(124th General Assembly)
(Amended Substitute House Bill Number 299)

AN ACT

To amend sections 145.321, 145.326, 145.3210, 175.21, 3307.693, 3307.695, 3307.698, 3309.371, 3309.376, 3309.3710, 3318.084, 4507.52, 4519.10, 5505.171, and 5505.173, and to enact section 339.19 of the Revised Code and to amend Sections 13.04, 28.02, 41, 41.10, 44.02, 44.12, 56, 56.01, 63, 63.09, 63.10, 63.11, 63.15, 63.36, 63.37, and 96 of Am. Sub. H.B. 94 of the 124th General Assembly to change a scheduled deputy registrar fee increase relative to duplicate or replacement identification cards from $3.75 to $2.75, to make other budget-related corrections, to provide for the continued operation of any county tuberculosis hospital that existed on the effective date of Sub. S.B. 173 of the 123rd General Assembly, to permit a school district to apply a "local donation contribution" toward a total or partial offset of its obligation to raise maintenance money, to return the imputed occupancy percentage for a nursing home's or ICF-MR's indirect care costs for fiscal 2003 from 87% to 85%, to require the Department of Job and Family Services to use money in the Nursing Facility Stabilazation Fund to pay nursing facilities an amount equal to $1.50 per Medicaid day for fiscal years 2002 and 2003, to make an appropriation, and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 145.321, 145.326, 145.3210, 175.21, 3307.693, 3307.695, 3307.698, 3309.371, 3309.376, 3309.3710, 3318.084,

4507.52, 4519.10, 5505.171, and 5505.173 be amended and section 339.19 of the Revised Code be enacted to read as follows:

Sec. 145.321. On and after October 1, 1957, all persons in receipt of, or who are or become eligible to receive, a monthly allowance, pension, or other benefit effective prior to June 29, 1955, which is payable or becomes payable pursuant to the provisions of sections 145.33 to 145.36 and 145.46 of the Revised Code, or an allowance payable at any time under an option elected by a member and effective prior to that date, shall be paid an increased allowance, pension, or benefit as follows:

(A) An amount determined by increasing the original allowance, pension, or benefit by the following percentages as determined by the calendar year in which the allowance, pension, or benefit became effective:

Calendar Year Effective	Per Cent of Increase
1938-39	100
1940	94
1941	89
1942	77
1943	70
1944	68
1945	66
1946	55
1947	35
1948	23
1949	25
1950	23
1951	8
1952	4
1953	3
1954	2
Prior to June 29, 1955	2

(B) If the amount of any allowance, pension, or other benefit is increased by division (A) of this section to an amount less than one hundred ten per cent of the present amount payable immediately prior to October 1, 1957, the present amount shall be increased by ten per cent.

(C) On and after August 1, 1959 the monthly allowance, pension, or other benefit effective prior to June 29, 1955, (exclusive of any amount receivable monthly by reason of a voluntary deposit made for additional annuity), together with the supplemental allowance payable pursuant to divisions (A) and (B) of this section, shall be increased by twelve per cent.

(D) Effective November 1, 1965, the allowances of each person who retired on or before June 30, 1955 and is receiving age and service or disability benefits under sections 145.32, 145.33, 145.34, and 145.36 of the Revised Code shall be increased by one hundred twenty dollars annually, notwithstanding the final average salary limitations in division ~~(F)~~(A)(6) of section 145.33 and division (B) of section 145.36 of the Revised Code.

(E) Effective November 1, 1965, the allowances of each person who retired after June 30, 1955 and on or before October 31, 1965 and is receiving age and service ~~of~~ or disability benefits under sections 145.32, 145.33, 145.34, and 145.36 of the Revised Code shall be increased by one hundred twenty dollars annually, which when added to the allowance in effect on October 31, 1965, shall not exceed the final average salary limitations found in division ~~(F)~~(A)(6) of section 145.33 and division (B) of section 145.36 of the Revised Code, except that the increase shall not be less than seventy-two dollars annually.

(F) Beginning November 1, 1965, the monthly benefit payable under section 145.45 of the Revised Code shall be increased six dollars for each survivor beneficiary receiving a benefit on October 31, 1965 and for each successor to such benefit.

For the purposes of this section: (1) The total increase payable per month on or after November 1, 1965 to a retirant or beneficiary from one or more state systems shall not exceed the ten dollar increase as provided in this division, and (2) in all cases involving combined membership and service as provided for under section 145.37 of the Revised Code, only those cases which are being paid by the public employees retirement system shall be calculated under the provisions of this section.

~~On or before August 1, 1982, and on or before the first day of August in each year thereafter, the public employees retirement board shall certify to the treasurer of state the amount required to be paid in the preceding fiscal year under divisions (A) and (B) of this section. Upon receipt of this certification, the treasurer of state shall pay the amount certified. The amount received by the public employees retirement board shall be credited to the proper fund from which such additional payments are paid.~~

Sec. 145.326. On and after December 31, 1971, all persons who retired and were eligible to receive a pension that was payable prior to July 1, 1968, pursuant to section 145.33, 145.34, or 145.36 of the Revised Code, or in the event of the death of such persons, the person designated by the deceased to receive payments under section 145.46 of the Revised Code, shall receive an additional monthly payment of two dollars for each year between the member's effective date of retirement or disability and December 31, 1971,

or an additional fifty dollars, whichever is less. ~~On or before the first day of August in 1980 and on or before the first day of August in each year thereafter, the public employees retirement board shall certify to the treasurer of state the amount required to be paid in the preceding fiscal year under this section. Upon receipt of such certification, the treasurer of state shall pay to the public employees retirement system the amount certified.~~

Sec. 145.3210. (A) Effective July 1, 1981, each person eligible to receive an allowance, pension, or benefit pursuant to sections 145.33, 145.34, 145.36, 145.37, division (A) of section 145.45, and section 145.46 of the Revised Code, that was based upon an award made effective before July 1, 1974, shall have ~~his~~ the person's monthly allowance, pension, or benefit increased by five per cent, except that the twelve-month sum of such increases shall not exceed five per cent of the first five thousand dollars of the annual allowance, pension, or benefit.

(B) Effective July 1, 1981, each person receiving or qualified to receive a benefit, pursuant to division (B) of section 145.45 of the Revised Code, that was effective on and after June 14, 1951, through August 26, 1970, shall receive an increase in such benefit of five per cent.

(C) The increases provided in divisions (A) and (B) of this section shall be applied to the benefit payable on and after July 1, 1981.

(D) The increase in the monthly allowance, pension, or benefit provided in divisions (A) and (B) of this section shall be included in the calculation of additional benefits to recipients under section 145.323 of the Revised Code.

(E) The benefits provided in divisions (A) and (B) of this section are a continuation of those first provided in Am. Sub. H.B. 204 as passed by the 113th general assembly.

~~(F) On or before the first day of August, 1982, and on or before the first day of August in each year thereafter, the public employees retirement board shall certify to the treasurer of state the amount needed to pay the cost of the additional payments required under this section for the preceding fiscal year. Upon receipt of these certifications, the treasurer of state shall pay the amount certified.~~

Sec. 175.21. (A) The low- and moderate-income housing trust fund is hereby created in the state treasury. The fund shall consist of all appropriations, grants, gifts, loan repayments, and contributions of money made from any source to the department of development for the fund. All investment earnings of the fund shall be credited to the fund. The director of development shall allocate a portion of the money in the fund to an account of the Ohio housing finance agency. The department shall administer the fund. The agency shall use money allocated to it in the fund for

implementing and administering its programs and duties under sections 175.22 and 175.24 of the Revised Code, and the department shall use the remaining money in the fund for implementing and administering its programs and duties under sections 175.22 to 175.25 of the Revised Code. Use of all money in the fund is subject to the following restrictions: forty-five per cent of the amount of funds awarded during any one fiscal year shall be used to make grants and loans to nonprofit organizations under section 175.22 of the Revised Code, not less than ~~forty-five~~ fifty per cent of the amount of funds awarded during any one fiscal year shall be used to make grants and loans for activities that will provide housing and housing assistance to families and individuals in rural areas and small cities that would not be eligible to participate as a participating jurisdiction under the "HOME Investment Partnerships Act," 104 Stat. 4094 (1990), 42 U.S.C. 12701 note, 12721, no more than ~~six~~ five per cent of the money in the fund shall be used for administration, and no money in the fund shall be used to pay for any legal services other than the usual and customary legal services associated with the acquisition of housing. Except as otherwise provided by the director under division (B) of this section, money in the fund may be used as matching money for federal funds received by the state, counties, municipal corporations, and townships for the activities listed in section 175.22 of the Revised Code.

(B) If after the second quarter of any year it appears to the director that the full amount of the money in the low- and moderate-income housing trust fund designated in that year for activities that will provide housing and housing assistance to families and individuals in rural areas and small cities under division (A) of this section will not be so used, the director may reallocate all or a portion of that amount for other housing activities. In determining whether or how to reallocate money under this division, the director may consult with and shall receive advice from the housing trust fund advisory committee.

Sec. 339.19. Notwithstanding the amendment of sections 339.38, 339.39, 339.42, and 339.43 of the Revised Code, the repeal of sections 339.20, 339.21, 339.22, 339.23, 339.231, 339.24, 339.25, 339.26, 339.27, 339.28, 339.29, 339.30, 339.31, 339.32, 339.33, 339.34, 339.35, 339.36, 339.37, 339.40, 339.41, 339.45, 339.46, and 339.99 of the Revised Code, and any other changes made by Substitute Senate Bill No. 173 of the 123rd general assembly relative to the establishment, maintenance, and operation of a county tuberculosis hospital, a county tuberculosis hospital that was operating under those sections on the effective date of that act, October 10, 2000, may continue to exist and operate on and after that date as though the

provisions of those sections were neither amended nor repealed and had remained in full force and effect.

Sec. 3307.693. On and after October 1, 1957, all persons in receipt of, or who are or become eligible to receive, a monthly allowance, pension, or other benefit effective prior to June 29, 1955, which is payable or becomes payable pursuant to the provisions of former sections 3307.26, 3307.38, 3307.43, and 3307.50 of the Revised Code, or an allowance payable at any time under an option elected by a member and effective prior to that date, shall be paid an increased allowance, pension, or benefit as follows:

(A) An amount determined by increasing the original allowance, pension, or benefit by the following percentages as determined by the calendar year in which the allowance, pension, or benefit became effective:

Calendar Year Effective	Per Cent of Increase
1921-1939	100
1940	94
1941	89
1942	77
1943	70
1944	68
1945	66
1946	55
1947	35
1948	23
1949	25
1950	23
1951	8
1952	4
1953	3
1954	2
Prior to June 29, 1955	2

(B) If the amount of any such allowance, pension, or other benefit is increased by division (A) of this section to an amount less than one hundred ten per cent of the present amount payable immediately prior to October 1, 1957, such present amount shall be increased by ten per cent.

(C) On and after August 1, 1959, the monthly allowance, pension, or other benefit effective prior to June 29, 1955, (exclusive of any amount receivable monthly by reason of a voluntary deposit made for additional annuity, or for purchase of out-of-state credit on or after June 25, 1945), together with the supplemental allowance payable pursuant to divisions (A)

and (B) of this section, shall be increased by twelve per cent.

(D) Effective November 1, 1965, the allowances of all persons who retired before June 30, 1955, and who are receiving benefits as of October 31, 1965, except those granted under former section 3307.49 of the Revised Code, shall be increased ten dollars per month, notwithstanding the seventy-five per cent final average salary limitation in former section 3307.38 of the Revised Code and the sixty per cent final average salary limitation in former section 3307.43 of the Revised Code.

(E) Effective November 1, 1965, the allowances of all persons who retired on or after June 30, 1955, and who are receiving benefits as of October 31, 1965, except those granted under former section 3307.49 of the Revised Code, but including allowances payable at any time under an option elected by a member, shall be increased by ten dollars per month, which when added to the allowance in effect on October 31, 1965, shall not exceed the seventy-five per cent final average salary limitation in former section 3307.38 of the Revised Code or the sixty per cent final average salary limitation in former section 3307.43 of the Revised Code, provided that the increase shall not be less than six dollars per month.

(F) Beginning November 1, 1965, the monthly benefit payable under division (C)(2) of former section 3307.49 of the Revised Code shall be increased six dollars for each survivor beneficiary receiving a benefit on October 31, 1965, and for each successor to such benefit. Beginning November 1, 1965, all survivor beneficiaries receiving benefits as of October 31, 1965, under division (C)(1) of former section 3307.49 of the Revised Code shall be increased six dollars per month.

~~On or before August 1, 1982, and on or before the first day of August in each year thereafter, the state teachers retirement board shall certify to the treasurer of state the amount required to be paid in the preceding fiscal year under divisions (A) and (B) of this section. Upon receipt of this certification, the treasurer of state shall pay the amount certified. The amount received by the state teachers retirement board shall be credited to the proper fund from which such additional payments are paid.~~

Sec. 3307.695. On and after December 31, 1971, all persons who retired and were eligible to receive a pension that was payable prior to July 1, 1968, pursuant to former section 3307.38 or 3307.43 of the Revised Code, or in the event of the death of such persons, the person designated by the deceased to receive payments under former section 3307.50 of the Revised Code, shall receive an additional monthly payment of two dollars for each year between the member's effective date of retirement or disability and December 31, 1971, or an additional fifty dollars, whichever is less. ~~On or~~

~~before the first day of August in 1980 and on or before the first day of August in each year thereafter, the state teachers retirement board shall certify to the treasurer of state the amount required to be paid in the preceding fiscal year under this section. Upon receipt of such certification, the treasurer of state shall pay to the state teachers retirement system the amount certified.~~

Sec. 3307.698. (A) Effective July 1, 1981, each person eligible to receive an allowance, pension, or benefit pursuant to former sections 3307.38, 3307.41, 3307.43, division (C)(1) of former section 3307.49, and former section 3307.50 of the Revised Code that was based upon an award made effective before July 1, 1974, shall have the person's monthly allowance, pension, or benefit increased by five per cent, except that the twelve-month sum of such increases shall not exceed five per cent of the first five thousand dollars of the annual allowance, pension, or benefit.

(B) Effective July 1, 1981, each person receiving or qualified to receive a benefit, pursuant to division (C)(2) of former section 3307.49 of the Revised Code, that was effective on and after June 14, 1951, through August 26, 1970, shall receive an increase in such benefit of five per cent.

(C) The increases provided in divisions (A) and (B) of this section shall be applied to the benefit payable on and after July 1, 1981.

(D) The increase in the monthly allowance, pension, or benefit provided in divisions (A) and (B) of this section shall be included in the calculation of additional benefits to recipients under section 3307.67 of the Revised Code.

(E) The benefit provided in divisions (A) and (B) of this section is a continuation of those first provided in Am. Sub. H.B. 204 as passed by the 113th general assembly.

~~(F) On or before the first day of August 1982, and on or before the first day of August in each year thereafter, the state teachers retirement board shall certify to the treasurer of state the amounts needed to pay the cost of the additional payments required under this section for the preceding fiscal year. Upon receipt of these certifications, the treasurer of state shall pay the amount certified.~~

Sec. 3309.371. On and after October 1, 1957, all persons in receipt of, or who are or become eligible to receive, a monthly allowance, pension, or other benefit effective prior to June 29, 1955, which is payable or becomes payable pursuant to sections 3309.36 to 3309.38, 3309.40, and 3309.65 of the Revised Code, or an allowance payable at any time under an option elected by a member and effective prior to that date, shall be paid an increased allowance, pension, or benefit as follows:

(A) An amount determined by increasing the original allowance,

pension, or benefit by the following percentages as determined by the calendar year in which the allowance, pension, or benefit became effective:

Calendar Year Effective	Per Cent of Increase
1937 - 1939	100
1940	94
1941	89
1942	77
1943	70
1944	68
1945	66
1946	55
1947	35
1948	23
1949	25
1950	23
1951	8
1952	4
1953	3
1954	2
Prior to June 29, 1955	2

(B) If the amount of any such allowance, pension, or other benefit is increased by division (A) of this section to an amount less than one hundred ten per cent of the present amount payable immediately prior to ~~october~~ October 1, 1957, such present amount shall be increased by ten per cent.

(C) On and after August 1, 1959, the monthly allowance, pension, or other benefit effective prior to June 29, 1955, (exclusive of any amount receivable monthly by reason of a voluntary deposit made for additional annuity), together with the supplemental allowance payable pursuant to divisions (A) and (B) of this section, shall be increased by twelve per cent.

~~On or before August 1, 1982, and on or before the first day of August in each year thereafter, the school employees retirement board shall certify to the treasurer of state the amount required to be paid in the preceding fiscal year under divisions (A) and (B) of this section. UPon receipt of this certification, the treasurer of state shall pay the amount certified. The amount received by the school employees retirement board shall be credited to the proper fund from which such additional payments are paid.~~

Sec. 3309.376. On and after December 31, 1971, all persons who retired and were eligible to receive a pension that was payable prior to July 1, 1968, pursuant to section 3309.36, 3309.38, or 3309.40 of the Revised Code, or in

the event of the death of such persons, the person designated by the deceased to receive payments under section 3309.46 of the Revised Code, shall receive an additional monthly payment of two dollars for each year between the member's effective date of retirement or disability and December 31, 1971, or an additional fifty dollars, whichever is less. ~~On or before the first day of August in 1980 and on or before the first day of August in each year thereafter, the school employees retirement board shall certify to the treasurer of state the amount required to be paid in the preceding fiscal year under this section. Upon receipt of such certification, the treasurer of state shall pay to the school employees retirement system the amount certified.~~

Sec. 3309.3710. (A) Effective July 1, 1981, each person eligible to receive an allowance, pension, or benefit pursuant to sections 3309.35, 3309.36, 3309.38, 3309.40, division (A) of section 3309.45, and section 3309.46 of the Revised Code that was based upon an award made effective before July 1, 1974, shall have ~~his~~ the person's monthly allowance, pension, or benefit increased by five per cent, except that the twelve-month sum of such increases shall not exceed five per cent of the first five thousand dollars of the annual allowance, pension, or benefit.

(B) Effective July 1, 1981, each person receiving or qualified to receive a benefit, pursuant to division (B) of section 3309.45 of the Revised Code, that was effective on and after June 14, 1951, through August 26, 1970, shall receive an increase in such benefit of five per cent.

(C) The increases provided in divisions (A) and (B) of this section shall be applied to the benefit payable on and after July 1, 1981.

(D) The increase in the monthly allowance, pension, or benefit provided in divisions (A) and (B) of this section shall be included in the calculation of additional benefits to recipients under section 3309.374 of the Revised Code.

(E) The benefits provided in divisions (A) and (B) of this section are a continuation of those first provided in Am. Sub. H.B. 204 as passed by the 113th general assembly.

~~(F) On or before the first day of August, 1982, and on or before the first day of August in each year thereafter, the school employees retirement board shall certify to the treasurer of state the amount needed to pay the cost of the additional payments required under this section for the preceding fiscal year. Upon receipt of these certifications, the treasurer of state shall pay the amount certified.~~

Sec. 3318.084. (A) Notwithstanding anything to the contrary in Chapter 3318. of the Revised Code, a school district board may apply any local

donated contribution toward ~~the~~ either or both of the following:

(1) The district's portion of the basic project cost of a project under sections 3318.01 to 3318.20 of the Revised Code ~~and may use such local donated contribution~~ to reduce the amount of bonds the district otherwise must issue in order to receive state assistance under those sections;

(2) An offset of all or part of a district's obligation to levy the tax described in division (B) of section 3318.05 of the Revised Code, which shall be applied only in the manner prescribed in division (B) of this section.

(B) No school district board shall apply any local donated contribution under division (A)(2) of this section unless the Ohio school facilities commission first approves that application.

Upon the request of the school district board to apply local donated contribution under division (A)(2) of this section, the commission in consultation with the department of taxation shall determine the amount of total revenue that likely would be generated by one-half mill of the tax described in division (B) of section 3318.05 of the Revised Code over the entire twenty-three-year period required under that section and shall deduct from that amount any amount of local donated contribution that the board has committed to apply under division (A)(2) of this section. The commission then shall determine in consultation with the department of taxation the rate of tax over twenty-three years necessary to generate the amount of a one-half mill tax not offset by the local donated contribution. Notwithstanding anything to the contrary in section 3318.06, 3318.061, or 3318.361 of the Revised Code, the rate determined by the commission shall be the rate for which the district board shall seek elector approval under those sections to meet its obligation under division (B) of section 3318.05 of the Revised Code. In the case of a complete offset of the district's obligation under division (B) of section 3318.05 of the Revised Code, the district shall not be required to levy the tax otherwise required under that section. At the end of the twenty-three-year period of the tax required under division (B) of section 3318.05 of the Revised Code, whether or not the tax is actually levied, the commission in consultation of the department of taxation shall recalculate the amount that would have been generated by the tax if it had been levied at one-half mill. If the total amount actually generated over that period from both the tax that was actually levied and any local donated contribution applied under division (A)(2) of this section is less than the amount that would have been raised by a one-half mill tax, the district shall pay any difference. If the total amount actually raised in such manner is greater than the amount that would have been raised by a one-half mill tax the difference shall be zero and no payments shall be made by either the

district or the commission.

(C) As used in this section, "local donated contribution" means either of the following:

~~(A)~~(1) Any moneys irrevocably donated or granted to a school district board by a source other than the state which the board has the authority to apply to the school district's project under sections 3318.01 to 3318.20 of the Revised Code and which the board has pledged for that purpose by resolution adopted by a majority of its members;

~~(B)~~(2) Any irrevocable letter of credit issued on behalf of a school district or any cash a school district has on hand, including any year-end operating fund balances, that can be spent for classroom facilities, either of which the school district board has encumbered for payment of the school district's share of its project under sections 3318.01 to 3318.20 of the Revised Code and either of which has been approved by the ~~Ohio school facilities~~ commission in consultation with the department of education.

(D) No state moneys shall be released for a project to which this section applies until any local donated ~~local~~ contribution authorized under this section is first deposited into the school district's project construction fund, if applied under division (A)(1) of this section, or into the district's capital and maintenance fund if applied under division (A)(2) of this section.

Sec. 4507.52. Each identification card issued by the registrar of motor vehicles or a deputy registrar shall display a distinguishing number assigned to the cardholder, and shall display the following inscription:

"STATE OF OHIO IDENTIFICATION CARD

This card is not valid for the purpose of operating a motor vehicle. It is provided solely for the purpose of establishing the identity of the bearer described on the card, who currently is not licensed to operate a motor vehicle in the state of Ohio."

The identification card shall display substantially the same information as contained in the application and as described in division (A)(1) of section 4507.51 of the Revised Code, including the cardholder's social security number unless the cardholder specifically requests that the cardholder's social security number not be displayed on the card. If federal law requires the cardholder's social security number to be displayed on the identification card, the social security number shall be displayed on the card notwithstanding a request to not display the number pursuant to this section. The identification card also shall display the color photograph of the cardholder. If the cardholder has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified

that the cardholder wishes the identification card to indicate that the cardholder has executed either type of instrument, the card also shall display any symbol chosen by the registrar to indicate that the cardholder has executed either type of instrument. The card shall be sealed in transparent plastic or similar material and shall be so designed as to prevent its reproduction or alteration without ready detection.

The identification card for persons under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that issued to a person who is twenty-one years of age or older, except that an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of an identification card issued to a person who is twenty-one years of age or older.

Every identification card issued to a resident of this state shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the fourth year after the date on which it is issued. Every identification card issued to a temporary resident shall expire in accordance with rules adopted by the registrar and is nonrenewable, but may be replaced with a new identification card upon the applicant's compliance with all applicable requirements. A cardholder may renew the cardholder's identification card within ninety days prior to the day on which it expires by filing an application and paying the prescribed fee in accordance with section 4507.50 of the Revised Code.

If a cardholder applies for a driver's or commercial driver's license in this state or another licensing jurisdiction, the cardholder shall surrender the cardholder's identification card to the registrar or any deputy registrar before the license is issued.

If a card is lost, destroyed, or mutilated, the person to whom the card was issued may obtain a duplicate by doing both of the following:

(A) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar or a deputy registrar;

(B) Filing an application and presenting documentary evidence under section 4507.51 of the Revised Code.

Any person who loses a card and, after obtaining a duplicate, finds the original, immediately shall surrender the original to the registrar or a deputy registrar.

A cardholder may obtain a replacement identification card that reflects any change of the cardholder's name by furnishing suitable proof of the change to the registrar or a deputy registrar and surrendering the cardholder's existing card.

When a cardholder applies for a duplicate or obtains a replacement identification card, the cardholder shall pay a fee of two dollars and fifty cents. A deputy registrar shall be allowed an additional fee of ~~three~~ two dollars and seventy-five cents commencing on July 1, 2001, three dollars and twenty-five cents commencing on January 1, 2003, and three dollars and fifty cents commencing on January 1, 2004, for issuing a duplicate or replacement identification card. A disabled veteran who is a cardholder and has a service-connected disability rated at one hundred per cent by the veterans' administration may apply to the registrar or a deputy registrar for the issuance of a duplicate or replacement identification card without payment of any fee prescribed in this section, and without payment of any lamination fee if the disabled veteran would not be required to pay a lamination fee in connection with the issuance of an identification card or temporary identification card as provided in division (B) of section 4507.50 of the Revised Code.

A duplicate or replacement identification card shall expire on the same date as the card it replaces.

The registrar shall cancel any card upon determining that the card was obtained unlawfully, issued in error, or was altered. The registrar also shall cancel any card that is surrendered to the registrar or to a deputy registrar after the holder has obtained a duplicate, replacement, or driver's or commercial driver's license.

No agent of the state or its political subdivisions shall condition the granting of any benefit, service, right, or privilege upon the possession by any person of an identification card. Nothing in this section shall preclude any publicly operated or franchised transit system from using an identification card for the purpose of granting benefits or services of the system.

No person shall be required to apply for, carry, or possess an identification card.

(C) Except in regard to an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday, neither the registrar nor any deputy registrar shall issue an identification card to a person under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the identification card issued to persons who are twenty-one years of age or older.

Sec. 4519.10. (A) The purchaser of an off-highway motorcycle or all-purpose vehicle, upon application and proof of purchase, may obtain a temporary license placard for it. The application for such a placard shall be

signed by the purchaser of the off-highway motorcycle or all-purpose vehicle. The temporary license placard shall be issued only for the applicant's use of the off-highway motorcycle or all-purpose vehicle to enable the applicant to operate it legally while proper title and a registration sticker are being obtained and shall be displayed on no other off-highway motorcycle or all-purpose vehicle. A temporary license placard issued under this section shall be in a form prescribed by the registrar of motor vehicles, shall differ in some distinctive manner from a placard issued under section 4503.182 of the Revised Code, shall be valid for a period of thirty days from the date of issuance, and shall not be transferable or renewable. The placard either shall consist of or be coated with such material as will enable it to remain legible and relatively intact despite the environmental conditions to which the placard is likely to be exposed during the thirty-day period for which it is valid. The purchaser of an off-highway motorcycle or all-purpose vehicle shall attach the temporary license placard to it, in a manner prescribed by rules the registrar shall adopt, so that the placard numerals or letters are clearly visible.

The fee for a temporary license placard issued under this section shall be two dollars. If the placard is issued by a deputy registrar, the deputy registrar shall charge an additional fee of two dollars and seventy-five cents commencing on July 1, 2001, three dollars and twenty-five cents commencing on January 1, 2003, and three dollars and fifty cents commencing on January 1, 2004, which the deputy registrar shall retain. The deputy registrar shall transmit each two-dollar fee received by the deputy registrar under this section to the registrar, who shall pay the two dollars to the treasurer of state for deposit into the state bureau of motor vehicles fund established by section 4501.25 of the Revised Code.

(B) The registrar may issue temporary license placards to a dealer to be issued to purchasers for use on vehicles sold by the dealer, in accordance with rules prescribed by the registrar. The dealer shall notify the registrar within forty-eight hours of proof of issuance on a form prescribed by the registrar.

The fee for each such placard issued by the registrar to a dealer shall be two dollars plus a fee of two dollars and ~~twenty-five~~ <u>seventy-five</u> cents <u>commencing on July 1, 2001, three dollars and twenty-five cents commencing on January 1, 2003, and three dollars and fifty cents commencing on January 1, 2004</u>.

Sec. 5505.171. (A) All persons who retired and were eligible to receive a pension that was payable prior to July 1, 1968, pursuant to division (A)(1) of section 5505.17 or division (B)(1) of section 5505.18 of the Revised

Code, shall receive an additional monthly payment of two dollars for each year between the member's effective date of retirement or disability and December 31, 1971, or an additional fifty dollars, whichever is less.

~~On or before the first day of August in 1981 and on or before the first day of August in each year thereafter, the state highway patrol retirement board shall certify to the treasurer of state the amount required to be paid in the preceding fiscal year under this division. Upon receipt of such certification, the treasurer of state shall pay to the state highway patrol retirement system the amount certified.~~

(B) Each person who retired and was eligible to receive a pension, other than a reduced pension, that was payable prior to ~~the effective date of this amendment~~ June 30, 2000, pursuant to division (A) or (B) of section 5505.16 or division (B) of section 5505.18 of the Revised Code shall have the pension recalculated by the board so that the person receives a monthly pension of not less than one thousand fifty dollars. Any pension increase resulting from a recalculation made under this division shall be included in the calculation of the additional benefit paid under section 5505.174 of the Revised Code.

(C) The pension of each person who is receiving a pension pursuant to division (B) of section 5505.16 of the Revised Code on June 5, 1996, of less than nine hundred dollars per month shall be increased to nine hundred dollars per month. Any increase under this division shall be included in the calculation of the additional benefit paid under section 5505.174 of the Revised Code.

Sec. 5505.173. (A) Effective July 1, 1981, each person eligible to receive an age and service or disability pension, allowance, or benefit pursuant to Chapter 5505. of the Revised Code, that was based upon an award made effective before October 1, 1974, shall have ~~his~~ the person's monthly pension increased by five per cent of the first five thousand dollars of the annual pension, allowance, or benefit.

(B) Effective July 1, 1981, each person eligible to receive a survivor's benefit pursuant to Chapter 5505. of the Revised Code that was based upon an award made effective before July 1, 1981, shall have ~~his~~ the person's monthly benefit increased by five per cent, except that the twelve-month sum of such increases shall not exceed five per cent of the first five thousand dollars of the annual benefit.

(C) The increases provided in divisions (A) and (B) of this section shall be applied to the benefit payable on and after July 1, 1981.

(D) The benefits provided in divisions (A) and (B) of this section are a continuation of those first provided in Am. Sub. H. B. 204 as passed by the

113th general assembly.

~~(E) On or before the first day of August in 1982, and on or before the first day of August in each year thereafter, the state highway patrol retirement board shall certify to the treasurer of state the amounts needed to pay the cost of the additional payments required under this section for the preceding fiscal year. Upon receipt of these certifications, the treasurer of state shall pay the amount certified.~~

SECTION 2. That existing sections 145.321, 145.326, 145.3210, 175.21, 3307.693, 3307.695, 3307.698, 3309.371, 3309.376, 3309.3710, 3318.084, 4507.52, 4519.10, 5505.171, and 5505.173 of the Revised Code are hereby repealed.

SECTION 3. That Sections 13.04, 28.02, 41, 41.10, 44.02, 44.12, 56, 56.01, 63, 63.09, 63.10, 63.11, 63.15, 63.36, 63.37, and 96 of Am. Sub. H.B. 94 of the 124th General Assembly be amended to read as follows:

" Sec. 13.04. MINORITY AFFAIRS

The foregoing appropriation item 100-451, Minority Affairs, shall be used to establish minority affairs programs within the Equal Opportunity Division. The office shall provide an access point and official representation to multi-cultural communities; research and reports on multi-cultural issues; and educational, governmental, and other services that foster multi-cultural opportunities and understanding in the state of Ohio.

On July 1, 2001, or as soon as possible thereafter, the Director of Administrative Services shall certify to the Director of Budget and Management the unencumbered and unexpended cash balance within GRF appropriation item 100-451, Minority Affairs, for the completion of the predicate study. This amount is hereby appropriated.

Sec. 28.02. ~~TRANSFER OF~~ INCREASES IN GRF ~~FUNDS~~ APPROPRIATIONS TO THE DEPARTMENT OF DEVELOPMENT

~~The~~ If the director determines that unspent and unobligated cash balances in the General Revenue Fund are sufficient to do so, the Director of Budget and Management, at the request of the Director of Development, may ~~transfer~~ increase by up to $25 million ~~in unobligated, unspent GRF appropriations~~ over the biennium ~~to~~ appropriations in existing GRF appropriation items or new appropriation items created by the Director of Budget and Management for the Department of Development to support ~~GRF-funded~~ economic development projects for which appropriations would not otherwise be available. ~~The amounts transferred~~ Such increases

are hereby appropriated.

COAL RESEARCH AND DEVELOPMENT FUND

Notwithstanding sections 1555.08 and 1555.15 of the Revised Code, on July 1, 2001, or as soon as possible thereafter, the Director of Budget and Management shall transfer all cash in the Coal Research and Development Fund (Fund 046), which represents investment earnings of that fund previously credited to that fund, to the General Revenue Fund.

Sec. 41. DEV DEPARTMENT OF DEVELOPMENT

General Revenue Fund

GRF 195-100	Personal Services	$	2,651,334	$	2,920,941
GRF 195-200	Maintenance	$	589,524	$	601,314
GRF 195-300	Equipment	$	108,161	$	110,324
GRF 195-401	Thomas Edison Program	$	20,000,000	$	20,000,000
GRF 195-404	Small Business Development	$	2,452,342	$	2,529,843
GRF 195-405	Minority Business Development Division	$	2,278,888	$	2,297,314
GRF 195-406	Transitional and Permanent Housing	$	2,770,145	$	2,770,155
GRF 195-407	Travel and Tourism	$	6,345,500	$	6,448,399
GRF 195-408	Coal Research Development	$	562,551	$	585,290
GRF 195-412	Business Development Grants	$	8,033,935	$	9,092,851
GRF 195-414	First Frontier Match	$	490,000	$	490,000
GRF 195-415	Regional Offices and Economic Development	$	6,420,675	$	6,735,253
GRF 195-416	Governor's Office of Appalachia	$	5,466,954	$	5,475,126
GRF 195-417	Urban/Rural Initiative	$	980,000	$	980,000
GRF 195-422	Technology Action	$	14,000,000	$	14,000,000
GRF 195-431	Community Development Corporation Grants	$	2,530,860	$	2,530,860
GRF 195-432	International Trade	$	5,390,000	$	5,551,700
GRF 195-434	Investment in Training Grants	$	12,500,000	$	12,500,000
GRF 195-436	Labor/Management Cooperation	$	1,146,805	$	1,152,752
GRF 195-440	Emergency Shelter Housing Grants	$	2,768,313	$	2,841,441
GRF 195-441	Low and Moderate Income Housing	$	19,000,000	$	19,000,000
GRF 195-497	CDBG Operating Match				
	Federal	$	5,200,000	$	6,500,000
	CDBG Operating Match Total	$	6,408,576	$	7,715,295
	State	$	1,208,576	$	1,215,295
GRF 195-498	State Energy Match	$	153,558	$	158,548
GRF 195-501	Appalachian Local Development Districts	$	453,962	$	453,962
GRF 195-502	Appalachian Regional Commission Dues	$	219,912	$	219,912
GRF 195-505	Utility Bill Credits	$	7,350,000	$	7,350,000
GRF 195-507	Travel and Tourism Grants	$	1,250,000	$	1,250,000
GRF 195-510	Issue 1 Implementation	$	1,000,000	$	1,500,000
GRF 195-906	Coal Research and	$	8,971,700	$	9,420,300

		opment General Obligation Debt Service				
TOTAL GRF General Revenue Fund						
State			$	137,093,695	$	140,181,580
Federal			$	5,200,000	$	6,500,000
GRF TOTAL			$	142,293,695	$	146,681,580
General Services Fund Group						
135	195-605	Supportive Services	$	9,038,988	$	9,531,707
136	195-621	International Trade	$	100,000	$	24,915
685	195-636	General Reimbursements	$	1,275,234	$	1,323,021
TOTAL GSF General Services Fund Group			$	10,414,222	$	10,879,643
Federal Special Revenue Fund Group						
3K8	195-613	Community Development Block Grant	$	65,149,441	$	65,088,961
3K9	195-611	Home Energy Assistance Block Grant	$	62,000,000	$	62,000,000
3K9	195-614	HEAP Weatherization	$	10,412,041	$	10,412,041
3L0	195-612	Community Services Block Grant	$	22,135,000	$	22,135,000
3V1	195-601	HOME Program	$	40,000,000	$	40,000,000
3X3	195-619	TANF Housing Program	$	5,200,000	$	0
308	195-602	Appalachian Regional Commission	$	350,000	$	350,200
308	195-603	Housing and Urban Development	$	5,000,000	$	5,000,000
308	195-605	Federal Projects	$	7,855,501	$	7,855,501
308	195-609	Small Business Administration	$	3,799,626	$	3,799,626
308	195-618	Energy Federal Grants	$	2,803,560	$	2,803,560
335	195-610	Oil Overcharge	$	8,500,000	$	8,500,000
380	195-622	Housing Development Operating	$	4,507,212	$	4,696,198
TOTAL FED Federal Special Revenue Fund Group			$	~~232,512,381~~	$	232,641,087
			$	237,712,381		
State Special Revenue Fund Group						
4F2	195-639	State Special Projects	$	1,052,762	$	1,079,082
4H4	195-641	First Frontier	$	600,000	$	650,000
4S0	195-630	Enterprise Zone Operating	$	211,900	$	211,900
4S1	195-634	Job Creation Tax Credit Operating	$	372,700	$	375,800
4W1	195-646	Minority Business Enterprise Loan	$	2,572,960	$	2,580,597
444	195-607	Water and Sewer Commission Loans	$	511,000	$	523,775
445	195-617	Housing Finance Operating	$	3,782,808	$	3,968,184
450	195-624	Minority Business Bonding Program Administration	$	13,232	$	13,563
451	195-625	Economic Development Financing Operating	$	2,062,451	$	2,143,918
5M4	195-659	Universal Service	$	160,000,000	$	160,000,000
5M5	195-660	Energy Efficiency Revolving	$	12,000,000	$	12,000,000

		Loan				
611	195-631	Water and Sewer Administration	$	15,330	$	15,713
617	195-654	Volume Cap Administration	$	200,000	$	200,000
646	195-638	Low and Moderate Income Housing Trust Fund	$	21,539,552	$	22,103,807
TOTAL SSR State Special Revenue Fund Group			$	204,934,695	$	205,866,339
Facilities Establishment Fund						
037	195-615	Facilities Establishment	$	56,701,684	$	58,119,226
4Z6	195-647	Rural Industrial Park Loan	$	5,000,000	$	5,000,000
5D1	195-649	Port Authority Bond Reserves	$	2,500,000	$	2,500,000
5D2	195-650	Urban Redevelopment Loans	$	10,000,000	$	10,475,000
5H1	195-652	Family Farm Loan Guarantee	$	2,246,375	$	2,246,375
TOTAL 037 Facilities Establishment Fund			$	76,448,059	$	78,340,601
Coal Research/Development Fund						
046	195-632	Coal Research and Development Fund	$	12,847,178	$	13,168,357
TOTAL 046 Coal Research/ Development Fund			$	12,847,178	$	13,168,357
TOTAL ALL BUDGET FUND GROUPS			$	~~679,450,230~~	$	687,577,607
			$	684,650,230		

Sec. 41.10. EMERGENCY SHELTER HOUSING GRANTS

(A) As used in this section, "emergency shelter housing" means a structure suitable for the temporary housing of the homeless and the provision of, or referral to, supportive services. Shelters that restrict admission to victims of domestic violence, runaways, or alcohol or substance abusers shall not be considered emergency shelter housing.

(B) The foregoing appropriation item 195-440, Emergency Shelter Housing Grants, shall be used by the Office of Housing and Community Partnerships in the Department of Development to make grants to private, nonprofit organizations to provide emergency shelter housing for the homeless. The department shall distribute the grants pursuant to rules adopted by the Director of Development. The director may amend or rescind the rules and may adopt other rules necessary to implement this section. In awarding grants, the department shall give preference to organizations applying to fund existing emergency shelter housing.

The department shall notify each organization that applied for a grant under this section of the amount of its grant award, if any. To receive a grant, the organization shall provide matching funds equal to 50 per cent of the total grant it was awarded. The organization shall expend its grant for shelter operations and supportive services, which include employment assistance, case management, information and referral services, transportation, and clothing. In providing employment assistance, the organization shall, at a minimum, refer persons to the Department of Job

and Family Services.

LOW AND MODERATE INCOME HOUSING

The Director of Budget and Management, after consulting with the Director of Development, shall transfer up to $19,000,000 from appropriation item 195-441, Low and Moderate Income Housing, to appropriation item 195-638, Low and Moderate Income Housing Trust Fund. This transfer shall be made via an intrastate transfer voucher.

UTILITY BILL CREDIT

The foregoing appropriation item 195-505, Utility Bill Credits, shall be used to provide utility and fuel assistance to eligible low-income Ohio households with elderly and disabled members.

TANF HOUSING PROGRAM

There is hereby established the TANF Housing Program to be administered by the Department of Development in accordance with an interagency agreement entered into with the Department of Job and Family Services under section 5101.801 of the Revised Code. The program shall provide benefits and services to TANF eligible individuals under a Title IV-A program pursuant to the requirements of section 5101.801 of the Revised Code.

The foregoing appropriation item 195-619, TANF Housing Program, shall be used to provide supportive services for low-income families related to housing or homelessness, including housing counseling; to provide grants to nonprofit organizations to assist Title IV-A eligible families with incomes at or below 200 per cent of the federal poverty guidelines with down-payment assistance for homeownership or down-payment assistance toward the purchase of mobile homes, to provide emergency home repair funding for Title IV-A eligible families with incomes at or below 200 per cent of the federal poverty guidelines; to provide operating support for family emergency shelter programs; and to provide emergency rent and mortgage assistance for families with incomes at or below 200 per cent of the federal poverty guidelines. The funds shall not be used to match federal funds.

To the extent practicable and in order to prevent duplication of the provision of assistance, the Department of Development shall require applicants for these funds to provide evidence of collaboration with other county governmental entities, including, when appropriate, county job and family services departments.

The Department of Job and Family Services shall transfer into the TANF Housing Fund (3X3) of the Department of Development, which is hereby created, funds necessary to reimburse allowable TANF Housing

Program expenditures as reported by the Department of Development. The transfer of funds shall be made by intrastate transfer vouchers processed against appropriation item 600-689, TANF Block Grant, of the Department of Job and Family Services and shall not exceed $5,200,000 in fiscal year 2002 and $6,500,000 in fiscal year 2003.

No more than five per cent of the transferred funds may be used by the Department of Development for the administrative expenses of this program.

The benefits and services provided under the TANF Housing Program shall not be "assistance" as defined in 45 C.F.R. 260.31(a), and shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of assistance.

As used in this section, "federal poverty guideline" means the poverty guideline as defined by the United States Office of Management and Budget and revised by the United States Secretary of Health and Human Services in accordance with section 673 of the "Community Services Block Grant Act," 95 Stat. 511 (1981), 42 U.S.C.A. 9902, as amended.

Sec. 44.02. HEAD START

~~the Director of Budget and Management shall transfer $76,156,175 from Fund 3W6, TANF Education, to the General Revenue Fund. the Director of Budget and Management shall transfer $98,843,825 from Fund 3W6, TANF Education, to the General Revenue Fund. The transferred funds are appropriated for the appropriation item 200-406, Head Start. The foregoing appropriation item 200-406, Head Start, includes transferred funds of $76,156,175 in fiscal year 2002 and $98,843,825 in fiscal year 2003.~~

Of the foregoing appropriation item 200-406, Head Start, $100,000 per fiscal year shall be used for the Read Baby Read Book Club Program.

~~The~~ Pursuant to the interagency agreement entered into between the Department of Education and the Department of Job and Family Services under division (A)(2) of section 5101.801 of the Revised Code, the remainder of foregoing appropriation item 200-406, Head Start, shall be distributed by the Department of Education to Head Start agencies. A "Head Start agency" means an entity that has been approved to be an agency in accordance with Section 641 (42 U.S.C. 9836) of the Head Start Act and amendments thereto, or an entity designated for state Head Start funding under this section. Participation in state-funded Head Start programs is voluntary.

Moneys distributed under this heading shall not be used to reduce expenditures from funds received by a Head Start agency from any other sources. Section 3301.31 of the Revised Code does not apply to funds

istributed under this heading. In lieu of section 3301.31 of the Revised Code, distribution of moneys under this heading shall be as follows:

(A) In fiscal years 2002 and 2003, up to two per cent of the appropriation may be used by the department for administrative costs of complying with this section; developing program capacity; and assisting programs with facilities planning, construction, renovation, or lease agreements in combination with the Community Development Finance Fund (CDFF). Up to $1,530,000 in fiscal year 2002 and up to $1,560,600 in fiscal year 2003 may be used for the services of literacy specialist and training in early literacy for Head Start classroom teachers and administrators to support the OhioReads Initiative.

(B) The department shall provide an annual report to the Governor, the Speaker of the House of Representatives, the President of the Senate, the State Board of Education, Head Start grantees, and other interested parties. The report shall include the following:

(1) The number and per cent of eligible children by county and by grantee;

(2) The amount of state funds received for continuation per grantee;

(3) A summary of program performance on the state critical performance indicators;

(4) A summary of developmental progress of children participating in the state-funded Head Start program;

(5) Any other data reflecting the performance of Head Start that the department considers pertinent.

(C) For purposes of this section, "eligible child" means a child who is at least three years of age and not of compulsory school age whose family earns no more than 100 per cent of the federal poverty level, except as otherwise provided in this division.

The Department of Education, in consultation with Head Start grantees or their designated representatives, shall establish criteria under which individual Head Start grantees may apply to the department for a waiver to include as "eligible children" those children from families earning up to 185 per cent of the federal poverty level when the children otherwise qualify as "eligible children" under this division.

In order to serve children whose families receive child care subsidy and whose incomes do not exceed 185 per cent of the federal poverty guidelines, Head Start grantees may enroll children whose families receive child care subsidy from the Ohio Department of Job and Family Services. Head Start grantees providing full-day, full-year comprehensive services, or otherwise meeting the child care needs of working families, may partner with child

care centers or family day care homes or may access child care subsidy directly. This provision is to meet the child care needs of low-income families who are working, in training or education programs, or participating in Ohio Works First ~~appproved~~ approved activities.

(D) After setting aside amounts to make any payments due from the prior fiscal year, pursuant to the interagency agreement, in fiscal years 2002 and 2003, funds shall only be distributed to recipients of Head Start funds during the preceding fiscal year. Awards under this division shall be based on a per-pupil formula prescribed by the Department of Education and may be adjusted for one-time start-up costs, actual months of program operation, or the number of children enrolled and receiving services, as defined by the Department of Education, reported during the first full week of December, and may be increased by a reasonable percentage for inflation to be determined by the Department of Education and in accordance with this section. ~~The~~ Pursuant to the interagency agreement, the department may redistribute dollars to programs demonstrating an unmet need based on updated assessments of family needs and community resources. In fiscal years 2002 and 2003, the department may authorize recipients to carry over funds to the subsequent fiscal year.

~~The~~ In accordance with the interagency agreement, the department may reallocate unobligated or unspent money to participating Head Start agencies for: (1) facilities planning grants and to leverage construction, renovation, or lease agreements and for repair of critical deferred maintenance and safety items in combination with the CDFF; (2) teacher professional development and enhanced compensation in order to meet the requirements of section 3301.311 of the Revised Code; (3) meeting the documentation and reporting requirements and for technical support in accordance with division (F) of this section; and (4) expansion, improvement, or special projects to promote excellence and innovation.

(E) Costs for developing and administering a Head Start program may not exceed ~~fifteen per cent of the total approved costs of the program~~ the costs established in the interagency agreement.

All recipients of funds shall maintain such fiscal control and accounting procedures as may be necessary to ensure the disbursement of, and accounting for, these funds in accordance with section 5101.801 of the Revised Code. The control of funds provided in this program, and title to property obtained therefrom, shall be under the authority of the approved recipient for purposes provided in the program. The approved recipient shall administer and use such property and funds for the purposes specified.

Each recipient shall furnish the department an annual audit that includes

the review of ~~state~~ funds received under this section.

In conjunction with the required audit of federal ~~Head Start~~ funds, the independent auditor shall examine state Head Start funds in accordance with the federal regulations and agreed-upon state procedures formulated by the department.

(F) The department shall prescribe target levels for critical performance indicators for the purpose of assessing Head Start programs. On-site reviews and follow-up visits shall be based on grantee progress in meeting the prescribed target levels.

The Department of Education, in consultation with the interested parties, including the state Department of Job and Family Services, shall develop the criteria to be used by Head Start grantees and delegate agencies with developing partnership agreements.

The ~~department~~ Department of Education or the Department of Job and Family Services may audit a Head Start agency's financial and program records. Head Start agencies that have financial practices not in accordance with standard accounting principles, that fail to substantially meet the Head Start performance standards, or that exhibit below-average performance shall be subject to an on-site review.

The ~~department~~ Department of Education shall require corrective plans of action for programs not achieving target levels or financial and program standards. Action plans shall include activities to be conducted by the grantee and timelines for activities to be completed and timelines for additional data submission to the department demonstrating targets have been met. The Policy Council chairperson and the appropriate grantee board official shall sign the corrective plans of action.

Head Start programs not meeting performance targets in accordance with the plan of action and prescribed timelines may have their funding reduced until targets are met, or have all state funds withdrawn.

The department shall require school districts to collect "preschool" information by program type. All data shall be reported via the Education Management Information System (EMIS).

(G) The department shall develop prekindergarten reading and mathematics content standards and model curricula. These standards and curricula shall be made available to grantees. Head Start grantees delegate agencies, and child care partners shall document child progress, using a common instrument prescribed by the department, and report results annually. The department shall determine the dates for documenting and reporting.

(H) New agencies may be designated for state Head Start funding if a

Head Start agency voluntarily waives its right for funding or is de-funded based on performance. In either event, the grantee and delegate shall transfer control of title to property, equipment, and remaining supplies obtained through this program to the newly designated grantee and return any unexpended funds to the department along with any reports prescribed by the department.

Section 3313.646 of the Revised Code does not apply to funds distributed under this section.

(I) It is the intent of the General Assembly that appropriations for appropriation items 200-406, Head Start, and 200-408, Public Preschool, be available for transfer between Head Start and public preschool programs so that unallocated funds may be used between the two programs.

(J) The Department of Education shall comply with all TANF requirements, including reporting requirements and timelines, as specified in state and federal laws, federal regulations, state rules, and the Title IV-A state plan, and is responsible for payment of any adverse audit finding, final disallowance of federal financial participation, or other sanction or penalty issued by the federal government or other entity concerning these funds. ~~Having met all of the above requirements, the Department shall have the authority to administer these funds in accordance with its own rules and guidelines, including grant administration procedures.~~ The interagency agreement between the Department of Education and the Department of Job and Family Services shall establish conditions for the reimbursement of allowable Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they may not be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits and services shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of "assistance." The interagency agreement also shall require that Head Start agencies comply with requirements of Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, including eligibility of individuals, reporting requirements, allowable benefits and services, use of funds, and audit requirements, as specified in state and federal laws, federal regulations, state rules, federal office of management and budget circulars, and the Title IV-A state plan. The Department of Education shall be responsible for assuring that all Title IV-A funds are used solely for purposes allowable under federal regulations, section 5101.801 of the Revised Code, and the Title IV-A state plan.

Sec. 44.12. ADULT LITERACY EDUCATION

The foregoing appropriation item 200-509, Adult Literacy Education, shall be used to support adult basic and literacy education instructional programs and the State Literacy Resource Center Program.

Of the foregoing appropriation item 200-509, Adult Literacy Education, up to $543,150 in fiscal year 2002 and up to $554,013 in fiscal year 2003 shall be used for the support and operation of the State Literacy Resource Center.

The remainder shall be used to continue to satisfy the state match and maintenance of effort requirements for the support and operation of the Department of Education-administered instructional grant program for adult basic and literacy education in accordance with the department's state plan for adult basic and literacy education as approved by the State Board of Education and the Secretary of the United States Department of Education.

AUXILIARY SERVICES

The foregoing appropriation item 200-511, Auxiliary Services, shall be used by the State Board of Education for the purpose of implementing section 3317.06 of the Revised Code. Of the appropriation, up to $1,250,000 in fiscal year 2002 and up to $1,500,000 in fiscal year 2003 may be used for payment of the Post-Secondary Enrollment Options Program for nonpublic students pursuant to section 3365.10 of the Revised Code.

STUDENT INTERVENTION SERVICES

The foregoing appropriation item 200-513, Student Intervention Services, shall be used to assist districts providing the intervention services specified in section 3313.608 of the Revised Code. The Department of Education shall establish guidelines for the use and distribution of these moneys in accordance with the interagency agreement entered into between the Department of Education and the Department of Job and Family Services under division (A)(2) of section 5101.801 of the Revised Code. School districts receiving funds from this appropriation shall report to the Department of Education on how funds were used.

~~the Director of Budget and Management shall transfer $35,000,000 from Fund 3W6, TANF Education, to the General Revenue Fund. The transferred funds are appropriated for the appropriation item 200-513, Student Intervention Services. The foregoing appropriation item 200-513, Student Intervention Services, includes transferred funds of $35,000,000 in fiscal year 2003.~~

The Department of Education shall comply with all TANF requirements, including reporting requirements and timelines, as specified in state and federal laws, federal regulations, state rules, and the Title IV-A state plan, and is responsible for payment of any adverse audit finding, final disallowance of federal financial participation, or other sanction or penalty issued by the federal government or other entity concerning these funds.

The interagency agreement between the Department of Education and

the Department of Job and Family Services shall establish conditions for the reimbursement of allowable Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they may not be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits and services shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of "assistance." The interagency agreement also shall require that school districts receiving funds from this appropriation comply with requirements of Title IV-A of the "Social Security Act," 49 Stat 620 (1935), 42 U.S.C. 301, as amended, including eligibility of individuals, reporting requirements, allowable benefits and services, use of funds, and audit requirements, as specified in state and federal laws, federal regulations, state rules, federal office of management and budget circulars, and the Title IV-A state plan. The Department of Education shall be responsible for assuring that all Title IV-A funds are used solely for purposes allowable under federal regulations, section 5101.801 of the Revised Code, and the Title IV-A state plan.

POST-SECONDARY/ADULT CAREER-TECHNICAL EDUCATION

The foregoing appropriation item 200-514, Post-Secondary/Adult Career-Technical Education, shall be used by the State Board of Education to provide post-secondary/adult career-technical education under sections 3313.52 and 3313.53 of the Revised Code.

Of the foregoing appropriation item 200-514, Post-Secondary/Adult Career-Technical Education, up to $500,000 in each fiscal year shall be allocated for the Ohio Career Information System (OCIS) and used for the dissemination of career information data to public schools, libraries, rehabilitation centers, two- and four-year colleges and universities, and other governmental units.

Of the foregoing appropriation item 200-514, Post-Secondary/Adult Career-Technical Education, up to $40,000 in each fiscal year shall be used for the statewide coordination of the activities of the Ohio Young Farmers.

DISADVANTAGED PUPIL IMPACT AID

The foregoing appropriation item 200-520, Disadvantaged Pupil Impact Aid, shall be distributed to school districts according to section 3317.029 of the Revised Code. However, no money shall be distributed for all-day kindergarten to any school district whose three-year average formula ADM exceeds 17,500 but whose DPIA index is not at least equal to 1.00 in each fiscal year, unless the Department of Education certifies that sufficient funds exist in this appropriation to make all other payments required by section 3317.029 of the Revised Code.

The Department of Education shall pay all-day, everyday kindergarten funding to all school districts in fiscal year 2002 and fiscal year 2003 that

qualified for and provided the service in a preceding fiscal year pursuant to section 3317.029 of the Revised Code, regardless of changes to such districts' DPIA indexes in fiscal year 2002 and fiscal year 2003.

The Department of Education shall pay to community schools an amount for all-day kindergarten if the school district in which the student is entitled to attend school is eligible but does not receive a payment for all-day kindergarten, pursuant to division (B) of section 3314.13 of the Revised Code, and the student is reported by the community school as enrolled in all-day kindergarten at the community school.

Of the foregoing appropriation item 200-520, Disadvantaged Pupil Impact Aid, up to $3,200,000 in fiscal year 2002 and up to $3,300,000 in fiscal year 2003 shall be used for school breakfast programs. Of these amounts, up to $500,000 shall be used each year by the Department of Education to provide start-up grants to rural school districts and to school districts with less than 1,500 ADM that start school breakfast programs. The remainder of the appropriation shall be used to: (1) partially reimburse school buildings within school districts that are required to have a school breakfast program pursuant to section 3313.813 of the Revised Code, at a rate decided by the department, for each breakfast served to any pupil enrolled in the district; (2) partially reimburse districts participating in the National School Lunch Program that have at least 20 per cent of students who are eligible for free and reduced meals according to federal standards, at a rate decided by the department; and (3) to partially reimburse districts participating in the National School Lunch Program for breakfast served to children eligible for free and reduced meals enrolled in the district, at a rate decided by the department.

Of the portion of the funds distributed to the Cleveland City School District under section 3317.029 of the Revised Code calculated under division (F)(2) of that section, up to $14,903,943 in fiscal year 2002 and up to $18,066,820 in fiscal year 2003 shall be used to operate the pilot school choice program in the Cleveland City School District pursuant to sections 3313.974 to 3313.979 of the Revised Code.

Of the foregoing appropriation item 200-520, Disadvantaged Pupil Impact Aid, $1,000,000 in each fiscal year shall be used to support dropout recovery programs administered by the Department of Education, Jobs for Ohio's Graduates Program.

Sec. 56. DOH DEPARTMENT OF HEALTH

General Revenue Fund

GRF 440-406	Hemophilia Services	$	1,230,492	$	1,230,492
GRF 440-407	Animal Borne Disease and Prevention	$	2,643,874	$	2,598,297

GRF	440-412	Cancer Incidence Surveillance System	$	898,978	$	1,104,175
GRF	440-413	Ohio Health Care Policy and Data	$	3,056,959	$	3,157,200
GRF	440-416	Child and Family Health Services	$	~~11,187,078~~	$	~~10,839,187~~
				11,437,078		10,889,187
GRF	440-418	Immunizations	$	9,403,469	$	9,616,514
GRF	440-419	Sexual Assault Prevention and Intervention	$	50,000	$	50,000
GRF	440-444	AIDS Prevention and Treatment	$	9,142,101	$	9,476,508
GRF	440-446	Infectious Disease Prevention	$	642,821	$	649,291
GRF	440-451	Public Health Prevention Programs	$	7,708,440	$	7,212,245
GRF	440-452	Child and Family Health Care Operations	$	1,316,947	$	1,320,455
GRF	440-453	Health Care Facility Protection and Safety	$	12,466,643	$	12,662,779
GRF	440-454	Local Environmental Health	$	1,243,340	$	1,244,824
GRF	440-459	Help Me Grow	$	12,500,000	$	12,500,000
GRF	440-461	Vital Statistics	$	3,891,580	$	3,863,425
GRF	440-501	Local Health Districts	$	3,991,111	$	3,991,111
GRF	440-504	Poison Control Network	$	388,000	$	388,000
GRF	440-505	Medically Handicapped Children	$	7,634,095	$	7,540,879
GRF	440-507	Cystic Fibrosis	$	818,131	$	818,131
GRF	440-508	Migrant Health	$	120,767	$	118,049
GRF	440-510	Arthritis Care	$	75,000	$	75,000
TOTAL GRF General Revenue Fund			$	~~90,409,826~~	$	~~90,456,562~~
				90,659,826		90,506,562
General Services Fund Group						
142	440-618	General Operations	$	2,764,557	$	2,892,340
211	440-613	Central Support Indirect Costs	$	25,527,855	$	26,149,512
473	440-622	Lab Operating Expenses	$	4,006,440	$	4,154,045
5C1	440-642	TANF Family Planning	$	255,500	$	261,888
683	440-633	Employee Assistance Program	$	1,017,408	$	1,062,965
698	440-634	Nurse Aide Training	$	240,000	$	265,808
TOTAL GSF General Services Fund Group			$	33,811,760	$	34,786,558
Federal Special Revenue Fund Group						
320	440-601	Maternal Child Health Block Grant	$	32,702,100	$	34,335,562
387	440-602	Preventive Health Block Grant	$	9,278,173	$	9,278,173
389	440-604	Women, Infants, and Children	$	185,850,000	$	195,142,500
391	440-606	Medicaid/Medicare	$	24,297,017	$	25,778,700
392	440-618	General Operations	$	74,384,890	$	77,720,166
TOTAL FED Federal Special Revenue Fund Group			$	326,512,180	$	342,255,101
State Special Revenue Fund Group						
3W5	440-611	Title XX Transfer	$	500,000	$	500,000
4D6	440-608	Genetics Services	$	2,725,894	$	2,799,641

4F9	440-610	Sickle Cell Disease Control	$	1,010,091	$	1,035,344
4G0	440-636	Heirloom Birth Certificate	$	1,000	$	1,000
4G0	440-637	Birth Certificate Surcharge	$	5,000	$	5,000
4L3	440-609	Miscellaneous Expenses	$	257,548	$	258,570
4T4	440-603	Child Highway Safety	$	224,855	$	233,894
4V6	440-641	Save Our Sight	$	1,232,421	$	1,266,900
470	440-618	General Operations	$	12,364,273	$	12,941,359
471	440-619	Certificate of Need	$	352,598	$	370,524
477	440-627	Medically Handicapped Children Audit	$	4,400,452	$	4,640,498
5B5	440-616	Quality, Monitoring, and Inspection	$	802,502	$	838,479
5C0	440-615	Alcohol Testing and Permit	$	1,395,439	$	1,455,405
5D6	440-620	Second Chance Trust	$	831,924	$	852,723
5L1	440-623	Nursing Facility Technical Assistance Program	$	1,080,000	$	1,157,150
610	440-626	Radiation Emergency Response	$	870,505	$	923,315
666	440-607	Medically Handicapped Children - County Assessments	$	14,039,889	$	14,039,889
TOTAL SSR State Special Revenue Fund Group			$	42,094,391	$	43,319,691
Holding Account Redistribution Fund Group						
R14	440-631	Vital Statistics	$	49,000	$	49,000
R48	440-625	Refunds, Grants Reconciliation, and Audit Settlements	$	20,000	$	20,000
TOTAL 090 Holding Account Redistribution Fund Group			$	69,000	$	69,000
TOTAL ALL BUDGET FUND GROUPS			$	~~494,897,157~~ 495,147,157	$	~~510,886,912~~ 510,936,912

Sec. 56.01. HEMOPHILIA SERVICES

Of the foregoing appropriation item 440-406, Hemophilia Services, $205,000 in each fiscal year shall be used to implement the Hemophilia Insurance Pilot Project.

Of the foregoing appropriation item 440-406, Hemophilia Services, up to $245,000 in each fiscal year shall be used by the Department of Health to provide grants to the nine hemophilia treatment centers to provide prevention services for persons with hemophilia and their family members affected by AIDS and other bloodborne pathogens.

CANCER REGISTRY SYSTEM

Of the foregoing appropriation item 440-412, Cancer Incidence Surveillance System, $50,000 in each fiscal year shall be provided to the Northern Ohio Cancer Resource Center.

The remaining moneys in appropriation item 440-412, Cancer Incidence Surveillance System, shall be used to maintain and operate the Ohio Cancer Incidence Surveillance System pursuant to sections 3701.261 to 3701.263 of

the Revised Code.

No later than March 1, 2002, the Ohio Cancer Incidence Surveillance Advisory Board shall report to the General Assembly on the effectiveness of the cancer incidence surveillance system and the partnership between the Department of Health and the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute of The Ohio State University.

CHILD AND FAMILY HEALTH SERVICES

Of the foregoing appropriation item 440-416, Child and Family Health Services, $1,700,000 in each fiscal year shall be used for family planning services. None of the funds received through these family planning grants shall be used to provide abortion services. None of the funds received through these family planning grants shall be used for counseling for or referrals for abortion, except in the case of a medical emergency. These funds shall be distributed on the basis of the relative need in the community served by the Director of Health to family planning programs, which shall include family planning programs funded under Title V of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, and Title X of the "Public Health Services Act," 58 Stat. 682 (1946), 42 U.S.C.A. 201, as amended, as well as to other family planning programs that the Department of Health also determines will provide services that are physically and financially separate from abortion-providing and abortion-promoting activities, and that do not include counseling for or referrals for abortion, other than in the case of medical emergency, with state moneys, but that otherwise substantially comply with the quality standards for such programs under Title V and Title X.

The Director of Health, by rule, shall provide reasonable methods by which a grantee wishing to be eligible for federal funding may comply with these requirements for state funding without losing its eligibility for federal funding, while ensuring that a family planning program receiving a family planning grant must be organized so that it is physically and financially separate from the provision of abortion services and from activities promoting abortion as a method of family planning.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $150,000 in each fiscal year shall be used to provide malpractice insurance for physicians and other health professionals providing prenatal services in programs funded by the Department of Health.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $279,000 shall be used in each fiscal year for the OPTIONS dental care access program.

Of the foregoing appropriation item 440-416, Child and Family Health

Services, $600,000 in each fiscal year shall be used by local child and family health services clinics to provide services to uninsured low-income persons.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $900,000 in each fiscal year shall be used by federally qualified health centers and federally designated look-alikes to provide services to uninsured low-income persons.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $50,000 in each fiscal year shall be used for the Tree of Knowledge Learning Center in Cleveland Heights.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $25,000 in fiscal year 2002 shall be provided to the Suicide Prevention Program of Clermont County.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $50,000 in fiscal year 2002 shall be provided to the Discover Health Project.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $75,000 in fiscal year 2002 shall be provided to the Mayerson Center.

Of the foregoing appropriation item 440-416, Child and Family Health Services, $50,000 in fiscal year 2002 shall be provided to the Central Clinic at the University of Cincinnati.

IMMUNIZATIONS

Of the foregoing appropriation item 440-418, Immunizations, $125,000 per fiscal year shall be used to provide vaccinations for Hepatitis B to all qualified underinsured students in the seventh grade who have not been previously immunized.

Of the foregoing appropriation item 440-418, Immunizations, up to $25,000 in each fiscal year shall be used to provide vaccinations for pneumococcal disease for children between the ages of two and five.

SEXUAL ASSAULT PREVENTION AND INTERVENTION

The foregoing appropriation item 440-419, Sexual Assault Prevention and Intervention, shall be used for the following purposes:

(A) Funding of new services in counties with no services for sexual assault;

(B) Expansion of services provided in currently funded projects so that comprehensive crisis intervention and prevention services are offered;

(C) Start-up funding for Sexual Assault Nurse Examiner (SANE) projects;

(D) Statewide expansion of local outreach and public awareness efforts.

HIV/AIDS PREVENTION/TREATMENT

Of the foregoing appropriation item 440-444, AIDS Prevention and Treatment, $6.7 million in fiscal year 2002 and $7.1 million in fiscal year 2003 shall be used to assist persons with HIV/AIDS in acquiring HIV-related medications.

The HIV Drug Assistance Program is pursuant to section 3701.241 of the Revised Code and Title XXVI of the "Public Health Services Act," 104 Stat. 576 (1990), 42 U.S.C.A. 2601, as amended. The Department of Health may adopt rules pursuant to Chapter 119. of the Revised Code as necessary for the administration of the program.

INFECTIOUS DISEASE PREVENTION

Notwithstanding section 339.77 of the Revised Code, $60,000 of the foregoing appropriation item 440-446, Infectious Disease Prevention, shall be used by the Director of Health to reimburse Boards of County Commissioners for the cost of detaining indigent persons with tuberculosis. Any portion of the $60,000 allocated for detainment not used for that purpose shall be used to make payments to counties pursuant to section 339.77 of the Revised Code.

Of the foregoing appropriation item 440-446, Infectious Disease Prevention, $200,000 in each fiscal year shall be used for the purchase of drugs for sexually transmitted diseases.

HELP ME GROW

The foregoing appropriation item 440-459, Help Me Grow, shall be used by the Department of Health to distribute subsidies to counties to implement section 3701.61 of the Revised Code. Appropriation item 440-459 may be used in conjunction with Temporary Assistance for Needy Families from the Department of Job and Family Services, Even Start from the Department of Education, and in conjunction with other early childhood funds and services to promote the optimal development of young children. Local contacts shall be developed between local departments of job and family services and family and children first councils for the administration of TANF funding for the Help Me Grow Program. The Department of Health shall enter into an interagency agreement with the Department of Education to coordinate the planning, design, and grant selection process for any new Even Start grants and to ensure that all new and existing programs within Help Me grow are school linked.

POISON CONTROL NETWORK

The foregoing appropriation item 440-504, Poison Control Network, shall be used in each fiscal year by the Department of Health for grants to the consolidated Ohio Poison Control Center to provide poison control

services to Ohio citizens.

TANF FAMILY PLANNING

The Director of Budget and Management shall transfer by intrastate transfer voucher, no later than the fifteenth day of July of each fiscal year, cash from the General Revenue Fund, appropriation item 600-410, TANF State, to General Services Fund 5C1 in the Department of Health, in an amount of $250,000 in each fiscal year for the purpose of family planning services for children or their families whose income is at or below 200 per cent of the official poverty guideline.

As used in this section, "poverty guideline" means the official poverty guideline as revised annually by the United States Secretary of Health and Human Services in accordance with section 673 of the "Community Services Block Grant Act," 95 Stat. 511 (1981), 42 U.S.C.A. 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.

MATERNAL CHILD HEALTH BLOCK GRANT

Of the foregoing appropriation item 440-601, Maternal Child Health Block Grant (Fund 320), $2,091,299 shall be used in each fiscal year for the purposes of abstinence-only education. The Director of Health shall develop guidelines for the establishment of abstinence programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion. Such guidelines shall be pursuant to Title V of the "Social Security Act," 42 U.S.C.A. 510, and shall include, but are not limited to, advertising campaigns and direct training in schools and other locations.

A portion of the foregoing appropriation item 440-601, Maternal Child Health Block Grant (Fund 320), may be used to ensure that current information on sudden infant death syndrome is available for distribution by local health districts.

TITLE XX TRANSFER

Of the foregoing appropriation item 440-611, Title XX Transfer (Fund 3W5), $500,000 <u>in each fiscal year, to the extent funds are available based on deposits made pursuant to Section 63.09 of this act,</u> shall be used for the purposes of abstinence-only education. The Director of Health shall develop guidelines for the establishment of abstinence programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion. The guidelines shall be developed pursuant to Title V of the "Social Security Act," 42 U.S.C. 510, and shall include, but are not to be limited to, advertising campaigns and direct training in schools and other locations.

GENETICS SERVICES

The foregoing appropriation item 440-608, Genetics Services (Fund

4D6), shall be used by the Department of Health to administer programs authorized by sections 3701.501 and 3701.502 of the Revised Code. None of these funds shall be used to counsel or refer for abortion, except in the case of a medical emergency.

SICKLE CELL FUND

The foregoing appropriation item 440-610, Sickle Cell Disease Control (Fund 4F9), shall be used by the Department of Health to administer programs authorized by section 3701.131 of the Revised Code. The source of the funds is as specified in section 3701.23 of the Revised Code.

SAFETY AND QUALITY OF CARE STANDARDS

The Department of Health may use Fund 471, Certificate of Need, for administering sections 3702.11 to 3702.20 and 3702.30 of the Revised Code in each fiscal year.

MEDICALLY HANDICAPPED CHILDREN AUDIT

The Medically Handicapped Children Audit Fund (Fund 477) shall receive revenue from audits of hospitals and recoveries from third-party payors. Moneys may be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payors and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits. Moneys also may be expended for payments for diagnostic and treatment services on behalf of medically handicapped children, as defined in division (A) of section 3701.022 of the Revised Code, and Ohio residents who are twenty-one or more years of age and who are suffering from cystic fibrosis. Moneys may also be expended for administrative expenses incurred in operating the Medically Handicapped Children's Program.

CASH TRANSFER FROM LIQUOR CONTROL FUND TO ALCOHOL TESTING AND PERMIT FUND

The Director of Budget and Management, pursuant to a plan submitted by the Department of Health, or as otherwise determined by the Director of Budget and Management, shall set a schedule to transfer cash from the Liquor Control Fund (Fund 043) to the Alcohol Testing and Permit Fund (Fund 5C0) to meet the operating needs of the Alcohol Testing and Permit program.

The Director of Budget and Management shall transfer to the Alcohol Testing and Permit Fund (Fund 5C0) from the Liquor Control Fund (Fund 043) established in section 4301.12 of the Revised Code such amounts at such times as determined by the transfer schedule.

MEDICALLY HANDICAPPED CHILDREN - COUNTY ASSESSMENTS

The foregoing appropriation item 440-607, Medically Handicapped Children - County Assessments (Fund 666), shall be used to make payments pursuant to division (E) of section 3701.023 of the Revised Code.

Sec. 63. JFS DEPARTMENT OF JOB AND FAMILY SERVICES

General Revenue Fund

GRF 600-100	Personal Services				
	State	$	56,614,143	$	58,715,838
	Federal	$	18,645,558	$	19,317,882
	Personal Services Total	$	75,259,701	$	78,033,720
GRF 600-200	Maintenance				
	State	$	30,439,164	$	24,320,541
	Federal	$	7,295,237	$	5,828,810
	Maintenance Total	$	37,734,401	$	30,149,351
GRF 600-300	Equipment				
	State	$	5,469,830	$	979,504
	Federal	$	179,026	$	32,059
	Equipment Total	$	5,648,856	$	1,011,563
GRF 600-402	Electronic Benefits Transfer (EBT)				
	State	$	7,551,305	$	7,715,079
	Federal	$	7,551,305	$	7,715,079
	EBT Total	$	15,102,610	$	15,430,158
GRF 600-410	TANF State	$	268,636,561	$	268,619,061
GRF 600-413	Day Care Match/Maintenance of Effort	$	84,120,606	$	84,120,606
GRF 600-416	Computer Projects				
	State	$	137,583,171	$	142,908,736
	Federal	$	32,665,206	$	34,770,353
	Computer Projects Total	$	170,248,377	$	177,679,089
GRF 600-420	Child Support Administration	$	7,919,511	$	7,885,309
GRF 600-426	Children's Health Insurance Plan (CHIP)				
	State	$	13,571,338	$	15,770,373
	Federal	$	33,535,007	$	38,968,860
	CHIP Total	$	47,106,345	$	54,739,233
GRF 600-427	Child and Family Services Activities	$	7,189,086	$	7,000,427
GRF 600-435	Unemployment Compensation Review Commission	$	3,759,151	$	3,785,380
GRF 600-436	Medicaid Systems Enhancements	$	4,445,384	$	1,853,611
GRF 600-502	Child Support Match	$	17,383,992	$	16,814,103
GRF 600-504	Non-TANF County Administration	$	70,554,373	$	68,697,679
GRF 600-511	Disability Assistance/Other Assistance	$	84,662,017	$	98,152,408
GRF 600-512	Non-TANF Emergency Assistance	$	1,079,000	$	1,079,000
GRF 600-525	Health Care/Medicaid				
	State	$	2,908,181,745	$	3,112,834,875
	Federal	$	4,174,579,446	$	4,460,972,607
	Health Care Total	$	7,082,761,191	$	7,573,807,482

GRF	600-527	Child Protective Services	$	59,592,059	$	64,047,479
GRF	600-528	Adoption Services				
		State	$	33,085,023	$	37,697,562
		Federal	$	32,158,564	$	36,641,941
		Adoption Services Total	$	65,243,587	$	74,339,503
GRF	600-534	Adult Protective Services	$	2,850,975	$	2,775,950
GRF	600-552	County Social Services	$	11,354,550	$	11,055,746
TOTAL GRF General Revenue Fund						
		State	$	3,816,042,984	$	4,036,829,267
		Federal	$	4,306,609,349	$	4,604,247,591
		GRF Total	$	8,122,652,333	$	8,641,076,858
General Services Fund Group						
4A8	600-658	Child Support Collections	$	42,389,027	$	42,389,027
4R4	600-665	BCII Service Fees	$	124,522	$	136,974
5C9	600-671	Medicaid Program Support	$	50,846,239	$	59,226,893
5R1	600-677	County Computers	$	5,000,000	$	5,000,000
613	600-645	Training Activities	$	1,462,626	$	1,157,525
TOTAL GSF General Services Fund Group			$	99,822,414	$	107,910,419
Federal Special Revenue Fund Group						
3A2	600-641	Emergency Food Distribution	$	2,018,844	$	2,018,844
3D3	600-648	Children's Trust Fund Federal	$	2,040,524	$	2,040,524
3F0	600-623	Health Care Federal	$	260,504,926	$	281,562,040
3F0	600-650	Hospital Care Assurance Match	$	320,551,643	$	332,807,785
3G5	600-655	Interagency Reimbursement	$	852,461,818	$	860,986,436
3G9	600-657	Special Activities Self Sufficiency	$	522,500	$	190,000
3H7	600-617	Day Care Federal	$	299,156,430	$	337,848,130
3N0	600-628	IV-E Foster Care Maintenance	$	152,981,760	$	173,963,142
3S5	600-622	Child Support Projects	$	534,050	$	534,050
3V0	600-688	Workforce Investment Act	$	128,476,093	$	128,476,093
3V4	600-678	Federal Unemployment Programs	$	74,025,525	$	74,025,525
3V4	600-679	Unemployment Compensation Review Commission - Federal	$	2,286,421	$	2,286,421
3V6	600-689	TANF Block Grant	$	654,410,661	$	677,098,311
3V6	600-690	Wellness	$	14,337,515	$	14,337,515
316	600-602	State and Local Training	$	10,166,587	$	10,325,460
327	600-606	Child Welfare	$	34,594,191	$	34,592,977
331	600-686	Federal Operating	$	41,600,896	$	41,640,897
365	600-681	JOB Training Program	$	25,000,000	$	5,469,259
384	600-610	Food Stamps and State Administration	$	160,371,358	$	161,716,857
385	600-614	Refugee Services	$	4,388,503	$	4,559,632
395	600-616	Special Activities/Child and Family Services	$	9,491,000	$	9,491,000
396	600-620	Social Services Block Grant	$	51,195,100	$	51,297,478
397	600-626	Child Support	$	248,001,590	$	247,353,041
398	600-627	Adoption Maintenance/ Administration	$	277,806,175	$	341,298,661
TOTAL FED Federal Special Revenue Fund Group			$	3,626,924,110	$	3,795,920,078

State Special Revenue Fund Group

198	600-647	Children's Trust Fund	$	4,368,785	$	4,379,333
3W3	600-695	Adult Protective Services	$	120,227	$	
3W3	600-696	Non-TANF Adult Assistance	$	1,000,000	$	
3W8	600-638	Hippy Program	$	62,500	$	
3W9	600-640	Adoption Connection	$	50,000	$	
4A9	600-607	Unemployment Compensation Admin Fund	$	9,420,000	$	9,420,000
4E3	600-605	Nursing Home Assessments	$	95,511	$	95,511
4E7	600-604	Child and Family Services Collections	$	145,805	$	149,450
4F1	600-609	Foundation Grants/Child and Family Services	$	116,400	$	119,310
4J5	600-613	Nursing Facility Bed Assessments	$	31,179,798	$	31,279,798
4J5	600-618	Residential State Supplement Payments	$	15,700,000	$	15,700,000
4K1	600-621	ICF/MR Bed Assessments	$	21,604,331	$	22,036,418
4R3	600-687	Banking Fees	$	592,937	$	592,937
4V2	600-612	Child Support Activities	$	124,993	$	124,993
4Z1	600-625	HealthCare Compliance	$	10,000,000	$	10,000,000
5A5	600-685	Unemployment Benefit Automation	$	19,607,027	$	13,555,667
5E6	600-634	State Option Food Stamps	$	6,000,000	$	6,000,000
5P4	600-691	TANF Child Welfare	$	7,500,000	$	7,500,000
5P5	600-692	Health Care Services	$	223,847,498	$	255,386,713
5R2	600-608	Medicaid-Nursing Facilities	$	59,462,415	$	79,283,220
651	600-649	Hospital Care Assurance Program Fund	$	222,480,109	$	233,384,431
TOTAL SSR State Special Revenue Fund Group			$	633,478,336	$	690,240,508

Agency Fund Group

192	600-646	Support Intercept - Federal	$	80,000,000	$	82,000,000
5B6	600-601	Food Stamp Intercept	$	5,283,920	$	5,283,920
583	600-642	Support Intercept - State	$	20,162,335	$	20,565,582
TOTAL AGY Agency Fund Group			$	105,446,255	$	107,849,502

Holding Account Redistribution Fund Group

R12	600-643	Refunds and Audit Settlements	$	200,000	$	200,000
R13	600-644	Forgery Collections	$	700,000	$	700,000
TOTAL 090 Holding Account Redistribution Fund Group			$	900,000	$	900,000
TOTAL ALL BUDGET FUND GROUPS			$	12,589,223,448	$	13,343,897,365

Sec. 63.09. TANF

TANF COUNTY INCENTIVES

Of the foregoing appropriation item 600-689, TANF Block Grant, the Department of Job and Family Services may provide financial incentives to those county departments of job and family services that have exceeded performance standards adopted by the state department, and where the board of county commissioners has entered into a written agreement with the state

department under section 5101.21 of the Revised Code governing the administration of the county department. Any financial incentive funds provided pursuant to this division shall be used by the county department for additional or enhanced services for families eligible for assistance under Chapter 5107. or benefits and services under Chapter 5108. of the Revised Code or, on request by the county and approval by the Department of Job and Family Services, be transferred to the Child Care and Development Fund or the Social Services Block Grant. The county departments of job and family services may retain and expend such funds without regard to the state or county fiscal year in which the financial incentives were earned or paid. Each county department of job and family services shall file an annual report with the Department of Job and Family Services providing detailed information on the expenditure of these financial incentives and an evaluation of the effectiveness of the county department's use of these funds in achieving self-sufficiency for families eligible for assistance under Chapter 5107. or benefits and services under Chapter 5108. of the Revised Code.

TANF YOUTH DIVERSION PROGRAMS

Of the foregoing appropriation item 600-689, TANF Block Grant, $19,500,000 in each fiscal year shall be allocated by the Department of Job and Family Services to the counties according to the allocation formula established in division (D) of section 5101.14 of the Revised Code. Of the funds allocated to each county, up to half may be used for contract services for unruly and misdemeanant diversionary programs.

The remaining funds not allocated for use in juvenile diversion activities may be used by the county for other contract child welfare services. In counties with separate departments of job and family services and public children services agencies, the county department of job and family services shall serve as a pass through to the public children services agencies for these funds. Separate public children services agencies receiving such funds shall comply with all TANF requirements, including reporting requirements and timelines, as specified in state and federal laws, federal regulations, state rules, and the Title IV-A state plan, and are responsible for payment of any adverse audit finding, final disallowance of federal financial participation, or other sanction or penalty issued by the federal government or other entity concerning these funds.

Of the foregoing $19,500,000 set aside, any funds remaining unspent on June 30, 2002, shall be carried forward and added to the earmark for fiscal year 2003, and allocated to the counties according to the allocation formula established in division (D) of section 5101.14 of the Revised Code.

KINSHIP NAVIGATORS

Of the foregoing appropriation item 600-689, TANF Block Grant, up to $3 million in each fiscal year shall be allocated by the Department of Job and Family Services to county departments of job and family services for the purpose of making allocations to local public children services agencies to provide services in the Kinship Navigation program. The allocation to county departments of job and family services shall be based on the number of Ohio works first cases in the county, and the number of children seventeen years of age or younger in the county. The Department of Job and Family Services shall develop an appropriate method of reallocating these funds in each fiscal year among the county ~~deparments~~ departments of job and family services, if they would otherwise be unspent.

TANF FAITH-BASED AND NON-PROFIT CAPACITY-BUILDING PROGRAMS

From the foregoing appropriation item 600-689, TANF Block Grant, up to $1,000,000 in each fiscal year shall be used to support capacity-building efforts among faith-based and non-profit organizations, for the purpose of providing allowable services to TANF-eligible individuals. Organizations receiving these funds shall comply with all TANF requirements, and shall agree with the Department of Job and Family Services on reporting requirements to be incorporated into the grant agreement.

TANF EDUCATION

~~the Director of Budget and Management shall transfer $35,000,000 in appropriation authority from appropriation item 600-689, TANF Block Grant (Fund 3V6), to Fund 3W6, TANF Education, in the Department of Education, which is created in the State Treasury. The transferred funds shall be used for the purpose of providing allowable services to TANF-eligible individuals.~~

~~the Director of Budget and Management shall transfer $76,156,175 from Fund 3V6, TANF Block Grant, to Fund 3W6, TANF Education, in the Department of Education. the Director of Budget and Management shall transfer $98,843,825 from Fund 3V6, TANF Block Grant, to Fund 3W6, TANF Education, in the Department of Education. The transferred funds shall be used for the purpose of providing allowable services to TANF-eligible individuals. The Department of Education shall comply with all TANF requirements, including reporting requirements and timelines, as specified in state and federal laws, federal regulations, state rules, and the Title IV-A state plan, and is responsible for payment of any adverse audit finding, final disallowance of federal financial participation, or other sanction or penalty issued by the federal government or other entity~~

~~concerning these funds.~~

There is hereby established the Title IV-A Education Program to be administered by the Department of Education in accordance with an interagency agreement entered into with the Department of Job and Family Services under division (A)(2) of section 5101.801 of the Revised Code. The program shall provide benefits and services to TANF eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines under a Title IV-A program pursuant to the requirements of section 5101.801 of the Revised Code. Upon approval by the Department of Job and Family Services, the Department of Education shall adopt policies and procedures establishing program requirements for eligibility, services, fiscal accountability, and other criteria necessary to comply with the provisions of Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended.

The Department of Job and Family Services shall reimburse the General Revenue Fund through intrastate transfer vouchers for allowable Title IV-A Head Start expenditures reported by the Department of Education in fiscal year 2002 by amounts up to $76,156,175 from Fund 3V6, TANF Block Grant, and in fiscal year 2003, up to $98,843,825 from Fund 3V6, TANF Block Grant. The Department of Job and Family Services shall reimburse the General Revenue Fund through intrastate transfer vouchers for allowable Title IV-A student intervention services expenditures in fiscal year 2003 up to $35,000,000 from Fund 3V6, TANF Block Grant.

COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES TITLE IV-A ADULT LITERACY AND CHILD READING PROGRAMS

There is hereby established the Title IV-A Adult Literacy and Child Reading Program to be administered by the county departments of job and family services in accordance with division (B)(1) of section 5101.801 of the Revised Code. The program shall provide benefits and services to TANF-eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines under a Title IV-A program pursuant to the requirements of section 5101.801 of the Revised Code. The county departments of job and family services shall ensure program requirements for eligibility, services, fiscal accountability, and other criteria necessary to comply with the provisions of Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended, and ensure that benefits and services are allowable uses of federal Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they may not be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits and services shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of "assistance." From

the foregoing appropriation item 600-689, TANF Block Grant, up to $5,000,000 in each fiscal year shall be used to support local adult literacy and child reading programs.

TALBERT HOUSE

In each fiscal year, the Director of Job and Family Services shall provide $100,500 from appropriation item 600-689, TANF Block Grant, to the ~~Hamiliton~~ Hamilton County Department of Job and Family Services to contract with the Talbert House for the purpose of providing allowable services to TANF-eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines. The contract between the Hamilton County Department of Job and Family Services and the Talbert House shall establish conditions for the reimbursement of allowable Title IV-A expenditures for services that are allowable uses of federal Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they may not be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits and services shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of "assistance." The contract shall also require Talbert House to comply with requirements of Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended, including eligibility of individuals, reporting requirements, allowable benefits and services, use of funds, and audit requirements, as specified in state and federal laws, federal regulations, state rules, federal Office of Management and Budget circulars, and the Title IV-A state plan.

MONTGOMERY COUNTY OUT-OF-SCHOOL YOUTH PROJECT

In each fiscal year, the Director of Job and Family Services shall provide $1,000,000 from appropriation item 600-689, TANF Block Grant, to the Montgomery County Department of Job and Family Services to be used to support the Out-of-School Youth Project in Montgomery County for the purpose of providing allowable services to TANF-eligible individuals. The Montgomery County Department of Job and Family Services and the Sinclair Community College shall comply with all TANF requirements, including reporting requirements and timelines, as specified in state and federal laws, federal regulations, state rules, and the Title IV-A state plan.

APPALACHIAN WORKFORCE DEVELOPMENT AND JOB TRAINING

From the foregoing appropriation item 600-689, TANF Block Grant, the Director of Job and Family Services shall provide up to $15,000,000 to be awarded to the county departments of job and family services in the twenty-nine Appalachian counties, contingent upon passage of H.B. 6 of the 124th General Assembly. These funds shall be used by the county

nts of job and family services in coordination with the Governor's Office of Appalachia, the Governor's Regional Economic Office, and local development districts. These funds shall be used for the following activities: workforce development and supportive services; economic development; technology expansion, technical assistance, and training; youth job training; organizational development for workforce development partners; and improving existing technology centers, workforce development, job creation and retention, purchasing technology, and technology and technology infrastructure upgrades.

As a condition on the use of these funds, each county department of job and family services shall submit a plan for the intended use of these funds to the Department of Job and Family Services. The plan shall also be reviewed by the Governor's Office of Appalachia, the Governor's Regional Economic Office, and local development districts. Also as a condition on the use of these funds, each county and contract agency shall acknowledge that these funds are a one-time allocation, not intended to fund services beyond September 30, 2002.

In fiscal year 2002, the TANF allocation to each of the Appalachian counties shall not be less than the TANF allocation amount for fiscal year 2001, as allocated according to the methodology set forth in paragraph (I) of rule 5101-6-03 of the Administrative Code.

The use of these funds shall comply with all TANF requirements, including reporting requirements and timelines, as specified in state and federal laws, federal regulations, state rules, and the Title IV-A state plan.

CENTER FOR FAMILY AND CHILDREN

Of the foregoing appropriation item 600-689, TANF Block ~~Brant~~ Grant, $150,000 in fiscal year 2002 shall be provided to the Center for Family and Children.

TANF FAMILY PLANNING

The Director of Budget and Management shall transfer by intrastate voucher, no later than the fifteenth day of July of each fiscal year, cash from the General Revenue Fund, appropriation item 600-410, TANF State, to General Services Fund 5C1 in the Department of Health, in an amount of $250,000 in each fiscal year for the purpose of family planning services for children or their families whose income is at or below 200 per cent of the official poverty guideline.

TANF FEDERAL BLOCK GRANT FUNDS AND TRANSFERS

From the foregoing appropriation items 600-410, TANF State; 600-658, Child Support Collections; or 600-689, TANF Block Grant, or a combination of these appropriation items, no less than $369,040,735 in each

fiscal year shall be allocated to county departments of job and family services as follows:

County Allocations	$276,586,957
WIA Supplement	$35,109,178
Early Start - Statewide	$38,034,600
Transportation	$5,000,000
County Training	$3,050,000
Adult Literacy and Child Reading Programs	$5,000,000
Disaster Relief	$5,000,000
School Readiness Centers	$1,260,000

Upon the request of the Department of Job and Family Services, the Director of Budget and Management may seek Controlling Board approval to increase appropriations in appropriation item 600-689, TANF Block Grant, provided sufficient Federal TANF Block Grant funds exist to do so, without any corresponding decrease in other appropriation items. The Department of Job and Family Services shall provide the Office of Budget and Management and the Controlling Board with documentation to support the need for the increased appropriation.

All transfers of moneys from or charges against TANF Federal Block Grant awards for use in the Social Services Block Grant or the Child Care and Development Block Grant from either unobligated prior year appropriation authority in appropriation item 400-411, TANF Federal Block Grant, or 600-411, TANF Federal Block Grant, or from fiscal year 2002 and fiscal year 2003 appropriation authority in item 600-689, TANF Block Grant, shall be done ten days after the Department of Job and Family Services gives written notice to the Office of Budget and Management. The Department of Job and Family Services shall first provide the Office of Budget and Management with documentation to support the need for such transfers or charges for use in the Social Services Block Grant or in the Child Care and Development Block Grant.

The Department of Job and Family Services shall in each fiscal year of the biennium transfer the maximum amount of funds from the federal TANF Block Grant to the federal Social Services Block Grant as permitted under federal law. Not later than July 15, 2001, the Department of Job and Family Services shall draw $60,000,000 in receipts from TANF funds that were transferred into the Social Services Block Grant into State Special Revenue Fund 5Q8, in the Office of Budget and Management. Not later than June 1, 2002, the Director of Budget and Management shall determine the amount of funds in State Special Revenue Fund 5Q8 that is needed for the purpose

of balancing the General Revenue Fund, and may transfer that amount to the General Revenue Fund. Not later than June 1, 2003, the Director of Budget and Management shall determine the amount of funds in State Special Revenue Fund 5Q8 that is needed for the purpose of balancing the General Revenue Fund, and may transfer that amount to the General Revenue Fund. Any moneys remaining in State Special Revenue Fund 5Q8 on June 15, 2003, shall be transferred not later than June 20, 2003, to Fund 3V6, TANF Block Grant, in the Department of Job and Family Services.

Before the thirtieth day of September of each fiscal year, the Department of Job and Family Services shall file claims with the United States Department of Health and Human Services for reimbursement for all allowable expenditures for services provided by the Department of Job and Family Services, or other agencies that may qualify for Social Services Block Grant funding pursuant to Title XX of the Social Security Act. The Department of Job and Family Services shall deposit, into Fund 5E6, State Option Food Stamps, $6 million, into Fund 5P4, TANF Child Welfare, $7.5 million, into Fund 3W5, Health Care Services, $500,000, into Fund 3W8, Hippy Program, $62,500, and into Fund 3W9, Adoption Connection, $50,000 and deposit in fiscal year 2002, into Fund 3W2, Title XX Vocational Rehabilitation, $600,000, into Fund 162 in the Department of Natural Resources, $7,885,349, and into Fund 3W3, Adult Special Needs, $4,720,227 in receipts from TANF Block Grant funds credited to the Social Services Block Grant. In fiscal year 2003, if, pursuant to federal law, the state is allowed to transfer up to 10 per cent of the TANF block grant and no less than $72,796,826 for the purposes of reimbursing allowable expenditures for services provided by the Department of Job and Family Services, or other agencies that may qualify for Social Services Block Grant funding pursuant to Title XX of the Social Security Act, then the Department of Job and Family Services shall deposit $6 million into Fund 5E6, State Option Food Stamps, $7.5 million into Fund 5P4 TANF Child Welfare, $897,052 into Fund 3W2, Title XX Vocational Rehabilitation, and $500,000 into Fund 3W5, Health Care Services. To the extent that the amount allowed to be transferred is less than the $72,796,826, then the amounts deposited into the above funds shall be reduced proportionally. On verification of the receipt of the above revenue, the funds provided by these transfers shall be used as follows:

Fund 5E6

Second Harvest Food Bank in fiscal year 2002	$4,500,000
Second Harvest Food Bank in fiscal year 2003	$4,500,000
Child Nutrition Services in fiscal year 2002	$900,000

Child Nutrition Services in fiscal year 2003	$900,000
Ohio Alliance of Boys and Girls Clubs in fiscal year 2002	$600,000
Ohio Alliance of Boys and Girls Clubs in fiscal year 2003	$600,000
Fund 5P4	
Support and Expansion for PCSA Activities in fiscal year 2002	$5,500,000
Support and Expansion for PCSA Activities in fiscal year 2003	$5,500,000
Pilot Projects for Violent and Aggressive Youth in fiscal year 2002	$2,000,000
Pilot Projects for Violent and Aggressive Youth in fiscal year 2003	$2,000,000
Fund 3W2	
Title XX Vocational Rehabilitation in fiscal year 2002	$600,000
Fund 3W3	
Adult Protective Services in fiscal year 2002	$120,227
Non-TANF Adult Assistance in fiscal year 2002	$1,000,000
Community-Based Correctional Facilities in fiscal year 2002	$3,600,000
Fund 162	
CCC Operations in fiscal year 2002	$7,885,349
Fund 3W5	
Abstinence-only Education in fiscal year 2002	$500,000
Abstinence-only Education in fiscal year 2003	$500,000
Fund 3W8	
Hippy Program	$62,500
Fund 3W9	
Adoption Connection	$50,000

WELLNESS

The foregoing appropriation item 600-690, Wellness, shall be used by county departments of job and family services for teen pregnancy prevention programming. Local contracts shall be developed between county departments of job and family services and local family and children first councils for the administration of TANF funding for this program.

Sec. 63.10. OHIO ASSOCIATION OF SECOND HARVEST FOOD BANKS

The Department of Job and Family Services may use up to $4,500,000

of appropriation item 600-634, State Options Food Stamps (Fund 5E6), in each fiscal year, to the extent funds are available based on deposits made pursuant to Section 63.09, to support expenditures to the Ohio Association of Second Harvest Food Banks pursuant to the following criteria.

As used in this section, "federal poverty guidelines" has the same meaning as in section 5101.46 of the Revised Code.

The Department of Job and Family Services shall provide $4,500,000 to the Ohio Association of Second Harvest Food Banks. ~~the~~ The Ohio Association of Second Harvest Food Banks shall use $2,500,000 for the purchase of food products for the Ohio Food Program, of which up to $105,000 may be used for food storage and transport, and shall use $2,000,000 for the Agricultural Surplus Production Alliance Project. Funds provided for the Ohio Food Program shall be used to purchase food products and distribute those food products to agencies participating in the emergency food distribution program. No funds provided through this grant may be used for administrative expenses other than funds provided for food storage and transport. As soon as possible after entering into a grant agreement at the beginning of the fiscal year, the Department of Job and Family Services shall distribute the grant funds in one single payment. The Ohio Association of Second Harvest Food Banks shall develop a plan for the distribution of the food products to local food distribution agencies. Agencies receiving these food products shall ensure that individuals and families who receive any of the food products purchased with these funds have an income at or below 150 per cent of the federal poverty guidelines. The Department of Job and Family Services and the Ohio Association of Second Harvest Food Banks shall agree on reporting requirements to be incorporated into the grant agreement.

The Ohio Association of Second Harvest Food Banks shall return any fiscal year 2002 funds from this grant remaining unspent on June 30, 2002, to the Department of Job and Family Services no later than November 1, 2002.

Sec. 63.11. CHILD NUTRITION SERVICES

The Department of Job and Family Services may use up to $900,000 of appropriation item 600-634, State Option Food Stamps (Fund 5E6), in each fiscal year, to the extent funds are available based on deposits made pursuant to Section 63.09, to support Child Nutrition Services in the Department of Education. As soon as possible after the effective date of this section, the Department of Job and Family Services shall enter into an interagency agreement with the Department of Education to reimburse the 19 pilot programs that provide nutritional evening meals to adolescents 13

through 18 years of age participating in educational or enrichment activities at youth development centers. Such funds shall not be used as matching funds. Eligibility and reporting guidelines shall be detailed in the interagency agreement.

OHIO ALLIANCE OF BOYS AND GIRLS CLUBS

Of the foregoing appropriation item 600-634, State Option Food Stamps (Fund 5E6), the Department of Job and Family Services shall use up to $600,000 in each fiscal year, to the extent funds are available based on deposits made pursuant to Section 63.09, to support expenditures of the Ohio Alliance of Boys and Girls Clubs to provide nutritional meals, snacks, and educational and enrichment services, including tutoring, homework assistance, and standardized achievement test preparation, to children participating in programs and activities operated by eligible Boys and Girls Clubs. The Ohio Alliance of Boys and Girls Clubs shall provide allowable services to Title XX eligible children.

As soon as possible after entering into a grant agreement at the beginning of the fiscal year, the Department of Job and Family Services shall distribute the grant funds in one single payment. The Ohio Alliance of Boys and Girls Clubs shall return any fiscal year 2002 funds from this grant remaining unspent on June 30, 2002, to the Department of Job and Family Services not later than November 1, 2002.

Sec. 63.15. SINGLE ALLOCATION FOR COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES

Using the foregoing appropriation items 600-504, Non-TANF County Administration; 600-610, Food Stamps and State Administration; 600-410, TANF State; 600-689, TANF Block Grant; 600-620, Social Services Block Grant; 600-552, County Social Services; 600-413, Day Care Match/Maintenance of Effort; 600-617, Day Care Federal; 600-534, Adult Protective Services; and 600-614, Refugees Services, the Department of Job and Family Services may establish a single allocation for county departments of job and family services that are subject to a partnership agreement between a board of county commissioners and the department under section 5101.21 of the Revised Code. The county department is not required to use all the money from one or more of the appropriation items listed in this paragraph for the purpose for which the specific appropriation item is made so long as the county department uses the money for a purpose for which at least one of the other of those appropriation items is made. The county department may not use the money in the allocation for a purpose other than a purpose any of those appropriation items are made. If the spending estimates used in establishing the single allocation are not realized

and the county department uses money in one or more of those appropriation items in a manner for which federal financial participation is not available, the department shall use state funds available in one or more of those appropriation items to ensure that the county department receives the full amount of its allocation. The single allocation is the maximum amount the county department shall receive from those appropriation items.

ADULT PROTECTIVE SERVICES

The foregoing appropriation item 600-695, Adult Protective Services, shall be used to provide adult protective services in accordance with section 5101.62 of the Revised Code.

NON-TANF ADULT ASSISTANCE

The foregoing appropriation item 600-696, Non-TANF Adult Assistance, shall be used to provide funding for the Adult Emergency Assistance Program in accordance with section 5101.86 of the Revised Code.

HIPPY PROGRAM

The Department of Job and Family Services may use up to $62,500 of appropriation item 600-638, Hippy Program (Fund 3W8), to support expenditures to the Hippy Program in Hamilton County. The Department of Job and Family Services and the Hippy Program shall agree on reporting requirements to be incorporated into the grant agreement.

ADOPTION CONNECTION

The Department of Job and Family Services may use up to ~~$62,500~~ $50,000 of appropriation item 600-640, Adoption Connection (Fund 3W9), to support expenditures to the Adoption Connection Program in Hamilton County. The Department of Job and Family Services and the Adoption Connection Program shall agree on reporting requirements to be incorporated into the grant agreement.

Sec. 63.36. (A) Notwithstanding division (Q)(1) of section 5111.20 of the Revised Code, when calculating indirect care costs for the purpose of establishing rates under section 5111.24 or 5111.241 of the Revised Code for fiscal year 2002, "per diem," as used in sections 5111.20 to 5111.32 of the Revised Code, means a nursing facility's or intermediate care facility for the mentally retarded's actual, allowable indirect care costs in the cost reporting period divided by the greater of the facility's inpatient days for that period or the number of inpatient days the facility would have had during that period if its occupancy rate had been eighty-two per cent.

(B) ~~Notwithstanding division (Q)(1) of section 5111.20 of the Revised Code, when calculating indirect care costs for the purpose of establishing rates under section 5111.24 or 5111.241 of the Revised Code for fiscal year~~

~~2003, "per diem," as used in sections 5111.20 to 5111.32 of the Revised Code, means a nursing facility's or intermediate care facility for the mentally retarded's actual, allowable indirect care costs in the cost reporting period divided by the greater of the facility's inpatient days for that period or the number of inpatient days the facility would have had during that period if its occupancy rate had been eighty-seven per cent.~~

~~(C)~~ Notwithstanding division (Q)(2) of section 5111.20 of the Revised Code, when calculating capital costs for the purpose of establishing rates under section 5111.25 or 5111.251 of the Revised Code for fiscal year 2002, "per diem," as used in sections 5111.20 to 5111.32 of the Revised Code, means a nursing facility's or intermediate care facility for the mentally retarded's actual, allowable capital costs in the cost reporting period divided by the greater of the facility's inpatient days for that period or the number of inpatient days the facility would have had during that period if its occupancy rate had been eighty-eight per cent.

~~(E)~~(C) As soon as practicable, the Department of Job and Family Services shall follow this section for the purpose of calculating nursing facilities' and intermediate care facilities for the mentally retarded's Medicaid reimbursement rates for indirect care and capital costs for fiscal years 2002 and 2003. If the Department is unable to calculate the rates before it makes payments for services provided during fiscal year 2002 or 2003, the Department shall pay a nursing facility or intermediate care facility for the mentally retarded the difference between the amount it pays the facility and the amount that would have been paid had the Department made the calculation in time.

Sec. 63.37. NURSING FACILITY STABILIZATION FUND

(A) As used in this section:

(1) "Inpatient days" and "nursing facility" have the same meanings as in section 5111.20 of the Revised Code.

(2) "Medicaid day" means all days during which a resident who is a Medicaid recipient occupies a bed in a nursing facility that is included in the facility's certified capacity under Title XIX of the "Social Security Act," 79 Stat. 286 (1965), 42 U.S.C.A. 1396, as amended. Therapeutic or hospital leave days for which payment is made under section 5111.33 of the Revised Code are considered Medicaid days proportionate to the percentage of the nursing facility's per resident per day rate paid for those days.

(B) The Department of Job and Family Services shall use money in the Nursing Facility Stabilization Fund created under section 3721.56 of the Revised Code to do all of the following:

(1) Make payments to nursing facilities under sections 5111.20 to

32 of the Revised Code;

(2) Beginning with payments made to nursing facilities in August 2001, make payments to each nursing facility for each Medicaid day in fiscal years 2002 and 2003 in an amount equal to sixty-nine and seven-tenths per cent of the franchise permit fee the nursing facility pays under section 3721.53 of the Revised Code for the fiscal year the department makes the payment divided by the nursing facility's inpatient days for the calendar year preceding the calendar year in which that fiscal year begins;

(3) Beginning with payments made to nursing facilities in August 2001, make payments to each nursing facility for fiscal years 2002 and 2003 in an amount equal to one dollar and fifty cents per Medicaid day for the purpose of enhancing quality of care.

(C) Any money remaining in the Nursing Facility Stabilization Fund after payments specified in division (B) of this section are made for fiscal years 2002 and 2003 shall be retained in the fund. Any interest or other investment proceeds earned on money in the fund shall be credited to the fund and used to make payments in accordance with division (B) of this section.

(D) Notwithstanding division (N) of section 5111.20 of the Revised Code, the Department of Job and Family Services, in making Medicaid payments to a nursing facility under sections 5111.20 to 5111.32 of the Revised Code, shall exclude from a nursing facility's other protected costs the cost of sixty-nine and seven-tenths per cent of the franchise permit fee that the nursing facility pays under section 3721.53 of the Revised Code for fiscal years 2002 and 2003 if the nursing facility receives payments under division (B)(2) of this section for sixty-nine and seven-tenths per cent of those franchise permit fees."

Sec. 96. RSC REHABILITATION SERVICES COMMISSION

General Revenue Fund

GRF 415-100	Personal Services	$	8,506,587	$	8,949,644
GRF 415-401	Personal Care Assistance	$	943,374	$	943,374
GRF 415-402	Independent Living Council	$	398,582	$	398,582
GRF 415-403	Mental Health Services	$	754,473	$	754,473
GRF 415-404	MR/DD Services	$	1,326,302	$	1,326,301
GRF 415-405	Vocational Rehabilitation/Job and Family Services	$	564,799	$	564,799
GRF 415-406	Assistive Technology	$	50,000	$	50,000
GRF 415-431	Office for People with Brain Injury	$	246,856	$	247,746
GRF 415-506	Services for People with Disabilities	$	11,785,245	$	12,082,297
GRF 415-508	Services for the Deaf	$	145,040	$	145,040
GRF 415-509	Services for the Elderly	$	378,043	$	378,044
GRF 415-520	Independent Living Services	$	61,078	$	61,078

TOTAL GRF General Revenue Fund			$	25,160,379	$	25,901,378
General Services Fund Group						
4W5	415-606	Administrative Expenses	$	18,775,759	$	19,649,829
467	415-609	Business Enterprise Operating Expenses	$	1,585,602	$	1,493,586
TOTAL GSF General Services Fund Group			$	20,361,361	$	21,143,415
Federal Special Revenue Fund Group						
3L1	415-601	Social Security Personal Care Assistance	$	3,044,146	$	3,044,146
3L1	415-605	Social Security Community Centers for the Deaf	$	1,100,488	$	1,100,488
3L1	415-607	Social Security Administration Cost	$	163,596	$	171,085
3L1	415-608	Social Security Special Programs/Assistance	$	16,949,140	$	7,309,984
3L1	415-610	Social Security Vocational Rehabilitation	$	1,338,324	$	1,338,324
3L4	415-612	Federal-Independent Living Centers or Services	$	681,726	$	681,726
3L4	415-615	Federal - Supported Employment	$	1,753,738	$	1,753,738
3L4	415-617	Independent Living/Vocational Rehabilitation Programs	$	1,033,853	$	1,035,196
317	415-620	Disability Determination	$	68,752,767	$	71,452,334
379	415-616	Federal-Vocational Rehabilitation	$	107,747,928	$	110,980,366
TOTAL FED Federal Special Revenue Fund Group			$	202,565,706	$	198,867,387
State Special Revenue Fund Group						
4L1	415-619	Services for Rehabilitation	$	5,698,621	$	5,260,262
468	415-618	Third Party Funding	$	1,231,465	$	892,991
TOTAL SSR State Special Revenue Fund Group			$	6,930,086	$	6,153,253
TOTAL ALL BUDGET FUND GROUPS			$	255,017,532	$	252,065,433

STAND CONCESSIONS FUND - CREDITING OF INCOME

In crediting interest and other income earned on moneys deposited in the Stand Concessions Fund (Fund 467), the Treasurer of State and Director of Budget and Management shall ensure that the requirements of section 3304.35 of the Revised Code are met.

PERSONAL CARE ASSISTANCE

The foregoing appropriation item 415-401, Personal Care Assistance, shall be used in addition to Social Security reimbursement funds to provide personal care assistance services. These funds shall not be used in lieu of Social Security reimbursement funds.

MR/DD SERVICES

The foregoing appropriation item 415-404, MR/DD Services, shall be used as state matching funds to provide vocational rehabilitation services to

mutually eligible clients between the Rehabilitation Services Commission and the Department of Mental Retardation and Developmental Disabilities. The Rehabilitation Services Commission shall report to the Department of Mental Retardation and Developmental Disabilities, as outlined in an interagency agreement, on the number and status of mutually eligible clients and the status of the funds and expenditures for these clients.

VOCATIONAL REHABILITATION/JOB AND FAMILY SERVICES

The foregoing appropriation item 415-405, Vocational Rehabilitation/Job and Family Services, shall be used as state matching funds to provide vocational rehabilitation services to mutually eligible clients between the Rehabilitation Services Commission and the Department of Job and Family Services. The Rehabilitation Services Commission shall report to the Department of Job and Family Services, as outlined in an interagency agreement, on the number and status of mutually eligible clients and the status of the funds and expenditures for these clients.

ASSISTIVE TECHNOLOGY

The foregoing appropriation item 415-406, Assistive Technology, shall be provided to Assistive Technology of Ohio and shall be used only to provide grants under that program. No amount of the appropriation may be used for administrative costs.

OFFICE FOR PEOPLE WITH BRAIN INJURY

Of the foregoing appropriation item 415-431, Office for People with Brain Injury, $100,000 in each fiscal year shall be used for the state match for a federal grant awarded through the Traumatic Brain Injury Act, Pub. L. No. 104-166, and $50,000 in fiscal year 2002 and $50,000 in fiscal year 2003 shall be provided to the Brain Injury Trust Fund. The remaining appropriation in this item shall be used to plan and coordinate head-injury-related services provided by state agencies and other government or private entities, to assess the needs for such services, and to set priorities in this area.

SERVICES FOR PEOPLE WITH DISABILITIES

On verification of the receipt of revenue in Fund 3W2, Title XX Vocational Rehabilitation, the Director of Budget and Management shall transfer those funds to the General Revenue Fund. The transferred funds are appropriated to appropriation item 415-506, Services for People with Disabilities. The foregoing appropriation item 415-506, Services for People with Disabilities, includes transferred funds of $600,000 in fiscal year 2002 <u>and $897,052 in fiscal year 2003.</u>

SERVICES FOR THE DEAF

The foregoing appropriation item 415-508, Services for the Deaf, shall

be used to supplement Social Security reimbursement funds used to provide grants to community centers for the deaf. These funds shall not be used in lieu of Social Security reimbursement funds.

SERVICES FOR THE ELDERLY

The foregoing appropriation item 415-509, Services for the Elderly, shall be used as matching funds for vocational rehabilitation services for eligible elderly citizens with a disability.

SOCIAL SECURITY REIMBURSEMENT FUNDS

Reimbursement funds received from the Social Security Administration, United States Department of Health and Human Services, for the costs of providing services and training to return disability recipients to gainful employment, shall be used in the Social Security Reimbursement Fund (Fund 3L1), as follows:

(A) Appropriation item 415-601, Social Security Personal Care Assistance, to provide personal care services in accordance with section 3304.41 of the Revised Code;

(B) Appropriation item 415-605, Social Security Community Centers for the Deaf, to provide grants to community centers for the deaf in Ohio for services to individuals with hearing impairments;

(C) Appropriation item 415-607, Social Security Administration Cost, to provide administrative services needed to administer the Social Security reimbursement program;

(D) Appropriation item 415-608, Social Security Special Programs/Assistance, to provide vocational rehabilitation services to individuals with severe disabilities, who are Social Security beneficiaries, to achieve competitive employment. This item also includes funds to assist the Personal Care Assistance, Community Centers for the Deaf, and Independent Living Programs to pay their share of indirect costs as mandated by federal OMB Circular A-87.

(E) Appropriation item 415-610, Social Security Vocational Rehabilitation, to provide vocational rehabilitation services to individuals with severe disabilities to achieve a noncompetitive employment goal such as homemaker.

ADMINISTRATIVE EXPENSES

The foregoing appropriation item 415-606, Administrative Expenses, shall be used to support the administrative functions of the commission related to the provision of vocational rehabilitation, disability determination services, and ancillary programs.

INDEPENDENT LIVING COUNCIL

The foregoing appropriation items 415-402, Independent Living

l, shall be used to fund the operations of the State Independent Living Council.

MENTAL HEALTH SERVICES

The foregoing appropriation item 415-403, Mental Health Services, shall be used for the provision of vocational rehabilitation services to mutually eligible consumers of the Rehabilitation Services Commission and the Department of Mental Health.

The Department of Mental Health shall receive a quarterly report from the Rehabilitation Services Commission stating the numbers served, numbers placed in employment, average hourly wage, and average hours worked.

INDEPENDENT LIVING SERVICES

The foregoing appropriation items 415-520, Independent Living Services, and 415-612, Federal-Independent Living Centers or Services, shall be used to support state independent living centers or independent living services pursuant to Title VII of the Independent Living Services and Centers for Independent Living of the Rehabilitation Act Amendments of 1992, 106 Stat. 4344, 29 U.S.C. 796d.

INDEPENDENT LIVING/VOCATIONAL REHABILITATION PROGRAMS

The foregoing appropriation item 415-617, Independent Living/Vocational Rehabilitation Programs, shall be used to support vocational rehabilitation programs, including, but not limited to, Projects with Industry and Training Grants.

SECTION 4. That existing Sections 13.04, 28.02, 41, 41.10, 44.02, 44.12, 56, 56.01, 63, 63.09, 63.10, 63.11, 63.15, 63.36, 63.37, and 96 of Am. Sub. H.B. 94 of the 124th General Assembly are hereby repealed.

SECTION 5. Section 175.21 of the Revised Code, as amended by this act, shall take effect September 5, 2001.

SECTION 6. Taxes imposed pursuant to Chapter 5748. of the Revised Code that otherwise meet the requirements established under division (A)(2) of Section 201 of Am. Sub. H.B. 94 of the 124th General Assembly shall be eligible for treatment as "qualifying delinquent taxes" under Section 201 of that act. For such purpose, "taxpayer", as used in that section, shall include any individual or other person subject to the tax imposed under Chapter

5748. of the Revised Code. Notwithstanding division (D) of Section 201 of Am. Sub. H.B. 94 of the 124th General Assembly, qualifying delinquent taxes and interest thereon collected pursuant to this section shall be credited and distributed as required under divisions (C) and (D) of section 5747.03 of the Revised Code.

SECTION 7. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The necessity occurs because errors in Am. Sub. H.B. 94 of the 124th General Assembly, the recently enacted biennial operating budget measure, need to be cured at the earliest possible time in order to prevent or remedy legislatively unintended results. Therefore, this act shall go into immediate effect.

_____

Speaker _____ *of the House of Representatives.*

_____

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

_____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

_____

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

_____

Secretary of State.

File No. _____ Effective Date _____