

**As Reported by the House Finance and Appropriations
Committee**

**124th General Assembly
Regular Session
2001-2002**

Sub. H. B. No. 299

**REPRESENTATIVES Carey, Evans, Schmidt, Calvert, Hoops, Oakar, Webster,
Allen, Fedor, Husted, Peterson, Widowfield, Barrett, Core, Faber**

A B I L L

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

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

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

Sec. 175.21. (A) The low- and moderate-income housing trust	15
fund is hereby created in the state treasury. The fund shall	16
consist of all appropriations, grants, gifts, loan repayments, and	17
contributions of money made from any source to the department of	18

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

(B) If after the second quarter of any year it appears to the 48
director that the full amount of the money in the low- and 49
moderate-income housing trust fund designated in that year for 50
activities that will provide housing and housing assistance to 51

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families and individuals in rural areas and small cities under division (A) of this section will not be so used, the director may reallocate all or a portion of that amount for other housing activities. In determining whether or how to reallocate money under this division, the director may consult with and shall receive advice from the housing trust fund advisory committee.

Sec. 339.19. Notwithstanding the amendment of sections 339.38, 339.39, 339.42, and 339.43 of the Revised Code, the repeal of sections 339.20, 339.21, 339.22, 339.23, 339.231, 339.24, 339.25, 339.26, 339.27, 339.28, 339.29, 339.30, 339.31, 339.32, 339.33, 339.34, 339.35, 339.36, 339.37, 339.40, 339.41, 339.45, 339.46, and 339.99 of the Revised Code, and any other changes made by Substitute Senate Bill No. 173 of the 123rd general assembly relative to the establishment, maintenance, and operation of a county tuberculosis hospital, a county tuberculosis hospital that was operating under those sections on the effective date of that act, October 10, 2000, may continue to exist and operate on and after that date as though the provisions of those sections were neither amended nor repealed and had remained in full force and effect.

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

"STATE OF OHIO IDENTIFICATION CARD"

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

The identification card shall display substantially the same

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

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

Every identification card issued to a resident of this state
shall expire, unless canceled or surrendered earlier, on the
birthday of the cardholder in the fourth year after the date on
which it is issued. Every identification card issued to a

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

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

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

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

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

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

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

When a cardholder applies for a duplicate or obtains a
replacement identification card, the cardholder shall pay a fee of
two dollars and fifty cents. A deputy registrar shall be allowed
an additional fee of ~~three~~ two dollars and seventy-five cents
commencing on July 1, 2001, three dollars and twenty-five cents

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

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

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

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

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

(C) Except in regard to an identification card issued to a 174
person who applies no more than thirty days before the applicant's 175
twenty-first birthday, neither the registrar nor any deputy 176

registrar shall issue an identification card to a person under
twenty-one years of age that does not have the characteristics
prescribed by the registrar distinguishing it from the
identification card issued to persons who are twenty-one years of
age or older.

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

Section 3. That Sections 13.04, 28.02, 44.02, 44.12, and
63.09 of Am. Sub. H.B. 94 of the 124th General Assembly be amended
to read as follows:

"Sec. 13.04. MINORITY AFFAIRS

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

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

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

~~The~~ If the director determines that unspent and unobligated
cash balances in the General Revenue Fund are sufficient to do so,

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

COAL RESEARCH AND DEVELOPMENT FUND 214

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

Sec. 44.02. HEAD START 221

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

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

The Pursuant to the interagency agreement entered into 233
between the Department of Education and the Department of Job and 234
Family Services under division (A)(2) of section 5101.801 of the 235

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

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

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

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

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

(2) The amount of state funds received for continuation per 267

grantee; 268

(3) A summary of program performance on the state critical 269
performance indicators; 270

(4) A summary of developmental progress of children 271
participating in the state-funded Head Start program; 272

(5) Any other data reflecting the performance of Head Start 273
that the department considers pertinent. 274

(C) For purposes of this section, "eligible child" means a 275
child who is at least three years of age and not of compulsory 276
school age whose family earns no more than 100 per cent of the 277
federal poverty level, except as otherwise provided in this 278
division. 279

The Department of Education, in consultation with Head Start 280
grantees or their designated representatives, shall establish 281
criteria under which individual Head Start grantees may apply to 282
the department for a waiver to include as "eligible children" 283
those children from families earning up to 185 per cent of the 284
federal poverty level when the children otherwise qualify as 285
"eligible children" under this division. 286

In order to serve children whose families receive child care 287
subsidy and whose incomes do not exceed 185 per cent of the 288
federal poverty guidelines, Head Start grantees may enroll 289
children whose families receive child care subsidy from the Ohio 290
Department of Job and Family Services. Head Start grantees 291
providing full-day, full-year comprehensive services, or otherwise 292
meeting the child care needs of working families, may partner with 293
child care centers or family day care homes or may access child 294
care subsidy directly. This provision is to meet the child care 295
needs of low-income families who are working, in training or 296
education programs, or participating in Ohio Works First ~~approved~~ 297
approved activities. 298

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

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

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

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agreement. 331

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

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

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

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

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

The ~~department~~ Department of Education or the Department of 357
Job and Family Services may audit a Head Start agency's financial 358
and program records. Head Start agencies that have financial 359
practices not in accordance with standard accounting principles, 360
that fail to substantially meet the Head Start performance 361

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standards, or that exhibit below-average performance shall be 362
subject to an on-site review. 363

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

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

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

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

(H) New agencies may be designated for state Head Start 386
funding if a Head Start agency voluntarily waives its right for 387
funding or is de-funded based on performance. In either event, the 388
grantee and delegate shall transfer control of title to property, 389
equipment, and remaining supplies obtained through this program to 390
the newly designated grantee and return any unexpended funds to 391
the department along with any reports prescribed by the 392
department. 393

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Section 3313.646 of the Revised Code does not apply to funds 394
distributed under this section. 395

(I) It is the intent of the General Assembly that 396
appropriations for appropriation items 200-406, Head Start, and 397
200-408, Public Preschool, be available for transfer between Head 398
Start and public preschool programs so that unallocated funds may 399
be used between the two programs. 400

(J) The Department of Education shall comply with all TANF 401
requirements, including reporting requirements and timelines, as 402
specified in state and federal laws, federal regulations, state 403
rules, and the Title IV-A state plan, and is responsible for 404
payment of any adverse audit finding, final disallowance of 405
federal financial participation, or other sanction or penalty 406
issued by the federal government or other entity concerning these 407
funds. ~~Having met all of the above requirements, the Department~~ 408
~~shall have the authority to administer these funds in accordance~~ 409
~~with its own rules and guidelines, including grant administration~~ 410
~~procedures. The interagency agreement between the Department of~~ 411
~~Education and the Department of Job and Family Services shall~~ 412
~~establish conditions for the reimbursement of allowable Title IV-A~~ 413
~~funds as specified in 42 U.S.C.A. 604(a), except that they may not~~ 414
~~be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits~~ 415
~~and services shall be benefits and services that 45 C.F.R.~~ 416
~~260.31(b) excludes from the definition of "assistance." The~~ 417
~~interagency agreement also shall require that Head Start agencies~~ 418
~~comply with requirements of Title IV-A of the "Social Security~~ 419
~~Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, including~~ 420
~~eligibility of individuals, reporting requirements, allowable~~ 421
~~benefits and services, use of funds, and audit requirements, as~~ 422
~~specified in state and federal laws, federal regulations, state~~ 423
~~rules, federal office of management and budget circulars, and the~~ 424
~~Title IV-A state plan. The Department of Education shall be~~ 425

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

Sec. 44.12. ADULT LITERACY EDUCATION 429

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

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

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

AUXILIARY SERVICES 445

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

STUDENT INTERVENTION SERVICES 453

The foregoing appropriation item 200-513, Student 454
Intervention Services, shall be used to assist districts providing 455

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

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

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

The interagency agreement between the Department of Education and the Department of Job and Family Services shall establish conditions for the reimbursement of allowable Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they may not be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits and services shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of "assistance." The interagency agreement also shall require that school districts receiving funds from this appropriation comply with requirements of Title IV-A of

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the "Social Security Act," 49 Stat 620 (1935), 42 U.S.C. 301, as amended, including eligibility of individuals, reporting requirements, allowable benefits and services, use of funds, and audit requirements, as specified in state and federal laws, federal regulations, state rules, federal office of management and budget circulars, and the Title IV-A state plan. The Department of Education shall be responsible for assuring that all Title IV-A funds are used solely for purposes allowable under federal regulations, section 5101.801 of the Revised Code, and the Title IV-A state plan.

POST-SECONDARY/ADULT CAREER-TECHNICAL EDUCATION

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

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

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

DISADVANTAGED PUPIL IMPACT AID

The foregoing appropriation item 200-520, Disadvantaged Pupil Impact Aid, shall be distributed to school districts according to section 3317.029 of the Revised Code. However, no money shall be

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distributed for all-day kindergarten to any school district whose
three-year average formula ADM exceeds 17,500 but whose DPIA index
is not at least equal to 1.00 in each fiscal year, unless the
Department of Education certifies that sufficient funds exist in
this appropriation to make all other payments required by section
3317.029 of the Revised Code.

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

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

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

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Lunch Program that have at least 20 per cent of students who are
eligible for free and reduced meals according to federal
standards, at a rate decided by the department; and (3) to
partially reimburse districts participating in the National School
Lunch Program for breakfast served to children eligible for free
and reduced meals enrolled in the district, at a rate decided by
the department.

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

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

Sec. 63.09. TANF

TANF COUNTY INCENTIVES

Of the foregoing appropriation item 600-689, TANF Block
Grant, the Department of Job and Family Services may provide
financial incentives to those county departments of job and family
services that have exceeded performance standards adopted by the
state department, and where the board of county commissioners has
entered into a written agreement with the state department under
section 5101.21 of the Revised Code governing the administration
of the county department. Any financial incentive funds provided
pursuant to this division shall be used by the county department
for additional or enhanced services for families eligible for
assistance under Chapter 5107. or benefits and services under

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

TANF YOUTH DIVERSION PROGRAMS

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

The remaining funds not allocated for use in juvenile
diversion activities may be used by the county for other contract
child welfare services. In counties with separate departments of
job and family services and public children services agencies, the
county department of job and family services shall serve as a pass
through to the public children services agencies for these funds.
Separate public children services agencies receiving such funds
shall comply with all TANF requirements, including reporting
requirements and timelines, as specified in state and federal
laws, federal regulations, state rules, and the Title IV-A state

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plan, and are responsible for payment of any adverse audit
finding, final disallowance of federal financial participation, or
other sanction or penalty issued by the federal government or
other entity concerning these funds.

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

KINSHIP NAVIGATORS

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

TANF FAITH-BASED CAPACITY-BUILDING PROGRAMS

From the foregoing appropriation item 600-689, TANF Block
Grant, up to \$1,000,000 in each fiscal year shall be used to
support capacity-building efforts among faith-based 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

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into the grant agreement.

TANF EDUCATION

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

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

There is hereby established the Title IV-A Education Program to be administered by the Department of Education in accordance with an interagency agreement entered into with the Department of Job and Family Services under division (A)(2) of section 5101.801 of the Revised Code. The program shall provide benefits and services to TANF eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines under a Title IV-A program pursuant to the requirements of section 5101.801 of the Revised Code. Upon approval by the Department of Job and Family Services, the Department of Education shall adopt policies and

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procedures establishing program requirements for eligibility,
services, fiscal accountability, and other criteria necessary to
comply with the provisions of Title IV-A of the "Social Security
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended.

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

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

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

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

TALBERT HOUSE 713

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

MONTGOMERY COUNTY OUT-OF-SCHOOL YOUTH PROJECT 736

In each fiscal year, the Director of Job and Family Services 737
shall provide \$1,000,000 from appropriation item 600-689, TANF 738
Block Grant, to the Montgomery County Department of Job and Family 739
Services to be used to support the Out-of-School Youth Project in 740

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Montgomery County for the purpose of providing allowable services to TANF-eligible individuals. The Montgomery County Department of Job and Family Services and the Sinclair Community College shall comply with all TANF requirements, including reporting requirements and timelines, as specified in state and federal laws, federal regulations, state rules, and the Title IV-A state plan.

APPALACHIAN WORKFORCE DEVELOPMENT AND JOB TRAINING

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

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

services beyond September 30, 2002. 773

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

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

CENTER FOR FAMILY AND CHILDREN 783

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

TANF FAMILY PLANNING 787

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

TANF FEDERAL BLOCK GRANT FUNDS AND TRANSFERS 796

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

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

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

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

The Department of Job and Family Services shall in each
 fiscal year of the biennium transfer the maximum amount of funds

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from the federal TANF Block Grant to the federal Social Services
Block Grant as permitted under federal law. Not later than July
15, 2001, the Department of Job and Family Services shall draw
\$60,000,000 in receipts from TANF funds that were transferred into
the Social Services Block Grant into State Special Revenue Fund
5Q8, in the Office of Budget and Management. Not later than June
1, 2002, the Director of Budget and Management shall determine the
amount of funds in State Special Revenue Fund 5Q8 that is needed
for the purpose of balancing the General Revenue Fund, and may
transfer that amount to the General Revenue Fund. Not later than
June 1, 2003, the Director of Budget and Management shall
determine the amount of funds in State Special Revenue Fund 5Q8
that is needed for the purpose of balancing the General Revenue
Fund, and may transfer that amount to the General Revenue Fund.
Any moneys remaining in State Special Revenue Fund 5Q8 on June 15,
2003, shall be transferred not later than June 20, 2003, to Fund
3V6, TANF Block Grant, in the Department of Job and Family
Services.

Before the thirtieth day of September of each fiscal year,
the Department of Job and Family Services shall file claims with
the United States Department of Health and Human Services for
reimbursement for all allowable expenditures for services provided
by the Department of Job and Family Services, or other agencies
that may qualify for Social Services Block Grant funding pursuant
to Title XX of the Social Security Act. The Department of Job and
Family Services shall deposit, into Fund 5E6, State Option Food
Stamps, \$6 million, into Fund 5P4, TANF Child Welfare, \$7.5
million, into Fund 3W5, Health Care Services, \$500,000, into Fund
3W8, Hippy Program, \$62,500, and into Fund 3W9, Adoption
Connection, \$50,000 and deposit in fiscal year 2002, into Fund
3W2, Title XX Vocational Rehabilitation, \$600,000, into Fund 162
in the Department of Natural Resources, \$7,885,349, and into Fund

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3W3, Adult Special Needs, \$4,720,227 in receipts from TANF Block	867
Grant funds credited to the Social Services Block Grant. On	868
verification of the receipt of the above revenue, the funds	869
provided by these transfers shall be used as follows:	870
Fund 5E6	871
Second Harvest Food Bank \$4,500,000	872
Child Nutrition Services \$900,000	873
Ohio Alliance of Boys and Girls Clubs \$600,000	874
Fund 5P4	875
Support and Expansion for PCSA Activities \$5,500,000	876
Pilot Projects for Violent and Aggressive Youth \$2,000,000	877
Fund 3W2	878
Title XX Vocational Rehabilitation in fiscal\$600,000	879
year 2002	
Fund 3W3	880
Adult Protective Services in fiscal year 2002 \$120,227	881
Non-TANF Adult Assistance in fiscal year 2002 \$1,000,000	882
Community-Based Correctional Facilities in\$3,600,000	883
fiscal year 2002	
Fund 162	884
CCC Operations in fiscal year 2002 \$7,885,349	885
Fund 3W5	886
Abstinence-only Education \$500,000	887
Fund 3W8	888
Hippy Program \$62,500	889
Fund 3W9	890
Adoption Connection \$50,000	891
WELLNESS	892
The foregoing appropriation item 600-690, Wellness, shall be	893
used by county departments of job and family services for teen	894
pregnancy prevention programming. Local contracts shall be	895
developed between county departments of job and family services	896

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and local family and children first councils for the 897
administration of TANF funding for this program." 898

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

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

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