

As Passed by the House

124th General Assembly

Regular Session

2001-2002

Sub. H. B. No. 299

REPRESENTATIVES Carey, Evans, Schmidt, Calvert, Hoops, Oakar, Webster,
Allen, Fedor, Husted, Peterson, Widowfield, Barrett, Core, Faber, Grendell,
Seitz, Cates, Coates, Clancy, Schneider, Womer Benjamin, Flowers, Metzger,
Young, Otterman

A BILL

To amend sections 175.21 and 4507.52 and to enact 1
section 339.19 of the Revised Code and to amend 2
Sections 13.04, 28.02, 44.02, 44.12, and 63.09 of 3
Am. Sub. H.B. 94 of the 124th General Assembly to 4
change a scheduled deputy registrar fee increase 5
relative to duplicate or replacement identification 6
cards from \$3.75 to \$2.75, to make other 7
budget-related corrections, to provide for the 8
continued operation of any county tuberculosis 9
hospital that existed on the effective date of Sub. 10
S.B. 173 of the 123rd General Assembly, to make an 11
appropriation, and to declare an emergency. 12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 175.21 and 4507.52 be amended and 13
section 339.19 of the Revised Code be enacted to read as follows: 14

Sec. 175.21. (A) The low- and moderate-income housing trust 15
fund is hereby created in the state treasury. The fund shall 16
consist of all appropriations, grants, gifts, loan repayments, and 17

contributions of money made from any source to the department of 18
development for the fund. All investment earnings of the fund 19
shall be credited to the fund. The director of development shall 20
allocate a portion of the money in the fund to an account of the 21
Ohio housing finance agency. The department shall administer the 22
fund. The agency shall use money allocated to it in the fund for 23
implementing and administering its programs and duties under 24
sections 175.22 and 175.24 of the Revised Code, and the department 25
shall use the remaining money in the fund for implementing and 26
administering its programs and duties under sections 175.22 to 27
175.25 of the Revised Code. Use of all money in the fund is 28
subject to the following restrictions: forty-five per cent of the 29
amount of funds awarded during any one fiscal year shall be used 30
to make grants and loans to nonprofit organizations under section 31
175.22 of the Revised Code, not less than ~~forty-five~~ fifty per 32
cent of the amount of funds awarded during any one fiscal year 33
shall be used to make grants and loans for activities that will 34
provide housing and housing assistance to families and individuals 35
in rural areas and small cities that would not be eligible to 36
participate as a participating jurisdiction under the "HOME 37
Investment Partnerships Act," 104 Stat. 4094 (1990), 42 U.S.C. 38
12701 note, 12721, no more than ~~six~~ five per cent of the money in 39
the fund shall be used for administration, and no money in the 40
fund shall be used to pay for any legal services other than the 41
usual and customary legal services associated with the acquisition 42
of housing. Except as otherwise provided by the director under 43
division (B) of this section, money in the fund may be used as 44
matching money for federal funds received by the state, counties, 45
municipal corporations, and townships for the activities listed in 46
section 175.22 of the Revised Code. 47

(B) If after the second quarter of any year it appears to the 48
director that the full amount of the money in the low- and 49
moderate-income housing trust fund designated in that year for 50

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.

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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.

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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:

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"STATE OF OHIO IDENTIFICATION CARD

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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."

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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.

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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.

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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:

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

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

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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.

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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.

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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

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commencing on July 1, 2001, three dollars and twenty-five cents 144
commencing on January 1, 2003, and three dollars and fifty cents 145
commencing on January 1, 2004, for issuing a duplicate or 146
replacement identification card. A disabled veteran who is a 147
cardholder and has a service-connected disability rated at one 148
hundred per cent by the veterans' administration may apply to the 149
registrar or a deputy registrar for the issuance of a duplicate or 150
replacement identification card without payment of any fee 151
prescribed in this section, and without payment of any lamination 152
fee if the disabled veteran would not be required to pay a 153
lamination fee in connection with the issuance of an 154
identification card or temporary identification card as provided 155
in division (B) of section 4507.50 of the Revised Code. 156

A duplicate or replacement identification card shall expire 157
on the same date as the card it replaces. 158

The registrar shall cancel any card upon determining that the 159
card was obtained unlawfully, issued in error, or was altered. The 160
registrar also shall cancel any card that is surrendered to the 161
registrar or to a deputy registrar after the holder has obtained a 162
duplicate, replacement, or driver's or commercial driver's 163
license. 164

No agent of the state or its political subdivisions shall 165
condition the granting of any benefit, service, right, or 166
privilege upon the possession by any person of an identification 167
card. Nothing in this section shall preclude any publicly operated 168
or franchised transit system from using an identification card for 169
the purpose of granting benefits or services of the system. 170

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No person shall be required to apply for, carry, or possess 172
an identification card. 173

(C) Except in regard to an identification card issued to a 174
person who applies no more than thirty days before the applicant's 175

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.

Section 2. That existing sections 175.21 and 4507.52 of the Revised Code are hereby repealed.

Section 3. That Sections 13.04, 28.02, 44.02, 44.12, and 63.09 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, 204
the Director of Budget and Management, at the request of the 205
Director of Development, may ~~transfer~~ increase by up to \$25 206
million ~~in unobligated, unspent GRF appropriations~~ over the 207
biennium ~~to~~ appropriations in existing GRF appropriation items or 208
new appropriation items created by the Director of Budget and 209
Management for the Department of Development to support ~~GRF-funded~~ 210
economic development projects for which appropriations would not 211
otherwise be available. ~~The amounts transferred~~ Such increases are 212
hereby appropriated. 213

COAL RESEARCH AND DEVELOPMENT FUND 214

Notwithstanding sections 1555.08 and 1555.15 of the Revised 215
Code, on July 1, 2001, or as soon as possible thereafter, the 216
Director of Budget and Management shall transfer all cash in the 217
Coal Research and Development Fund (Fund 046), which represents 218
investment earnings of that fund previously credited to that fund, 219
to the General Revenue Fund. 220

Sec. 44.02. HEAD START 221

~~the Director of Budget and Management shall transfer~~ 222
~~\$76,156,175 from Fund 3W6, TANF Education, to the General Revenue~~ 223
~~Fund. the Director of Budget and Management shall transfer~~ 224
~~\$98,843,825 from Fund 3W6, TANF Education, to the General Revenue~~ 225
~~Fund. The transferred funds are appropriated for the appropriation~~ 226
~~item 200-406, Head Start. The foregoing appropriation item~~ 227
~~200-406, Head Start, includes transferred funds of \$76,156,175 in~~ 228
~~fiscal year 2002 and \$98,843,825 in fiscal year 2003.~~ 229

Of the foregoing appropriation item 200-406, Head Start, 230
\$100,000 per fiscal year shall be used for the Read Baby Read Book 231
Club Program. 232

The Pursuant to the interagency agreement entered into 233
between the Department of Education and the Department of Job and 234

Family Services under division (A)(2) of section 5101.801 of the 235
Revised Code, the remainder of foregoing appropriation item 236
200-406, Head Start, shall be distributed by the Department of 237
Education to Head Start agencies. A "Head Start agency" means an 238
entity that has been approved to be an agency in accordance with 239
Section 641 (42 U.S.C. 9836) of the Head Start Act and amendments 240
thereto, or an entity designated for state Head Start funding 241
under this section. Participation in state-funded Head Start 242
programs is voluntary. 243

Moneys distributed under this heading shall not be used to 244
reduce expenditures from funds received by a Head Start agency 245
from any other sources. Section 3301.31 of the Revised Code does 246
not apply to funds distributed under this heading. In lieu of 247
section 3301.31 of the Revised Code, distribution of moneys under 248
this heading shall be as follows: 249

(A) In fiscal years 2002 and 2003, up to two per cent of the 250
appropriation may be used by the department for administrative 251
costs of complying with this section; developing program capacity; 252
and assisting programs with facilities planning, construction, 253
renovation, or lease agreements in combination with the Community 254
Development Finance Fund (CDFF). Up to \$1,530,000 in fiscal year 255
2002 and up to \$1,560,600 in fiscal year 2003 may be used for the 256
services of literacy specialist and training in early literacy for 257
Head Start classroom teachers and administrators to support the 258
OhioReads Initiative. 259

(B) The department shall provide an annual report to the 260
Governor, the Speaker of the House of Representatives, the 261
President of the Senate, the State Board of Education, Head Start 262
grantees, and other interested parties. The report shall include 263
the following: 264

(1) The number and per cent of eligible children by county 265
and by grantee; 266

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| (2) The amount of state funds received for continuation per grantee; | 267 268 |
| (3) A summary of program performance on the state critical performance indicators; | 269 270 |
| (4) A summary of developmental progress of children participating in the state-funded Head Start program; | 271 272 |
| (5) Any other data reflecting the performance of Head Start that the department considers pertinent. | 273 274 |
| (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. | 275 276 277 278 279 |
| 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. | 280 281 282 283 284 285 286 |
| 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 approved | 287 288 289 290 291 292 293 294 295 296 297 |

approved activities. 298

(D) After setting aside amounts to make any payments due from 299
the prior fiscal year, pursuant to the interagency agreement, in 300
fiscal years 2002 and 2003, funds shall only be distributed to 301
recipients of Head Start funds during the preceding fiscal year. 302
Awards under this division shall be based on a per-pupil formula 303
prescribed by the Department of Education and may be adjusted for 304
one-time start-up costs, actual months of program operation, or 305
the number of children enrolled and receiving services, as defined 306
by the Department of Education, reported during the first full 307
week of December, and may be increased by a reasonable percentage 308
for inflation to be determined by the Department of Education and 309
in accordance with this section. ~~The Pursuant to the interagency~~ 310
~~agreement, the~~ department may redistribute dollars to programs 311
demonstrating an unmet need based on updated assessments of family 312
needs and community resources. In fiscal years 2002 and 2003, the 313
department may authorize recipients to carry over funds to the 314
subsequent fiscal year. 315

~~The~~ In accordance with the interagency agreement, the 316
department may reallocate unobligated or unspent money to 317
participating Head Start agencies for: (1) facilities planning 318
grants and to leverage construction, renovation, or lease 319
agreements and for repair of critical deferred maintenance and 320
safety items in combination with the CDFE; (2) teacher 321
professional development and enhanced compensation in order to 322
meet the requirements of section 3301.311 of the Revised Code; (3) 323
meeting the documentation and reporting requirements and for 324
technical support in accordance with division (F) of this section; 325
and (4) expansion, improvement, or special projects to promote 326
excellence and innovation. 327

(E) Costs for developing and administering a Head Start 328
program may not exceed ~~fifteen per cent of the total approved~~ 329

~~costs of the program~~ the costs established in the interagency 330
agreement. 331

All recipients of funds shall maintain such fiscal control 332
and accounting procedures as may be necessary to ensure the 333
disbursement of, and accounting for, these funds in accordance 334
with section 5101.801 of the Revised Code. The control of funds 335
provided in this program, and title to property obtained 336
therefrom, shall be under the authority of the approved recipient 337
for purposes provided in the program. The approved recipient shall 338
administer and use such property and funds for the purposes 339
specified. 340

Each recipient shall furnish the department an annual audit 341
that includes the review of ~~state~~ funds received under this 342
section. 343

In conjunction with the required audit of federal ~~Head Start~~ 344
funds, the independent auditor shall examine state Head Start 345
funds in accordance with the federal regulations and agreed-upon 346
state procedures formulated by the department. 347

(F) The department shall prescribe target levels for critical 348
performance indicators for the purpose of assessing Head Start 349
programs. On-site reviews and follow-up visits shall be based on 350
grantee progress in meeting the prescribed target levels. 351

The Department of Education, in consultation with the 352
interested parties, including the state Department of Job and 353
Family Services, shall develop the criteria to be used by Head 354
Start grantees and delegate agencies with developing partnership 355
agreements. 356

The ~~department~~ Department of Education or the Department of 357
Job and Family Services may audit a Head Start agency's financial 358
and program records. Head Start agencies that have financial 359
practices not in accordance with standard accounting principles, 360

that fail to substantially meet the Head Start performance 361
standards, or that exhibit below-average performance shall be 362
subject to an on-site review. 363

The ~~department~~ Department of Education shall require 364
corrective plans of action for programs not achieving target 365
levels or financial and program standards. Action plans shall 366
include activities to be conducted by the grantee and timelines 367
for activities to be completed and timelines for additional data 368
submission to the department demonstrating targets have been met. 369
The Policy Council chairperson and the appropriate grantee board 370
official shall sign the corrective plans of action. 371

Head Start programs not meeting performance targets in 372
accordance with the plan of action and prescribed timelines may 373
have their funding reduced until targets are met, or have all 374
state funds withdrawn. 375

The department shall require school districts to collect 376
"preschool" information by program type. All data shall be 377
reported via the Education Management Information System (EMIS). 378

(G) The department shall develop prekindergarten reading and 379
mathematics content standards and model curricula. These standards 380
and curricula shall be made available to grantees. Head Start 381
grantees delegate agencies, and child care partners shall document 382
child progress, using a common instrument prescribed by the 383
department, and report results annually. The department shall 384
determine the dates for documenting and reporting. 385

(H) New agencies may be designated for state Head Start 386
funding if a Head Start agency voluntarily waives its right for 387
funding or is de-funded based on performance. In either event, the 388
grantee and delegate shall transfer control of title to property, 389
equipment, and remaining supplies obtained through this program to 390
the newly designated grantee and return any unexpended funds to 391
the department along with any reports prescribed by the 392

department.

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

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(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.

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(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

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Title IV-A state plan. The Department of Education shall be 425
responsible for assuring that all Title IV-A funds are used solely 426
for purposes allowable under federal regulations, section 5101.801 427
of the Revised Code, and the Title IV-A state plan. 428

Sec. 44.12. ADULT LITERACY EDUCATION 429

The foregoing appropriation item 200-509, Adult Literacy 430
Education, shall be used to support adult basic and literacy 431
education instructional programs and the State Literacy Resource 432
Center Program. 433

Of the foregoing appropriation item 200-509, Adult Literacy 434
Education, up to \$543,150 in fiscal year 2002 and up to \$554,013 435
in fiscal year 2003 shall be used for the support and operation of 436
the State Literacy Resource Center. 437

The remainder shall be used to continue to satisfy the state 438
match and maintenance of effort requirements for the support and 439
operation of the Department of Education-administered 440
instructional grant program for adult basic and literacy education 441
in accordance with the department's state plan for adult basic and 442
literacy education as approved by the State Board of Education and 443
the Secretary of the United States Department of Education. 444

AUXILIARY SERVICES 445

The foregoing appropriation item 200-511, Auxiliary Services, 446
shall be used by the State Board of Education for the purpose of 447
implementing section 3317.06 of the Revised Code. Of the 448
appropriation, up to \$1,250,000 in fiscal year 2002 and up to 449
\$1,500,000 in fiscal year 2003 may be used for payment of the 450
Post-Secondary Enrollment Options Program for nonpublic students 451
pursuant to section 3365.10 of the Revised Code. 452

STUDENT INTERVENTION SERVICES 453

The foregoing appropriation item 200-513, Student 454

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

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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.

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POST-SECONDARY/ADULT CAREER-TECHNICAL EDUCATION

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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.

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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.

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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.

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DISADVANTAGED PUPIL IMPACT AID

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The foregoing appropriation item 200-520, Disadvantaged Pupil
Impact Aid, shall be distributed to school districts according to

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section 3317.029 of the Revised Code. However, no money shall be 518
distributed for all-day kindergarten to any school district whose 519
three-year average formula ADM exceeds 17,500 but whose DPIA index 520
is not at least equal to 1.00 in each fiscal year, unless the 521
Department of Education certifies that sufficient funds exist in 522
this appropriation to make all other payments required by section 523
3317.029 of the Revised Code. 524

The Department of Education shall pay all-day, everyday 525
kindergarten funding to all school districts in fiscal year 2002 526
and fiscal year 2003 that qualified for and provided the service 527
in a preceding fiscal year pursuant to section 3317.029 of the 528
Revised Code, regardless of changes to such districts' DPIA 529
indexes in fiscal year 2002 and fiscal year 2003. 530

The Department of Education shall pay to community schools an 531
amount for all-day kindergarten if the school district in which 532
the student is entitled to attend school is eligible but does not 533
receive a payment for all-day kindergarten, pursuant to division 534
(B) of section 3314.13 of the Revised Code, and the student is 535
reported by the community school as enrolled in all-day 536
kindergarten at the community school. 537

Of the foregoing appropriation item 200-520, Disadvantaged 538
Pupil Impact Aid, up to \$3,200,000 in fiscal year 2002 and up to 539
\$3,300,000 in fiscal year 2003 shall be used for school breakfast 540
programs. Of these amounts, up to \$500,000 shall be used each year 541
by the Department of Education to provide start-up grants to rural 542
school districts and to school districts with less than 1,500 ADM 543
that start school breakfast programs. The remainder of the 544
appropriation shall be used to: (1) partially reimburse school 545
buildings within school districts that are required to have a 546
school breakfast program pursuant to section 3313.813 of the 547
Revised Code, at a rate decided by the department, for each 548
breakfast served to any pupil enrolled in the district; (2) 549

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. 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 581
Chapter 5108. of the Revised Code or, on request by the county and 582
approval by the Department of Job and Family Services, be 583
transferred to the Child Care and Development Fund or the Social 584
Services Block Grant. The county departments of job and family 585
services may retain and expend such funds without regard to the 586
state or county fiscal year in which the financial incentives were 587
earned or paid. Each county department of job and family services 588
shall file an annual report with the Department of Job and Family 589
Services providing detailed information on the expenditure of 590
these financial incentives and an evaluation of the effectiveness 591
of the county department's use of these funds in achieving 592
self-sufficiency for families eligible for assistance under 593
Chapter 5107. or benefits and services under Chapter 5108. of the 594
Revised Code. 595

TANF YOUTH DIVERSION PROGRAMS 596

Of the foregoing appropriation item 600-689, TANF Block 597
Grant, \$19,500,000 in each fiscal year shall be allocated by the 598
Department of Job and Family Services to the counties according to 599
the allocation formula established in division (D) of section 600
5101.14 of the Revised Code. Of the funds allocated to each 601
county, up to half may be used for contract services for unruly 602
and misdemeanor diversionary programs. 603

The remaining funds not allocated for use in juvenile 604
diversion activities may be used by the county for other contract 605
child welfare services. In counties with separate departments of 606
job and family services and public children services agencies, the 607
county department of job and family services shall serve as a pass 608
through to the public children services agencies for these funds. 609
Separate public children services agencies receiving such funds 610
shall comply with all TANF requirements, including reporting 611
requirements and timelines, as specified in state and federal 612

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.

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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.

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KINSHIP NAVIGATORS

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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
~~departments~~ departments of job and family services, if they would
otherwise be unspent.

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TANF FAITH-BASED CAPACITY-BUILDING PROGRAMS

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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 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

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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

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Services, the Department of Education shall adopt policies and 676
procedures establishing program requirements for eligibility, 677
services, fiscal accountability, and other criteria necessary to 678
comply with the provisions of Title IV-A of the "Social Security 679
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 680

The Department of Job and Family Services shall reimburse the 681
General Revenue Fund through intrastate transfer vouchers for 682
allowable Title IV-A Head Start expenditures reported by the 683
Department of Education in fiscal year 2002 by amounts up to 684
\$76,156,175 from Fund 3V6, TANF Block Grant, and in fiscal year 685
2003, up to \$98,843,825 from Fund 3V6, TANF Block Grant. The 686
Department of Job and Family Services shall reimburse the General 687
Revenue Fund through intrastate transfer vouchers for allowable 688
Title IV-A student intervention services expenditures in fiscal 689
year 2003 up to \$35,000,000 from Fund 3V6, TANF Block Grant. 690

COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES TITLE IV-A 691
ADULT LITERACY AND CHILD READING PROGRAMS 692

There is hereby established the Title IV-A Adult Literacy and 693
Child Reading Program to be administered by the county departments 694
of job and family services in accordance with division (B)(1) of 695
section 5101.801 of the Revised Code. The program shall provide 696
benefits and services to TANF-eligible individuals with incomes at 697
or below 200 per cent of the federal poverty guidelines under a 698
Title IV-A program pursuant to the requirements of section 699
5101.801 of the Revised Code. The county departments of job and 700
family services shall ensure program requirements for eligibility, 701
services, fiscal accountability, and other criteria necessary to 702
comply with the provisions of Title IV-A of the "Social Security 703
Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended, and ensure 704
that benefits and services are allowable uses of federal Title 705
IV-A funds as specified in 42 U.S.C.A. 604(a), except that they 706
may not be "assistance" as defined in 45 C.F.R. 260.31(a). The 707

benefits and services shall be benefits and services that 45 708
C.F.R. 260.31(b) excludes from the definition of "assistance." 709
From the foregoing appropriation item 600-689, TANF Block Grant, 710
up to \$5,000,000 in each fiscal year shall be used to support 711
local adult literacy and child reading programs. 712

TALBERT HOUSE 713

In each fiscal year, the Director of Job and Family Services 714
shall provide \$100,500 from appropriation item 600-689, TANF Block 715
Grant, to the ~~Hamilton~~ Hamilton County Department of Job and 716
Family Services to contract with the Talbert House for the purpose 717
of providing allowable services to TANF-eligible individuals with 718
incomes at or below 200 per cent of the federal poverty 719
guidelines. The contract between the Hamilton County Department of 720
Job and Family Services and the Talbert House shall establish 721
conditions for the reimbursement of allowable Title IV-A 722
expenditures for services that are allowable uses of federal Title 723
IV-A funds as specified in 42 U.S.C.A. 604(a), except that they 724
may not be "assistance" as defined in 45 C.F.R. 260.31(a). The 725
benefits and services shall be benefits and services that 45 726
C.F.R. 260.31(b) excludes from the definition of "assistance." The 727
contract shall also require Talbert House to comply with 728
requirements of Title IV-A of the "Social Security Act," 110 Stat. 729
2113 (1996), 42 U.S.C. 601, as amended, including eligibility of 730
individuals, reporting requirements, allowable benefits and 731
services, use of funds, and audit requirements, as specified in 732
state and federal laws, federal regulations, state rules, federal 733
Office of Management and Budget circulars, and the Title IV-A 734
state plan. 735

MONTGOMERY COUNTY OUT-OF-SCHOOL YOUTH PROJECT 736

In each fiscal year, the Director of Job and Family Services 737
shall provide \$1,000,000 from appropriation item 600-689, TANF 738
Block Grant, to the Montgomery County Department of Job and Family 739

Services to be used to support the Out-of-School Youth Project in 740
Montgomery County for the purpose of providing allowable services 741
to TANF-eligible individuals. The Montgomery County Department of 742
Job and Family Services and the Sinclair Community College shall 743
comply with all TANF requirements, including reporting 744
requirements and timelines, as specified in state and federal 745
laws, federal regulations, state rules, and the Title IV-A state 746
plan. 747

APPALACHIAN WORKFORCE DEVELOPMENT AND JOB TRAINING 748

From the foregoing appropriation item 600-689, TANF Block 749
Grant, the Director of Job and Family Services shall provide up to 750
\$15,000,000 to be awarded to the county departments of job and 751
family services in the twenty-nine Appalachian counties, 752
contingent upon passage of H.B. 6 of the 124th General Assembly. 753
These funds shall be used by the county departments of job and 754
family services in coordination with the Governor's Office of 755
Appalachia, the Governor's Regional Economic Office, and local 756
development districts. These funds shall be used for the following 757
activities: workforce development and supportive services; 758
economic development; technology expansion, technical assistance, 759
and training; youth job training; organizational development for 760
workforce development partners; and improving existing technology 761
centers, workforce development, job creation and retention, 762
purchasing technology, and technology and technology 763
infrastructure upgrades. 764

As a condition on the use of these funds, each county 765
department of job and family services shall submit a plan for the 766
intended use of these funds to the Department of Job and Family 767
Services. The plan shall also be reviewed by the Governor's Office 768
of Appalachia, the Governor's Regional Economic Office, and local 769
development districts. Also as a condition on the use of these 770
funds, each county and contract agency shall acknowledge that 771

these funds are a one-time allocation, not intended to fund 772
services beyond September 30, 2002. 773

In fiscal year 2002, the TANF allocation to each of the 774
Appalachian counties shall not be less than the TANF allocation 775
amount for fiscal year 2001, as allocated according to the 776
methodology set forth in paragraph (I) of rule 5101-6-03 of the 777
Administrative Code. 778

The use of these funds shall comply with all TANF 779
requirements, including reporting requirements and timelines, as 780
specified in state and federal laws, federal regulations, state 781
rules, and the Title IV-A state plan. 782

CENTER FOR FAMILY AND CHILDREN 783

Of the foregoing appropriation item 600-689, TANF Block ~~Grant~~ 784
Grant, \$150,000 in fiscal year 2002 shall be provided to the 785
Center for Family and Children. 786

TANF FAMILY PLANNING 787

The Director of Budget and Management shall transfer by 788
intrastate voucher, no later than the fifteenth day of July of 789
each fiscal year, cash from the General Revenue Fund, 790
appropriation item 600-410, TANF State, to General Services Fund 791
5C1 in the Department of Health, in an amount of \$250,000 in each 792
fiscal year for the purpose of family planning services for 793
children or their families whose income is at or below 200 per 794
cent of the official poverty guideline. 795

TANF FEDERAL BLOCK GRANT FUNDS AND TRANSFERS 796

From the foregoing appropriation items 600-410, TANF State; 797
600-658, Child Support Collections; or 600-689, TANF Block Grant, 798
or a combination of these appropriation items, no less than 799
\$369,040,735 in each fiscal year shall be allocated to county 800
departments of job and family services as follows: 801

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| County Allocations | \$276,586,957 | 802 |
| WIA Supplement | \$35,109,178 | 803 |
| Early Start - Statewide | \$38,034,600 | 804 |
| Transportation | \$5,000,000 | 805 |
| County Training | \$3,050,000 | 806 |
| Adult Literacy and Child | | 807 |
| Reading Programs | \$5,000,000 | 808 |
| Disaster Relief | \$5,000,000 | 809 |
| School Readiness Centers | \$1,260,000 | 810 |

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 834
from the federal TANF Block Grant to the federal Social Services 835
Block Grant as permitted under federal law. Not later than July 836
15, 2001, the Department of Job and Family Services shall draw 837
\$60,000,000 in receipts from TANF funds that were transferred into 838
the Social Services Block Grant into State Special Revenue Fund 839
5Q8, in the Office of Budget and Management. Not later than June 840
1, 2002, the Director of Budget and Management shall determine the 841
amount of funds in State Special Revenue Fund 5Q8 that is needed 842
for the purpose of balancing the General Revenue Fund, and may 843
transfer that amount to the General Revenue Fund. Not later than 844
June 1, 2003, the Director of Budget and Management shall 845
determine the amount of funds in State Special Revenue Fund 5Q8 846
that is needed for the purpose of balancing the General Revenue 847
Fund, and may transfer that amount to the General Revenue Fund. 848
Any moneys remaining in State Special Revenue Fund 5Q8 on June 15, 849
2003, shall be transferred not later than June 20, 2003, to Fund 850
3V6, TANF Block Grant, in the Department of Job and Family 851
Services. 852

Before the thirtieth day of September of each fiscal year, 853
the Department of Job and Family Services shall file claims with 854
the United States Department of Health and Human Services for 855
reimbursement for all allowable expenditures for services provided 856
by the Department of Job and Family Services, or other agencies 857
that may qualify for Social Services Block Grant funding pursuant 858
to Title XX of the Social Security Act. The Department of Job and 859
Family Services shall deposit, into Fund 5E6, State Option Food 860
Stamps, \$6 million, into Fund 5P4, TANF Child Welfare, \$7.5 861
million, into Fund 3W5, Health Care Services, \$500,000, into Fund 862
3W8, Hippy Program, \$62,500, and into Fund 3W9, Adoption 863
Connection, \$50,000 and deposit in fiscal year 2002, into Fund 864
3W2, Title XX Vocational Rehabilitation, \$600,000, into Fund 162 865

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| in the Department of Natural Resources, \$7,885,349, and into Fund | | 866 |
| 3W3, Adult Special Needs, \$4,720,227 in receipts from TANF Block | | 867 |
| Grant funds credited to the Social Services Block Grant. On | | 868 |
| verification of the receipt of the above revenue, the funds | | 869 |
| provided by these transfers shall be used as follows: | | 870 |
| Fund 5E6 | | 871 |
| Second Harvest Food Bank | \$4,500,000 | 872 |
| Child Nutrition Services | \$900,000 | 873 |
| Ohio Alliance of Boys and Girls Clubs | \$600,000 | 874 |
| Fund 5P4 | | 875 |
| Support and Expansion for PCSA Activities | \$5,500,000 | 876 |
| Pilot Projects for Violent and Aggressive Youth | \$2,000,000 | 877 |
| Fund 3W2 | | 878 |
| Title XX Vocational Rehabilitation in fiscal | \$600,000 | 879 |
| year 2002 | | |
| Fund 3W3 | | 880 |
| Adult Protective Services in fiscal year 2002 | \$120,227 | 881 |
| Non-TANF Adult Assistance in fiscal year 2002 | \$1,000,000 | 882 |
| Community-Based Correctional Facilities in | \$3,600,000 | 883 |
| fiscal year 2002 | | |
| Fund 162 | | 884 |
| CCC Operations in fiscal year 2002 | \$7,885,349 | 885 |
| Fund 3W5 | | 886 |
| Abstinence-only Education | \$500,000 | 887 |
| Fund 3W8 | | 888 |
| Hippy Program | \$62,500 | 889 |
| Fund 3W9 | | 890 |
| Adoption Connection | \$50,000 | 891 |
| WELLNESS | | 892 |
| The foregoing appropriation item 600-690, Wellness, shall be | | 893 |
| used by county departments of job and family services for teen | | 894 |
| pregnancy prevention programming. Local contracts shall be | | 895 |

developed between county departments of job and family services 896
and local family and children first councils for the 897
administration of TANF funding for this program." 898

Section 4. That existing Sections 13.04, 28.02, 44.02, 44.12, 899
and 63.09 of Am. Sub. H.B. 94 of the 124th General Assembly are 900
hereby repealed. 901

Section 5. Section 175.21 of the Revised Code, as amended by 902
this act, shall take effect September 5, 2001. 903

Section 6. This act is hereby declared to be an emergency 904
measure necessary for the immediate preservation of the public 905
peace, health, and safety. The necessity occurs because errors in 906
Am. Sub. H.B. 94 of the 124th General Assembly, the recently 907
enacted biennial operating budget measure, need to be cured at the 908
earliest possible time in order to prevent or remedy legislatively 909
unintended results. Therefore, this act shall go into immediate 910
effect. 911