

As Passed by the Senate

124th General Assembly

Regular Session

2001-2002

Am. 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**

**SENATORS Jacobson, White, Prentiss, Johnson, Oelslager, Spada, Harris,
Randy Gardner, Hottinger, Mead, Robert Gardner, Wachtmann, Mumper,
Jordan**

A B I L L

To amend sections 145.321, 145.326, 145.3210, 175.21, 1
3307.693, 3307.695, 3307.698, 3309.371, 3309.376, 2
3309.3710, 3318.084, 4507.52, 4519.10, 5505.171, 3
and 5505.173, and to enact section 339.19 of the 4
Revised Code and to amend Sections 13.04, 28.02, 5
41, 41.10, 44.02, 44.12, 56, 56.01, 63, 63.09, 6
63.10, 63.11, 63.15, 63.36, 63.37, and 96 of Am. 7
Sub. H.B. 94 of the 124th General Assembly to 8
change a scheduled deputy registrar fee increase 9
relative to duplicate or replacement identification 10
cards from \$3.75 to \$2.75, to make other 11
budget-related corrections, to provide for the 12
continued operation of any county tuberculosis 13
hospital that existed on the effective date of Sub. 14
S.B. 173 of the 123rd General Assembly, to permit a 15
school district to apply a "local donation 16
contribution" toward a total or partial offset of 17
its obligation to raise maintenance money, to 18

return the imputed occupancy percentage for a 19
nursing home's or ICF-MR's indirect care costs for 20
fiscal 2003 from 87% to 85%, to require the 21
Department of Job and Family Services to use money 22
in the Nursing Facility Stabilization Fund to pay 23
nursing facilities an amount equal to \$1.50 per 24
Medicaid day for fiscal years 2002 and 2003, to 25
make an appropriation, and to declare an emergency. 26

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

Section 1. That sections 145.321, 145.326, 145.3210, 175.21, 27
3307.693, 3307.695, 3307.698, 3309.371, 3309.376, 3309.3710, 28
3318.084, 4507.52, 4519.10, 5505.171, and 5505.173 be amended and 29
section 339.19 of the Revised Code be enacted to read as follows: 30

Sec. 145.321. On and after October 1, 1957, all persons in 31
receipt of, or who are or become eligible to receive, a monthly 32
allowance, pension, or other benefit effective prior to June 29, 33
1955, which is payable or becomes payable pursuant to the 34
provisions of sections 145.33 to 145.36 and 145.46 of the Revised 35
Code, or an allowance payable at any time under an option elected 36
by a member and effective prior to that date, shall be paid an 37
increased allowance, pension, or benefit as follows: 38

(A) An amount determined by increasing the original 39
allowance, pension, or benefit by the following percentages as 40
determined by the calendar year in which the allowance, pension, 41
or benefit became effective: 42

Calendar Year	Per Cent	
Effective	of Increase	
1938-39	100	45
1940	94	46

1941	89	47
1942	77	48
1943	70	49
1944	68	50
1945	66	51
1946	55	52
1947	35	53
1948	23	54
1949	25	55
1950	23	56
1951	8	57
1952	4	58
1953	3	59
1954	2	60
Prior to June 29, 1955	2	61

(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. 79

(E) Effective November 1, 1965, the allowances of each person 80
who retired after June 30, 1955 and on or before October 31, 1965 81
and is receiving age and service ~~of~~ or disability benefits under 82
sections 145.32, 145.33, 145.34, and 145.36 of the Revised Code 83
shall be increased by one hundred twenty dollars annually, which 84
when added to the allowance in effect on October 31, 1965, shall 85
not exceed the final average salary limitations found in division 86
~~(F)(A)(6)~~ of section 145.33 and division (B) of section 145.36 of 87
the Revised Code, except that the increase shall not be less than 88
seventy-two dollars annually. 89

(F) Beginning November 1, 1965, the monthly benefit payable 90
under section 145.45 of the Revised Code shall be increased six 91
dollars for each survivor beneficiary receiving a benefit on 92
October 31, 1965 and for each successor to such benefit. 93

For the purposes of this section: (1) The total increase 94
payable per month on or after November 1, 1965 to a retirant or 95
beneficiary from one or more state systems shall not exceed the 96
ten dollar increase as provided in this division, and (2) in all 97
cases involving combined membership and service as provided for 98
under section 145.37 of the Revised Code, only those cases which 99
are being paid by the public employees retirement system shall be 100
calculated under the provisions of this section. 101

~~On or before August 1, 1982, and on or before the first day 102
of August in each year thereafter, the public employees retirement 103
board shall certify to the treasurer of state the amount required 104
to be paid in the preceding fiscal year under divisions (A) and 105
(B) of this section. Upon receipt of this certification, the 106
treasurer of state shall pay the amount certified. The amount 107
received by the public employees retirement board shall be 108
credited to the proper fund from which such additional payments 109
are paid. 110~~

Sec. 145.326. On and after December 31, 1971, all persons who 111
retired and were eligible to receive a pension that was payable 112
prior to July 1, 1968, pursuant to section 145.33, 145.34, or 113
145.36 of the Revised Code, or in the event of the death of such 114
persons, the person designated by the deceased to receive payments 115
under section 145.46 of the Revised Code, shall receive an 116
additional monthly payment of two dollars for each year between 117
the member's effective date of retirement or disability and 118
December 31, 1971, or an additional fifty dollars, whichever is 119
less. ~~On or before the first day of August in 1980 and on or 120~~
~~before the first day of August in each year thereafter, the public 121~~
~~employees retirement board shall certify to the treasurer of state 122~~
~~the amount required to be paid in the preceding fiscal year under 123~~
~~this section. Upon receipt of such certification, the treasurer of 124~~
~~state shall pay to the public employees retirement system the 125~~
~~amount certified. 126~~

Sec. 145.3210. (A) Effective July 1, 1981, each person 127
eligible to receive an allowance, pension, or benefit pursuant to 128
sections 145.33, 145.34, 145.36, 145.37, division (A) of section 129
145.45, and section 145.46 of the Revised Code, that was based 130
upon an award made effective before July 1, 1974, shall have ~~his~~ 131
the person's monthly allowance, pension, or benefit increased by 132
five per cent, except that the twelve-month sum of such increases 133
shall not exceed five per cent of the first five thousand dollars 134
of the annual allowance, pension, or benefit. 135

(B) Effective July 1, 1981, each person receiving or 136
qualified to receive a benefit, pursuant to division (B) of 137
section 145.45 of the Revised Code, that was effective on and 138
after June 14, 1951, through August 26, 1970, shall receive an 139
increase in such benefit of five per cent. 140

(C) The increases provided in divisions (A) and (B) of this 141

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

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amount of funds awarded during any one fiscal year shall be used 173
to make grants and loans to nonprofit organizations under section 174
175.22 of the Revised Code, not less than ~~forty-five~~ fifty per 175
cent of the amount of funds awarded during any one fiscal year 176
shall be used to make grants and loans for activities that will 177
provide housing and housing assistance to families and individuals 178
in rural areas and small cities that would not be eligible to 179
participate as a participating jurisdiction under the "HOME 180
Investment Partnerships Act," 104 Stat. 4094 (1990), 42 U.S.C. 181
12701 note, 12721, no more than ~~six~~ five per cent of the money in 182
the fund shall be used for administration, and no money in the 183
fund shall be used to pay for any legal services other than the 184
usual and customary legal services associated with the acquisition 185
of housing. Except as otherwise provided by the director under 186
division (B) of this section, money in the fund may be used as 187
matching money for federal funds received by the state, counties, 188
municipal corporations, and townships for the activities listed in 189
section 175.22 of the Revised Code. 190

(B) If after the second quarter of any year it appears to the 191
director that the full amount of the money in the low- and 192
moderate-income housing trust fund designated in that year for 193
activities that will provide housing and housing assistance to 194
families and individuals in rural areas and small cities under 195
division (A) of this section will not be so used, the director may 196
reallocate all or a portion of that amount for other housing 197
activities. In determining whether or how to reallocate money 198
under this division, the director may consult with and shall 199
receive advice from the housing trust fund advisory committee. 200

Sec. 339.19. Notwithstanding the amendment of sections 201
339.38, 339.39, 339.42, and 339.43 of the Revised Code, the repeal 202
of sections 339.20, 339.21, 339.22, 339.23, 339.231, 339.24, 203
339.25, 339.26, 339.27, 339.28, 339.29, 339.30, 339.31, 339.32, 204

339.33, 339.34, 339.35, 339.36, 339.37, 339.40, 339.41, 339.45, 205
339.46, and 339.99 of the Revised Code, and any other changes made 206
by Substitute Senate Bill No. 173 of the 123rd general assembly 207
relative to the establishment, maintenance, and operation of a 208
county tuberculosis hospital, a county tuberculosis hospital that 209
was operating under those sections on the effective date of that 210
act, October 10, 2000, may continue to exist and operate on and 211
after that date as though the provisions of those sections were 212
neither amended nor repealed and had remained in full force and 213
effect. 214

Sec. 3307.693. On and after October 1, 1957, all persons in 215
receipt of, or who are or become eligible to receive, a monthly 216
allowance, pension, or other benefit effective prior to June 29, 217
1955, which is payable or becomes payable pursuant to the 218
provisions of former sections 3307.26, 3307.38, 3307.43, and 219
3307.50 of the Revised Code, or an allowance payable at any time 220
under an option elected by a member and effective prior to that 221
date, shall be paid an increased allowance, pension, or benefit as 222
follows: 223

(A) An amount determined by increasing the original 224
allowance, pension, or benefit by the following percentages as 225
determined by the calendar year in which the allowance, pension, 226
or benefit became effective: 227

Calendar Year	Per Cent of	
Effective	Increase	
1921-1939	100	230
1940	94	231
1941	89	232
1942	77	233
1943	70	234
1944	68	235
1945	66	236

1946	55	237
1947	35	238
1948	23	239
1949	25	240
1950	23	241
1951	8	242
1952	4	243
1953	3	244
1954	2	245
Prior to June 29, 1955	2	246

(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 300
receive an additional monthly payment of two dollars for each year 301
between the member's effective date of retirement or disability 302
and December 31, 1971, or an additional fifty dollars, whichever 303
is less. ~~On or before the first day of August in 1980 and on or~~ 304
~~before the first day of August in each year thereafter, the state~~ 305
~~teachers retirement board shall certify to the treasurer of state~~ 306
~~the amount required to be paid in the preceding fiscal year under~~ 307
~~this section. Upon receipt of such certification, the treasurer of~~ 308
~~state shall pay to the state teachers retirement system the amount~~ 309
~~certified.~~ 310

Sec. 3307.698. (A) Effective July 1, 1981, each person 311
eligible to receive an allowance, pension, or benefit pursuant to 312
former sections 3307.38, 3307.41, 3307.43, division (C)(1) of 313
former section 3307.49, and former section 3307.50 of the Revised 314
Code that was based upon an award made effective before July 1, 315
1974, shall have the person's monthly allowance, pension, or 316
benefit increased by five per cent, except that the twelve-month 317
sum of such increases shall not exceed five per cent of the first 318
five thousand dollars of the annual allowance, pension, or 319
benefit. 320

(B) Effective July 1, 1981, each person receiving or 321
qualified to receive a benefit, pursuant to division (C)(2) of 322
former section 3307.49 of the Revised Code, that was effective on 323
and after June 14, 1951, through August 26, 1970, shall receive an 324
increase in such benefit of five per cent. 325

(C) The increases provided in divisions (A) and (B) of this 326
section shall be applied to the benefit payable on and after July 327
1, 1981. 328

(D) The increase in the monthly allowance, pension, or 329
benefit provided in divisions (A) and (B) of this section shall be 330

included in the calculation of additional benefits to recipients 331
under section 3307.67 of the Revised Code. 332

(E) The benefit provided in divisions (A) and (B) of this 333
section is a continuation of those first provided in Am. Sub. H.B. 334
204 as passed by the 113th general assembly. 335

~~(F) On or before the first day of August 1982, and on or 336
before the first day of August in each year thereafter, the state 337
teachers retirement board shall certify to the treasurer of state 338
the amounts needed to pay the cost of the additional payments 339
required under this section for the preceding fiscal year. Upon 340
receipt of these certifications, the treasurer of state shall pay 341
the amount certified. 342~~

Sec. 3309.371. On and after October 1, 1957, all persons in 343
receipt of, or who are or become eligible to receive, a monthly 344
allowance, pension, or other benefit effective prior to June 29, 345
1955, which is payable or becomes payable pursuant to sections 346
3309.36 to 3309.38, 3309.40, and 3309.65 of the Revised Code, or 347
an allowance payable at any time under an option elected by a 348
member and effective prior to that date, shall be paid an 349
increased allowance, pension, or benefit as follows: 350

(A) An amount determined by increasing the original 351
allowance, pension, or benefit by the following percentages as 352
determined by the calendar year in which the allowance, pension, 353
or benefit became effective: 354

Calendar Year	Per Cent	
Effective	of Increase	
1937 - 1939	100	357
1940	94	358
1941	89	359
1942	77	360
1943	70	361

1944	68	362
1945	66	363
1946	55	364
1947	35	365
1948	23	366
1949	25	367
1950	23	368
1951	8	369
1952	4	370
1953	3	371
1954	2	372
Prior to June 29, 1955	2	373

(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 394
who retired and were eligible to receive a pension that was 395
payable prior to July 1, 1968, pursuant to section 3309.36, 396
3309.38, or 3309.40 of the Revised Code, or in the event of the 397
death of such persons, the person designated by the deceased to 398
receive payments under section 3309.46 of the Revised Code, shall 399
receive an additional monthly payment of two dollars for each year 400
between the member's effective date of retirement or disability 401
and December 31, 1971, or an additional fifty dollars, whichever 402
is less. ~~On or before the first day of August in 1980 and on or~~ 403
~~before the first day of August in each year thereafter, the school~~ 404
~~employees retirement board shall certify to the treasurer of state~~ 405
~~the amount required to be paid in the preceding fiscal year under~~ 406
~~this section. Upon receipt of such certification, the treasurer of~~ 407
~~state shall pay to the school employees retirement system the~~ 408
~~amount certified.~~ 409

Sec. 3309.3710. (A) Effective July 1, 1981, each person 410
eligible to receive an allowance, pension, or benefit pursuant to 411
sections 3309.35, 3309.36, 3309.38, 3309.40, division (A) of 412
section 3309.45, and section 3309.46 of the Revised Code that was 413
based upon an award made effective before July 1, 1974, shall have 414
~~his~~ the person's monthly allowance, pension, or benefit increased 415
by five per cent, except that the twelve-month sum of such 416
increases shall not exceed five per cent of the first five 417
thousand dollars of the annual allowance, pension, or benefit. 418

(B) Effective July 1, 1981, each person receiving or 419
qualified to receive a benefit, pursuant to division (B) of 420
section 3309.45 of the Revised Code, that was effective on and 421
after June 14, 1951, through August 26, 1970, shall receive an 422
increase in such benefit of five per cent. 423

(C) The increases provided in divisions (A) and (B) of this 424

section shall be applied to the benefit payable on and after July 1, 1981.

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(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.

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(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.

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~~(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.~~

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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:

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(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;

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(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.

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(B) No school district board shall apply any local donated

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contribution under division (A)(2) of this section unless the Ohio school facilities commission first approves that application.

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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

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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.

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

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(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;

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(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.

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(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.

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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

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display the following inscription: 518

"STATE OF OHIO IDENTIFICATION CARD 519

This card is not valid for the purpose of operating a motor 520
vehicle. It is provided solely for the purpose of establishing the 521
identity of the bearer described on the card, who currently is not 522
licensed to operate a motor vehicle in the state of Ohio." 523

The identification card shall display substantially the same 524
information as contained in the application and as described in 525
division (A)(1) of section 4507.51 of the Revised Code, including 526
the cardholder's social security number unless the cardholder 527
specifically requests that the cardholder's social security number 528
not be displayed on the card. If federal law requires the 529
cardholder's social security number to be displayed on the 530
identification card, the social security number shall be displayed 531
on the card notwithstanding a request to not display the number 532
pursuant to this section. The identification card also shall 533
display the color photograph of the cardholder. If the cardholder 534
has executed a durable power of attorney for health care or a 535
declaration governing the use or continuation, or the withholding 536
or withdrawal, of life-sustaining treatment and has specified that 537
the cardholder wishes the identification card to indicate that the 538
cardholder has executed either type of instrument, the card also 539
shall display any symbol chosen by the registrar to indicate that 540
the cardholder has executed either type of instrument. The card 541
shall be sealed in transparent plastic or similar material and 542
shall be so designed as to prevent its reproduction or alteration 543
without ready detection. 544

The identification card for persons under twenty-one years of 545
age shall have characteristics prescribed by the registrar 546
distinguishing it from that issued to a person who is twenty-one 547
years of age or older, except that an identification card issued 548
to a person who applies no more than thirty days before the 549

applicant's twenty-first birthday shall have the characteristics 550
of an identification card issued to a person who is twenty-one 551
years of age or older. 552

Every identification card issued to a resident of this state 553
shall expire, unless canceled or surrendered earlier, on the 554
birthday of the cardholder in the fourth year after the date on 555
which it is issued. Every identification card issued to a 556
temporary resident shall expire in accordance with rules adopted 557
by the registrar and is nonrenewable, but may be replaced with a 558
new identification card upon the applicant's compliance with all 559
applicable requirements. A cardholder may renew the cardholder's 560
identification card within ninety days prior to the day on which 561
it expires by filing an application and paying the prescribed fee 562
in accordance with section 4507.50 of the Revised Code. 563

If a cardholder applies for a driver's or commercial driver's 564
license in this state or another licensing jurisdiction, the 565
cardholder shall surrender the cardholder's identification card to 566
the registrar or any deputy registrar before the license is 567
issued. 568

If a card is lost, destroyed, or mutilated, the person to 569
whom the card was issued may obtain a duplicate by doing both of 570
the following: 571

(A) Furnishing suitable proof of the loss, destruction, or 572
mutilation to the registrar or a deputy registrar; 573

(B) Filing an application and presenting documentary evidence 574
under section 4507.51 of the Revised Code. 575

Any person who loses a card and, after obtaining a duplicate, 576
finds the original, immediately shall surrender the original to 577
the registrar or a deputy registrar. 578

A cardholder may obtain a replacement identification card 579
that reflects any change of the cardholder's name by furnishing 580

suitable proof of the change to the registrar or a deputy registrar and surrendering the cardholder's existing card. 581
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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 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. 583
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A duplicate or replacement identification card shall expire on the same date as the card it replaces. 600
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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. 602
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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 608
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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

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shall attach the temporary license placard to it, in a manner 645
prescribed by rules the registrar shall adopt, so that the placard 646
numerals or letters are clearly visible. 647

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The fee for a temporary license placard issued under this 649
section shall be two dollars. If the placard is issued by a deputy 650
registrar, the deputy registrar shall charge an additional fee of 651
two dollars and seventy-five cents commencing on July 1, 2001, 652
three dollars and twenty-five cents commencing on January 1, 2003, 653
and three dollars and fifty cents commencing on January 1, 2004, 654
which the deputy registrar shall retain. The deputy registrar 655
shall transmit each two-dollar fee received by the deputy 656
registrar under this section to the registrar, who shall pay the 657
two dollars to the treasurer of state for deposit into the state 658
bureau of motor vehicles fund established by section 4501.25 of 659
the Revised Code. 660

(B) The registrar may issue temporary license placards to a 661
dealer to be issued to purchasers for use on vehicles sold by the 662
dealer, in accordance with rules prescribed by the registrar. The 663
dealer shall notify the registrar within forty-eight hours of 664
proof of issuance on a form prescribed by the registrar. 665

The fee for each such placard issued by the registrar to a 666
dealer shall be two dollars plus a fee of two dollars and 667
~~twenty-five~~ seventy-five cents commencing on July 1, 2001, three 668
dollars and twenty-five cents commencing on January 1, 2003, and 669
three dollars and fifty cents commencing on January 1, 2004. 670

Sec. 5505.171. (A) All persons who retired and were eligible 671
to receive a pension that was payable prior to July 1, 1968, 672
pursuant to division (A)(1) of section 5505.17 or division (B)(1) 673
of section 5505.18 of the Revised Code, shall receive an 674
additional monthly payment of two dollars for each year between 675

the member's effective date of retirement or disability and 676
December 31, 1971, or an additional fifty dollars, whichever is 677
less. 678

~~On or before the first day of August in 1981 and on or before 679
the first day of August in each year thereafter, the state highway 680
patrol retirement board shall certify to the treasurer of state 681
the amount required to be paid in the preceding fiscal year under 682
this division. Upon receipt of such certification, the treasurer 683
of state shall pay to the state highway patrol retirement system 684
the amount certified. 685~~

(B) Each person who retired and was eligible to receive a 686
pension, other than a reduced pension, that was payable prior to 687
~~the effective date of this amendment June 30, 2000,~~ pursuant to 688
division (A) or (B) of section 5505.16 or division (B) of section 689
5505.18 of the Revised Code shall have the pension recalculated by 690
the board so that the person receives a monthly pension of not 691
less than one thousand fifty dollars. Any pension increase 692
resulting from a recalculation made under this division shall be 693
included in the calculation of the additional benefit paid under 694
section 5505.174 of the Revised Code. 695

(C) The pension of each person who is receiving a pension 696
pursuant to division (B) of section 5505.16 of the Revised Code on 697
June 5, 1996, of less than nine hundred dollars per month shall be 698
increased to nine hundred dollars per month. Any increase under 699
this division shall be included in the calculation of the 700
additional benefit paid under section 5505.174 of the Revised 701
Code. 702

Sec. 5505.173. (A) Effective July 1, 1981, each person 703
eligible to receive an age and service or disability pension, 704
allowance, or benefit pursuant to Chapter 5505. of the Revised 705
Code, that was based upon an award made effective before October 706

1, 1974, shall have ~~his~~ the person's monthly pension increased by 707
five per cent of the first five thousand dollars of the annual 708
pension, allowance, or benefit. 709

(B) Effective July 1, 1981, each person eligible to receive a 710
survivor's benefit pursuant to Chapter 5505. of the Revised Code 711
that was based upon an award made effective before July 1, 1981, 712
shall have ~~his~~ the person's monthly benefit increased by five per 713
cent, except that the twelve-month sum of such increases shall not 714
exceed five per cent of the first five thousand dollars of the 715
annual benefit. 716

(C) The increases provided in divisions (A) and (B) of this 717
section shall be applied to the benefit payable on and after July 718
1, 1981. 719

(D) The benefits provided in divisions (A) and (B) of this 720
section are a continuation of those first provided in Am. Sub. H. 721
B. 204 as passed by the 113th general assembly. 722

~~(E) On or before the first day of August in 1982, and on or 723
before the first day of August in each year thereafter, the state 724
highway patrol retirement board shall certify to the treasurer of 725
state the amounts needed to pay the cost of the additional 726
payments required under this section for the preceding fiscal 727
year. Upon receipt of these certifications, the treasurer of state 728
shall pay the amount certified. 729~~

Section 2. That existing sections 145.321, 145.326, 145.3210, 730
175.21, 3307.693, 3307.695, 3307.698, 3309.371, 3309.376, 731
3309.3710, 3318.084, 4507.52, 4519.10, 5505.171, and 5505.173 of 732
the Revised Code are hereby repealed. 733

Section 3. That Sections 13.04, 28.02, 41, 41.10, 44.02, 734
44.12, 56, 56.01, 63, 63.09, 63.10, 63.11, 63.15, 63.36, 63.37, 735
and 96 of Am. Sub. H.B. 94 of the 124th General Assembly be 736

amended to read as follows: 737

"**Sec. 13.04.** MINORITY AFFAIRS 738

The foregoing appropriation item 100-451, Minority Affairs, 739
shall be used to establish minority affairs programs within the 740
Equal Opportunity Division. The office shall provide an access 741
point and official representation to multi-cultural communities; 742
research and reports on multi-cultural issues; and educational, 743
governmental, and other services that foster multi-cultural 744
opportunities and understanding in the state of Ohio. 745

On July 1, 2001, or as soon as possible thereafter, the 746
Director of Administrative Services shall certify to the Director 747
of Budget and Management the unencumbered and unexpended cash 748
balance within GRF appropriation item 100-451, Minority Affairs, 749
for the completion of the predicate study. This amount is hereby 750
appropriated. 751

Sec. 28.02. ~~TRANSFER OF INCREASES IN GRF FUNDS APPROPRIATIONS~~ 752
TO THE DEPARTMENT OF DEVELOPMENT 753

The If the director determines that unspent and unobligated 754
cash balances in the General Revenue Fund are sufficient to do so, 755
the Director of Budget and Management, at the request of the 756
Director of Development, may transfer increase by up to \$25 757
million ~~in unobligated, unspent GRF appropriations~~ over the 758
biennium ~~to~~ appropriations in existing GRF appropriation items or 759
new appropriation items created by the Director of Budget and 760
Management for the Department of Development to support ~~GRF-funded~~ 761
economic development projects for which appropriations would not 762
otherwise be available. ~~The amounts transferred~~ Such increases are 763
hereby appropriated. 764

COAL RESEARCH AND DEVELOPMENT FUND 765

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					773	
GRF 195-100	Personal Services	\$	2,651,334	\$	2,920,941	774
GRF 195-200	Maintenance	\$	589,524	\$	601,314	775
GRF 195-300	Equipment	\$	108,161	\$	110,324	776
GRF 195-401	Thomas Edison Program	\$	20,000,000	\$	20,000,000	777
GRF 195-404	Small Business	\$	2,452,342	\$	2,529,843	778
	Development					
GRF 195-405	Minority Business	\$	2,278,888	\$	2,297,314	779
	Development Division					
GRF 195-406	Transitional and	\$	2,770,145	\$	2,770,155	780
	Permanent Housing					
GRF 195-407	Travel and Tourism	\$	6,345,500	\$	6,448,399	781
GRF 195-408	Coal Research	\$	562,551	\$	585,290	782
	Development					
GRF 195-412	Business Development	\$	8,033,935	\$	9,092,851	783
	Grants					
GRF 195-414	First Frontier Match	\$	490,000	\$	490,000	784
GRF 195-415	Regional Offices and	\$	6,420,675	\$	6,735,253	785
	Economic Development					
GRF 195-416	Governor's Office of	\$	5,466,954	\$	5,475,126	786
	Appalachia					
GRF 195-417	Urban/Rural Initiative	\$	980,000	\$	980,000	787
GRF 195-422	Technology Action	\$	14,000,000	\$	14,000,000	788
GRF 195-431	Community Development	\$	2,530,860	\$	2,530,860	789
	Corporation Grants					

GRF 195-432	International Trade	\$	5,390,000	\$	5,551,700	790
GRF 195-434	Investment in Training	\$	12,500,000	\$	12,500,000	791
	Grants					
GRF 195-436	Labor/Management	\$	1,146,805	\$	1,152,752	792
	Cooperation					
GRF 195-440	Emergency Shelter	\$	2,768,313	\$	2,841,441	793
	Housing Grants					
GRF 195-441	Low and Moderate	\$	19,000,000	\$	19,000,000	794
	Income Housing					
GRF 195-497	CDBG Operating Match					795
	<u>Federal</u>	\$	<u>5,200,000</u>	\$	<u>6,500,000</u>	796
	<u>CDBG Operating Match</u>	\$	<u>6,408,576</u>	\$	<u>7,715,295</u>	797
	<u>Total</u>					
	State	\$	1,208,576	\$	1,215,295	798
GRF 195-498	State Energy Match	\$	153,558	\$	158,548	799
GRF 195-501	Appalachian Local	\$	453,962	\$	453,962	800
	Development Districts					
GRF 195-502	Appalachian Regional	\$	219,912	\$	219,912	801
	Commission Dues					
GRF 195-505	Utility Bill Credits	\$	7,350,000	\$	7,350,000	802
GRF 195-507	Travel and Tourism	\$	1,250,000	\$	1,250,000	803
	Grants					
GRF 195-510	Issue 1 Implementation	\$	1,000,000	\$	1,500,000	804
GRF 195-906	Coal Research and	\$	8,971,700	\$	9,420,300	805
	Development General					
	Obligation Debt					
	Service					
TOTAL GRF	General Revenue Fund					806
	State	\$	137,093,695	\$	140,181,580	807
	<u>Federal</u>	\$	<u>5,200,000</u>	\$	<u>6,500,000</u>	808
	<u>GRF TOTAL</u>	\$	<u>142,293,695</u>	\$	<u>146,681,580</u>	809
	General Services Fund Group					810
135 195-605	Supportive Services	\$	9,038,988	\$	9,531,707	811

136	195-621	International Trade	\$	100,000	\$	24,915	812
685	195-636	General Reimbursements	\$	1,275,234	\$	1,323,021	813
TOTAL GSF General Services Fund							814
Group			\$	10,414,222	\$	10,879,643	815
Federal Special Revenue Fund Group							816
3K8	195-613	Community Development	\$	65,149,441	\$	65,088,961	817
		Block Grant					
3K9	195-611	Home Energy Assistance	\$	62,000,000	\$	62,000,000	818
		Block Grant					
3K9	195-614	HEAP Weatherization	\$	10,412,041	\$	10,412,041	819
3L0	195-612	Community Services	\$	22,135,000	\$	22,135,000	820
		Block Grant					
3V1	195-601	HOME Program	\$	40,000,000	\$	40,000,000	821
<u>3X3</u>	<u>195-619</u>	<u>TANF Housing Program</u>	\$	<u>5,200,000</u>	\$	<u>0</u>	822
308	195-602	Appalachian Regional	\$	350,000	\$	350,200	823
		Commission					
308	195-603	Housing and Urban	\$	5,000,000	\$	5,000,000	824
		Development					
308	195-605	Federal Projects	\$	7,855,501	\$	7,855,501	825
308	195-609	Small Business	\$	3,799,626	\$	3,799,626	826
		Administration					
308	195-618	Energy Federal Grants	\$	2,803,560	\$	2,803,560	827
335	195-610	Oil Overcharge	\$	8,500,000	\$	8,500,000	828
380	195-622	Housing Development	\$	4,507,212	\$	4,696,198	829
		Operating					
TOTAL FED Federal Special Revenue							830
Fund Group			\$	232,512,381	\$	232,641,087	831
			\$	<u>237,712,381</u>			832
State Special Revenue Fund Group							833
4F2	195-639	State Special Projects	\$	1,052,762	\$	1,079,082	834
4H4	195-641	First Frontier	\$	600,000	\$	650,000	835
4S0	195-630	Enterprise Zone	\$	211,900	\$	211,900	836

		Operating					
4S1	195-634	Job Creation Tax	\$	372,700	\$	375,800	837
		Credit Operating					
4W1	195-646	Minority Business	\$	2,572,960	\$	2,580,597	838
		Enterprise Loan					
444	195-607	Water and Sewer	\$	511,000	\$	523,775	839
		Commission Loans					
445	195-617	Housing Finance	\$	3,782,808	\$	3,968,184	840
		Operating					
450	195-624	Minority Business	\$	13,232	\$	13,563	841
		Bonding Program					
		Administration					
451	195-625	Economic Development	\$	2,062,451	\$	2,143,918	842
		Financing Operating					
5M4	195-659	Universal Service	\$	160,000,000	\$	160,000,000	843
5M5	195-660	Energy Efficiency	\$	12,000,000	\$	12,000,000	844
		Revolving Loan					
611	195-631	Water and Sewer	\$	15,330	\$	15,713	845
		Administration					
617	195-654	Volume Cap	\$	200,000	\$	200,000	846
		Administration					
646	195-638	Low and Moderate	\$	21,539,552	\$	22,103,807	847
		Income Housing Trust					
		Fund					
		TOTAL SSR State Special Revenue					848
		Fund Group	\$	204,934,695	\$	205,866,339	849
		Facilities Establishment Fund					850
037	195-615	Facilities	\$	56,701,684	\$	58,119,226	851
		Establishment					
4Z6	195-647	Rural Industrial Park	\$	5,000,000	\$	5,000,000	852
		Loan					
5D1	195-649	Port Authority Bond	\$	2,500,000	\$	2,500,000	853
		Reserves					

5D2 195-650	Urban Redevelopment	\$	10,000,000	\$	10,475,000	854
	Loans					
5H1 195-652	Family Farm Loan	\$	2,246,375	\$	2,246,375	855
	Guarantee					
TOTAL 037	Facilities					856
Establishment	Fund	\$	76,448,059	\$	78,340,601	857
Coal Research/	Development Fund					858
046 195-632	Coal Research and	\$	12,847,178	\$	13,168,357	859
	Development Fund					
TOTAL 046	Coal Research/					860
Development	Fund	\$	12,847,178	\$	13,168,357	861
TOTAL ALL	BUDGET FUND GROUPS	\$	679,450,230	\$	687,577,607	862
		\$	<u>684,650,230</u>			863

Sec. 41.10. EMERGENCY SHELTER HOUSING GRANTS 865

(A) As used in this section, "emergency shelter housing" 866
means a structure suitable for the temporary housing of the 867
homeless and the provision of, or referral to, supportive 868
services. Shelters that restrict admission to victims of domestic 869
violence, runaways, or alcohol or substance abusers shall not be 870
considered emergency shelter housing. 871

(B) The foregoing appropriation item 195-440, Emergency 872
Shelter Housing Grants, shall be used by the Office of Housing and 873
Community Partnerships in the Department of Development to make 874
grants to private, nonprofit organizations to provide emergency 875
shelter housing for the homeless. The department shall distribute 876
the grants pursuant to rules adopted by the Director of 877
Development. The director may amend or rescind the rules and may 878
adopt other rules necessary to implement this section. In awarding 879
grants, the department shall give preference to organizations 880
applying to fund existing emergency shelter housing. 881

The department shall notify each organization that applied 882

for a grant under this section of the amount of its grant award, 883
if any. To receive a grant, the organization shall provide 884
matching funds equal to 50 per cent of the total grant it was 885
awarded. The organization shall expend its grant for shelter 886
operations and supportive services, which include employment 887
assistance, case management, information and referral services, 888
transportation, and clothing. In providing employment assistance, 889
the organization shall, at a minimum, refer persons to the 890
Department of Job and Family Services. 891

LOW AND MODERATE INCOME HOUSING 892

The Director of Budget and Management, after consulting with 893
the Director of Development, shall transfer up to \$19,000,000 from 894
appropriation item 195-441, Low and Moderate Income Housing, to 895
appropriation item 195-638, Low and Moderate Income Housing Trust 896
Fund. This transfer shall be made via an intrastate transfer 897
voucher. 898

UTILITY BILL CREDIT 899

The foregoing appropriation item 195-505, Utility Bill 900
Credits, shall be used to provide utility and fuel assistance to 901
eligible low-income Ohio households with elderly and disabled 902
members. 903

TANF HOUSING PROGRAM 904

There is hereby established the TANF Housing Program to be 905
administered by the Department of Development in accordance with 906
an interagency agreement entered into with the Department of Job 907
and Family Services under section 5101.801 of the Revised Code. 908
The program shall provide benefits and services to TANF eligible 909
individuals under a Title IV-A program pursuant to the 910
requirements of section 5101.801 of the Revised Code. 911

The foregoing appropriation item 195-619, TANF Housing 912
Program, shall be used to provide supportive services for 913

low-income families related to housing or homelessness, including 914
housing counseling; to provide grants to nonprofit organizations 915
to assist Title IV-A eligible families with incomes at or below 916
200 per cent of the federal poverty guidelines with down-payment 917
assistance for homeownership or down-payment assistance toward the 918
purchase of mobile homes, to provide emergency home repair funding 919
for Title IV-A eligible families with incomes at or below 200 per 920
cent of the federal poverty guidelines; to provide operating 921
support for family emergency shelter programs; and to provide 922
emergency rent and mortgage assistance for families with incomes 923
at or below 200 per cent of the federal poverty guidelines. The 924
funds shall not be used to match federal funds. 925

To the extent practicable and in order to prevent duplication 926
of the provision of assistance, the Department of Development 927
shall require applicants for these funds to provide evidence of 928
collaboration with other county governmental entities, including, 929
when appropriate, county job and family services departments. 930

The Department of Job and Family Services shall transfer into 931
the TANF Housing Fund (3X3) of the Department of Development, 932
which is hereby created, funds necessary to reimburse allowable 933
TANF Housing Program expenditures as reported by the Department of 934
Development. The transfer of funds shall be made by intrastate 935
transfer vouchers processed against appropriation item 600-689, 936
TANF Block Grant, of the Department of Job and Family Services and 937
shall not exceed \$5,200,000 in fiscal year 2002 and \$6,500,000 in 938
fiscal year 2003. 939

No more than five per cent of the transferred funds may be 940
used by the Department of Development for the administrative 941
expenses of this program. 942

The benefits and services provided under the TANF Housing 943
Program shall not be "assistance" as defined in 45 C.F.R. 944
260.31(a), and shall be benefits and services that 45 C.F.R. 945

260.31(b) excludes from the definition of assistance. 946

As used in this section, "federal poverty guideline" means 947
the poverty guideline as defined by the United States Office of 948
Management and Budget and revised by the United States Secretary 949
of Health and Human Services in accordance with section 673 of the 950
"Community Services Block Grant Act," 95 Stat. 511 (1981), 42 951
U.S.C.A. 9902, as amended. 952

Sec. 44.02. HEAD START 953

~~the Director of Budget and Management shall transfer~~ 954
~~\$76,156,175 from Fund 3W6, TANF Education, to the General Revenue~~ 955
~~Fund. the Director of Budget and Management shall transfer~~ 956
~~\$98,843,825 from Fund 3W6, TANF Education, to the General Revenue~~ 957
~~Fund. The transferred funds are appropriated for the appropriation~~ 958
~~item 200-406, Head Start. The foregoing appropriation item~~ 959
~~200-406, Head Start, includes transferred funds of \$76,156,175 in~~ 960
~~fiscal year 2002 and \$98,843,825 in fiscal year 2003.~~ 961

Of the foregoing appropriation item 200-406, Head Start, 962
\$100,000 per fiscal year shall be used for the Read Baby Read Book 963
Club Program. 964

The Pursuant to the interagency agreement entered into 965
between the Department of Education and the Department of Job and 966
Family Services under division (A)(2) of section 5101.801 of the 967
Revised Code, the remainder of foregoing appropriation item 968
200-406, Head Start, shall be distributed by the Department of 969
Education to Head Start agencies. A "Head Start agency" means an 970
entity that has been approved to be an agency in accordance with 971
Section 641 (42 U.S.C. 9836) of the Head Start Act and amendments 972
thereto, or an entity designated for state Head Start funding 973
under this section. Participation in state-funded Head Start 974
programs is voluntary. 975

Moneys distributed under this heading shall not be used to 976
reduce expenditures from funds received by a Head Start agency 977
from any other sources. Section 3301.31 of the Revised Code does 978
not apply to funds distributed under this heading. In lieu of 979
section 3301.31 of the Revised Code, distribution of moneys under 980
this heading shall be as follows: 981

(A) In fiscal years 2002 and 2003, up to two per cent of the 982
appropriation may be used by the department for administrative 983
costs of complying with this section; developing program capacity; 984
and assisting programs with facilities planning, construction, 985
renovation, or lease agreements in combination with the Community 986
Development Finance Fund (CDFF). Up to \$1,530,000 in fiscal year 987
2002 and up to \$1,560,600 in fiscal year 2003 may be used for the 988
services of literacy specialist and training in early literacy for 989
Head Start classroom teachers and administrators to support the 990
OhioReads Initiative. 991

(B) The department shall provide an annual report to the 992
Governor, the Speaker of the House of Representatives, the 993
President of the Senate, the State Board of Education, Head Start 994
grantees, and other interested parties. The report shall include 995
the following: 996

(1) The number and per cent of eligible children by county 997
and by grantee; 998

(2) The amount of state funds received for continuation per 999
grantee; 1000

(3) A summary of program performance on the state critical 1001
performance indicators; 1002

(4) A summary of developmental progress of children 1003
participating in the state-funded Head Start program; 1004

(5) Any other data reflecting the performance of Head Start 1005
that the department considers pertinent. 1006

(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 ~~approved~~ 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 1039
week of December, and may be increased by a reasonable percentage 1040
for inflation to be determined by the Department of Education and 1041
in accordance with this section. The Pursuant to the interagency 1042
agreement, the department may redistribute dollars to programs 1043
demonstrating an unmet need based on updated assessments of family 1044
needs and community resources. In fiscal years 2002 and 2003, the 1045
department may authorize recipients to carry over funds to the 1046
subsequent fiscal year. 1047

The In accordance with the interagency agreement, the 1048
department may reallocate unobligated or unspent money to 1049
participating Head Start agencies for: (1) facilities planning 1050
grants and to leverage construction, renovation, or lease 1051
agreements and for repair of critical deferred maintenance and 1052
safety items in combination with the CDFE; (2) teacher 1053
professional development and enhanced compensation in order to 1054
meet the requirements of section 3301.311 of the Revised Code; (3) 1055
meeting the documentation and reporting requirements and for 1056
technical support in accordance with division (F) of this section; 1057
and (4) expansion, improvement, or special projects to promote 1058
excellence and innovation. 1059

(E) Costs for developing and administering a Head Start 1060
program may not exceed ~~fifteen per cent of the total approved~~ 1061
~~costs of the program~~ the costs established in the interagency 1062
agreement. 1063

All recipients of funds shall maintain such fiscal control 1064
and accounting procedures as may be necessary to ensure the 1065
disbursement of, and accounting for, these funds in accordance 1066
with section 5101.801 of the Revised Code. The control of funds 1067
provided in this program, and title to property obtained 1068
therefrom, shall be under the authority of the approved recipient 1069
for purposes provided in the program. The approved recipient shall 1070

administer and use such property and funds for the purposes 1071
specified. 1072

Each recipient shall furnish the department an annual audit 1073
that includes the review of ~~state~~ funds received under this 1074
section. 1075

In conjunction with the required audit of federal ~~Head Start~~ 1076
funds, the independent auditor shall examine state Head Start 1077
funds in accordance with the federal regulations and agreed-upon 1078
state procedures formulated by the department. 1079

(F) The department shall prescribe target levels for critical 1080
performance indicators for the purpose of assessing Head Start 1081
programs. On-site reviews and follow-up visits shall be based on 1082
grantee progress in meeting the prescribed target levels. 1083

The Department of Education, in consultation with the 1084
interested parties, including the state Department of Job and 1085
Family Services, shall develop the criteria to be used by Head 1086
Start grantees and delegate agencies with developing partnership 1087
agreements. 1088

The ~~department~~ Department of Education or the Department of 1089
Job and Family Services may audit a Head Start agency's financial 1090
and program records. Head Start agencies that have financial 1091
practices not in accordance with standard accounting principles, 1092
that fail to substantially meet the Head Start performance 1093
standards, or that exhibit below-average performance shall be 1094
subject to an on-site review. 1095

The ~~department~~ Department of Education shall require 1096
corrective plans of action for programs not achieving target 1097
levels or financial and program standards. Action plans shall 1098
include activities to be conducted by the grantee and timelines 1099
for activities to be completed and timelines for additional data 1100
submission to the department demonstrating targets have been met. 1101

The Policy Council chairperson and the appropriate grantee board official shall sign the corrective plans of action. 1102
1103

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. 1104
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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). 1108
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(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. 1111
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(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. 1118
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Section 3313.646 of the Revised Code does not apply to funds distributed under this section. 1126
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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. 1128
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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 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 1161

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 1162
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1164

Center Program. 1165

Of the foregoing appropriation item 200-509, Adult Literacy 1166
Education, up to \$543,150 in fiscal year 2002 and up to \$554,013 1167
in fiscal year 2003 shall be used for the support and operation of 1168
the State Literacy Resource Center. 1169

The remainder shall be used to continue to satisfy the state 1170
match and maintenance of effort requirements for the support and 1171
operation of the Department of Education-administered 1172
instructional grant program for adult basic and literacy education 1173
in accordance with the department's state plan for adult basic and 1174
literacy education as approved by the State Board of Education and 1175
the Secretary of the United States Department of Education. 1176

AUXILIARY SERVICES 1177

The foregoing appropriation item 200-511, Auxiliary Services, 1178
shall be used by the State Board of Education for the purpose of 1179
implementing section 3317.06 of the Revised Code. Of the 1180
appropriation, up to \$1,250,000 in fiscal year 2002 and up to 1181
\$1,500,000 in fiscal year 2003 may be used for payment of the 1182
Post-Secondary Enrollment Options Program for nonpublic students 1183
pursuant to section 3365.10 of the Revised Code. 1184

STUDENT INTERVENTION SERVICES 1185

The foregoing appropriation item 200-513, Student 1186
Intervention Services, shall be used to assist districts providing 1187
the intervention services specified in section 3313.608 of the 1188
Revised Code. The Department of Education shall establish 1189
guidelines for the use and distribution of these moneys in 1190
accordance with the interagency agreement entered into between the 1191
Department of Education and the Department of Job and Family 1192
Services under division (A)(2) of section 5101.801 of the Revised 1193
Code. School districts receiving funds from this appropriation 1194
shall report to the Department of Education on how funds were 1195

used. 1196

~~the Director of Budget and Management shall transfer 1197~~
~~\$35,000,000 from Fund 3W6, TANF Education, to the General Revenue 1198~~
~~Fund. The transferred funds are appropriated for the appropriation 1199~~
~~item 200-513, Student Intervention Services. The foregoing 1200~~
~~appropriation item 200-513, Student Intervention Services, 1201~~
~~includes transferred funds of \$35,000,000 in fiscal year 2003. 1202~~

The Department of Education shall comply with all TANF 1203
requirements, including reporting requirements and timelines, as 1204
specified in state and federal laws, federal regulations, state 1205
rules, and the Title IV-A state plan, and is responsible for 1206
payment of any adverse audit finding, final disallowance of 1207
federal financial participation, or other sanction or penalty 1208
issued by the federal government or other entity concerning these 1209
funds. 1210

The interagency agreement between the Department of Education 1211
and the Department of Job and Family Services shall establish 1212
conditions for the reimbursement of allowable Title IV-A funds as 1213
specified in 42 U.S.C.A. 604(a), except that they may not be 1214
"assistance" as defined in 45 C.F.R. 260.31(a). The benefits and 1215
services shall be benefits and services that 45 C.F.R. 260.31(b) 1216
excludes from the definition of "assistance." The interagency 1217
agreement also shall require that school districts receiving funds 1218
from this appropriation comply with requirements of Title IV-A of 1219
the "Social Security Act," 49 Stat 620 (1935), 42 U.S.C. 301, as 1220
amended, including eligibility of individuals, reporting 1221
requirements, allowable benefits and services, use of funds, and 1222
audit requirements, as specified in state and federal laws, 1223
federal regulations, state rules, federal office of management and 1224
budget circulars, and the Title IV-A state plan. The Department of 1225
Education shall be responsible for assuring that all Title IV-A 1226
funds are used solely for purposes allowable under federal 1227

<u>regulations, section 5101.801 of the Revised Code, and the Title</u>	1228
<u>IV-A state plan.</u>	1229
POST-SECONDARY/ADULT CAREER-TECHNICAL EDUCATION	1230
The foregoing appropriation item 200-514,	1231
Post-Secondary/Adult Career-Technical Education, shall be used by	1232
the State Board of Education to provide post-secondary/adult	1233
career-technical education under sections 3313.52 and 3313.53 of	1234
the Revised Code.	1235
Of the foregoing appropriation item 200-514,	1236
Post-Secondary/Adult Career-Technical Education, up to \$500,000 in	1237
each fiscal year shall be allocated for the Ohio Career	1238
Information System (OCIS) and used for the dissemination of career	1239
information data to public schools, libraries, rehabilitation	1240
centers, two- and four-year colleges and universities, and other	1241
governmental units.	1242
Of the foregoing appropriation item 200-514,	1243
Post-Secondary/Adult Career-Technical Education, up to \$40,000 in	1244
each fiscal year shall be used for the statewide coordination of	1245
the activities of the Ohio Young Farmers.	1246
DISADVANTAGED PUPIL IMPACT AID	1247
The foregoing appropriation item 200-520, Disadvantaged Pupil	1248
Impact Aid, shall be distributed to school districts according to	1249
section 3317.029 of the Revised Code. However, no money shall be	1250
distributed for all-day kindergarten to any school district whose	1251
three-year average formula ADM exceeds 17,500 but whose DPIA index	1252
is not at least equal to 1.00 in each fiscal year, unless the	1253
Department of Education certifies that sufficient funds exist in	1254
this appropriation to make all other payments required by section	1255
3317.029 of the Revised Code.	1256
The Department of Education shall pay all-day, everyday	1257
kindergarten funding to all school districts in fiscal year 2002	1258

and fiscal year 2003 that qualified for and provided the service 1259
in a preceding fiscal year pursuant to section 3317.029 of the 1260
Revised Code, regardless of changes to such districts' DPIA 1261
indexes in fiscal year 2002 and fiscal year 2003. 1262

The Department of Education shall pay to community schools an 1263
amount for all-day kindergarten if the school district in which 1264
the student is entitled to attend school is eligible but does not 1265
receive a payment for all-day kindergarten, pursuant to division 1266
(B) of section 3314.13 of the Revised Code, and the student is 1267
reported by the community school as enrolled in all-day 1268
kindergarten at the community school. 1269

Of the foregoing appropriation item 200-520, Disadvantaged 1270
Pupil Impact Aid, up to \$3,200,000 in fiscal year 2002 and up to 1271
\$3,300,000 in fiscal year 2003 shall be used for school breakfast 1272
programs. Of these amounts, up to \$500,000 shall be used each year 1273
by the Department of Education to provide start-up grants to rural 1274
school districts and to school districts with less than 1,500 ADM 1275
that start school breakfast programs. The remainder of the 1276
appropriation shall be used to: (1) partially reimburse school 1277
buildings within school districts that are required to have a 1278
school breakfast program pursuant to section 3313.813 of the 1279
Revised Code, at a rate decided by the department, for each 1280
breakfast served to any pupil enrolled in the district; (2) 1281
partially reimburse districts participating in the National School 1282
Lunch Program that have at least 20 per cent of students who are 1283
eligible for free and reduced meals according to federal 1284
standards, at a rate decided by the department; and (3) to 1285
partially reimburse districts participating in the National School 1286
Lunch Program for breakfast served to children eligible for free 1287
and reduced meals enrolled in the district, at a rate decided by 1288
the department. 1289

Of the portion of the funds distributed to the Cleveland City 1290

School District under section 3317.029 of the Revised Code 1291
calculated under division (F)(2) of that section, up to 1292
\$14,903,943 in fiscal year 2002 and up to \$18,066,820 in fiscal 1293
year 2003 shall be used to operate the pilot school choice program 1294
in the Cleveland City School District pursuant to sections 1295
3313.974 to 3313.979 of the Revised Code. 1296

Of the foregoing appropriation item 200-520, Disadvantaged 1297
Pupil Impact Aid, \$1,000,000 in each fiscal year shall be used to 1298
support dropout recovery programs administered by the Department 1299
of Education, Jobs for Ohio's Graduates Program. 1300

Sec. 56. DOH DEPARTMENT OF HEALTH 1301

General Revenue Fund 1302

GRF 440-406 Hemophilia Services \$ 1,230,492 \$ 1,230,492 1303

GRF 440-407 Animal Borne Disease \$ 2,643,874 \$ 2,598,297 1304
and Prevention

GRF 440-412 Cancer Incidence \$ 898,978 \$ 1,104,175 1305
Surveillance System

GRF 440-413 Ohio Health Care \$ 3,056,959 \$ 3,157,200 1306
Policy and Data

GRF 440-416 Child and Family \$ ~~11,187,078~~ \$ ~~10,839,187~~ 1307
Health Services

11,437,078 10,889,187 1308

GRF 440-418 Immunizations \$ 9,403,469 \$ 9,616,514 1309

GRF 440-419 Sexual Assault \$ 50,000 \$ 50,000 1310
Prevention and
Intervention

GRF 440-444 AIDS Prevention and \$ 9,142,101 \$ 9,476,508 1311
Treatment

GRF 440-446 Infectious Disease \$ 642,821 \$ 649,291 1312
Prevention

GRF 440-451 Public Health \$ 7,708,440 \$ 7,212,245 1313

	Prevention Programs					
GRF 440-452	Child and Family	\$	1,316,947	\$	1,320,455	1314
	Health Care Operations					
GRF 440-453	Health Care Facility	\$	12,466,643	\$	12,662,779	1315
	Protection and Safety					
GRF 440-454	Local Environmental	\$	1,243,340	\$	1,244,824	1316
	Health					
GRF 440-459	Help Me Grow	\$	12,500,000	\$	12,500,000	1317
GRF 440-461	Vital Statistics	\$	3,891,580	\$	3,863,425	1318
GRF 440-501	Local Health Districts	\$	3,991,111	\$	3,991,111	1319
GRF 440-504	Poison Control Network	\$	388,000	\$	388,000	1320
GRF 440-505	Medically Handicapped	\$	7,634,095	\$	7,540,879	1321
	Children					
GRF 440-507	Cystic Fibrosis	\$	818,131	\$	818,131	1322
GRF 440-508	Migrant Health	\$	120,767	\$	118,049	1323
GRF 440-510	Arthritis Care	\$	75,000	\$	75,000	1324
TOTAL GRF General Revenue Fund		\$	90,409,826	\$	90,456,562	1325
			<u>90,659,826</u>		<u>90,506,562</u>	1326
	General Services Fund Group				1327	
142 440-618	General Operations	\$	2,764,557	\$	2,892,340	1328
211 440-613	Central Support	\$	25,527,855	\$	26,149,512	1329
	Indirect Costs					
473 440-622	Lab Operating Expenses	\$	4,006,440	\$	4,154,045	1330
5C1 440-642	TANF Family Planning	\$	255,500	\$	261,888	1331
683 440-633	Employee Assistance	\$	1,017,408	\$	1,062,965	1332
	Program					
698 440-634	Nurse Aide Training	\$	240,000	\$	265,808	1333
TOTAL GSF General Services						1334
Fund Group		\$	33,811,760	\$	34,786,558	1335
	Federal Special Revenue Fund Group				1336	
320 440-601	Maternal Child Health	\$	32,702,100	\$	34,335,562	1337
	Block Grant					

387	440-602	Preventive Health Block Grant	\$	9,278,173	\$	9,278,173	1338
389	440-604	Women, Infants, and Children	\$	185,850,000	\$	195,142,500	1339
391	440-606	Medicaid/Medicare	\$	24,297,017	\$	25,778,700	1340
392	440-618	General Operations	\$	74,384,890	\$	77,720,166	1341
TOTAL FED Federal Special Revenue							1342
Fund Group			\$	326,512,180	\$	342,255,101	1343
State Special Revenue Fund Group							1344
3W5	440-611	Title XX Transfer	\$	500,000	\$	500,000	1345
4D6	440-608	Genetics Services	\$	2,725,894	\$	2,799,641	1346
4F9	440-610	Sickle Cell Disease Control	\$	1,010,091	\$	1,035,344	1347
4G0	440-636	Heirloom Birth Certificate	\$	1,000	\$	1,000	1348
4G0	440-637	Birth Certificate Surcharge	\$	5,000	\$	5,000	1349
4L3	440-609	Miscellaneous Expenses	\$	257,548	\$	258,570	1350
4T4	440-603	Child Highway Safety	\$	224,855	\$	233,894	1351
4V6	440-641	Save Our Sight	\$	1,232,421	\$	1,266,900	1352
470	440-618	General Operations	\$	12,364,273	\$	12,941,359	1353
471	440-619	Certificate of Need	\$	352,598	\$	370,524	1354
477	440-627	Medically Handicapped Children Audit	\$	4,400,452	\$	4,640,498	1355
5B5	440-616	Quality, Monitoring, and Inspection	\$	802,502	\$	838,479	1356
5C0	440-615	Alcohol Testing and Permit	\$	1,395,439	\$	1,455,405	1357
5D6	440-620	Second Chance Trust	\$	831,924	\$	852,723	1358
5L1	440-623	Nursing Facility Technical Assistance Program	\$	1,080,000	\$	1,157,150	1359
610	440-626	Radiation Emergency	\$	870,505	\$	923,315	1360

	Response					
666	440-607	Medically Handicapped	\$	14,039,889	\$ 14,039,889	1361
		Children - County				
		Assessments				
	TOTAL SSR	State Special Revenue				1362
	Fund Group		\$	42,094,391	\$ 43,319,691	1363
	Holding Account	Redistribution Fund Group				1364
R14	440-631	Vital Statistics	\$	49,000	\$ 49,000	1365
R48	440-625	Refunds, Grants	\$	20,000	\$ 20,000	1366
		Reconciliation, and				
		Audit Settlements				
	Redistribution	Fund Group	\$	69,000	\$ 69,000	1368
	TOTAL ALL BUDGET	FUND GROUPS	\$	494,897,157	\$ 510,886,912	1369
				<u>495,147,157</u>	<u>510,936,912</u>	1370

Sec. 56.01. HEMOPHILIA SERVICES 1372

Of the foregoing appropriation item 440-406, Hemophilia 1373
 Services, \$205,000 in each fiscal year shall be used to implement 1374
 the Hemophilia Insurance Pilot Project. 1375

Of the foregoing appropriation item 440-406, Hemophilia 1376
 Services, up to \$245,000 in each fiscal year shall be used by the 1377
 Department of Health to provide grants to the nine hemophilia 1378
 treatment centers to provide prevention services for persons with 1379
 hemophilia and their family members affected by AIDS and other 1380
 bloodborne pathogens. 1381

CANCER REGISTRY SYSTEM 1382

Of the foregoing appropriation item 440-412, Cancer Incidence 1383
 Surveillance System, \$50,000 in each fiscal year shall be provided 1384
 to the Northern Ohio Cancer Resource Center. 1385

The remaining moneys in appropriation item 440-412, Cancer 1386
 Incidence Surveillance System, shall be used to maintain and 1387

operate the Ohio Cancer Incidence Surveillance System pursuant to 1388
sections 3701.261 to 3701.263 of the Revised Code. 1389

No later than March 1, 2002, the Ohio Cancer Incidence 1390
Surveillance Advisory Board shall report to the General Assembly 1391
on the effectiveness of the cancer incidence surveillance system 1392
and the partnership between the Department of Health and the 1393
Arthur G. James Cancer Hospital and Richard J. Solove Research 1394
Institute of The Ohio State University. 1395

CHILD AND FAMILY HEALTH SERVICES 1396

Of the foregoing appropriation item 440-416, Child and Family 1397
Health Services, \$1,700,000 in each fiscal year shall be used for 1398
family planning services. None of the funds received through these 1399
family planning grants shall be used to provide abortion services. 1400
None of the funds received through these family planning grants 1401
shall be used for counseling for or referrals for abortion, except 1402
in the case of a medical emergency. These funds shall be 1403
distributed on the basis of the relative need in the community 1404
served by the Director of Health to family planning programs, 1405
which shall include family planning programs funded under Title V 1406
of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 1407
301, as amended, and Title X of the "Public Health Services Act," 1408
58 Stat. 682 (1946), 42 U.S.C.A. 201, as amended, as well as to 1409
other family planning programs that the Department of Health also 1410
determines will provide services that are physically and 1411
financially separate from abortion-providing and 1412
abortion-promoting activities, and that do not include counseling 1413
for or referrals for abortion, other than in the case of medical 1414
emergency, with state moneys, but that otherwise substantially 1415
comply with the quality standards for such programs under Title V 1416
and Title X. 1417

The Director of Health, by rule, shall provide reasonable 1418
methods by which a grantee wishing to be eligible for federal 1419

funding may comply with these requirements for state funding 1420
without losing its eligibility for federal funding, while ensuring 1421
that a family planning program receiving a family planning grant 1422
must be organized so that it is physically and financially 1423
separate from the provision of abortion services and from 1424
activities promoting abortion as a method of family planning. 1425

Of the foregoing appropriation item 440-416, Child and Family 1426
Health Services, \$150,000 in each fiscal year shall be used to 1427
provide malpractice insurance for physicians and other health 1428
professionals providing prenatal services in programs funded by 1429
the Department of Health. 1430

Of the foregoing appropriation item 440-416, Child and Family 1431
Health Services, \$279,000 shall be used in each fiscal year for 1432
the OPTIONS dental care access program. 1433

Of the foregoing appropriation item 440-416, Child and Family 1434
Health Services, \$600,000 in each fiscal year shall be used by 1435
local child and family health services clinics to provide services 1436
to uninsured low-income persons. 1437

Of the foregoing appropriation item 440-416, Child and Family 1438
Health Services, \$900,000 in each fiscal year shall be used by 1439
federally qualified health centers and federally designated 1440
look-alikes to provide services to uninsured low-income persons. 1441

Of the foregoing appropriation item 440-416, Child and Family 1442
Health Services, \$50,000 in each fiscal year shall be used for the 1443
Tree of Knowledge Learning Center in Cleveland Heights. 1444

Of the foregoing appropriation item 440-416, Child and Family 1445
Health Services, \$25,000 in fiscal year 2002 shall be provided to 1446
the Suicide Prevention Program of Clermont County. 1447

Of the foregoing appropriation item 440-416, Child and Family 1448
Health Services, \$50,000 in fiscal year 2002 shall be provided to 1449
the Discover Health Project. 1450

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. 1451
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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. 1454
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IMMUNIZATIONS 1457

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. 1458
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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. 1462
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SEXUAL ASSAULT PREVENTION AND INTERVENTION 1466

The foregoing appropriation item 440-419, Sexual Assault Prevention and Intervention, shall be used for the following purposes: 1467
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(A) Funding of new services in counties with no services for sexual assault; 1470
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(B) Expansion of services provided in currently funded projects so that comprehensive crisis intervention and prevention services are offered; 1472
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(C) Start-up funding for Sexual Assault Nurse Examiner (SANE) projects; 1475
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(D) Statewide expansion of local outreach and public awareness efforts. 1477
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HIV/AIDS PREVENTION/TREATMENT 1479

Of the foregoing appropriation item 440-444, AIDS Prevention 1480
and Treatment, \$6.7 million in fiscal year 2002 and \$7.1 million 1481
in fiscal year 2003 shall be used to assist persons with HIV/AIDS 1482
in acquiring HIV-related medications. 1483

The HIV Drug Assistance Program is pursuant to section 1484
3701.241 of the Revised Code and Title XXVI of the "Public Health 1485
Services Act," 104 Stat. 576 (1990), 42 U.S.C.A. 2601, as amended. 1486
The Department of Health may adopt rules pursuant to Chapter 119. 1487
of the Revised Code as necessary for the administration of the 1488
program. 1489

INFECTIOUS DISEASE PREVENTION 1490

Notwithstanding section 339.77 of the Revised Code, \$60,000 1491
of the foregoing appropriation item 440-446, Infectious Disease 1492
Prevention, shall be used by the Director of Health to reimburse 1493
Boards of County Commissioners for the cost of detaining indigent 1494
persons with tuberculosis. Any portion of the \$60,000 allocated 1495
for detainment not used for that purpose shall be used to make 1496
payments to counties pursuant to section 339.77 of the Revised 1497
Code. 1498

Of the foregoing appropriation item 440-446, Infectious 1499
Disease Prevention, \$200,000 in each fiscal year shall be used for 1500
the purchase of drugs for sexually transmitted diseases. 1501

HELP ME GROW 1502

The foregoing appropriation item 440-459, Help Me Grow, shall 1503
be used by the Department of Health to distribute subsidies to 1504
counties to implement section 3701.61 of the Revised Code. 1505
Appropriation item 440-459 may be used in conjunction with 1506
Temporary Assistance for Needy Families from the Department of Job 1507
and Family Services, Even Start from the Department of Education, 1508
and in conjunction with other early childhood funds and services 1509
to promote the optimal development of young children. Local 1510

contacts shall be developed between local departments of job and 1511
family services and family and children first councils for the 1512
administration of TANF funding for the Help Me Grow Program. The 1513
Department of Health shall enter into an interagency agreement 1514
with the Department of Education to coordinate the planning, 1515
design, and grant selection process for any new Even Start grants 1516
and to ensure that all new and existing programs within Help Me 1517
grow are school linked. 1518

POISON CONTROL NETWORK 1519

The foregoing appropriation item 440-504, Poison Control 1520
Network, shall be used in each fiscal year by the Department of 1521
Health for grants to the consolidated Ohio Poison Control Center 1522
to provide poison control services to Ohio citizens. 1523

TANF FAMILY PLANNING 1524

The Director of Budget and Management shall transfer by 1525
intrastate transfer voucher, no later than the fifteenth day of 1526
July of each fiscal year, cash from the General Revenue Fund, 1527
appropriation item 600-410, TANF State, to General Services Fund 1528
5C1 in the Department of Health, in an amount of \$250,000 in each 1529
fiscal year for the purpose of family planning services for 1530
children or their families whose income is at or below 200 per 1531
cent of the official poverty guideline. 1532

As used in this section, "poverty guideline" means the 1533
official poverty guideline as revised annually by the United 1534
States Secretary of Health and Human Services in accordance with 1535
section 673 of the "Community Services Block Grant Act," 95 Stat. 1536
511 (1981), 42 U.S.C.A. 9902, as amended, for a family size equal 1537
to the size of the family of the person whose income is being 1538
determined. 1539

MATERNAL CHILD HEALTH BLOCK GRANT 1540

Of the foregoing appropriation item 440-601, Maternal Child 1541

Health Block Grant (Fund 320), \$2,091,299 shall be used in each 1542
fiscal year for the purposes of abstinence-only education. The 1543
Director of Health shall develop guidelines for the establishment 1544
of abstinence programs for teenagers with the purpose of 1545
decreasing unplanned pregnancies and abortion. Such guidelines 1546
shall be pursuant to Title V of the "Social Security Act," 42 1547
U.S.C.A. 510, and shall include, but are not limited to, 1548
advertising campaigns and direct training in schools and other 1549
locations. 1550

A portion of the foregoing appropriation item 440-601, 1551
Maternal Child Health Block Grant (Fund 320), may be used to 1552
ensure that current information on sudden infant death syndrome is 1553
available for distribution by local health districts. 1554

TITLE XX TRANSFER 1555

Of the foregoing appropriation item 440-611, Title XX 1556
Transfer (Fund 3W5), \$500,000 in each fiscal year, to the extent 1557
funds are available based on deposits made pursuant to Section 1558
63.09 of this act, shall be used for the purposes of 1559
abstinence-only education. The Director of Health shall develop 1560
guidelines for the establishment of abstinence programs for 1561
teenagers with the purpose of decreasing unplanned pregnancies and 1562
abortion. The guidelines shall be developed pursuant to Title V of 1563
the "Social Security Act," 42 U.S.C. 510, and shall include, but 1564
are not to be limited to, advertising campaigns and direct 1565
training in schools and other locations. 1566

GENETICS SERVICES 1567

The foregoing appropriation item 440-608, Genetics Services 1568
(Fund 4D6), shall be used by the Department of Health to 1569
administer programs authorized by sections 3701.501 and 3701.502 1570
of the Revised Code. None of these funds shall be used to counsel 1571
or refer for abortion, except in the case of a medical emergency. 1572

SICKLE CELL FUND 1573

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. 1574
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SAFETY AND QUALITY OF CARE STANDARDS 1579

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. 1580
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MEDICALLY HANDICAPPED CHILDREN AUDIT 1583

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. 1584
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CASH TRANSFER FROM LIQUOR CONTROL FUND TO ALCOHOL TESTING AND PERMIT FUND 1597
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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 1599
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needs of the Alcohol Testing and Permit program. 1604

The Director of Budget and Management shall transfer to the 1605
Alcohol Testing and Permit Fund (Fund 5C0) from the Liquor Control 1606
Fund (Fund 043) established in section 4301.12 of the Revised Code 1607
such amounts at such times as determined by the transfer schedule. 1608

MEDICALLY HANDICAPPED CHILDREN - COUNTY ASSESSMENTS 1609

The foregoing appropriation item 440-607, Medically 1610
Handicapped Children - County Assessments (Fund 666), shall be 1611
used to make payments pursuant to division (E) of section 3701.023 1612
of the Revised Code. 1613

Sec. 63. JFS DEPARTMENT OF JOB AND FAMILY SERVICES 1614

General Revenue Fund 1615

GRF 600-100 Personal Services 1616

State \$ 56,614,143 \$ 58,715,838 1617

Federal \$ 18,645,558 \$ 19,317,882 1618

Personal Services \$ 75,259,701 \$ 78,033,720 1619

Total

GRF 600-200 Maintenance 1620

State \$ 30,439,164 \$ 24,320,541 1621

Federal \$ 7,295,237 \$ 5,828,810 1622

Maintenance Total \$ 37,734,401 \$ 30,149,351 1623

GRF 600-300 Equipment 1624

State \$ 5,469,830 \$ 979,504 1625

Federal \$ 179,026 \$ 32,059 1626

Equipment Total \$ 5,648,856 \$ 1,011,563 1627

GRF 600-402 Electronic Benefits 1628

Transfer (EBT)

State \$ 7,551,305 \$ 7,715,079 1629

Federal \$ 7,551,305 \$ 7,715,079 1630

EBT Total \$ 15,102,610 \$ 15,430,158 1631

GRF 600-410 TANF State \$ 268,636,561 \$ 268,619,061 1632

GRF 600-413	Day Care	\$	84,120,606	\$	84,120,606	1633
	Match/Maintenance of Effort					
GRF 600-416	Computer Projects					1634
	State	\$	137,583,171	\$	142,908,736	1635
	Federal	\$	32,665,206	\$	34,770,353	1636
	Computer Projects Total	\$	170,248,377	\$	177,679,089	1637
GRF 600-420	Child Support Administration	\$	7,919,511	\$	7,885,309	1638
GRF 600-426	Children's Health Insurance Plan (CHIP)					1639
	State	\$	13,571,338	\$	15,770,373	1640
	Federal	\$	33,535,007	\$	38,968,860	1641
	CHIP Total	\$	47,106,345	\$	54,739,233	1642
GRF 600-427	Child and Family Services Activities	\$	7,189,086	\$	7,000,427	1643
GRF 600-435	Unemployment Compensation Review Commission	\$	3,759,151	\$	3,785,380	1644
GRF 600-436	Medicaid Systems Enhancements	\$	4,445,384	\$	1,853,611	1645
GRF 600-502	Child Support Match	\$	17,383,992	\$	16,814,103	1646
GRF 600-504	Non-TANF County Administration	\$	70,554,373	\$	68,697,679	1647
GRF 600-511	Disability Assistance/Other Assistance	\$	84,662,017	\$	98,152,408	1648
GRF 600-512	Non-TANF Emergency Assistance	\$	1,079,000	\$	1,079,000	1649
GRF 600-525	Health Care/Medicaid					1650
	State	\$	2,908,181,745	\$	3,112,834,875	1651
	Federal	\$	4,174,579,446	\$	4,460,972,607	1652

	Health Care Total	\$ 7,082,761,191	\$ 7,573,807,482	1653
GRF 600-527	Child Protective Services	\$ 59,592,059	\$ 64,047,479	1654
GRF 600-528	Adoption Services			1655
	State	\$ 33,085,023	\$ 37,697,562	1656
	Federal	\$ 32,158,564	\$ 36,641,941	1657
	Adoption Services	\$ 65,243,587	\$ 74,339,503	1658
	Total			
GRF 600-534	Adult Protective Services	\$ 2,850,975	\$ 2,775,950	1659
GRF 600-552	County Social Services	\$ 11,354,550	\$ 11,055,746	1660
TOTAL GRF	General Revenue Fund			1661
	State	\$ 3,816,042,984	\$ 4,036,829,267	1662
	Federal	\$ 4,306,609,349	\$ 4,604,247,591	1663
	GRF Total	\$ 8,122,652,333	\$ 8,641,076,858	1664
	General Services Fund Group			1665
4A8 600-658	Child Support Collections	\$ 42,389,027	\$ 42,389,027	1666
4R4 600-665	BCII Service Fees	\$ 124,522	\$ 136,974	1667
5C9 600-671	Medicaid Program Support	\$ 50,846,239	\$ 59,226,893	1668
5R1 600-677	County Computers	\$ 5,000,000	\$ 5,000,000	1669
613 600-645	Training Activities	\$ 1,462,626	\$ 1,157,525	1670
TOTAL GSF	General Services Fund Group	\$ 99,822,414	\$ 107,910,419	1672
	Federal Special Revenue Fund Group			1673
3A2 600-641	Emergency Food Distribution	\$ 2,018,844	\$ 2,018,844	1674
3D3 600-648	Children's Trust Fund Federal	\$ 2,040,524	\$ 2,040,524	1675
3F0 600-623	Health Care Federal	\$ 260,504,926	\$ 281,562,040	1676
3F0 600-650	Hospital Care	\$ 320,551,643	\$ 332,807,785	1677

		Assurance Match					
3G5	600-655	Interagency	\$	852,461,818	\$	860,986,436	1678
		Reimbursement					
3G9	600-657	Special Activities	\$	522,500	\$	190,000	1679
		Self Sufficiency					
3H7	600-617	Day Care Federal	\$	299,156,430	\$	337,848,130	1680
3N0	600-628	IV-E Foster Care	\$	152,981,760	\$	173,963,142	1681
		Maintenance					
3S5	600-622	Child Support Projects	\$	534,050	\$	534,050	1682
3V0	600-688	Workforce Investment	\$	128,476,093	\$	128,476,093	1683
		Act					
3V4	600-678	Federal Unemployment	\$	74,025,525	\$	74,025,525	1684
		Programs					
3V4	600-679	Unemployment	\$	2,286,421	\$	2,286,421	1685
		Compensation Review					
		Commission - Federal					
3V6	600-689	TANF Block Grant	\$	654,410,661	\$	677,098,311	1686
3V6	600-690	Wellness	\$	14,337,515	\$	14,337,515	1687
316	600-602	State and Local	\$	10,166,587	\$	10,325,460	1688
		Training					
327	600-606	Child Welfare	\$	34,594,191	\$	34,592,977	1689
331	600-686	Federal Operating	\$	41,600,896	\$	41,640,897	1690
365	600-681	JOB Training Program	\$	25,000,000	\$	5,469,259	1691
384	600-610	Food Stamps and State	\$	160,371,358	\$	161,716,857	1692
		Administration					
385	600-614	Refugee Services	\$	4,388,503	\$	4,559,632	1693
395	600-616	Special	\$	9,491,000	\$	9,491,000	1694
		Activities/Child and					
		Family Services					
396	600-620	Social Services Block	\$	51,195,100	\$	51,297,478	1695
		Grant					
397	600-626	Child Support	\$	248,001,590	\$	247,353,041	1696
398	600-627	Adoption Maintenance/	\$	277,806,175	\$	341,298,661	1697

Administration			
TOTAL FED Federal Special Revenue			1698
Fund Group	\$ 3,626,924,110	\$ 3,795,920,078	1699
State Special Revenue Fund Group			
198 600-647 Children's Trust Fund	\$ 4,368,785	\$ 4,379,333	1701
3W3 600-695 Adult Protective	\$ 120,227		1702
Services			
3W3 600-696 Non-TANF Adult	\$ 1,000,000		1703
Assistance			
3W8 600-638 Hippy Program	\$ 62,500		1704
3W9 600-640 Adoption Connection	\$ 50,000		1705
4A9 600-607 Unemployment	\$ 9,420,000	\$ 9,420,000	1706
Compensation Admin Fund			
4E3 600-605 Nursing Home	\$ 95,511	\$ 95,511	1707
Assessments			
4E7 600-604 Child and Family	\$ 145,805	\$ 149,450	1708
Services Collections			
4F1 600-609 Foundation	\$ 116,400	\$ 119,310	1709
Grants/Child and Family Services			
4J5 600-613 Nursing Facility Bed	\$ 31,179,798	\$ 31,279,798	1710
Assessments			
4J5 600-618 Residential State	\$ 15,700,000	\$ 15,700,000	1711
Supplement Payments			
4K1 600-621 ICF/MR Bed Assessments	\$ 21,604,331	\$ 22,036,418	1712
4R3 600-687 Banking Fees	\$ 592,937	\$ 592,937	1713
4V2 600-612 Child Support	\$ 124,993	\$ 124,993	1714
Activities			
4Z1 600-625 HealthCare Compliance	\$ 10,000,000	\$ 10,000,000	1715
5A5 600-685 Unemployment Benefit	\$ 19,607,027	\$ 13,555,667	1716
Automation			
5E6 600-634 State Option Food	\$ 6,000,000	\$ <u>6,000,000</u>	1717

Stamps							
5P4	600-691	TANF Child Welfare	\$	7,500,000	\$	<u>7,500,000</u>	1718
5P5	600-692	Health Care Services	\$	223,847,498	\$	255,386,713	1719
5R2	600-608	Medicaid-Nursing	\$	59,462,415	\$	79,283,220	1720
Facilities							
651	600-649	Hospital Care	\$	222,480,109	\$	233,384,431	1721
Assurance Program Fund							
TOTAL SSR State Special Revenue							1722
Fund Group			\$	633,478,336	\$	690,240,508	1723
Agency Fund Group							1724
192	600-646	Support Intercept -	\$	80,000,000	\$	82,000,000	1725
Federal							
5B6	600-601	Food Stamp Intercept	\$	5,283,920	\$	5,283,920	1726
583	600-642	Support Intercept -	\$	20,162,335	\$	20,565,582	1727
State							
TOTAL AGY Agency Fund Group			\$	105,446,255	\$	107,849,502	1728
Holding Account Redistribution Fund Group							1729
R12	600-643	Refunds and Audit	\$	200,000	\$	200,000	1730
Settlements							
R13	600-644	Forgery Collections	\$	700,000	\$	700,000	1731
TOTAL 090 Holding Account							1732
Redistribution							
Fund Group			\$	900,000	\$	900,000	1733
TOTAL ALL BUDGET FUND GROUPS			\$	12,589,223,448	\$	13,343,897,365	1734

Sec. 63.09. TANF 1736

TANF COUNTY INCENTIVES 1737

Of the foregoing appropriation item 600-689, TANF Block 1738
Grant, the Department of Job and Family Services may provide 1739
financial incentives to those county departments of job and family 1740
services that have exceeded performance standards adopted by the 1741
state department, and where the board of county commissioners has 1742

entered into a written agreement with the state department under 1743
section 5101.21 of the Revised Code governing the administration 1744
of the county department. Any financial incentive funds provided 1745
pursuant to this division shall be used by the county department 1746
for additional or enhanced services for families eligible for 1747
assistance under Chapter 5107. or benefits and services under 1748
Chapter 5108. of the Revised Code or, on request by the county and 1749
approval by the Department of Job and Family Services, be 1750
transferred to the Child Care and Development Fund or the Social 1751
Services Block Grant. The county departments of job and family 1752
services may retain and expend such funds without regard to the 1753
state or county fiscal year in which the financial incentives were 1754
earned or paid. Each county department of job and family services 1755
shall file an annual report with the Department of Job and Family 1756
Services providing detailed information on the expenditure of 1757
these financial incentives and an evaluation of the effectiveness 1758
of the county department's use of these funds in achieving 1759
self-sufficiency for families eligible for assistance under 1760
Chapter 5107. or benefits and services under Chapter 5108. of the 1761
Revised Code. 1762

TANF YOUTH DIVERSION PROGRAMS 1763

Of the foregoing appropriation item 600-689, TANF Block 1764
Grant, \$19,500,000 in each fiscal year shall be allocated by the 1765
Department of Job and Family Services to the counties according to 1766
the allocation formula established in division (D) of section 1767
5101.14 of the Revised Code. Of the funds allocated to each 1768
county, up to half may be used for contract services for unruly 1769
and misdemeanor diversionary programs. 1770

The remaining funds not allocated for use in juvenile 1771
diversion activities may be used by the county for other contract 1772
child welfare services. In counties with separate departments of 1773
job and family services and public children services agencies, the 1774

county department of job and family services shall serve as a pass 1775
through to the public children services agencies for these funds. 1776
Separate public children services agencies receiving such funds 1777
shall comply with all TANF requirements, including reporting 1778
requirements and timelines, as specified in state and federal 1779
laws, federal regulations, state rules, and the Title IV-A state 1780
plan, and are responsible for payment of any adverse audit 1781
finding, final disallowance of federal financial participation, or 1782
other sanction or penalty issued by the federal government or 1783
other entity concerning these funds. 1784

Of the foregoing \$19,500,000 set aside, any funds remaining 1785
unspent on June 30, 2002, shall be carried forward and added to 1786
the earmark for fiscal year 2003, and allocated to the counties 1787
according to the allocation formula established in division (D) of 1788
section 5101.14 of the Revised Code. 1789

KINSHIP NAVIGATORS 1790

Of the foregoing appropriation item 600-689, TANF Block 1791
Grant, up to \$3 million in each fiscal year shall be allocated by 1792
the Department of Job and Family Services to county departments of 1793
job and family services for the purpose of making allocations to 1794
local public children services agencies to provide services in the 1795
Kinship Navigation program. The allocation to county departments 1796
of job and family services shall be based on the number of Ohio 1797
works first cases in the county, and the number of children 1798
seventeen years of age or younger in the county. The Department of 1799
Job and Family Services shall develop an appropriate method of 1800
reallocating these funds in each fiscal year among the county 1801
~~departments~~ departments of job and family services, if they would 1802
otherwise be unspent. 1803

TANF FAITH-BASED AND NON-PROFIT CAPACITY-BUILDING PROGRAMS 1804

From the foregoing appropriation item 600-689, TANF Block 1805

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 1838
services to TANF eligible individuals with incomes at or below 200 1839
per cent of the federal poverty guidelines under a Title IV-A 1840
program pursuant to the requirements of section 5101.801 of the 1841
Revised Code. Upon approval by the Department of Job and Family 1842
Services, the Department of Education shall adopt policies and 1843
procedures establishing program requirements for eligibility, 1844
services, fiscal accountability, and other criteria necessary to 1845
comply with the provisions of Title IV-A of the "Social Security 1846
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 1847

The Department of Job and Family Services shall reimburse the 1848
General Revenue Fund through intrastate transfer vouchers for 1849
allowable Title IV-A Head Start expenditures reported by the 1850
Department of Education in fiscal year 2002 by amounts up to 1851
\$76,156,175 from Fund 3V6, TANF Block Grant, and in fiscal year 1852
2003, up to \$98,843,825 from Fund 3V6, TANF Block Grant. The 1853
Department of Job and Family Services shall reimburse the General 1854
Revenue Fund through intrastate transfer vouchers for allowable 1855
Title IV-A student intervention services expenditures in fiscal 1856
year 2003 up to \$35,000,000 from Fund 3V6, TANF Block Grant. 1857

COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES TITLE IV-A 1858
ADULT LITERACY AND CHILD READING PROGRAMS 1859

There is hereby established the Title IV-A Adult Literacy and 1860
Child Reading Program to be administered by the county departments 1861
of job and family services in accordance with division (B)(1) of 1862
section 5101.801 of the Revised Code. The program shall provide 1863
benefits and services to TANF-eligible individuals with incomes at 1864
or below 200 per cent of the federal poverty guidelines under a 1865
Title IV-A program pursuant to the requirements of section 1866
5101.801 of the Revised Code. The county departments of job and 1867
family services shall ensure program requirements for eligibility, 1868
services, fiscal accountability, and other criteria necessary to 1869

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 ~~Hamilton~~ 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.	1902
MONTGOMERY COUNTY OUT-OF-SCHOOL YOUTH PROJECT	1903
In each fiscal year, the Director of Job and Family Services	1904
shall provide \$1,000,000 from appropriation item 600-689, TANF	1905
Block Grant, to the Montgomery County Department of Job and Family	1906
Services to be used to support the Out-of-School Youth Project in	1907
Montgomery County for the purpose of providing allowable services	1908
to TANF-eligible individuals. The Montgomery County Department of	1909
Job and Family Services and the Sinclair Community College shall	1910
comply with all TANF requirements, including reporting	1911
requirements and timelines, as specified in state and federal	1912
laws, federal regulations, state rules, and the Title IV-A state	1913
plan.	1914
APPALACHIAN WORKFORCE DEVELOPMENT AND JOB TRAINING	1915
From the foregoing appropriation item 600-689, TANF Block	1916
Grant, the Director of Job and Family Services shall provide up to	1917
\$15,000,000 to be awarded to the county departments of job and	1918
family services in the twenty-nine Appalachian counties,	1919
contingent upon passage of H.B. 6 of the 124th General Assembly.	1920
These funds shall be used by the county departments of job and	1921
family services in coordination with the Governor's Office of	1922
Appalachia, the Governor's Regional Economic Office, and local	1923
development districts. These funds shall be used for the following	1924
activities: workforce development and supportive services;	1925
economic development; technology expansion, technical assistance,	1926
and training; youth job training; organizational development for	1927
workforce development partners; and improving existing technology	1928
centers, workforce development, job creation and retention,	1929
purchasing technology, and technology and technology	1930
infrastructure upgrades.	1931
As a condition on the use of these funds, each county	1932
department of job and family services shall submit a plan for the	1933

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 1950

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

TANF FAMILY PLANNING 1954

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 1963

From the foregoing appropriation items 600-410, TANF State; 1964
600-658, Child Support Collections; or 600-689, TANF Block Grant, 1965
or a combination of these appropriation items, no less than 1966
\$369,040,735 in each fiscal year shall be allocated to county 1967
departments of job and family services as follows: 1968

County Allocations	\$276,586,957	1969
WIA Supplement	\$35,109,178	1970
Early Start - Statewide	\$38,034,600	1971
Transportation	\$5,000,000	1972
County Training	\$3,050,000	1973
Adult Literacy and Child		1974
Reading Programs	\$5,000,000	1975
Disaster Relief	\$5,000,000	1976
School Readiness Centers	\$1,260,000	1977

Upon the request of the Department of Job and Family 1978
Services, the Director of Budget and Management may seek 1979
Controlling Board approval to increase appropriations in 1980
appropriation item 600-689, TANF Block Grant, provided sufficient 1981
Federal TANF Block Grant funds exist to do so, without any 1982
corresponding decrease in other appropriation items. The 1983
Department of Job and Family Services shall provide the Office of 1984
Budget and Management and the Controlling Board with documentation 1985
to support the need for the increased appropriation. 1986

All transfers of moneys from or charges against TANF Federal 1987
Block Grant awards for use in the Social Services Block Grant or 1988
the Child Care and Development Block Grant from either unobligated 1989
prior year appropriation authority in appropriation item 400-411, 1990
TANF Federal Block Grant, or 600-411, TANF Federal Block Grant, or 1991
from fiscal year 2002 and fiscal year 2003 appropriation authority 1992
in item 600-689, TANF Block Grant, shall be done ten days after 1993
the Department of Job and Family Services gives written notice to 1994
the Office of Budget and Management. The Department of Job and 1995

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 2028
million, into Fund 3W5, Health Care Services, \$500,000, into Fund 2029
3W8, Hippy Program, \$62,500, and into Fund 3W9, Adoption 2030
Connection, \$50,000 and deposit in fiscal year 2002, into Fund 2031
3W2, Title XX Vocational Rehabilitation, \$600,000, into Fund 162 2032
in the Department of Natural Resources, \$7,885,349, and into Fund 2033
3W3, Adult Special Needs, \$4,720,227 in receipts from TANF Block 2034
Grant funds credited to the Social Services Block Grant. In fiscal 2035
year 2003, if, pursuant to federal law, the state is allowed to 2036
transfer up to 10 per cent of the TANF block grant and no less 2037
than \$72,796,826 for the purposes of reimbursing allowable 2038
expenditures for services provided by the Department of Job and 2039
Family Services, or other agencies that may qualify for Social 2040
Services Block Grant funding pursuant to Title XX of the Social 2041
Security Act, then the Department of Job and Family Services shall 2042
deposit \$6 million into Fund 5E6, State Option Food Stamps, \$7.5 2043
million into Fund 5P4 TANF Child Welfare, \$897,052 into Fund 3W2, 2044
Title XX Vocational Rehabilitation, and \$500,000 into Fund 3W5, 2045
Health Care Services. To the extent that the amount allowed to be 2046
transferred is less than the \$72,796,826, then the amounts 2047
deposited into the above funds shall be reduced proportionally. On 2048
verification of the receipt of the above revenue, the funds 2049
provided by these transfers shall be used as follows: 2050

Fund 5E6 2051

Second Harvest Food Bank <u>in fiscal year 2002</u>	\$4,500,000	2052
<u>Second Harvest Food Bank in fiscal year 2003</u>	<u>\$4,500,000</u>	2053
Child Nutrition Services <u>in fiscal year 2002</u>	\$900,000	2054
<u>Child Nutrition Services in fiscal year 2003</u>	<u>\$900,000</u>	2055
Ohio Alliance of Boys and Girls Clubs <u>in fiscal</u> <u>year 2002</u>	<u>\$600,000</u>	2056
<u>Ohio Alliance of Boys and Girls Clubs in fiscal</u> <u>year 2003</u>	<u>\$600,000</u>	2057

Fund 5P4 2058

Support and Expansion for PCSA Activities <u>in</u> \$5,500,000 <u>fiscal year 2002</u>	2059
<u>Support and Expansion for PCSA Activities in</u> \$5,500,000 <u>fiscal year 2003</u>	2060
Pilot Projects for Violent and Aggressive Youth\$2,000,000 <u>in fiscal year 2002</u>	2061
<u>Pilot Projects for Violent and Aggressive Youth</u> \$2,000,000 <u>in fiscal year 2003</u>	2062
Fund 3W2	2063
Title XX Vocational Rehabilitation in fiscal\$600,000 year 2002	2064
Fund 3W3	2065
Adult Protective Services in fiscal year 2002 \$120,227	2066
Non-TANF Adult Assistance in fiscal year 2002 \$1,000,000	2067
Community-Based Correctional Facilities in\$3,600,000 fiscal year 2002	2068
Fund 162	2069
CCC Operations in fiscal year 2002 \$7,885,349	2070
Fund 3W5	2071
Abstinence-only Education <u>in fiscal year 2002</u> \$500,000	2072
<u>Abstinence-only Education in fiscal year 2003</u> \$500,000	2073
Fund 3W8	2074
Hippy Program \$62,500	2075
Fund 3W9	2076
Adoption Connection \$50,000	2077
WELLNESS	2078
The foregoing appropriation item 600-690, Wellness, shall be	2079
used by county departments of job and family services for teen	2080
pregnancy prevention programming. Local contracts shall be	2081
developed between county departments of job and family services	2082
and local family and children first councils for the	2083
administration of TANF funding for this program.	2084

Sec. 63.10. OHIO ASSOCIATION OF SECOND HARVEST FOOD BANKS 2085

The Department of Job and Family Services may use up to 2086
\$4,500,000 of appropriation item 600-634, State Options Food 2087
Stamps (Fund 5E6), in each fiscal year, to the extent funds are 2088
available based on deposits made pursuant to Section 63.09, to 2089
support expenditures to the Ohio Association of Second Harvest 2090
Food Banks pursuant to the following criteria. 2091

As used in this section, "federal poverty guidelines" has the 2092
same meaning as in section 5101.46 of the Revised Code. 2093

The Department of Job and Family Services shall provide 2094
\$4,500,000 to the Ohio Association of Second Harvest Food Banks. 2095
~~the~~ The Ohio Association of Second Harvest Food Banks shall use 2096
\$2,500,000 for the purchase of food products for the Ohio Food 2097
Program, of which up to \$105,000 may be used for food storage and 2098
transport, and shall use \$2,000,000 for the Agricultural Surplus 2099
Production Alliance Project. Funds provided for the Ohio Food 2100
Program shall be used to purchase food products and distribute 2101
those food products to agencies participating in the emergency 2102
food distribution program. No funds provided through this grant 2103
may be used for administrative expenses other than funds provided 2104
for food storage and transport. As soon as possible after entering 2105
into a grant agreement at the beginning of the fiscal year, the 2106
Department of Job and Family Services shall distribute the grant 2107
funds in one single payment. The Ohio Association of Second 2108
Harvest Food Banks shall develop a plan for the distribution of 2109
the food products to local food distribution agencies. Agencies 2110
receiving these food products shall ensure that individuals and 2111
families who receive any of the food products purchased with these 2112
funds have an income at or below 150 per cent of the federal 2113
poverty guidelines. The Department of Job and Family Services and 2114
the Ohio Association of Second Harvest Food Banks shall agree on 2115

reporting requirements to be incorporated into the grant 2116
agreement. 2117

The Ohio Association of Second Harvest Food Banks shall 2118
return any fiscal year 2002 funds from this grant remaining 2119
unspent on June 30, 2002, to the Department of Job and Family 2120
Services no later than November 1, 2002. 2121

Sec. 63.11. CHILD NUTRITION SERVICES 2122

The Department of Job and Family Services may use up to 2123
\$900,000 of appropriation item 600-634, State Option Food Stamps 2124
(Fund 5E6), in each fiscal year, to the extent funds are available 2125
based on deposits made pursuant to Section 63.09, to support Child 2126
Nutrition Services in the Department of Education. As soon as 2127
possible after the effective date of this section, the Department 2128
of Job and Family Services shall enter into an interagency 2129
agreement with the Department of Education to reimburse the 19 2130
pilot programs that provide nutritional evening meals to 2131
adolescents 13 through 18 years of age participating in 2132
educational or enrichment activities at youth development centers. 2133
Such funds shall not be used as matching funds. Eligibility and 2134
reporting guidelines shall be detailed in the interagency 2135
agreement. 2136

OHIO ALLIANCE OF BOYS AND GIRLS CLUBS 2137

Of the foregoing appropriation item 600-634, State Option 2138
Food Stamps (Fund 5E6), the Department of Job and Family Services 2139
shall use up to \$600,000 in each fiscal year, to the extent funds 2140
are available based on deposits made pursuant to Section 63.09, to 2141
support expenditures of the Ohio Alliance of Boys and Girls Clubs 2142
to provide nutritional meals, snacks, and educational and 2143
enrichment services, including tutoring, homework assistance, and 2144
standardized achievement test preparation, to children 2145
participating in programs and activities operated by eligible Boys 2146

and Girls Clubs. The Ohio Alliance of Boys and Girls Clubs shall 2147
provide allowable services to Title XX eligible children. 2148

As soon as possible after entering into a grant agreement at 2149
the beginning of the fiscal year, the Department of Job and Family 2150
Services shall distribute the grant funds in one single payment. 2151
The Ohio Alliance of Boys and Girls Clubs shall return any fiscal 2152
year 2002 funds from this grant remaining unspent on June 30, 2153
2002, to the Department of Job and Family Services not later than 2154
November 1, 2002. 2155

Sec. 63.15. SINGLE ALLOCATION FOR COUNTY DEPARTMENTS OF JOB 2156
AND FAMILY SERVICES 2157

Using the foregoing appropriation items 600-504, Non-TANF 2158
County Administration; 600-610, Food Stamps and State 2159
Administration; 600-410, TANF State; 600-689, TANF Block Grant; 2160
600-620, Social Services Block Grant; 600-552, County Social 2161
Services; 600-413, Day Care Match/Maintenance of Effort; 600-617, 2162
Day Care Federal; 600-534, Adult Protective Services; and 600-614, 2163
Refugees Services, the Department of Job and Family Services may 2164
establish a single allocation for county departments of job and 2165
family services that are subject to a partnership agreement 2166
between a board of county commissioners and the department under 2167
section 5101.21 of the Revised Code. The county department is not 2168
required to use all the money from one or more of the 2169
appropriation items listed in this paragraph for the purpose for 2170
which the specific appropriation item is made so long as the 2171
county department uses the money for a purpose for which at least 2172
one of the other of those appropriation items is made. The county 2173
department may not use the money in the allocation for a purpose 2174
other than a purpose any of those appropriation items are made. If 2175
the spending estimates used in establishing the single allocation 2176
are not realized and the county department uses money in one or 2177
more of those appropriation items in a manner for which federal 2178

financial participation is not available, the department shall use 2179
state funds available in one or more of those appropriation items 2180
to ensure that the county department receives the full amount of 2181
its allocation. The single allocation is the maximum amount the 2182
county department shall receive from those appropriation items. 2183

ADULT PROTECTIVE SERVICES 2184

The foregoing appropriation item 600-695, Adult Protective 2185
Services, shall be used to provide adult protective services in 2186
accordance with section 5101.62 of the Revised Code. 2187

NON-TANF ADULT ASSISTANCE 2188

The foregoing appropriation item 600-696, Non-TANF Adult 2189
Assistance, shall be used to provide funding for the Adult 2190
Emergency Assistance Program in accordance with section 5101.86 of 2191
the Revised Code. 2192

HIPPY PROGRAM 2193

The Department of Job and Family Services may use up to 2194
\$62,500 of appropriation item 600-638, Hippy Program (Fund 3W8), 2195
to support expenditures to the Hippy Program in Hamilton County. 2196
The Department of Job and Family Services and the Hippy Program 2197
shall agree on reporting requirements to be incorporated into the 2198
grant agreement. 2199

ADOPTION CONNECTION 2200

The Department of Job and Family Services may use up to 2201
~~\$62,500~~ \$50,000 of appropriation item 600-640, Adoption Connection 2202
(Fund 3W9), to support expenditures to the Adoption Connection 2203
Program in Hamilton County. The Department of Job and Family 2204
Services and the Adoption Connection Program shall agree on 2205
reporting requirements to be incorporated into the grant 2206
agreement. 2207

Sec. 63.36. (A) Notwithstanding division (Q)(1) of section 2208
5111.20 of the Revised Code, when calculating indirect care costs 2209
for the purpose of establishing rates under section 5111.24 or 2210
5111.241 of the Revised Code for fiscal year 2002, "per diem," as 2211
used in sections 5111.20 to 5111.32 of the Revised Code, means a 2212
nursing facility's or intermediate care facility for the mentally 2213
retarded's actual, allowable indirect care costs in the cost 2214
reporting period divided by the greater of the facility's 2215
inpatient days for that period or the number of inpatient days the 2216
facility would have had during that period if its occupancy rate 2217
had been eighty-two per cent. 2218

~~(B) Notwithstanding division (Q)(1) of section 5111.20 of the 2219
Revised Code, when calculating indirect care costs for the purpose 2220
of establishing rates under section 5111.24 or 5111.241 of the 2221
Revised Code for fiscal year 2003, "per diem," as used in sections 2222
5111.20 to 5111.32 of the Revised Code, means a nursing facility's 2223
or intermediate care facility for the mentally retarded's actual, 2224
allowable indirect care costs in the cost reporting period divided 2225
by the greater of the facility's inpatient days for that period or 2226
the number of inpatient days the facility would have had during 2227
that period if its occupancy rate had been eighty-seven per cent. 2228~~

~~(C) Notwithstanding division (Q)(2) of section 5111.20 of the 2229
Revised Code, when calculating capital costs for the purpose of 2230
establishing rates under section 5111.25 or 5111.251 of the 2231
Revised Code for fiscal year 2002, "per diem," as used in sections 2232
5111.20 to 5111.32 of the Revised Code, means a nursing facility's 2233
or intermediate care facility for the mentally retarded's actual, 2234
allowable capital costs in the cost reporting period divided by 2235
the greater of the facility's inpatient days for that period or 2236
the number of inpatient days the facility would have had during 2237
that period if its occupancy rate had been eighty-eight per cent. 2238~~

~~(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 5111.32 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 2269
sixty-nine and seven-tenths per cent of the franchise permit fee 2270
the nursing facility pays under section 3721.53 of the Revised 2271
Code for the fiscal year the department makes the payment divided 2272
by the nursing facility's inpatient days for the calendar year 2273
preceding the calendar year in which that fiscal year begins; 2274

(3) Beginning with payments made to nursing facilities in 2275
August 2001, make payments to each nursing facility for fiscal 2276
years 2002 and 2003 in an amount equal to one dollar and fifty 2277
cents per Medicaid day for the purpose of enhancing quality of 2278
care. 2279

(C) Any money remaining in the Nursing Facility Stabilization 2280
Fund after payments specified in division (B) of this section are 2281
made for fiscal years 2002 and 2003 shall be retained in the fund. 2282
Any interest or other investment proceeds earned on money in the 2283
fund shall be credited to the fund and used to make payments in 2284
accordance with division (B) of this section. 2285

(D) Notwithstanding division (N) of section 5111.20 of the 2286
Revised Code, the Department of Job and Family Services, in making 2287
Medicaid payments to a nursing facility under sections 5111.20 to 2288
5111.32 of the Revised Code, shall exclude from a nursing 2289
facility's other protected costs the cost of sixty-nine and 2290
seven-tenths per cent of the franchise permit fee that the nursing 2291
facility pays under section 3721.53 of the Revised Code for fiscal 2292
years 2002 and 2003 if the nursing facility receives payments 2293
under division (B)(2) of this section for sixty-nine and 2294
seven-tenths per cent of those franchise permit fees." 2295

Sec. 96. RSC REHABILITATION SERVICES COMMISSION 2296

General Revenue Fund 2297

GRF 415-100 Personal Services	\$	8,506,587	\$	8,949,644	2298
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GRF 415-401 Personal Care	\$	943,374	\$	943,374	2299
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		Assistance				
GRF	415-402	Independent Living	\$	398,582	\$	398,582
		Council				2300
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	\$	564,799	\$	564,799
		Rehabilitation/Job and				
		Family Services				
GRF	415-406	Assistive Technology	\$	50,000	\$	50,000
GRF	415-431	Office for People with	\$	246,856	\$	247,746
		Brain Injury				2305
GRF	415-506	Services for People	\$	11,785,245	\$	12,082,297
		with Disabilities				2306
GRF	415-508	Services for the Deaf	\$	145,040	\$	145,040
GRF	415-509	Services for the	\$	378,043	\$	378,044
		Elderly				2308
GRF	415-520	Independent Living	\$	61,078	\$	61,078
		Services				2309
TOTAL GRF		General Revenue Fund	\$	25,160,379	\$	25,901,378
		General Services Fund Group				2310
4W5	415-606	Administrative	\$	18,775,759	\$	19,649,829
		Expenses				2312
467	415-609	Business Enterprise	\$	1,585,602	\$	1,493,586
		Operating Expenses				2313
TOTAL GSF		General Services				2314
		Fund Group	\$	20,361,361	\$	21,143,415
		Federal Special Revenue Fund Group				2315
3L1	415-601	Social Security	\$	3,044,146	\$	3,044,146
		Personal Care				
		Assistance				
3L1	415-605	Social Security	\$	1,100,488	\$	1,100,488
		Community Centers for				2317

		the Deaf					
3L1	415-607	Social Security	\$	163,596	\$	171,085	2319
		Administration Cost					
3L1	415-608	Social Security	\$	16,949,140	\$	7,309,984	2320
		Special					
		Programs/Assistance					
3L1	415-610	Social Security	\$	1,338,324	\$	1,338,324	2321
		Vocational					
		Rehabilitation					
3L4	415-612	Federal-Independent	\$	681,726	\$	681,726	2322
		Living Centers or					
		Services					
3L4	415-615	Federal - Supported	\$	1,753,738	\$	1,753,738	2323
		Employment					
3L4	415-617	Independent	\$	1,033,853	\$	1,035,196	2324
		Living/Vocational					
		Rehabilitation					
		Programs					
317	415-620	Disability	\$	68,752,767	\$	71,452,334	2325
		Determination					
379	415-616	Federal-Vocational	\$	107,747,928	\$	110,980,366	2326
		Rehabilitation					
		TOTAL FED Federal Special					2327
		Revenue Fund Group	\$	202,565,706	\$	198,867,387	2328
		State Special Revenue Fund Group					2329
4L1	415-619	Services for	\$	5,698,621	\$	5,260,262	2330
		Rehabilitation					
468	415-618	Third Party Funding	\$	1,231,465	\$	892,991	2331
		TOTAL SSR State Special					2332
		Revenue Fund Group	\$	6,930,086	\$	6,153,253	2333
		TOTAL ALL BUDGET FUND GROUPS	\$	255,017,532	\$	252,065,433	2334
		STAND CONCESSIONS FUND - CREDITING OF INCOME					2335

In crediting interest and other income earned on moneys 2336
deposited in the Stand Concessions Fund (Fund 467), the Treasurer 2337
of State and Director of Budget and Management shall ensure that 2338
the requirements of section 3304.35 of the Revised Code are met. 2339

PERSONAL CARE ASSISTANCE 2340

The foregoing appropriation item 415-401, Personal Care 2341
Assistance, shall be used in addition to Social Security 2342
reimbursement funds to provide personal care assistance services. 2343
These funds shall not be used in lieu of Social Security 2344
reimbursement funds. 2345

MR/DD SERVICES 2346

The foregoing appropriation item 415-404, MR/DD Services, 2347
shall be used as state matching funds to provide vocational 2348
rehabilitation services to mutually eligible clients between the 2349
Rehabilitation Services Commission and the Department of Mental 2350
Retardation and Developmental Disabilities. The Rehabilitation 2351
Services Commission shall report to the Department of Mental 2352
Retardation and Developmental Disabilities, as outlined in an 2353
interagency agreement, on the number and status of mutually 2354
eligible clients and the status of the funds and expenditures for 2355
these clients. 2356

VOCATIONAL REHABILITATION/JOB AND FAMILY SERVICES 2357

The foregoing appropriation item 415-405, Vocational 2358
Rehabilitation/Job and Family Services, shall be used as state 2359
matching funds to provide vocational rehabilitation services to 2360
mutually eligible clients between the Rehabilitation Services 2361
Commission and the Department of Job and Family Services. The 2362
Rehabilitation Services Commission shall report to the Department 2363
of Job and Family Services, as outlined in an interagency 2364
agreement, on the number and status of mutually eligible clients 2365
and the status of the funds and expenditures for these clients. 2366

ASSISTIVE TECHNOLOGY 2367

The foregoing appropriation item 415-406, Assistive 2368
Technology, shall be provided to Assistive Technology of Ohio and 2369
shall be used only to provide grants under that program. No amount 2370
of the appropriation may be used for administrative costs. 2371

OFFICE FOR PEOPLE WITH BRAIN INJURY 2372

Of the foregoing appropriation item 415-431, Office for 2373
People with Brain Injury, \$100,000 in each fiscal year shall be 2374
used for the state match for a federal grant awarded through the 2375
Traumatic Brain Injury Act, Pub. L. No. 104-166, and \$50,000 in 2376
fiscal year 2002 and \$50,000 in fiscal year 2003 shall be provided 2377
to the Brain Injury Trust Fund. The remaining appropriation in 2378
this item shall be used to plan and coordinate head-injury-related 2379
services provided by state agencies and other government or 2380
private entities, to assess the needs for such services, and to 2381
set priorities in this area. 2382

SERVICES FOR PEOPLE WITH DISABILITIES 2383

On verification of the receipt of revenue in Fund 3W2, Title 2384
XX Vocational Rehabilitation, the Director of Budget and 2385
Management shall transfer those funds to the General Revenue Fund. 2386
The transferred funds are appropriated to appropriation item 2387
415-506, Services for People with Disabilities. The foregoing 2388
appropriation item 415-506, Services for People with Disabilities, 2389
includes transferred funds of \$600,000 in fiscal year 2002 and 2390
\$897,052 in fiscal year 2003. 2391

SERVICES FOR THE DEAF 2392

The foregoing appropriation item 415-508, Services for the 2393
Deaf, shall be used to supplement Social Security reimbursement 2394
funds used to provide grants to community centers for the deaf. 2395
These funds shall not be used in lieu of Social Security 2396
reimbursement funds. 2397

SERVICES FOR THE ELDERLY	2398
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.	2399 2400 2401 2402
SOCIAL SECURITY REIMBURSEMENT FUNDS	2403
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:	2404 2405 2406 2407 2408
(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;	2409 2410 2411
(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;	2412 2413 2414 2415
(C) Appropriation item 415-607, Social Security Administration Cost, to provide administrative services needed to administer the Social Security reimbursement program;	2416 2417 2418
(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.	2419 2420 2421 2422 2423 2424 2425
(E) Appropriation item 415-610, Social Security Vocational Rehabilitation, to provide vocational rehabilitation services to	2426 2427

individuals with severe disabilities to achieve a noncompetitive	2428
employment goal such as homemaker.	2429
ADMINISTRATIVE EXPENSES	2430
The foregoing appropriation item 415-606, Administrative	2431
Expenses, shall be used to support the administrative functions of	2432
the commission related to the provision of vocational	2433
rehabilitation, disability determination services, and ancillary	2434
programs.	2435
INDEPENDENT LIVING COUNCIL	2436
The foregoing appropriation items 415-402, Independent Living	2437
Council, shall be used to fund the operations of the State	2438
Independent Living Council.	2439
MENTAL HEALTH SERVICES	2440
The foregoing appropriation item 415-403, Mental Health	2441
Services, shall be used for the provision of vocational	2442
rehabilitation services to mutually eligible consumers of the	2443
Rehabilitation Services Commission and the Department of Mental	2444
Health.	2445
The Department of Mental Health shall receive a quarterly	2446
report from the Rehabilitation Services Commission stating the	2447
numbers served, numbers placed in employment, average hourly wage,	2448
and average hours worked.	2449
INDEPENDENT LIVING SERVICES	2450
The foregoing appropriation items 415-520, Independent Living	2451
Services, and 415-612, Federal-Independent Living Centers or	2452
Services, shall be used to support state independent living	2453
centers or independent living services pursuant to Title VII of	2454
the Independent Living Services and Centers for Independent Living	2455
of the Rehabilitation Act Amendments of 1992, 106 Stat. 4344, 29	2456
U.S.C. 796d.	2457

INDEPENDENT LIVING/VOCATIONAL REHABILITATION PROGRAMS 2458

The foregoing appropriation item 415-617, Independent 2459
Living/Vocational Rehabilitation Programs, shall be used to 2460
support vocational rehabilitation programs, including, but not 2461
limited to, Projects with Industry and Training Grants. 2462

Section 4. That existing Sections 13.04, 28.02, 41, 41.10, 2463
44.02, 44.12, 56, 56.01, 63, 63.09, 63.10, 63.11, 63.15, 63.36, 2464
63.37, and 96 of Am. Sub. H.B. 94 of the 124th General Assembly 2465
are hereby repealed. 2466

Section 5. Section 175.21 of the Revised Code, as amended by 2467
this act, shall take effect September 5, 2001. 2468

Section 6. Taxes imposed pursuant to Chapter 5748. of the 2469
Revised Code that otherwise meet the requirements established 2470
under division (A)(2) of Section 201 of Am. Sub. H.B. 94 of the 2471
124th General Assembly shall be eligible for treatment as 2472
"qualifying delinquent taxes" under Section 201 of that act. For 2473
such purpose, "taxpayer", as used in that section, shall include 2474
any individual or other person subject to the tax imposed under 2475
Chapter 5748. of the Revised Code. Notwithstanding division (D) of 2476
Section 201 of Am. Sub. H.B. 94 of the 124th General Assembly, 2477
qualifying delinquent taxes and interest thereon collected 2478
pursuant to this section shall be credited and distributed as 2479
required under divisions (C) and (D) of section 5747.03 of the 2480
Revised Code. 2481

Section 7. This act is hereby declared to be an emergency 2482
measure necessary for the immediate preservation of the public 2483
peace, health, and safety. The necessity occurs because errors in 2484
Am. Sub. H.B. 94 of the 124th General Assembly, the recently 2485
enacted biennial operating budget measure, need to be cured at the 2486

earliest possible time in order to prevent or remedy legislatively 2487
unintended results. Therefore, this act shall go into immediate 2488
effect. 2489