persons and promoting prostitution

- Extends the period within which a prosecution for trafficking in persons must be commenced from six years to 20 years after the offense is committed.
• Eliminates as an element of the offense of promoting prostitution that the transportation of a person for sexual activity be across the boundary of Ohio or any county of Ohio.

• Prohibits, as an element of the offense of promoting prostitution: establishing, maintaining, operating, managing, supervising, controlling, or having an interest in any enterprise the purpose of which is to facilitate engagement in sexual activity for hire.

**Bonds of statewide elected officials**

• Modifies the bonding requirements that apply to the Attorney General, Secretary of State, Treasurer of State, and Auditor of State.

**Retention of investment interest**

• Provides that the investment earnings on the cash balance of the following funds are to be credited to the respective fund: the Job Ready Site Development Bond Service Fund, the Mental Health Facilities Improvement Fund, the Parks and Recreation Improvement Fund, the Facilities Establishment Fund, and the Coal Research and Development Fund.

**Screening tool for high-risk youth**

• Requires the Office of Health Transformation to convene a team comprised of various state departments to evaluate the feasibility of implementing a trauma screening tool for high-risk youth, and permits the Department of Youth Services to receive funds for piloting the recommended tool in detention centers.

**Age requirements for various board and council members**

• Reduces, from 60 to 50, the minimum age requirement for certain members of the Ohio Advisory Council for the Aging, the Chemical Dependency Professionals Board, the State Board of Optometry, and the Insurance Agent Education Advisory Council.

**Brain Injury Program**

• Transfers the Brain Injury Program to the Ohio State University College of Medicine from the former Rehabilitation Services Commission.

**State Facility Utilization and Consolidation Task Force**

• Establishes the State Facility Utilization and Consolidation Task Force to inventory state-owned real property and related assets, to evaluate whether the property and assets are put to productive use, and to make recommendations by September 29, 2014.
**Autism treatment providers**

- Requires specified state agencies to work with the Ohio Center for Autism and Low Incidence or another qualified entity to create a certification or endorsement process for individuals providing evidence-based interventions to serve or support an individual with an autism spectrum disorder.

- Requires legislative recommendations to be submitted to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House by October 31, 2013.

**Ohio Council for Interstate Adult Offender Supervision**

- Increases membership of the Ohio Council for Interstate Adult Offender Supervision from seven to 12 or more by giving the Chief Justice and Governor two additional appointments each, the Attorney General one appointment, and the Director of Rehabilitation and Correction additional appointments as necessary.

**Authority to convey real estate**

- Extends the authorization to convey certain real estate that is under the jurisdiction of the Department of Youth Services to November 1, 2015.

**Public records correction**

- Corrects a cross-reference exception regarding joint self-insurance pool administrators in the law that requires governmental entities and nonprofit organizations to prepare complete financial records of moneys expended under service contracts with other governmental units, because the records and contracts are public records.
Am. H.B. 12


Sens. Bacon, Coley, Eklund, Jordan, Lehner, Peterson, Seitz, Uecker

Effective date: January 30, 2014

- Requires the Board of Building Standards to adopt rules to permit certain automatically operated low pressure steam boilers, power boilers, and stationary steam engines to be operated without the presence of a person licensed under the Boiler Law.

- Eliminates the requirement that the Board establish reasonable fees concerning reviews for certification by the American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors.
Constitutional Amendments

Am. S.J.R. 5

Sens. Faber, Burke, LaRose, Coley, Schaffer, Hite, Beagle, Patton, Eklund, Hughes, Manning, Balderson, Seitz, Oelslager, Uecker, Peterson, Obhof, Jones, Bacon, Gardner, Lehner, Widener


Adopted: November 20, 2013

• Urges Congress to propose a balanced budget amendment to the U.S. Constitution.

• Applies to Congress, under Article V of the U.S. Constitution, formally requesting that Congress call a convention limited to proposing an amendment to the U.S. Constitution to require a balanced budget, except in the event of a national emergency, together with any related and appropriate fiscal restraints.
Sub. H.B. 126


Sens.  Coley, Eklund, Oelslager, Patton, Seitz

Effective date: March 20, 2014

- Permits a durable power of attorney for health care to authorize the attorney in fact to obtain information concerning the principal's health, commencing upon the instrument's execution or at any subsequent time and regardless of whether the principal has lost the capacity to make health care decisions.

- Includes an alternate attorney in fact among the individuals who are ineligible to be witnesses to a durable power of attorney for health care.

- Authorizes a principal in a durable power of attorney for health care to nominate a guardian of the principal's person, estate, or both for a court's consideration if proceedings for the appointment of the guardian are commenced at a later time, and provides that the principal's nomination of the guardian is revoked by the principal's subsequent nomination of a guardian.

- Provides that if a guardian is appointed for the principal, a durable power of attorney for health care is not terminated, and the attorney in fact's authority continues unless the probate court limits, suspends, or terminates the power of attorney.

- Modifies the Uniform Power of Attorney Act by providing that the principal's nomination of a guardian of the principal's person, estate, or both or of the person, estate, or both of one or more of the principal's minor children or incompetent adult children is revoked by the principal's subsequent nomination of a guardian.

- Modifies the Guardianship Law by providing that a person's nomination of a guardian of the nominator's person, estate, or both or of the person, estate, or both of one or more of the nominator's minor children or incompetent adult children is revoked by the person's subsequent nomination of a guardian, and, except for good cause shown or disqualification, the court must make its appointment in accordance with the person's most recent nomination.
• Provides that unless a declaration, also known as a living will, provides otherwise, a declaration is revoked by a subsequent declaration.

H.B. 141

Reps. Damschroder, Boose, Brown, Buchy, Duffey, C. Hagan, Huffman, Letson, Mallory, McClain, Sprague, Stebelton, Wachtmann, Batchelder

Sens. Burke, Gardner, Hite, LaRose, Patton

Effective date: Emergency, June 27, 2013

• Abolishes the Fostoria Municipal Court and the Tiffin Municipal Court effective January 1, 2014, consolidates both courts and their territorial jurisdictions within a new Tiffin-Fostoria Municipal Court, and provides that the municipal court established in Tiffin is to be styled and known as the Tiffin-Fostoria Municipal Court.

• Provides that the judge of the Tiffin-Fostoria Municipal Court must sit within each of the municipal corporations of Tiffin and Fostoria on a weekly basis.

• Requires the Tiffin-Fostoria Municipal Court to establish a branch office in Fostoria and appoint a special deputy clerk to administer the branch office on a full-time basis.

• Requires that cases arising within the territory of the former Tiffin Municipal Court be filed in the office of the clerk of the court located in Tiffin, and that cases arising within the territory of the former Fostoria Municipal Court be filed in the office of the special deputy clerk located in Fostoria.

• Abolishes each of the full-time judgeships of the Fostoria Municipal Court and the Tiffin Municipal Court, and provides that one full-time judge in the Tiffin-Fostoria Municipal Court is to be elected in 2013.

• Provides for the transfer of cases and documents from the Fostoria Municipal Court and Tiffin Municipal Court to the Tiffin-Fostoria Municipal Court.

Sub. S.B. 23

Sens. Beagle and Burke, Balderson, Hite, Jones, LaRose, Patton, Seitz, Skindell, Tavares, Gardner, Faber, Cafaro, Brown, Coley, Obhof, Bacon, Eklund, Hughes, Jordan, Lehner, Manning, Peterson, Sawyer, Schiavoni, Smith

Effective date: Most provisions effective March 20, 2015; certain provisions effective March 20, 2014

- Generally modifies the laws pertaining to information available to adoptees about their biological families.

Provisions effective March 20, 2014

- Requires the Ohio Department of Job and Family Services (ODJFS) to prescribe a biological parent’s name redaction form that includes specified information, and to make that form available to the Ohio Department of Health (ODH).

- Requires ODH to make a biological parent’s name redaction request form available to a biological parent on request until March 20, 2015, and specifies under what circumstances ODH may accept a biological parent’s name redaction request form.

- Requires ODH to attach a social and medical history form to each biological parent’s name redaction request form it makes available to biological parents.

- Allows a biological parent who has a name redaction request form accepted by ODH to request that ODH remove the form from the adoption file, and specifies the information the biological parent must provide in order for ODH to remove the form from the adoption file.

- Requires ODH to include on its website information about biological parent’s name redaction request forms, and specifies the information ODH must provide.

- Requires ODH to prepare a report that specifies the number of biological parent’s name redaction request forms it receives and the number of forms it accepts, and to provide the General Assembly with that report by March 20, 2016.

- Specifies the General Assembly’s intent to give biological parents a reasonable opportunity to have their names redacted from information that adopted persons and lineal descendants of adopted persons may obtain pursuant to Ohio law.

Provisions generally effective March 20, 2015

- Repeals the laws that permitted post-1963 adoptees who became available or potentially available for adoption prior to September 18, 1996, to file a petition in probate court to obtain information about the adoptee’s biological family.

- Replaces those repealed laws with a procedure in which such adopted persons who are at least 18 years of age may submit a written request to ODH for ODH to provide the adopted person with a copy of the contents of the person’s adoption file.
Permits a lineal descendant, who is at least 18 years of age, of an adopted person to submit a written request to ODH for ODH to provide the lineal descendant with a copy of the contents of the adopted person’s adoption file.

Requires ODH to redact the biological parent’s name from the copy of an adoption file that is sent to a requester if the file includes a biological parent’s name redaction request form from the biological parent.

Requires ODH to transfer any releases pertaining to an adopted person from the file of releases to the adoption file to which the releases pertain.

Requires ODJFS to prescribe a contact preference form for biological parents and to make the form available to ODH, and provides the requirements for and the contents of the form.

Requires ODH to make a contact preference form available to a biological parent on request and, if it accepts a completed form, to place it in the adoption file of the adopted person to whom it pertains.

Requires the contact preference form to include a component in which the biological parent indicates that the parent: (1) welcomes a person who receives a copy of the adoption file contents to contact the parent directly, (2) prefers that the person contact the parent through an intermediary, or (3) prefers that the person not contact the parent directly or through an intermediary.

Requires ODH to attach a social and medical history form to each contact preference form it makes available to biological parents.

Requires ODH to establish a system by which an adopted person or lineal descendant of an adopted person may request that ODH mail to the adopted person’s biological parent a question that the adopted person or lineal descendant has about the biological parent’s medical history.

Expands continuing law to permit only the adoptive parents, during the minority of an adopted person, or only an adopted person upon reaching majority, to inspect the social and medical history forms completed under the act.

Permits an adopted person to request that ODH disclose to the person which court entered the interlocutory order or final decree of adoption if the adopted person seeks to inspect the biological parent’s social and medical history form, or submit a request for notification of a correction or expansion of the social or medical history.

Modifies law pertaining to the adoption file maintained by ODH to specifically prohibit ODH from opening an adoption file or making its contents available except in specified circumstances.
• Relocates certain provisions pertaining to the birth record of adoptees and applies the act's provisions in those sections.
**Sub. S.B. 7**

Sens. Widener and Beagle, Lehner, Hughes, LaRose, Eklund, Hite, Coley, Jones, Faber, Peterson, Bacon, Balderson, Burke, Gardner, Kearney, Manning, Obhof, Oelslager, Patton, Schaffer, Turner, Uecker


**Effective date:** September 4, 2013

- Requires a court that orders a mental health evaluation or treatment for a mental illness for a person who pleads guilty to or who is convicted of an offense of violence to report the conviction and required treatment to a specified local law enforcement agency, and requires the agency to enter the information into the National Crime Information Center Supervised Release File.

- Requires a court that approves a conditional release for a person found incompetent to stand trial and committed, or a person found not guilty by reason of insanity and committed, to report the approval and information pertaining to the release to a specified local law enforcement agency, and requires the agency to enter the information into the National Crime Information Center Supervised Release File.

- Names its provisions the "Deputy Suzanne Hopper Act."

**Sub. S.B. 64**

Sens. Beagle and Manning, Balderson, Burke, Faber, Hughes, Jones, Lehner, Obhof, Peterson, Schaffer, Widener, LaRose, Coley, Hite, Jordan, Oelslager, Patton, Seitz, Uecker


**Effective date:** Emergency, July 11, 2013
• Prohibits under the offense of criminal child enticement a person, for any unlawful purpose other than, or in addition to, that proscribed by the preexisting general prohibition, from engaging in any activity described in that general prohibition. (The preexisting general prohibition, unchanged by the act, prohibits a person, by any means and without privilege to do so, from knowingly soliciting, coaxing, enticing, or luring a child under 14 to accompany the person in any manner, when the person has no express or implied authority to engage in that conduct and is not a specified official.)
Am. S.B. 112

Sens.  Beagle, LaRose, Lehner, Seitz, Uecker, Schaffer, Coley, Eklund, Hite, Oelslager, Patton, Peterson, Widener


Effective date: October 11, 2013

• Extends the time during which local governments may enter enterprise zone agreements with businesses by two years, to October 15, 2015.

• Establishes an enterprise zone program review council to evaluate and make recommendations with respect to the effectiveness of enterprise zone agreements.
H.B. 14


Sens. Bacon, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, Kearney, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Seitz, Smith, Tavares, Turner, Uecker

Effective date: October 11, 2013

- States that a juvenile court judge, in the event of a filed complaint alleging that a child is an abused, neglected, or dependent child, may order a school district board of education to release the child’s grades, credits, official transcripts, individualized education programs (IEPs), and 504 plans to any district or school in which the child enrolls after the complaint is filed.

- Prohibits a school district board from withholding the grades, credits, official transcripts, IEPs, 504 plans, or diploma of a student for nonpayment of fees for instructional materials if a complaint has been filed at any time alleging that the child is, or if that child has been adjudicated as, an abused, neglected, or dependent child.

- Requires a school district to transfer such a child’s grades, credits, official transcripts, IEPs, or 504 plans immediately upon a request from another school or school district in which the student enrolls or upon an order from a juvenile court judge.

- Permits a school district board to request from a juvenile court judge a copy of a child’s custody or placement order if the board has been ordered to transfer the child’s records, but specifies that the district may not withhold records pending receipt of that copy.

- Requires each school district board to annually report to the Department of Education the number of students for whom a transcript has been transferred and the amount of unpaid fees lost due to such records transfers.
Sub. H.B. 167


Sens. Hite, Beagle, Bacon

Effective date: Emergency, July 15, 2013

- Requires a qualifying school district (one that has an average daily membership greater than 60,000 and is located in a city with a population greater than 700,000) to create the position of independent auditor to be responsible for the district’s internal auditing functions.

- Requires a qualifying school district to place the question of whether to create the position of independent auditor on the ballot at the November 2013 general election.

- Authorizes the mayor of a city in which a majority of a qualifying school district’s territory is located to sponsor start-up community schools.

- Authorizes a qualifying school district to propose a levy for current operating expenses, a portion of which would be allocated to partnering community schools and distributed among those schools on a per-pupil basis.

- Requires a qualifying school district to place such a levy on the ballot at the next general or special election.

- Establishes a distribution and allocation process for the funds raised by such a levy.

Sub. S.B. 21

Sens. Lehner, Sawyer, Gardner, Bacon, Beagle, Brown, Coley, Eklund, Faber, Hite, Jones, Manning, Obhof, Peterson, Seitz, Turner, Uecker


Effective date: Emergency, June 4, 2013

Third-grade reading guarantee

- Modifies the benchmark for retaining a student under the third-grade reading guarantee to specify that a student who is not excused from the third-grade reading assessment must be retained if the student does not attain at least the “equivalent level of achievement” as determined by the Department of Education, instead of the designated score.
Exempts from the annual diagnostic assessment students with significant cognitive disabilities or other disabilities as authorized by the Department on a case-by-case basis.

Exempts from the third-grade reading guarantee limited English proficient students who have been enrolled in U.S. schools for less than three years (instead of two years under prior law) and who have had less than three years of instruction in an English as a second language program (instead of two years of instruction under prior law).

Replaces the prior requirement that reading teachers under the third-grade reading guarantee must have been actively engaged in the reading instruction of students for the previous three years with a requirement that reading teachers have one year teaching experience, with prescribed exceptions.

Revises the law pertaining to waivers for districts and schools from the third-grade reading guarantee teacher qualification criteria.

Requires the Department to designate one or more staff members to provide guidance and assistance to districts and schools in regard to the third-grade reading guarantee and reading instruction and achievement.

Other provisions related to reading improvement

Requires the State Board of Education to adopt reading competencies with which all reading educator licenses, alternative credentials and training, and reading endorsement programs eventually must be aligned.

Requires the Department not later than March 31, 2014, to conduct and submit a study of diagnostic assessments to the State Board, the Governor, and the General Assembly.

Requires school districts and community schools that fail to meet a specified level of achievement on reading-related measures, as reported on the past two report cards, to submit to the Department a reading achievement improvement plan and to operate under the plan until achievement levels improve to a specified level.

Requires the Department annually: (1) to collect, analyze, and publish data regarding reading achievement in schools, and (2) to report to the Governor, the General Assembly, and the State Board of Education on the progress of public school students, districts, and community schools in reading achievement.

Beginning July 1, 2017, requires all new applicants seeking an educator license for either grades pre-kindergarten through three or grades four through nine to pass an examination aligned with reading competencies adopted by the State Board of Education.
• Requires the Chancellor of the Board of Regents, not later than July 1, 2016, to revise the requirements for reading endorsement programs offered by institutions of higher education to align with reading competencies adopted by the State Board of Education.

Public college-preparatory boarding schools
• Requires a project agreement between the School Facilities Commission (SFC) and a public college-preparatory boarding school to specify that if the boarding school ceases operations, the classroom facilities may be used for an alternative public purpose, including primary, secondary, vocational, or higher education services.

• Specifies that the agreement stipulate that if the school ceases operations due to a failure to comply with its contract with the State Board of Education or a default on a mortgage or leasehold, the state facility assistance funds must be returned to SFC unless, within 24 months after ceasing operations, the school is used for an alternative public purpose as described above.

• Specifies that no officer or trustee of a public college-preparatory boarding school or member of its board of trustees incurs any personal liability by virtue of entering into any contract on behalf of the boarding school.

• Specifies that a public college-preparatory boarding school must be established as a public benefit corporation.
Elections

Am. S.B. 10

Sens. Coley and Smith, Obhof, Faber, Widener, Patton, Hite, Lehner, Oelslager, Eklund, LaRose, Burke, Jones, Bacon, Beagle, Manning, Gardner, Brown, Cafaro, Hughes, Peterson, Sawyer, Schaffer, Schiavoni, Tavares, Turner, Uecker


Effective date: June 26, 2013

- Specifies that a journalist must be allowed reasonable access to a polling place during an election.
- Requires electors who are waiting in line at the time for the close of in-person absent voting on a particular day to be permitted to cast their ballots before the in-person absent voting location may close.
- Eliminates the requirement that ramps have a grade of not more than 8%, and instead requires ramps to comply with the Americans with Disabilities Act of 1990.
- Increases from five minutes to ten minutes the maximum time a voter may occupy a voting compartment or use a voting machine when all compartments or machines are in use and voters are waiting to occupy them.
- Specifies that this time limit does not apply to a person who requires the use of a disabled-accessible voting machine as required under the Help America Vote Act of 2002.
- Specifies that nothing in the Provisional Ballot Law is in derogation of the provisions of continuing law that permit a blind, disabled, or illiterate elector to receive assistance in marking the elector’s ballot by two precinct election officials of different political parties.
- Permits a blind, disabled, or illiterate elector to receive assistance in marking that elector's provisional ballot and in completing the required affirmation in the same manner as an elector may receive assistance on the day of an election.
- Clarifies that the provisions of law that permit a blind, disabled, or illiterate elector to receive assistance in the marking of the elector's ballot by two precinct election officials of different political parties supersede any contrary provision of law.
Sub. S.B. 47

Sens. Seitz, Eklund, Coley, Burke
Reps. Blessing, Lynch, Stebelton, Terhar, Batchelder
Effective date: June 21, 2013

Election petitions

- Requires that a person who signs a petition reside in a precinct in which the candidacy or issue that is the subject of the petition will appear on the ballot.
- Requires that a person who circulates a petition be at least 18 years of age.
- Eliminates the requirement that a person who circulates a nominating petition for presidential electors be a resident of Ohio.
- Specifies that a signature on a nominating petition is not valid if it is dated more than one year before the date the petition was filed.
- Revises the timeline and requirements for filing initiative and referendum petitions with the Secretary of State, and adds the requirement that an electronic copy of the petition be filed.
- Specifies that the Ohio Supreme Court has exclusive original jurisdiction in all challenges to initiative and referendum petitions.
- Prohibits the committee interested in an initiative or referendum petition, or any person acting on its behalf, from collecting or submitting additional signatures during the period beginning on the date the petition is initially submitted to the Secretary of State and ending on the date the Secretary of State notifies the committee that the petition has an insufficient number of valid signatures.
- Specifies that if the committee, or a person acting on its behalf, submits additional signatures, the committee or person may submit only signatures that were signed and collected during the ten-day period beginning the day after notification of an insufficient number of valid signatures.
- Requires the Secretary of State to provide each committee with a separate petition form for additional signatures submitted during the ten-day period that contains a unique identifier and that is made available to the committee only when the ten-day period begins.
- Specifies that the form must not be considered a public record until after the Secretary of State makes it available to the committee.
• Requires the Secretary of State to provide the committee with both a paper copy and an electronic copy of the form, to make the form available on the Secretary of State’s official web site, and to transmit the form electronically to boards of elections.

• Requires the boards of elections to provide a paper or electronic copy of the form to any person upon request.

• Clarifies that after the Secretary of State, a board of elections, or another public office rejects an initiative or referendum petition as containing insufficient signatures, that petition may not be resubmitted.

**Withdrawals and filling vacancies**

• Corrects the deadlines to file nominating petitions and for political parties to select candidates to fill vacant elective offices so that the statutory deadlines match the deadlines established in the Ohio Constitution.

• Prohibits a person who seeks party nomination for an office or position at a primary election from becoming a candidate by filling a ballot vacancy at the next general election, except to fill a ballot vacancy for the office of member of the State Board of Education, member of a local board of education, member of a governing board of an educational service center, or township trustee.

• Clarifies that the deadlines for candidate withdrawals to determine whether the candidate's name must be removed from the ballot apply to withdrawals before both primary and general elections.

**Purchase of election supplies**

• Permits the Secretary of State to enter into agreements for the bulk purchase of election supplies in order to reduce the costs for boards of elections.

• Requires a board of elections that desires to participate in such agreements to file a written request for inclusion with the Secretary of State agreeing to be bound by the terms and conditions that the Secretary of State prescribes and to make payments directly to the vendor.

• Increases from $10,000 to $25,000 the cost of a contract for printing ballots and furnishing other election supplies that may be let without competitive bidding.

**Other provisions**

• Removes from various provisions of the Election Law the prohibition against using a notice of election for voter identification purposes, since the law requiring the notice of election to be sent was previously repealed and the document no longer exists.

• Specifies that the act's provisions are severable.
Am. Sub. S.B. 109

Sens. Obhof, Eklund, Faber, Hite, LaRose, Peterson
Reps. Brown, Burkley, Hayes, McClain, Stebelton, Batchelder
Effective date: February 25, 2014

Election administration

- Requires the Secretary of State to adopt rules to establish procedures and standards for doing all of the following: determining when a board of elections must be placed under official oversight, placing a board under official oversight, a board to transition out of official oversight, and the Secretary of State to supervise a board that is under official oversight.

- Changes all references to "judges of election" to "precinct election officials," and changes references to the "presiding judge" to the "voting location manager."

- Permits a board of elections to select two precinct election officials who are not members of the same political party, instead of the usual four precinct officials, to serve a precinct at a special election, if the board determines that four officials are not required.

- Requires the Secretary of State, beginning in 2017, to appoint two new members to each board of elections on March 1 of each odd-numbered year, instead of on March 1 of each even-numbered year.

- Requires the Secretary of State, in 2014 and 2016, to appoint two new members to each board of elections to serve three-year terms, instead of the usual four-year terms, in order to transition to the new appointment schedule.

- Requires a political subdivision or other entity to certify a ballot question or issue to a board of elections in paper form, and prohibits it from making that certification electronically.

- Requires a board of elections to send copies of campaign finance statements filed with the board and the board’s certification that each polling place in the county meets the requirements for accessibility for the disabled to the Secretary of State by certified mail or electronically, rather than requiring those documents to be sent by certified mail.

- Changes the process for notifying candidates that they have identical names from special delivery or telegram to certified mail.
Observers for in-person absent voting

- Permits election observers to be appointed to serve at the board of elections during the time absent voter’s ballots may be cast in person, and specifies the manner in which those observers must be appointed.

Ballots

- Changes a provision that required the facsimile signatures of members of boards of elections to appear on the back of the ballot to instead require those signatures to appear at the end of the ballot.
- Eliminates all references to punch card ballots, including counting standards for circumstances in which chads were not completely detached from the ballots.
- Eliminates provisions that referred to ballots for separate offices or issues being placed in separate ballot boxes within a precinct polling location.

Electronic pollbooks

- Authorizes the Board of Voting Machine Examiners to test, and the Secretary of State to certify, electronic pollbooks for use in Ohio in the same manner as voting equipment is tested and certified.
- Specifies that, if an electronic pollbook is certified by the Secretary of State, equipment of the same model and make may be adopted for use at elections, as long as it operates in an identical manner.
- Requires the Secretary of State to provide rules, instructions, directives, and advisories regarding the examination, testing, and use of electronic pollbooks to boards of elections that have adopted them.

Am. Sub. S.B. 193

Sens.  Seitz, Eklund
Reps.  Buchy, Huffman, Stebelton, Wachtman, Batchelder
Effective date: February 5, 2014

- Eliminates intermediate political parties, and revises the methods and standards for determining whether an organization qualifies as a political party.
- Lowers the percentage of vote required for a party to retain its status as a political party, and revises the process for a new party to gain recognition by filing a party formation petition.
• Specifies further reduced party formation petition and vote percentage retention requirements for a group of voters who wish to form a minor political party and nominate candidates for the 2014 general election.

• Permits a new political party to be formed by filing a party formation petition not later than 125 days before a general election, and permits the new political party to nominate candidates to appear on the ballot at that general election.

• Requires the candidates of new political parties to file nominating petitions not later than 110 days before the general election, and specifies the circumstances under which the names of those candidates will appear on the general election ballot as the nominees of the new political party.

• Permits nominees of new political parties to be designated on the ballot with the name of the new political party, exempts those candidates from the general requirement that party candidates be nominated in a primary election, and permits a new political party to fill ballot vacancies prior to the general election.

• Increases the time that a political party remains a recognized political party after it meets the requirements to become a political party in this state.

• Voids previous directives issued by the Secretary of State that recognized political parties that do not meet the act's requirements for political party recognition.

**Am. Sub. S.B. 200**

**Sens.** Uecker, Coley, Seitz, Eklund, Hite

**Reps.** R. Adams, Amstutz, Burkley, Green, McClain, Ruhl, Scherer, Stebelton, Young

**Effective date:** March 20, 2014

**Statewide voter registration database**

• Clarifies that the Office of the Secretary of State must administer the statewide voter registration database.

• Allows the Secretary of State to prescribe by rule the format in which the boards of elections must send voter registration records to the Secretary of State.

• Increases the frequency with which the Secretary of State must send each board’s voter registration information to the National Change of Address Service to obtain information about electors who may have moved.

• Requires state agencies, including the Department of Health, Bureau of Motor Vehicles, Department of Job and Family Services, and Department of Rehabilitation
and Correction, to provide any information and data to the Secretary of State that is collected in the course of normal business and is necessary to register to vote, to update an elector’s registration, or to maintain the statewide voter registration database.

- Requires the Secretary of State to establish, by mutual agreement with the Bureau of Motor Vehicles, the content and format of the information and data the Bureau must provide to the Secretary of State and the frequency with which the Bureau must provide that information and data.

- Requires the Secretary of State to ensure that any information or data provided to the Secretary of State by another agency that is confidential while in the possession of the agency providing the information or data remains confidential while in the possession of the Secretary of State.

- Prohibits information provided by another agency from being used to update the name and address of a registered elector, and specifies that an elector's name and address may only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.

- Prohibits any public office and any public official or employee from selling that information or data or using it for profit.

- Requires the Secretary of State to adopt rules to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by a state agency, another state, or a group of states.

- Requires that method to prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.

- Requires a board of elections to contact a registered elector pursuant to those rules to verify the accuracy of information in the statewide voter registration database, if information received from another agency identifies a discrepancy between the information maintained in the database and information maintained by the other agency.

- Specifies that an agency is not required to provide information or data to the Secretary of State if doing so is prohibited by federal law or regulation.

- Requires the Secretary of State to enter into agreements to share information or data that is in the Secretary of State’s possession with other states or groups of states, as the Secretary of State considers necessary, in order to maintain the statewide voter registration database.
• Requires the Secretary of State generally to ensure that any information or data provided to the Secretary of State by another state that is confidential while in the possession of the state providing the information or data remains confidential while in the possession of the Secretary of State, and prohibits a person or entity from selling that information or data or using it for profit.

• Permits the Secretary of State to provide otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

• Requires the Secretary of State to adopt rules under the Administrative Procedure Act identifying the persons or organizations who may receive that information or data, and prohibits the Secretary of State from sharing that information or data with any person or organization not identified in those rules.

• Requires the Secretary of State to ensure that such a person or organization that receives confidential information or data keeps that information or data confidential in the person's or organization's possession.

• Requires the Secretary of State, at a minimum, to enter into a confidentiality agreement with such a person or organization that requires the person or organization to submit to Ohio's jurisdiction in the event that the person or organization breaches the agreement.

• Prohibits such a person or organization from selling the information or data or using it for profit.

• Removes a restriction on the information to be made available on the statewide voter registration database website.

• Requires the statewide voter registration database to include methods to retain canceled voter registration records for not less than five years after they are canceled and to record the reason for their cancelation.

Transmission of Bureau of Motor Vehicles voter registration forms

• Requires a Bureau of Motor Vehicles deputy registrar that receives a completed paper voter registration application or voter registration update form to send the form to the board of elections of the county in which the deputy registrar is located within five days after accepting the application or other form.

• Requires the Registrar of Motor Vehicles to send any completed registration application received at the Bureau headquarters location and any completed voter registration update form processed electronically to the Secretary of State within five days after accepting the application or other form.
Deceased electors

- Requires the Director of Health to file monthly reports with the Secretary of State concerning electors who have died.

- Requires the Secretary of State and the Director of Health to jointly establish a secure electronic system for the purpose of exchanging that information.

- Allows a deceased elector's spouse, parent, or child, the administrator of the elector's estate, or the executor of the elector's will to file a certified copy of the elector's death certificate with the board of elections.

- Requires the board of elections promptly to cancel the decedent's registration upon receiving such a death notice or certificate and to send a notice to the decedent's registration address, informing the recipient that the registration has been canceled and that if the registration was canceled in error, the elector may contact the board to correct the error.

- Specifies that if an elector's registration was canceled in error because of a reported death, the registration must be restored and treated as though it were never canceled.

Minimum number of direct recording electronic voting machines

- Reduces the minimum number of direct recording electronic voting machines that a county must have if it chooses to use those machines as the primary voting system in the county.
Sub. H.B. 1


Sens. Schaffer, Beagle, Bacon, Balderson, Burke, Coley, Eklund, Gardner, Hite, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Seitz, Uecker, Widener

Effective date: September 27, 2013

- Requires all local areas, whether designated as a local area under the federal Workforce Investment Act of 1998 (WIA) or state law, to use OhioMeansJobs as the labor exchange and job placement system for the area.

- Prohibits any additional workforce funds from being used to build or maintain any labor exchange and job placement system that is duplicative to OhioMeansJobs.

- Requires, by March 27, 2014, every local area, whether designated as a local area under WIA or state law, to name its one-stop system "OhioMeansJobs (name of county) County."

- Requires each one-stop system to include at least one representative from a county department of job and family services.

- Statutorily renames the state workforce policy board the Governor’s Executive Workforce Board.

- Permits all Board members to vote by eliminating the requirements that the Governor designate nine members as voting members, that the Governor choose the voting members in a way that a majority of them represent business interests, and that other members be ex officio, nonvoting members.

- Eliminates the Board’s authority, to the extent permitted by state or federal law, to assess a fee for specialized services requested by an employer.

- Permits a board of county commissioners to appoint an advisory committee on workforce development.

- Requires the Board and the Office of Workforce Development in the Department of Job and Family services to provide electronic copies of their annual reports.
Sub. H.B. 2


Sens. Balderson, Beagle, Burke, Coley, Eklund, Gardner, Hite, Hughes, Jones, LaRose, Manning, Oelslager, Patton, Peterson, Seitz, Widener, Schaffer

Effective date: October 11, 2013

- Requires the instructions for an individual's work search efforts to be eligible for unemployment compensation to include that, unless an exception applies, the individual must register with OhioMeansJobs.

- Requires an individual who is registered with OhioMeansJobs to receive a weekly listing of available jobs, based on information the individual provided at the time of registration.

- Requires, for an individual to maintain eligibility for unemployment compensation, the individual to report to the local one-stop office for additional services beginning with the eighth week after the week the individual first filed a valid application for determination of benefit rights, regardless of any previous contact with that office.

- Defines "reporting" for purposes of reporting to an employment office or a one-stop office to include contacting by phone, accessing electronically, or being present for an in-person appointment, as designated by the Director of Job and Family Services.

- Exempts an individual from the requirement to be actively seeking suitable work if the individual is considered to be "job-attached" because the individual is subject to a mass layoff of not more than 26 weeks.

- Exempts individuals who are considered under continuing law to have met the actively seeking suitable work requirement from the requirements to register with OhioMeansJobs and report to a one-stop office.

- Exempts individuals who are legally or physically unable to use a computer or who have a limited ability to read, write, speak, or understand a language in which OhioMeansJobs is available from the requirement to register with OhioMeansJobs.

- Specifies the period of time during which a claimant who fails to satisfy the eligibility requirements may be ineligible to receive unemployment compensation or to meet the claimant's waiting week requirement.
Sub. H.B. 37


Sens. Brown, Uecker, Bacon, Balderson, Beagle, Burke, Eklund, Gardner, Hite, Oelslager, Patton, Schaffer, Schiavoni, Seitz, Tavares, Turner

Effective date: Emergency, July 11, 2013

SharedWork Ohio

- Creates the SharedWork Ohio Program, and authorizes its implementation as soon as the U.S. Department of Labor certifies its compliance with federal law.
- Requires an employer who wishes to participate in the Program to submit a shared work plan to the Director of Job and Family Services for approval.
- Lists requirements that an employer must satisfy to have the employer's shared work plan approved.
- Specifies that a shared work plan takes effect on the date the Director approves the plan and expires at the end of the 52nd calendar week after the plan's effective date.
- Lists eligibility requirements for employees to receive shared work compensation.
- Prohibits a participating employee from being paid shared work compensation exceeding 26 times the amount of unemployment compensation benefits payable to the employee for a week of total unemployment.
- Prescribes eligibility and the manner in which shared work compensation is calculated if a participating employee works for more than one employer, including the participating employee's participating employer, in a week or works more or fewer hours than prescribed in the plan in a week.
- Requires an employer's account to be charged as under continuing law for shared work compensation, except for amounts that are reimbursed by the federal government.
- Requires a participating employer to file shared work compensation claims and to attest to the hours worked specified in the claim.
- Requires the Director to prepare and submit a report evaluating the utilization and effectiveness of the Program and the impact of the Program on the Unemployment Compensation Fund no later than July 11, 2016.
Unemployment Compensation Law changes

- Requires an additional penalty to be assessed against an individual who obtains unemployment compensation benefits through fraudulent misrepresentation.
- Requires an employer's account to be charged in the event the employer engages in a pattern of failing to timely or adequately respond to requests for information regarding a claim, thus resulting in an improper payment.

Sub. H.B. 83


Sens.  Tavares, Bacon, Balderson, Brown, Faber, Gentile, Jones, Lehner, Oelslager, Patton, Seitz, Uecker

Effective date: March 20, 2014

- Modifies application and examination requirements for licenses issued by the State Board of Psychology, and increases the application fee from $125 to $300.
- Makes changes regarding who is exempted from licensure.
- Modifies the license renewal process and, on July 1, 2016, increases the biennial renewal fee by $10.
- Creates a retired license status for license holders who have retired from the practice of psychology or school psychology.
- Requires the Board to investigate alleged violations of laws and rules governing the practice of psychology in Ohio, and permits the Board to examine witnesses, administer oaths, and issue subpoenas as part of its investigations.
- Establishes eight new reasons for which the Board may take disciplinary action against an applicant or a license holder.
- Permits the Board to require an applicant or a license holder who is subject to disciplinary action to: (1) limit or restrict the areas of practice, (2) submit to mental, substance abuse, or physical evaluations, or (3) complete remedial education and training.
- Permits the Board to use a telephone conference call to conduct an emergency meeting to suspend a license prior to holding a hearing if there is an immediate threat to the public, but otherwise prohibits the Board from conducting business via teleconference.
• Requires the Board to establish a case-management schedule for pre-hearing procedures.
• Permits the Board to require a person seeking restoration of a license to: (1) submit to mental, substance abuse, cognitive, or physical evaluations, and (2) participate in Board processes designed to expose the applicant to the laws and rules governing the practice of psychology in Ohio.
• Requires the Board to adopt rules governing telepsychology in Ohio.
• Permits the Board to approve or establish a colleague assistance program.
• Clarifies the distinction between school psychologists licensed by the Board and school psychologists licensed by the State Board of Education.
• Requires the Board to charge a $40 fee for written verification of license status.

Am. Sub. S.B. 1

Sens. Beagle and Balderson, Faber, Bacon, Eklund, Gardner, Hite, LaRose, Lehner, Manning, Oelslager, Seitz, Uecker, Widener, Peterson, Obhof, Schaffer, Burke, Hughes, Jones, Patton

Effective date: October 11, 2013; appropriation effective July 11, 2013

• Creates the OhioMeansJobs Workforce Development Revolving Loan Program and Fund.
• Requires the Chancellor of the Ohio Board of Regents to administer the Program and to award funds to specified educational institutions so that the institutions may award loans to participants in approved workforce training programs.
• Requires the Chancellor to give preference to a workforce training program in which an educational institution partners with a business to repay all or part of the program participant’s loan, or partners with a business that also provides funding for the program, over a program that does not have such a partnership.
• Requires the Chancellor to consider a program that has employment opportunities in areas that are in demand, including energy exploration.
• Requires the Chancellor, in awarding additional funds to an educational institution after initial funds have been awarded, to give greater weight to the existence of
business partnerships and the success rate of the institution’s program than to any other additional factors.

- Requires an institution receiving funds under the Program to establish eligibility requirements for participants to receive a loan.
- Requires an institution to disburse loans of up to $10,000 each to program participants.
- Requires the Chancellor to adopt rules to carry out the Program.
- Requires the Treasurer of State to serve as the Chancellor’s agent in making deposits and withdrawals and maintaining the records of the Fund.
- Requires the Chancellor, a third party chosen by the Chancellor, the Treasurer of State (if designated by the Chancellor), or a third party chosen by the Treasurer of State to service loans disbursed under the Program.
- Requires the Chancellor, under the Administrative Procedure Act, or the Treasurer, under an abbreviated rule-making procedure, depending on which of those officers or their designees are servicing the loans, to establish a loan servicing fee.
- Permits the Treasurer to adopt additional rules the Treasurer considers necessary to implement the loan servicing duties designated.
- Requires the Chancellor to submit to the Governor, the Speaker and Minority Leader of the House, and the President and Minority Leader of the Senate a report outlining the awards made under the Program.
- Appropriates $25 million in fiscal year 2014 for the OhioMeansJobs Workforce Development Revolving Loan Fund, to be transferred from upfront casino license fee revenue, and re-appropriates in fiscal year 2015 any of that amount that is unspent and unencumbered at the end of fiscal year 2014.

Am. S.B. 68

Sens. Schaffer, Bacon, Burke, Coley, Eklund, Faber, Hite, Hughes, Oelslager, Patton
Reps. Hackett, Brown, Blair, Buchy, Grossman, Hayes, McClain, Stebelton, Young, Batchelder
Effective date: Emergency, December 19, 2013

Architects Board
- Eliminates the process for reinstatement of certificates issued by the Architects Board.
• Allows the Architects Board to deny renewal of, revoke, or suspend certificates without an adjudication hearing when a hearing is not timely requested.

**Ohio Landscape Architects Board**

• Renames the State Board of Landscape Architect Examiners as the Ohio Landscape Architects Board.

• States that any person registered under the Landscape Architects Law may be designated or known as a professional landscape architect or registered landscape architect, along with the existing title of landscape architect.

• Requires a person to be registered before using the new titles of professional landscape architect or registered landscape architect on signs or certain materials, or before assuming a title or using certain statements to indicate or imply that the person is a landscape architect, professional landscape architect, or registered landscape architect.

• Adds use of the titles of professional landscape architect and registered landscape architect to the specification that the Landscape Architects Law does not affect the right of an individual to engage in the occupation of growing or marketing nursery stock.

• Allows an identifying stamp to be obtained by a registered professional landscape architect or landscape architect.

• Prohibits a firm, partnership, association, limited liability company, or corporation, except for a nonprofit membership corporation, from using a name including "professional landscape architect," "registered landscape architect," or any modification or derivation of those words, unless all information required under the Landscape Architects Law is filed.

• Permits the Ohio Landscape Architects Board to authorize any person to use the title "emeritus landscape architect."

• Permits the Board’s designee, in addition to the Board, to hold examinations and to register qualified applicants.

• Authorizes the Board to require an applicant licensed in another state or country to hold a current council record issued by the Council of Landscape Architectural Registration Boards.

• Modifies the certificate issuance and registration procedures to practice landscape architecture.

• Eliminates the Board's authority to establish a fee for taking or retaking the examination for registration as a landscape architect.
• Removes the limitation that a registration suspension not exceed one year.
• Revises the authority to fine violators of the Landscape Architects Law.
• Modifies the list of reasons for which the Board may discipline an applicant, registrant, certificate holder, or other person.
• Repeals a provision related to notice of a hearing, and provides that administrative procedures of the Board are governed by the Administrative Procedure Act.
• Provides, if a person fails to request a hearing within 30 days after the person is notified, that the Board may take disciplinary action without an adjudication hearing.
• Repeals a provision related to reinstatement of a registration or certificate of authorization that required the Board to not renew or reissue such a license without an examination, or renew or reissue such a certificate without reapplication to the Board.
• Allows the Board’s designee to present violations of the Landscape Architects Law to the county prosecuting attorney.
• Specifies and modifies prohibitions under the Landscape Architects Law.

**Expenditures**

• Removes the requirement that all expenditures of the Architects Board and Ohio Landscape Architects Board be paid by vouchers approved by the Secretary or Executive Secretary of the Architects Board, or both.

**Interim replacement of elected subdivision officers**

• Revises the appointment of an interim replacement upon the suspension of an elected officer of a political subdivision.
Environment and Natural Resources

Am. Sub. H.B. 29


Sens.  Manning, Gardner, LaRose, Patton, Bacon, Balderson, Burke, Coley, Faber, Hite, Hughes, Jordan, Oelslager, Peterson, Seitz, Uecker

Effective date:  Emergency, July 10, 2013

• Permits the Chief of the Division of Watercraft to adopt rules governing vessel safety inspection checkpoints, including procedures that comply with statutory and constitutional provisions governing searches and seizures by law enforcement officers.

• Prohibits a state watercraft officer or law enforcement officer from stopping or boarding any watercraft vessel to conduct a safety inspection unless:
  --The owner or operator voluntarily requests a safety inspection;
  --There is reasonable suspicion that the vessel, its equipment, or the operator is in violation of the Watercraft and Waterways Law or a local law; or
  --The vessel is being inspected in the course of an authorized checkpoint operation conducted in accordance with rules adopted by the Chief under the act.

• Exempts individuals holding certain U.S. Coast Guard credentials and endorsements from the requirement to complete a safe boater course or examination.
Gambling

Sub. H.B. 7

Reps. Huffman, Batchelder, Amstutz, Buchy, Hill, Brown, Burkley, Curtin, Dovilla, Hackett, Hayes, Sears, Sprague, Stebelton

Effective date: September 4, 2013

- Amends the definition of "scheme of chance" by describing when valuable consideration is deemed to be paid for a chance to win a prize if an electronic device is used to reveal the results of a game entry.

- Prescribes certain scenarios that are prohibited activities related to sweepstakes terminal devices, including cash prizes and prizes with a value over $10.

- Requires persons who conduct a sweepstakes with the use of a sweepstakes terminal device at a sweepstakes terminal device facility to obtain a certificate of registration from the Attorney General.

- Exempts certain persons who have not more than two sweepstakes terminal devices at the location of their business from the requirement to obtain a certificate of registration, provided they obtain a certificate of compliance from the Attorney General.

- Requires the Attorney General to adopt rules related to the act’s provisions.

- Permits the Bureau of Criminal Identification and Investigation to investigate criminal activity involving Gambling Law violations.

Sub. S.B. 115

Sens. Faber, Obhof, Bacon, Balderson, Burke, Coley, Eklund, Gardner, Hite, Hughes, Lehner, Oelslager, Patton, Peterson, Schaffer, Seitz, Uecker, Widener

Reps. Buchy, Brown, Burkley, McClain, Sprague, Stebelton

Effective date: Emergency, May 28, 2013

- Extends by one year, to June 30, 2014, a moratorium that prohibits a person from conducting a sweepstakes through the use of a sweepstakes terminal device if the person had not conducted such a sweepstakes before June 11, 2012.

- Requires a sweepstakes establishment to file a new affidavit with the Attorney General.
• Extends by one year the authority of the Attorney General or the appropriate county prosecuting attorney to bring an injunction action and a contempt action against a sweepstakes establishment that violates the moratorium, and allows an injunction action against a sweepstakes establishment for failure to file the new affidavit.

• Permits the Attorney General to impose a civil penalty of not more than $1,000 for each day a person violates the requirement to file a new affidavit.

• Allows a county prosecuting attorney to prosecute a criminal action for falsification against any person that provides false information on the new affidavit.

• States that the act must not be construed to authorize conduct prohibited by the Gambling Law or to exempt from the application of the Gambling Law any sweepstakes conducted by any person, and that the act does not authorize any person to conduct a game of chance or a scheme of chance.
Sub. H.B. 147


Sens. Tavares, Bacon, Beagle, Brown, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jones, Kearney, LaRose, Lehner, Manning, Obhof, Oelslager, Peterson, Sawyer, Schiavoni, Smith, Turner, Widener

Effective date: March 20, 2014

- Requires a surgeon performing a mastectomy in a hospital to guide the patient through provided or referred services in a manner consistent with the standards of the National Accreditation Program for Breast Centers (NAPBC).
- If a surgeon performing a mastectomy considers breast reconstruction appropriate, requires the surgeon to offer the patient a preoperative referral to a reconstructive or plastic surgeon in accordance with NAPBC standards.
- Names the act the "Lizzie B. Byrd Act."

Sub. S.B. 4

Sens. Manning and Oelslager, Obhof, Jones, Hite, Patton, Lehner, Beagle, Uecker, LaRose, Gardner, Eklund, Bacon, Widener, Faber, Cafaro, Tavares, Brown, Balderson, Coley, Hughes, Kearney, Peterson, Sawyer, Schiavoni, Turner


Effective date: September 27, 2013

- Requires hospitals and freestanding birthing centers to conduct a screening on each newborn (unless a parent objects on religious grounds) for the purpose of detecting critical congenital heart defects.
• Requires the Director of Health to adopt rules establishing standards and procedures for the screenings.

Am. S.B. 26

Sens. Schaffer, Gardner, Brown, Tavares, Eklund, Hite, Jones, Kearney, Manning, Obhof, Oelslager, Peterson, Turner
Effective date: Emergency, May 28, 2013
• Provides that youth sports organizations and their coaches, referees, and officials are not subject to criminal penalties for violating a law regarding concussions and head injuries in youth sports.
• Modifies certain statutory descriptions of organizations that regulate interscholastic athletics.

Am. S.B. 57

Sens. Manning, Jones, Lehner, Hughes, Burke, LaRose, Brown, Tavares, Beagle, Cafaro, Eklund, Faber, Gardner, Hite, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Seitz, Smith, Uecker, Widener
Effective date: October 11, 2013
• Establishes a pilot project in Lorain County whereby qualified emergency responders who serve in that county may obtain and administer naloxone to a person suffering from an apparent opioid-related overdose in order to revive the person.
• Specifies that the pilot program lasts for 12 months, beginning November 1, 2013.
• Establishes civil immunity under specified circumstances for a licensed health professional, qualified emergency responder, emergency medical service
organization, law enforcement agency, firefighting agency, or registered nurse who participates in the pilot program.

- Specifies that an individual or entity listed above is not subject to action by a professional licensing board or criminal prosecution if the conduct of the individual or entity was in compliance with the pilot program.

- Requires the Lorain County coroner to provide, or to designate one or more licensed health professionals or registered nurses to provide, training to emergency responders in recognizing and responding to an opioid overdose and to provide emergency responders who satisfactorily complete the training a letter indicating that completion.

- Requires emergency medical service organizations, law enforcement agencies, and firefighting agencies to maintain a record of the receipt and use of naloxone by qualified emergency responders who receive and use naloxone under the act.

- Requires emergency medical service organizations, law enforcement agencies, and firefighting agencies that maintain a record to send monthly reports containing the information in the record to the Lorain County Narcan Task Force, the Lorain County coroner, and the Director of the Ohio Department of Health.

- Requires the Lorain County coroner to develop a uniform standardized reporting form to be used by emergency medical service organizations, law enforcement agencies, and firefighting agencies to make the monthly reports.

- Requires the Lorain County Narcan Task Force and the Ohio Department of Health each to conduct a separate study of the effectiveness of the pilot project and each to prepare a separate report of findings and certain recommendations.

- Requires the Task Force and the Department each to send a copy of the report to the Governor, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House, and the Director of Mental Health and Addiction Services.
Highways and Transportation

Am. Sub. H.B. 23


Sens. Gardner, Cafaro, Turner, Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jones, Jordan, Kearney, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Tavares, Uecker, Widener

Effective date: March 20, 2014

- Creates the "Ovarian Cancer Awareness" license plate, and requires the $25 contribution for the plate to be paid to the organization Cancer Support Community Central Ohio.
- Revises five memorial highway designations.

Sub. H.B. 110


Sens. Manning, LaRose, Beagle, Eklund, Patton, Sawyer, Tavares, Widener

Effective date: February 5, 2014

- Creates three new special license plates: "Power Squadron," "Combat Action Ribbon or Badge," and "Nationwide Children's Hospital."

Am. S.B. 137

Sens. Patton, Gardner, Balderson, Manning, Beagle, Brown, Eklund, Hughes, Kearney, LaRose, Oelslager, Schiavoni, Smith, Tavares, Turner, Widener

Effective date: Emergency, December 19, 2013

- Requires motor vehicle operators to move over or slow down upon approaching a stationary highway maintenance vehicle or a stationary Public Utilities Commission vehicle used to conduct motor vehicle inspections.

- Establishes a 90-day grace period before the requirement is enforced.
Am. Sub. S.B. 206

Sens.  Burke and Cafaro, Coley, LaRose, Tavares, Bacon, Balderson, Beagle, Eklund, Jones, Lehner, Manning, Peterson, Schaffer, Widener

Reps.  Amstutz, Hackett, McClain, McGregor, Sears

Effective date:  March 20, 2014; appropriation effective December 19, 2013

Medicaid reforms

• Requires the Medicaid Director to implement a reform to the Medicaid program that limits the growth in the program’s per recipient per month cost, and prescribes parameters for limiting the cost growth based on the Consumer Price Index medical inflation rate and a projected medical inflation rate obtained or determined by the Joint Medicaid Oversight Committee.

• States that the General Assembly encourages the Department of Medicaid to achieve greater cost savings for the Medicaid program than are required under the reform, and expresses the General Assembly’s intent that any amounts saved under the reform not be expended for any other purpose.

• Requires the Director to implement reforms that reduce the prevalence of comorbid health conditions among, and the mortality and infant mortality rates of, Medicaid recipients.

• Requires the Director to establish systems that: (1) encourage providers to provide services to Medicaid recipients in culturally and linguistically appropriate manners, (2) improve the health of Medicaid recipients through the use of population health measures, and (3) reduce health disparities.

Medicaid cost-sharing

• Eliminates requirements that the Medicaid cost-sharing program include: (1) copayments for at least dental, vision, and nonemergency emergency department services and prescribed drugs, and (2) premiums, enrollment fees, deductions, and similar charges.

• Prohibits the cost-sharing program from being instituted in a manner that disproportionately impacts the ability of Medicaid recipients with chronic illnesses to obtain medically necessary Medicaid services.
Joint Medicaid Oversight Committee (JMOC)

- Creates JMOC to oversee the Medicaid program on a continuing basis, and appropriates $350,000 in fiscal year 2014 and $500,000 in fiscal year 2015 for its expenses.

- Requires JMOC to: (1) review how the Medicaid program relates to public and private health care coverage, (2) review the reforms the Director is to implement, (3) recommend policies and strategies that encourage self-sufficiency and less use of the program and improvements in statutes and rules concerning the program, (4) develop a plan of action for the program’s future, and (5) receive and consider reports from county Healthier Buckeye councils.

- Permits JMOC to investigate each state and local government agency that administers part of the Medicaid program and, if the JMOC chairperson gives prior approval, to inspect its offices.

- Requires JMOC to: (1) contract with an actuary, before each fiscal biennium, to determine the projected medical inflation rate for the biennium, and (2) determine whether it agrees with the actuary’s projected rate and, if it disagrees, determine a different projected rate.

- Permits JMOC to review bills and resolutions regarding the Medicaid program and to submit a report that includes its determination regarding a bill’s or resolution’s desirability as a matter of public policy.

- Requires JMOC to prepare a report by January 1, 2015, with recommendations for legislation regarding Medicaid payment rates for Medicaid services.

- Abolishes the Joint Legislative Committee for Unified Long-Term Services and Supports, and authorizes JMOC to examine the issues that the abolished committee examined.

Other provisions

- Abolishes the Joint Legislative Committee on Health Care Oversight, the Joint Legislative Committee on Medicaid Technology and Reform, and the Medicaid Buy-In Advisory Council.

- Requires the Executive Director of the Office of Health Transformation to adopt strategies that prioritize employment as a goal for individuals participating in government programs providing public benefits.

- States that nothing in the act is to be construed as the General Assembly endorsing, validating, or otherwise approving the Medicaid program’s coverage of the expansion group authorized by the Patient Protection and Affordable Care Act.
• Permits each board of county commissioners to establish a county Healthier Buckeye council, and to invite any person or entity to become a member of the council.

• Permits a council to promote means by which council members or the entities they represent may reduce individuals' and families' reliance on publicly funded assistance programs.

• Permits a council to: (1) promote care coordination among physical health, behavioral health, social, employment, education, and housing service providers within the county, and (2) collect and analyze data regarding individuals or families who participate in programs operated by council members or the entities they represent.
Sub. H.B. 3

Reps. Sears and Kunze, Hottinger, Anielski, Brown, Hackett, Henne, Rosenberger, Sprague, Wachtmann, Batchelder

Sens. Bacon, Hite, Peterson

Effective date: July 30, 2013

- Provides for the certification of insurance navigators that assist individuals in purchasing health insurance through a health insurance exchange established under the Patient Protection and Affordable Care Act of 2010.
- Enables a licensed insurance agent to become certified to sell health benefit plans offered through an exchange, and prescribes associated requirements.
- Prohibits an insurance navigator from engaging in the act of selling insurance and other related functions.
- Specifies eligibility requirements for insurance navigators.
- Specifies insurance navigator duties.
- Prescribes duties for the Superintendent of Insurance regarding certification of insurance navigators.
- Specifies disciplinary actions that the Superintendent can take against an insurance navigator that violates the Insurance Law.
- Requires a health insurance exchange to maintain a list of the contact information of licensed insurance agents that are also certified to sell insurance through an exchange and a list of individuals certified as insurance navigators.
- Requires a health insurance exchange to provide to any individual seeking it information on contacting both licensed agents certified to sell insurance through an exchange and nonlicensed individuals or entities who are certified as insurance navigators that are operating in an individual’s area.
- Limits in-person assisters to licensed insurance agents who are certified to sell health plans through an exchange and insurance navigators.
- Alters cost-sharing requirements imposed on health insuring corporations (HICs), limiting the maximum total cost-sharing charge that a HIC can impose to 40% of the costs for providing health services.
- Adds approved proprietary continuing education institutions to the list of entities that are authorized to provide cosmetology continuing education programs.
Sub. S.B. 9

Sens. Bacon, Beagle, Hite, Jones, Seitz, Widener, Eklund, Lehner, Manning, Peterson
Reps. Carney, Hackett, Henne, Huffman, Letson, Pillich, Sears, Wachtman, Batchelder

Effective date: September 4, 2013

- Requires health insuring corporations to file any changes in a solicitation document with the Superintendent of Insurance 30 days prior to use for informational purposes.

- Authorizes the Superintendent to disapprove any solicitation document or require that the document be amended if the Superintendent finds that it fails to comply with the necessary requirements.

- Suspends the operation of the following beginning January 1, 2014, and expiring January 1, 2018: Ohio’s Open Enrollment Program, Ohio’s Health Reinsurance Program, and the option to convert certain health insurance contracts and policies.

- Requires that if the sections of the federal Patient Protection and Affordable Care Act of 2010 related to health insurance coverage do not take effect January 1, 2014, or become ineffective before the suspension expires on January 1, 2018, the suspended statutes, either in their present form or as later amended, again become operational.
Juvenile and Family Law

H.B. 142


Sens. Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, Kearney, Lehner, Manning, Obhof, Oeislager, Peterson, Sawyer, Schaffer, Schiavoni, Skindell, Smith, Tavares, Turner, Widener

Effective date: February 14, 2014

- Permits two or more child abuse and child neglect prevention advisory boards, with the approval of the Children's Trust Fund Board, to partner with each other to develop a comprehensive local allocation plan for the purpose of preventing child abuse and child neglect.

- Allows the comprehensive local allocation plan, and the local allocation plan prepared by a singular child abuse and child neglect prevention advisory board, to be submitted to the Children's Trust Fund Board on an annual, biannual, or multiple-year basis, as determined by the Board.

- Permits the Board, when allocating funds to a county family and children first council that has been designated to serve as the child abuse and child neglect prevention advisory board, to send those funds to the county or district children's trust fund in the county treasury, or directly to the council's administrative agent.
Sub. S.B. 48

Sens. Balderson, Hite, Burke, Faber, Seitz

Effective date: July 30, 2013

Beer manufacturing permits

- Creates the A-1c liquor permit for beer manufacturers that produce no more than 31 million gallons of beer annually to manufacture beer and sell beer products for home use, for consumption on the premises where manufactured, and to retail and wholesale permit holders.

- Limits the A-1 liquor permit to beer manufacturers that produce more than 31 million gallons of beer annually, and eliminates the authority for A-1 permit holders to sell beer to retail permit holders.

- Allows A-1 liquor permit holders who obtained the permit prior to the act’s effective date to continue to operate under that permit until it expires, even if the permit holder would otherwise be eligible for an A-1c permit.

- Specifies that an A-1 liquor permit holder who obtained the permit prior to the act’s effective date is prohibited from selling beer products to retail permit holders unless the A-1 permit holder would otherwise qualify to hold an A-1c permit (i.e., produces no more than 31 million gallons of beer annually).

Distribution franchises and territories

- Prohibits a manufacturer of alcoholic beverages from awarding a distribution franchise or territory to itself, a subsidiary, or another entity in which it has any financial interest, if that franchise, territory, or portion of that territory has been previously awarded to a distributor.

- Prohibits a manufacturer of alcoholic beverages from acquiring a distribution franchise or territory if that franchise, territory, or portion of that territory has been previously awarded to a distributor.
• Notwithstanding these prohibitions, generally authorizes a manufacturer of alcoholic beverages or subsidiary of a manufacturer that operated a distribution franchise prior to the act’s effective date to continue that operation.

• Specifies that these prohibitions do not apply to the holder of an A-1c liquor permit (applicable to beer manufacturers manufacturing no more than 31 million gallons per year), and to the holder of a B-2a liquor permit (applicable to a brand owner, importer, or manufacturer of wine under specified circumstances).

• Notwithstanding these prohibitions, authorizes a manufacturer of alcoholic beverages to acquire or award itself a distribution franchise or territory for not longer than 180 days in certain circumstances in which a distributor has entered into bankruptcy proceedings.

**Population-based liquor permit quotas – exemptions**

• For purposes of a continuing exemption from C and D liquor permit quotas, makes permissive, instead of mandatory, the use of specified factors in determining the designation of an economic development project.

• Allows a specified C or D liquor permit that has been transferred for an economic development project in a quota restricted city or township to be subsequently transferred to a location that does not qualify as an economic development project, regardless of the quota.

• Removes a provision that required a municipal corporation that owns an airport to attempt to obtain a specified D liquor permit from an existing permit holder prior to receiving an exemption from population quota restrictions regarding the airport.

• Removes a provision that required the owner of a premises located on a specified publicly owned golf course to attempt to obtain a specified D liquor permit from an existing permit holder prior to receiving an exemption from population quota restrictions regarding the premises.

**A-1-A liquor permit**

• Expands the locations at which an A-1-A liquor permit may be located to include a premises that is situated on a parcel or tract of land that is not more than one-half mile from an A-1, A-1c, or A-2 manufacturing permit premises (any of which permits is required under continuing law in order to receive an A-1-A liquor permit).
Sub. H.B. 72


Sens. LaRose, Bacon, Faber, Hite, Lehner, Oelslager, Peterson, Uecker

Effective date: January 30, 2014; certain provisions effective October 31, 2013

County recorders

- Modernizes terminology in the Revised Code to accurately reflect how the county recorder records and keeps instruments today, for example, by computer and on other media, rather than in record books and on paper.

- Requires that instruments presented for recording be kept in the county recorder’s general record series known as the "official records," rather than in six separate sets of records.

- Consolidates separate indexes of instruments into the direct and reverse indexes, and repeals the requirement to maintain the "notice index."

- Eliminates obsolete fees for recording certain instruments manually or by typewriter, and requires a fee to be charged for recording notices of possessory interests in land.

- Eliminates a fine on any county recorder who records plats contrary to a municipal corporation’s platting laws.

- Makes general recording changes.

- Requires the lessor of natural gas and oil lands, and the owner of surface lands, to file with the county recorder, a notice of a lessee's or mineral interest holder's failure to file a notice that the lease has not been forfeited or the mineral interest has not been abandoned.

- Allows the county recorder to dispose of paper versions of notices of recognizance liens and of their discharge if the county records commission revises the records retention and disposal schedule accordingly.

- Adds to the requirement that when the county auditor transfers any conveyance of real property presented to the auditor and reviews the conveyance to ensure it complies with the standards that the auditor and county engineer are required to
adopt by written agreement, the auditor must also review it to see that it complies with state and local county recorder requirements.

- Makes changes regarding certificates of title affecting registered land and the priority of enforcement of the certificates.
- Repeals statutory authority for a person with registered land in a county that has adopted a resolution abolishing land registration to file a petition to seek a restraining order against its abolition in that county.
- Changes the time period within which implementation of abolition of land registration will occur, from one year following the expiration of the time for filing a petition or when the time for appeals has been exhausted, to no more than one month after the adoption of the resolution of abolition.
- Eliminates the requirement to provide notice by mail to landowners and adverse claimants of the public hearing on a proposal to abolish land registration.
- Eliminates the recording of certain instruments as chattel mortgages, and instead requires them to be recorded in the official records.
- Permits a special taxing district, the territory of which is coextensive with the territorial limits of a county, to designate the county records commission as the records commission for the special taxing district.

Various taxes

- Accelerates application of a commercial activity tax exclusion for receipts of grain handlers from grain sales.
-Authorizes a taxpayer eligible to claim a portion of a corporation franchise tax (CFT) credit for tax year 2014 for rehabilitating historic buildings to instead claim the credit at the end of tax year 2013, before the CFT expires.
-Expressly provides for the continued application of the qualifying pass-through entity withholding tax on entity owners after the CFT expires by specifying that the rate of the withholding tax remains 8.5% after the CFT expires.
-Clarifies that inflation-indexing adjustments to income tax brackets and the personal and dependent exemptions remain effective until the next calendar year in which a new adjustment is made.
- Clarifies that a taxpayer may deduct retirement pay from service in the Commissioned Corps of the National Oceanic and Atmospheric Administration or Public Health Service for taxable years beginning on or after January 1, 2013.
- Applies the 10% and 2.5% partial property tax exemptions (“rollbacks”) to all inside millage, regardless of the tax year to which the levy of the millage would first apply.
• Authorizes a surviving spouse aged 59 or older whose deceased spouse received the homestead exemption for tax year 2013 to continue to receive the exemption, regardless of the surviving spouse’s income.

• Lengthens, to any number of years or for a continuing period of time, the maximum term of a property tax levy benefitting a zoo operated or supported by a county.

• Authorizes a property tax exemption for a convention center or arena owned by a city and located in a county that had a population between 500,000 and 600,000 when the facility was constructed.

•Suspends until July 1, 2015, transfers to the Income Tax Reduction Fund from any use tax collections that may arise from remote sellers, if Congress enacts legislation allowing states to require those sellers to collect use taxes.
Military and Veterans

Am. Sub. H.B. 98


Sens. Uecker, LaRose, Skindell, Brown, Tavares, Schaffer, Bacon, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, Jordan, Kearney, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Smith, Turner, Widener

Effective date: Emergency, November 15, 2013

• Requires each of Ohio's occupational licensing agencies to apply an individual's military training and experience toward the requirements to receive that license.

• Defines "military" to include service in the U.S. armed forces or a reserve component of the U.S. armed forces, including the Ohio National Guard or the national guard of any other state.

• Requires each licensing agency to adopt rules regarding which military programs of training, military primary specialties, and lengths of service are substantially equivalent to or exceed the educational and experience requirements for each license that agency issues.

• Expands the circumstances under which the Bureau of Motor Vehicles must waive the requirement that an applicant for a commercial driver's license take the required skills test, if the applicant has military experience in the operation of commercial vehicles.

• Modifies the requirement that occupational licensing agencies extend the time for a licensee to fulfill continuing education requirements, if the licensee has been serving on active military duty for more than 31 days, to include active-duty service in the U.S. armed forces or the national guard of another state.

• Permits a former member of any of those services to apply for such an extension based on recent active-duty service.
• Requires a licensee who applies for the extension to state that the licensee requires the extension because the licensee served on active duty during the current or a prior reporting period.

• Requires occupational licensing agencies to consider relevant education, training, or service in the national guard of another state in determining whether a licensee has fulfilled required continuing education, in addition to other types of military service as continuing law requires.

• Adds service in the national guard of another state to the types of military service that allow the holder of an expired occupational license to renew that license at the usual cost, without paying a penalty or retaking an examination, if the license was not renewed because the holder or the holder’s spouse was serving in the military.

• Adds service in a reserve component of the U.S. armed forces, including the Ohio National Guard and the national guard of another state, to the types of active military duty that qualify a licensed psychologist or a registered professional engineer or surveyor to receive a waiver of the license renewal fee or continuing education requirement, at the discretion of the licensing board.
S.B. 201

Sens. Bacon, Balderson, Brown, Burke, Coley, Eklund, Hite, Hughes, Kearney, Lehner, Sawyer, Schiavoni, Seitz, Smith, Tavares, Turner


Effective date: Emergency, December 19, 2013

- Authorizes the conveyance of approximately 45 acres of state-owned tracts of real estate in Franklin County to Step by Step Academy, Inc., or to an alternate grantee if Step by Step Academy fails to complete the purchase within one year.
Public Retirement

H.B. 67


Sens. Brown, Balderson, Beagle, Eklund, Hite, Hughes, Jones, LaRose, Lehner, Obhof, Oelslager, Patton, Peterson, Seitz, Uecker

Effective date: Emergency, March 6, 2013

- Delays until September 7, 2013 (from March 7, 2013), a requirement that certain public employers notify individuals who have provided personal services of their right to seek determinations of membership in the Public Employees Retirement System (PERS).

- Delays until August 7, 2014 (from January 7, 2014), the date by which an individual must submit a request for PERS to determine whether the individual should have been classified as a public employee for purposes of PERS membership.
Am. H.B. 177


Sens. Manning, Gardner, Brown, Burke, Coley, Eklund, Hughes, LaRose, Obhof, Oelslager, Patton, Schiavoni, Smith, Tavares, Uecker

Effective date: March 20, 2014

- Prohibits the installation or reinstallation of a counterfeit or nonfunctional air bag in a motor vehicle, and the manufacture, import, sale, or offer for sale of a counterfeit or nonfunctional air bag.

- Prohibits the sale, installation, or reinstallation of a device in a motor vehicle that causes the vehicle’s diagnostic system to inaccurately indicate that the vehicle is equipped with a functional air bag.

- Increases the penalty for improper replacement of an air bag in a motor vehicle if the violation results in serious physical harm to an individual.
Special Designations

H.B. 77


Sens.  Schaffer, Beagle, Skindell, Bacon, Balderson, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Smith, Tavares, Turner, Uecker, Widener

Effective date: September 27, 2013

- Designates October as "Manufacturing Month."

H.B. 97


Sens.  Hite, Coley, Sawyer, Beagle, Gardner, Manning, Schiavoni, Turner, Bacon, Brown, Burke, Eklund, Faber, Gentile, Hughes, Jones, Kearney, LaRose, Obhof, Oelslager, Patton, Peterson, Schaffer, Skindell, Tavares, Uecker, Widener

Effective date: January 30, 2014

- Designates October as "Dyslexia Awareness Month."

H.B. 127

Sens.  Tavares, Skindell, Manning, Schiavoni, Schaffer, Beagle, Bacon, Balderson, Brown, Cafaro, Coley, Faber, Gardner, Gentile, Hite, Hughes, Jordan, Kearney, LaRose, Lehner, Obhof, Oelslager, Patton, Sawyer, Smith, Turner, Uecker, Widener

Effective date: February 14, 2014

- Designates March as "Career-Technical Education and Skilled Workforce Development Month."

H.B. 149


Sens.  Brown, Tavares, Cafaro, Jones, Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jordan, Kearney, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Turner, Uecker, Widener

Effective date: September 27, 2013

- Designates September 10 as "Ohio Suicide Prevention Day."

S.B. 24

Sens.  Obhof, Manning, Schiavoni, Lehner, Gardner, Jones, Seitz, Sawyer, Kearney, Oelslager, Jordan, Tavares, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Hite, Hughes, LaRose, Peterson, Schaffer, Turner, Uecker, Widener


Effective date: August 15, 2013

- Designates October 15 as "Pregnancy and Infant Loss Remembrance Day."
S.B. 33

Sens. Bacon and LaRose, Manning, Sawyer, Schaffer, Coley, Burke, Skindell, Brown, Eklund, Hite, Hughes, Obhof, Oelslager, Patton, Peterson, Smith, Tavares, Turner, Uecker


Effective date: August 15, 2013

- Adopts the Adena Pipe as the official state artifact of Ohio.

S.B. 38

Sens. Schiavoni, Brown, Cafaro, Tavares, Smith, Bacon, LaRose, Schaffer, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, Jordan, Kearney, Lehner, Manning, Obhof, Oelslager, Peterson, Sawyer, Seitz, Skindell, Turner, Uecker, Widener


Effective date: October 11, 2013

- Designates the first full week in October as "Nonviolence Week."

Am. S.B. 94

Sens. Balderson, Seitz, Hughes, Kearney, LaRose, Beagle, Brown, Burke, Eklund, Faber, Gardner, Gentile, Hite, Jones, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Smith, Tavares, Turner, Uecker, Widener


Effective date: September 27, 2013

- Designates the first week of October as "Ohio Forest Products Awareness Week."
Am. S.B. 67

Sens. Peterson, Obhof, Seitz, Hughes, Beagle, Hite, Balderson, Coley, Eklund, Faber, Gardner, LaRose, Manning, Oelslager, Patton, Widener

Reps. Amstutz, Beck, Buchy, Dovilla, Hackett, Hall, Henne, Huffman, Johnson, Maag, McClain, McGregor, Scherer, Sprague, Terhar, Young, Batchelder

Effective date: September 4, 2013

Agreed-upon procedure audit

- Requires the Auditor of State to create, by rule, an agreed-upon procedure audit (AUP audit) for certain eligible political subdivisions.
- Provides that an eligible subdivision is not required to engage in an AUP audit.
- Requires the Auditor of State to adopt rules that establish criteria for determining a subdivision's eligibility for an AUP audit.
- Authorizes the Auditor of State to waive on a case-by-case basis criteria that may disqualify a subdivision from undergoing an AUP audit.
- Requires the Auditor of State or an independent certified public accountant engaged by the Auditor to perform an AUP audit.
- Applies to an AUP-audited subdivision the continuing requirement that a public office file an annual financial report with the Auditor of State.

Auditor of State rule-making

- Eliminates the Auditor of State's exemption from filing a rule summary and fiscal analysis with proposed rules.
- Authorizes the Auditor of State to send notices of hearings on, and copies of, a proposed rule by electronic mail as an alternative to mailing them.

Authority to audit private persons

- Excludes from the public moneys the Auditor of State may audit money or revenue earned by or from a person's ownership, operation, or use of a tangible or intangible asset that was sold, was leased, was licensed, was the granting of a franchise, or was otherwise transferred or conveyed by a public office to the person under an agreement, for consideration.
- Revises the definition of "audit" to specify that only specific funds or accounts of a private institution, association, board, or corporation into which public money has been placed or deposited qualifies for an audit.
• Limits the Auditor of State’s audits to the specific funds or accounts of private institutions, associations, boards, and corporations into which has been placed or deposited public money from a public office.

• Authorizes the Auditor of State to audit some or all of the other nonpublic-money funds or accounts of a private institution, association, board, or corporation that has received public money from a public office only if one or more criteria apply.

Accounting for public money
• Requires public money in the possession of any private institution, association, board, or corporation to be accounted for separately and independently from the private organization’s other funds and accounts.

• Authorizes the Auditor of State to adopt rules establishing the manner in which the public money must be separately and independently accounted for.

Audits of JobsOhio
• Limits the public moneys the Auditor of State may audit, with respect to the transfer to and operation of the enterprise acquisition project by JobsOhio, to only taxes collected on spirituous liquor sales that are then due to the Department of Taxation and amounts then due to the state General Revenue Fund.

• Requires JobsOhio’s articles of incorporation to require that a firm of independent certified public accountants perform a financial audit of JobsOhio and the nonprofit entity the sole member of which is JobsOhio once each year, rather than an independent certified public accountant performing the audit of JobsOhio at least once every year.

• Requires other changes to JobsOhio’s articles of incorporation, including a requirement that a supplemental compliance and control review be conducted pursuant to a written agreement by and among the accounting firm, the Auditor of State, JobsOhio, and any nonprofit entity the sole member of which is JobsOhio.

• Requires a copy of the financial audit report and the report of the compliance and control review results to be provided to the Governor, Auditor of State, Speaker of the House, and President of the Senate.

• Exempts from the Public Records Act certain working papers of the firm auditing JobsOhio and the nonprofit entity the sole member of which is JobsOhio, and the financial audit report and any report of the supplemental compliance and control review, except for a record designated as being available to the public in the contract between the Director of Development Services and JobsOhio.
Auditing volunteer firefighter annuity programs

- Allows, rather than requires, the Auditor of State to audit annuity programs for volunteer firefighters.
Taxation

Am. H.B. 112


Sens.  Tavares, Balderson, Burke, Eklund, Faber, Hite, Hughes, Jones, Kearney, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Smith, Turner

Effective date: October 11, 2013

• Creates an income tax refund contribution check-off for the benefit of the Breast and Cervical Cancer Project.

• Discontinues an income tax refund check-off category if contributions to that category do not exceed $150,000 in each of two consecutive years.

• Purports to prohibit the General Assembly from authorizing more than six check-off categories at any one time.

• Prohibits any future check-off category from being effective for more than two years.

• Requires revenue from any future check-off category to be spent or distributed by a state agency.

Sub. H.B. 138


Sens.  Schaffer, Balderson, Burke, Eklund, Gardner, Hite, Hughes, Oelslager, Patton, Peterson, Seitz, Skindell

Effective date: October 11, 2013; one provision effective January 1, 2015

• Creates a small claims docket within the Ohio Board of Tax Appeals (BTA) to which the BTA may, upon request, assign certain appeals involving nonbusiness real property or where the amount in controversy is less than $10,000.

• Allows parties to file a notice of appeal with the BTA by fax or electronically.
• Requires the BTA, effective January 1, 2015, to adopt rules requiring the Tax Commissioner, county boards of revision, and municipal boards of appeal to file transcripts electronically.

• Requires the BTA to adopt rules creating and implementing a mediation program.

• Requires the BTA to adopt rules establishing case management procedures for appeals.

• Requires an appeal filed with the BTA, except for appeals from a board of revision, to contain a statement of the claimed error in the decision being appealed and a demand for relief.

• Prescribes methods and conditions for amending an appeal notice.

• Specifically authorizes the BTA to consider motions before rendering a decision.

• Specifies that an appeal of a decision of a municipal board of appeal filed in a court of common pleas is governed by civil rules of court.

**Am. Sub. H.B. 311**

Reps.  

Sens.  
Burke, Coley, Eklund, LaRose, Oelslager, Patton, Seitz, Uecker

**Effective date:** Emergency, December 19, 2013

• Authorizes a taxpayer eligible to claim a corporation franchise tax (CFT) credit for tax year 2014 for rehabilitating historic buildings to claim the credit after the CFT expires if the taxpayer claims the credit by October 15, 2014.

• Clarifies that a taxpayer may deduct retirement pay from service in the Commissioned Corps of the National Oceanic and Atmospheric Administration or the Public Health Service for taxable years beginning in 2013.

• Clarifies that a person eligible for the property tax homestead exemption without income limits continues to receive that exemption if the person moves to a different homestead.
Am. S.B. 28

Sens. Obhof, Hite, Schaffer, Tavares, Beagle, Coley, Faber, Hughes, Oelslager, Peterson, Sawyer, Seitz, Uecker


Effective date: Emergency, March 22, 2013

- Incorporates into Ohio income tax law changes to federal tax law taking effect since December 20, 2012.

- Allows suppliers of a distribution center to qualify for the existing commercial activity tax exclusion for receipts from sales to qualified distribution centers (QDC) if the QDC does not currently meet the exclusion requirements, but expects to meet those requirements in three years.

- Adjusts penalties that an operator of a QDC must pay for qualified distribution receipts improperly excluded by suppliers.

- Requires the Tax Commissioner to notify a QDC's suppliers after an exemption certificate is issued to the center's operator, and removes the obligation of the operator to notify such suppliers.
Listed on the following pages is the legislative history of each bill and one joint resolution enacted in 2013. 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:

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- **ANR**: Agriculture & Natural Resources
- **CLT**: Commerce, Labor & Technology
- **DRR**: Economic Development and Regulatory Reform
- **ED**: Education
- **FA**: Finance & Appropriations
- **FHD**: Financial Institutions, Housing & Urban Development
- **HG**: Health & Aging
- **INS**: Insurance
- **JUD**: Judiciary
- **MWD**: Manufacturing & Workforce Development
- **MVA**: Military & Veterans Affairs
- **PO**: Policy & Legislative Oversight
- **SLG**: State and Local Government
- **PU**: Public Utilities
- **RR**: Rules & Reference
- **TPS**: Transportation, Public Safety & Homeland Security
- **WM**: Ways & Means
- **AG**: Agriculture
- **CL**: Commerce & Labor
- **CRJ**: Criminal Justice
- **CVJ**: Civil Justice
- **ED**: Education
- **ENR**: Energy & Natural Resources
- **FIN**: Finance
- **IFI**: Insurance & Financial Institutions
- **MHS**: Medicaid, Health & Human Services
- **PLV**: Public Safety, Local Government & Veterans Affairs
- **PU**: Public Utilities
- **RF**: Reference
- **RU**: Rules
- **SGO**: State Government Oversight & Reform
- **TR**: Transportation
- **WED**: Workforce & Economic Development
- **WM**: Ways & Means
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| 51       | Concurrence Note: House refused to concur in Senate amendments on 03/13/13; Senate insisted on amendments and requested a committee of conference on 03/13/13  
Eff. Date Note: Certain provisions and Section 757.20 effective 04/01/13; certain provisions effective other than those dates; contains item vetoes |
| 59       | Concurrence Note: House refused to concur in Senate amendments on 06/12/13; Senate insisted on amendments and requested a committee of conference on 06/12/13; Report of the committee of conference agreed to on 06/27/13  
Eff. Date Note: Certain provisions effective 09/29/13; certain other provisions effective on other dates; contains item vetoes |
| 72       | Eff. Date Note: Certain provisions effective 10/31/13 |
| 98       | S. Cmte. Assigned Note: Referred to PLV on 05/29/13  
S. Cmte. Report Note: Reported out of PLV on 06/19/13 with amendments  
S. 3rd Cons. Note: Informally passed on 06/27/13, 07/02/13, 07/03/13, 07/08/13, 07/11/13, 07/16/13, 07/17/13, 07/22/13, 07/24/13, 07/25/13, 07/30/13, 08/01/13, 08/05/13, 08/12/13, 08/14/13, 08/19/13, 08/21/13, 08/22/13, 08/27/13, 08/29/13, 09/03/13, 09/05/13, 09/09/13, 09/12/13, 09/17/13, 09/19/13, 09/23/13, 09/26/13, and 10/01/13 and retained its place on the calendar; Recommitted to RU on 10/02/13 |
<p>| 138      | Eff. Date Note: Certain provisions effective 01/01/15 |</p>
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<td>18 Election administration/ballots/candidates-revise law</td>
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     | H. Cmte. Report Note: Reported out of MWD as a Substitute on 06/19/13 and re-referred to FA  
     | Eff. Date Note: Section 3 effective 07/11/13 |
| 23  | S. Cmte. Assigned Note: Referred to MHS on 02/14/13; Re-referred to CVJ on 11/20/13  
     | S. Cmte. Report Note: Reported out of MHS on 04/25/13 as a Substitute  
<pre><code> | Eff. Date Note: Certain sections effective 03/20/15 |
</code></pre>
<p>| 66  | Concurrence Note: Informally concurred on 6/25/13 and retained its place on the calendar |
| 193 | Concurrence Note: Senate refused to concur in House amendments on 10/30/13; House insisted on amendments and requested a committee of conference on 10/31/13 |
| 206 | Eff. Date Note: Section 9 effective 12/19/13 |</p>
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