

**As Reported by the Senate Finance and Financial Institutions
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, Grendell,
Seitz, Cates, Coates, Clancy, Schneider, Womer Benjamin, Flowers, Metzger,
Young, Otterman
SENATORS Jacobson, White**

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, 63.09, 63.15,	6
63.36, and 63.37 of Am. Sub. H.B. 94 of the 124th	7
General Assembly to change a scheduled deputy	8
registrar fee increase relative to duplicate or	9
replacement identification cards from \$3.75 to	10
\$2.75, to make other budget-related corrections, to	11
provide for the continued operation of any county	12
tuberculosis hospital that existed on the effective	13
date of Sub. S.B. 173 of the 123rd General	14
Assembly, to permit a school district to apply a	15
"local donation contribution" toward a total or	16
partial offset of its obligation to raise	17
maintenance money, to return the imputed occupancy	18
percentage for a nursing home's or ICF-MR's	19

indirect care costs for fiscal 2003 from 87% to 20
85%, to require the Department of Job and Family 21
Services to use money in the Nursing Facility 22
Stabilization Fund to pay nursing facilities an 23
amount equal to \$1.50 per Medicaid day for fiscal 24
years 2002 and 2003, to make an appropriation, and 25
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

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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.

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

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

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

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

Sec. 145.326. On and after December 31, 1971, all persons who 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.

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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 145.323 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 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.~~

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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

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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	355
1940	94	356
1941	89	357
1942	77	358
1943	70	359

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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 <u>October</u> 1, 1957, such present amount shall be increased by ten per cent.		374 375 376 377 378
(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.		379 380 381 382 383 384
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.		385 386 387 388 389 390 391 392 393

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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.

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

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

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

Sec. 3318.084. (A) Notwithstanding anything to the contrary in Chapter 3318. of the Revised Code, a school district board may apply any local donated contribution toward ~~the~~ either or both of the following:

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

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

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

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

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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.

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

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(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.

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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

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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, 63.09, 63.15, 63.36, and 63.37 of Am. Sub. H.B. 735
94 of the 124th General Assembly be amended to read as follows: 736

"Sec. 13.04. MINORITY AFFAIRS 737

The foregoing appropriation item 100-451, Minority Affairs, 738
shall be used to establish minority affairs programs within the 739
Equal Opportunity Division. The office shall provide an access 740
point and official representation to multi-cultural communities; 741
research and reports on multi-cultural issues; and educational, 742
governmental, and other services that foster multi-cultural 743
opportunities and understanding in the state of Ohio. 744

On July 1, 2001, or as soon as possible thereafter, the 745
Director of Administrative Services shall certify to the Director 746
of Budget and Management the unencumbered and unexpended cash 747
balance within GRF appropriation item 100-451, Minority Affairs, 748
for the completion of the predicate study. This amount is hereby 749
appropriated. 750

Sec. 28.02. ~~TRANSFER OF INCREASES IN GRF FUNDS APPROPRIATIONS~~ 751
TO THE DEPARTMENT OF DEVELOPMENT 752

The If the director determines that unspent and unobligated 753
cash balances in the General Revenue Fund are sufficient to do so, 754
the Director of Budget and Management, at the request of the 755
Director of Development, may transfer increase by up to \$25 756
million in ~~unobligated, unspent GRF appropriations~~ over the 757
biennium to appropriations in existing GRF appropriation items or 758
new appropriation items created by the Director of Budget and 759
Management for the Department of Development to support ~~GRF-funded~~ 760
economic development projects for which appropriations would not 761
otherwise be available. ~~The amounts transferred~~ Such increases are 762
hereby appropriated. 763

COAL RESEARCH AND DEVELOPMENT FUND 764

Notwithstanding sections 1555.08 and 1555.15 of the Revised 765
Code, on July 1, 2001, or as soon as possible thereafter, the 766

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Director of Budget and Management shall transfer all cash in the 767
 Coal Research and Development Fund (Fund 046), which represents 768
 investment earnings of that fund previously credited to that fund, 769
 to the General Revenue Fund. 770

Sec. 41. DEV DEPARTMENT OF DEVELOPMENT 771

General Revenue Fund 772

GRF 195-100 Personal Services \$ 2,651,334 \$ 2,920,941 773

GRF 195-200 Maintenance \$ 589,524 \$ 601,314 774

GRF 195-300 Equipment \$ 108,161 \$ 110,324 775

GRF 195-401 Thomas Edison Program \$ 20,000,000 \$ 20,000,000 776

GRF 195-404 Small Business \$ 2,452,342 \$ 2,529,843 777

Development

GRF 195-405 Minority Business \$ 2,278,888 \$ 2,297,314 778

Development Division

GRF 195-406 Transitional and \$ 2,770,145 \$ 2,770,155 779

Permanent Housing

GRF 195-407 Travel and Tourism \$ 6,345,500 \$ 6,448,399 780

GRF 195-408 Coal Research \$ 562,551 \$ 585,290 781

Development

GRF 195-412 Business Development \$ 8,033,935 \$ 9,092,851 782

Grants

GRF 195-414 First Frontier Match \$ 490,000 \$ 490,000 783

GRF 195-415 Regional Offices and \$ 6,420,675 \$ 6,735,253 784

Economic Development

GRF 195-416 Governor's Office of \$ 5,466,954 \$ 5,475,126 785

Appalachia

GRF 195-417 Urban/Rural Initiative \$ 980,000 \$ 980,000 786

GRF 195-422 Technology Action \$ 14,000,000 \$ 14,000,000 787

GRF 195-431 Community Development \$ 2,530,860 \$ 2,530,860 788

Corporation Grants

GRF 195-432 International Trade \$ 5,390,000 \$ 5,551,700 789

GRF 195-434 Investment in Training \$ 12,500,000 \$ 12,500,000 790

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	Grants					
GRF 195-436	Labor/Management	\$	1,146,805	\$	1,152,752	791
	Cooperation					
GRF 195-440	Emergency Shelter	\$	2,768,313	\$	2,841,441	792
	Housing Grants					
GRF 195-441	Low and Moderate	\$	19,000,000	\$	19,000,000	793
	Income Housing					
GRF 195-497	CDBG Operating Match					794
	State	\$	1,208,576	\$	1,215,295	795
GRF 195-498	State Energy Match	\$	153,558	\$	158,548	796
GRF 195-501	Appalachian Local	\$	453,962	\$	453,962	797
	Development Districts					
GRF 195-502	Appalachian Regional	\$	219,912	\$	219,912	798
	Commission Dues					
GRF 195-505	Utility Bill Credits	\$	7,350,000	\$	7,350,000	799
GRF 195-507	Travel and Tourism	\$	1,250,000	\$	1,250,000	800
	Grants					
GRF 195-510	Issue 1 Implementation	\$	1,000,000	\$	1,500,000	801
GRF 195-906	Coal Research and	\$	8,971,700	\$	9,420,300	802
	Development General					
	Obligation Debt					
	Service					
TOTAL GRF	General Revenue Fund					803
State		\$	137,093,695	\$	140,181,580	804
	General Services Fund Group					
135 195-605	Supportive Services	\$	9,038,988	\$	9,531,707	806
136 195-621	International Trade	\$	100,000	\$	24,915	807
685 195-636	General Reimbursements	\$	1,275,234	\$	1,323,021	808
TOTAL GSF	General Services Fund					809
Group		\$	10,414,222	\$	10,879,643	810
	Federal Special Revenue Fund Group					
3K8 195-613	Community Development	\$	65,149,441	\$	65,088,961	812

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		Block Grant				
3K9	195-611	Home Energy Assistance	\$	62,000,000	\$	62,000,000 813
		Block Grant				
3K9	195-614	HEAP Weatherization	\$	10,412,041	\$	10,412,041 814
3L0	195-612	Community Services	\$	22,135,000	\$	22,135,000 815
		Block Grant				
3V1	195-601	HOME Program	\$	40,000,000	\$	40,000,000 816
<u>3X3</u>	<u>195-619</u>	<u>TANF Housing Program</u>	\$	<u>5,200,000</u>	\$	<u>0</u> 817
308	195-602	Appalachian Regional	\$	350,000	\$	350,200 818
		Commission				
308	195-603	Housing and Urban	\$	5,000,000	\$	5,000,000 819
		Development				
308	195-605	Federal Projects	\$	7,855,501	\$	7,855,501 820
308	195-609	Small Business	\$	3,799,626	\$	3,799,626 821
		Administration				
308	195-618	Energy Federal Grants	\$	2,803,560	\$	2,803,560 822
335	195-610	Oil Overcharge	\$	8,500,000	\$	8,500,000 823
380	195-622	Housing Development	\$	4,507,212	\$	4,696,198 824
		Operating				
		TOTAL FED Federal Special Revenue				825
		Fund Group	\$	232,512,381	\$	232,641,087 826
			\$	<u>237,712,381</u>		827
		State Special Revenue Fund Group				828
4F2	195-639	State Special Projects	\$	1,052,762	\$	1,079,082 829
4H4	195-641	First Frontier	\$	600,000	\$	650,000 830
4S0	195-630	Enterprise Zone	\$	211,900	\$	211,900 831
		Operating				
4S1	195-634	Job Creation Tax	\$	372,700	\$	375,800 832
		Credit Operating				
4W1	195-646	Minority Business	\$	2,572,960	\$	2,580,597 833
		Enterprise Loan				
444	195-607	Water and Sewer	\$	511,000	\$	523,775 834
		Commission Loans				

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445	195-617	Housing Finance Operating	\$	3,782,808	\$	3,968,184	835
450	195-624	Minority Business Bonding Program Administration	\$	13,232	\$	13,563	836
451	195-625	Economic Development Financing Operating	\$	2,062,451	\$	2,143,918	837
5M4	195-659	Universal Service	\$	160,000,000	\$	160,000,000	838
5M5	195-660	Energy Efficiency Revolving Loan	\$	12,000,000	\$	12,000,000	839
611	195-631	Water and Sewer Administration	\$	15,330	\$	15,713	840
617	195-654	Volume Cap Administration	\$	200,000	\$	200,000	841
646	195-638	Low and Moderate Income Housing Trust Fund	\$	21,539,552	\$	22,103,807	842
TOTAL SSR State Special Revenue							843
Fund Group			\$	204,934,695	\$	205,866,339	844
Facilities Establishment Fund							845
037	195-615	Facilities Establishment	\$	56,701,684	\$	58,119,226	846
4Z6	195-647	Rural Industrial Park Loan	\$	5,000,000	\$	5,000,000	847
5D1	195-649	Port Authority Bond Reserves	\$	2,500,000	\$	2,500,000	848
5D2	195-650	Urban Redevelopment Loans	\$	10,000,000	\$	10,475,000	849
5H1	195-652	Family Farm Loan Guarantee	\$	2,246,375	\$	2,246,375	850
TOTAL 037 Facilities							851
Establishment Fund			\$	76,448,059	\$	78,340,601	852

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Coal Research/Development Fund				853
046 195-632 Coal Research and	\$	12,847,178	\$	13,168,357
Development Fund				854
TOTAL 046 Coal Research/				855
Development Fund	\$	12,847,178	\$	13,168,357
TOTAL ALL BUDGET FUND GROUPS	\$	679,450,230	\$	687,577,607
	\$	<u>684,650,230</u>		858

Sec. 41.10. EMERGENCY SHELTER HOUSING GRANTS 860

(A) As used in this section, "emergency shelter housing" 861
means a structure suitable for the temporary housing of the 862
homeless and the provision of, or referral to, supportive 863
services. Shelters that restrict admission to victims of domestic 864
violence, runaways, or alcohol or substance abusers shall not be 865
considered emergency shelter housing. 866

(B) The foregoing appropriation item 195-440, Emergency 867
Shelter Housing Grants, shall be used by the Office of Housing and 868
Community Partnerships in the Department of Development to make 869
grants to private, nonprofit organizations to provide emergency 870
shelter housing for the homeless. The department shall distribute 871
the grants pursuant to rules adopted by the Director of 872
Development. The director may amend or rescind the rules and may 873
adopt other rules necessary to implement this section. In awarding 874
grants, the department shall give preference to organizations 875
applying to fund existing emergency shelter housing. 876

The department shall notify each organization that applied 877
for a grant under this section of the amount of its grant award, 878
if any. To receive a grant, the organization shall provide 879
matching funds equal to 50 per cent of the total grant it was 880
awarded. The organization shall expend its grant for shelter 881
operations and supportive services, which include employment 882
assistance, case management, information and referral services, 883

transportation, and clothing. In providing employment assistance, 884
the organization shall, at a minimum, refer persons to the 885
Department of Job and Family Services. 886

LOW AND MODERATE INCOME HOUSING 887

The Director of Budget and Management, after consulting with 888
the Director of Development, shall transfer up to \$19,000,000 from 889
appropriation item 195-441, Low and Moderate Income Housing, to 890
appropriation item 195-638, Low and Moderate Income Housing Trust 891
Fund. This transfer shall be made via an intrastate transfer 892
voucher. 893

UTILITY BILL CREDIT 894

The foregoing appropriation item 195-505, Utility Bill 895
Credits, shall be used to provide utility and fuel assistance to 896
eligible low-income Ohio households with elderly and disabled 897
members. 898

TANF HOUSING PROGRAM 899

There is hereby established the TANF Housing Program to be 900
administered by the Department of Development in accordance with 901
an interagency agreement entered into with the Department of Job 902
and Family Services under section 5101.801 of the Revised Code. 903
The program shall provide benefits and services to TANF eligible 904
individuals under a Title IV-A program pursuant to the 905
requirements of section 5101.801 of the Revised Code. 906

The foregoing appropriation item 195-619, TANF Housing 907
Program, shall be used to provide supportive services for 908
low-income families related to housing or homelessness, including 909
housing counseling; to provide grants to nonprofit organizations 910
to assist Title IV-A eligible families with incomes at or below 911
200 per cent of the federal poverty guidelines with down-payment 912
assistance for homeownership or down-payment assistance toward the 913
purchase of mobile homes, to provide emergency home repair funding 914

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for Title IV-A eligible families with incomes at or below 200 per cent of the federal poverty guidelines; to provide operating support for family emergency shelter programs; and to provide emergency rent and mortgage assistance for families with incomes at or below 200 per cent of the federal poverty guidelines. The funds shall not be used to match federal funds.

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

The Department of Job and Family Services shall transfer into the TANF Housing Fund (3X3) of the Department of Development, which is hereby created, funds necessary to reimburse allowable TANF Housing Program expenditures as reported by the Department of Development. The transfer of funds shall be made by intrastate transfer vouchers processed against appropriation item 600-689, TANF Block Grant, of the Department of Job and Family Services and shall not exceed \$5,200,000 in fiscal year 2002. The Controlling Board may approve additional transfers in fiscal year 2003 pursuant to requests submitted by the Department of Job and Family Services after consultation with the Department of Development and approved by the Office of Budget and Management. The amounts transferred in fiscal year 2003 are hereby appropriated.

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

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

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

Sec. 44.02. HEAD START

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

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

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

Moneys distributed under this heading shall not be used to reduce expenditures from funds received by a Head Start agency

from any other sources. Section 3301.31 of the Revised Code does 977
not apply to funds distributed under this heading. In lieu of 978
section 3301.31 of the Revised Code, distribution of moneys under 979
this heading shall be as follows: 980

(A) In fiscal years 2002 and 2003, up to two per cent of the 981
appropriation may be used by the department for administrative 982
costs of complying with this section; developing program capacity; 983
and assisting programs with facilities planning, construction, 984
renovation, or lease agreements in combination with the Community 985
Development Finance Fund (CDFF). Up to \$1,530,000 in fiscal year 986
2002 and up to \$1,560,600 in fiscal year 2003 may be used for the 987
services of literacy specialist and training in early literacy for 988
Head Start classroom teachers and administrators to support the 989
OhioReads Initiative. 990

(B) The department shall provide an annual report to the 991
Governor, the Speaker of the House of Representatives, the 992
President of the Senate, the State Board of Education, Head Start 993
grantees, and other interested parties. The report shall include 994
the following: 995

(1) The number and per cent of eligible children by county 996
and by grantee; 997

(2) The amount of state funds received for continuation per 998
grantee; 999

(3) A summary of program performance on the state critical 1000
performance indicators; 1001

(4) A summary of developmental progress of children 1002
participating in the state-funded Head Start program; 1003

(5) Any other data reflecting the performance of Head Start 1004
that the department considers pertinent. 1005

(C) For purposes of this section, "eligible child" means a 1006

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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

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

The In accordance with the interagency agreement, the 1047
department may reallocate unobligated or unspent money to 1048
participating Head Start agencies for: (1) facilities planning 1049
grants and to leverage construction, renovation, or lease 1050
agreements and for repair of critical deferred maintenance and 1051
safety items in combination with the CDFF; (2) teacher 1052
professional development and enhanced compensation in order to 1053
meet the requirements of section 3301.311 of the Revised Code; (3) 1054
meeting the documentation and reporting requirements and for 1055
technical support in accordance with division (F) of this section; 1056
and (4) expansion, improvement, or special projects to promote 1057
excellence and innovation. 1058

(E) Costs for developing and administering a Head Start 1059
program may not exceed ~~fifteen per cent of the total approved~~ 1060
~~costs of the program~~ the costs established in the interagency 1061
agreement. 1062

All recipients of funds shall maintain such fiscal control 1063
and accounting procedures as may be necessary to ensure the 1064
disbursement of, and accounting for, these funds in accordance 1065
with section 5101.801 of the Revised Code. The control of funds 1066
provided in this program, and title to property obtained 1067
therefrom, shall be under the authority of the approved recipient 1068
for purposes provided in the program. The approved recipient shall 1069
administer and use such property and funds for the purposes 1070

specified. 1071

Each recipient shall furnish the department an annual audit 1072
that includes the review of ~~state~~ funds received under this 1073
section. 1074

In conjunction with the required audit of federal ~~Head Start~~ 1075
funds, the independent auditor shall examine state Head Start 1076
funds in accordance with the federal regulations and agreed-upon 1077
state procedures formulated by the department. 1078

(F) The department shall prescribe target levels for critical 1079
performance indicators for the purpose of assessing Head Start 1080
programs. On-site reviews and follow-up visits shall be based on 1081
grantee progress in meeting the prescribed target levels. 1082

The Department of Education, in consultation with the 1083
interested parties, including the state Department of Job and 1084
Family Services, shall develop the criteria to be used by Head 1085
Start grantees and delegate agencies with developing partnership 1086
agreements. 1087

The ~~department~~ Department of Education or the Department of 1088
Job and Family Services may audit a Head Start agency's financial 1089
and program records. Head Start agencies that have financial 1090
practices not in accordance with standard accounting principles, 1091
that fail to substantially meet the Head Start performance 1092
standards, or that exhibit below-average performance shall be 1093
subject to an on-site review. 1094

The ~~department~~ Department of Education shall require 1095
corrective plans of action for programs not achieving target 1096
levels or financial and program standards. Action plans shall 1097
include activities to be conducted by the grantee and timelines 1098
for activities to be completed and timelines for additional data 1099
submission to the department demonstrating targets have been met. 1100
The Policy Council chairperson and the appropriate grantee board 1101

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official shall sign the corrective plans of action. 1102

Head Start programs not meeting performance targets in 1103
accordance with the plan of action and prescribed timelines may 1104
have their funding reduced until targets are met, or have all 1105
state funds withdrawn. 1106

The department shall require school districts to collect 1107
"preschool" information by program type. All data shall be 1108
reported via the Education Management Information System (EMIS). 1109

(G) The department shall develop prekindergarten reading and 1110
mathematics content standards and model curricula. These standards 1111
and curricula shall be made available to grantees. Head Start 1112
grantees delegate agencies, and child care partners shall document 1113
child progress, using a common instrument prescribed by the 1114
department, and report results annually. The department shall 1115
determine the dates for documenting and reporting. 1116

(H) New agencies may be designated for state Head Start 1117
funding if a Head Start agency voluntarily waives its right for 1118
funding or is de-funded based on performance. In either event, the 1119
grantee and delegate shall transfer control of title to property, 1120
equipment, and remaining supplies obtained through this program to 1121
the newly designated grantee and return any unexpended funds to 1122
the department along with any reports prescribed by the 1123
department. 1124

Section 3313.646 of the Revised Code does not apply to funds 1125
distributed under this section. 1126

(I) It is the intent of the General Assembly that 1127
appropriations for appropriation items 200-406, Head Start, and 1128
200-408, Public Preschool, be available for transfer between Head 1129
Start and public preschool programs so that unallocated funds may 1130
be used between the two programs. 1131

(J) The Department of Education shall comply with all TANF 1132

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requirements, including reporting requirements and timelines, as 1133
specified in state and federal laws, federal regulations, state 1134
rules, and the Title IV-A state plan, and is responsible for 1135
payment of any adverse audit finding, final disallowance of 1136
federal financial participation, or other sanction or penalty 1137
issued by the federal government or other entity concerning these 1138
funds. ~~Having met all of the above requirements, the Department~~ 1139
~~shall have the authority to administer these funds in accordance~~ 1140
~~with its own rules and guidelines, including grant administration~~ 1141
~~procedures. The interagency agreement between the Department of~~ 1142
Education and the Department of Job and Family Services shall 1143
establish conditions for the reimbursement of allowable Title IV-A 1144
funds as specified in 42 U.S.C.A. 604(a), except that they may not 1145
be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits 1146
and services shall be benefits and services that 45 C.F.R. 1147
260.31(b) excludes from the definition of "assistance." The 1148
interagency agreement also shall require that Head Start agencies 1149
comply with requirements of Title IV-A of the "Social Security 1150
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, including 1151
eligibility of individuals, reporting requirements, allowable 1152
benefits and services, use of funds, and audit requirements, as 1153
specified in state and federal laws, federal regulations, state 1154
rules, federal office of management and budget circulars, and the 1155
Title IV-A state plan. The Department of Education shall be 1156
responsible for assuring that all Title IV-A funds are used solely 1157
for purposes allowable under federal regulations, section 5101.801 1158
of the Revised Code, and the Title IV-A state plan. 1159

Sec. 44.12. ADULT LITERACY EDUCATION 1160

The foregoing appropriation item 200-509, Adult Literacy 1161
Education, shall be used to support adult basic and literacy 1162
education instructional programs and the State Literacy Resource 1163
Center Program. 1164

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

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

AUXILIARY SERVICES

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

STUDENT INTERVENTION SERVICES

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

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~~the Director of Budget and Management shall transfer 1196~~
~~\$35,000,000 from Fund 3W6, TANF Education, to the General Revenue 1197~~
~~Fund. The transferred funds are appropriated for the appropriation 1198~~
~~item 200-513, Student Intervention Services. The foregoing 1199~~
~~appropriation item 200-513, Student Intervention Services, 1200~~
~~includes transferred funds of \$35,000,000 in fiscal year 2003. 1201~~

The Department of Education shall comply with all TANF 1202
 requirements, including reporting requirements and timelines, as 1203
 specified in state and federal laws, federal regulations, state 1204
 rules, and the Title IV-A state plan, and is responsible for 1205
 payment of any adverse audit finding, final disallowance of 1206
 federal financial participation, or other sanction or penalty 1207
 issued by the federal government or other entity concerning these 1208
 funds. 1209

The interagency agreement between the Department of Education 1210
and the Department of Job and Family Services shall establish 1211
conditions for the reimbursement of allowable Title IV-A funds as 1212
specified in 42 U.S.C.A. 604(a), except that they may not be 1213
"assistance" as defined in 45 C.F.R. 260.31(a). The benefits and 1214
services shall be benefits and services that 45 C.F.R. 260.31(b) 1215
excludes from the definition of "assistance." The interagency 1216
agreement also shall require that school districts receiving funds 1217
from this appropriation comply with requirements of Title IV-A of 1218
the "Social Security Act," 49 Stat 620 (1935), 42 U.S.C. 301, as 1219
amended, including eligibility of individuals, reporting 1220
requirements, allowable benefits and services, use of funds, and 1221
audit requirements, as specified in state and federal laws, 1222
federal regulations, state rules, federal office of management and 1223
budget circulars, and the Title IV-A state plan. The Department of 1224
Education shall be responsible for assuring that all Title IV-A 1225
funds are used solely for purposes allowable under federal 1226
regulations, section 5101.801 of the Revised Code, and the Title 1227

<u>IV-A state plan.</u>	1228
POST-SECONDARY/ADULT CAREER-TECHNICAL EDUCATION	1229
The foregoing appropriation item 200-514,	1230
Post-Secondary/Adult Career-Technical Education, shall be used by	1231
the State Board of Education to provide post-secondary/adult	1232
career-technical education under sections 3313.52 and 3313.53 of	1233
the Revised Code.	1234
Of the foregoing appropriation item 200-514,	1235
Post-Secondary/Adult Career-Technical Education, up to \$500,000 in	1236
each fiscal year shall be allocated for the Ohio Career	1237
Information System (OCIS) and used for the dissemination of career	1238
information data to public schools, libraries, rehabilitation	1239
centers, two- and four-year colleges and universities, and other	1240
governmental units.	1241
Of the foregoing appropriation item 200-514,	1242
Post-Secondary/Adult Career-Technical Education, up to \$40,000 in	1243
each fiscal year shall be used for the statewide coordination of	1244
the activities of the Ohio Young Farmers.	1245
DISADVANTAGED PUPIL IMPACT AID	1246
The foregoing appropriation item 200-520, Disadvantaged Pupil	1247
Impact Aid, shall be distributed to school districts according to	1248
section 3317.029 of the Revised Code. However, no money shall be	1249
distributed for all-day kindergarten to any school district whose	1250
three-year average formula ADM exceeds 17,500 but whose DPIA index	1251
is not at least equal to 1.00 in each fiscal year, unless the	1252
Department of Education certifies that sufficient funds exist in	1253
this appropriation to make all other payments required by section	1254
3317.029 of the Revised Code.	1255
The Department of Education shall pay all-day, everyday	1256
kindergarten funding to all school districts in fiscal year 2002	1257
and fiscal year 2003 that qualified for and provided the service	1258

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

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

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

Of the portion of the funds distributed to the Cleveland City School District under section 3317.029 of the Revised Code

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

Of the foregoing appropriation item 200-520, Disadvantaged 1296
 Pupil Impact Aid, \$1,000,000 in each fiscal year shall be used to 1297
 support dropout recovery programs administered by the Department 1298
 of Education, Jobs for Ohio's Graduates Program. 1299

Sec. 56. DOH DEPARTMENT OF HEALTH 1300

General Revenue Fund 1301

GRF 440-406 Hemophilia Services \$ 1,230,492 \$ 1,230,492 1302

GRF 440-407 Animal Borne Disease \$ 2,643,874 \$ 2,598,297 1303
 and Prevention

GRF 440-412 Cancer Incidence \$ 898,978 \$ 1,104,175 1304
 Surveillance System

GRF 440-413 Ohio Health Care \$ 3,056,959 \$ 3,157,200 1305
 Policy and Data

GRF 440-416 Child and Family \$ ~~11,187,078~~ \$ ~~10,839,187~~ 1306
 Health Services

11,437,078 10,889,187 1307

GRF 440-418 Immunizations \$ 9,403,469 \$ 9,616,514 1308

GRF 440-419 Sexual Assault \$ 50,000 \$ 50,000 1309
 Prevention and
 Intervention

GRF 440-444 AIDS Prevention and \$ 9,142,101 \$ 9,476,508 1310
 Treatment

GRF 440-446 Infectious Disease \$ 642,821 \$ 649,291 1311
 Prevention

GRF 440-451 Public Health \$ 7,708,440 \$ 7,212,245 1312
 Prevention Programs

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GRF 440-452	Child and Family	\$	1,316,947	\$	1,320,455	1313
	Health Care Operations					
GRF 440-453	Health Care Facility	\$	12,466,643	\$	12,662,779	1314
	Protection and Safety					
GRF 440-454	Local Environmental	\$	1,243,340	\$	1,244,824	1315
	Health					
GRF 440-459	Help Me Grow	\$	12,500,000	\$	12,500,000	1316
GRF 440-461	Vital Statistics	\$	3,891,580	\$	3,863,425	1317
GRF 440-501	Local Health Districts	\$	3,991,111	\$	3,991,111	1318
GRF 440-504	Poison Control Network	\$	388,000	\$	388,000	1319
GRF 440-505	Medically Handicapped	\$	7,634,095	\$	7,540,879	1320
	Children					
GRF 440-507	Cystic Fibrosis	\$	818,131	\$	818,131	1321
GRF 440-508	Migrant Health	\$	120,767	\$	118,049	1322
GRF 440-510	Arthritis Care	\$	75,000	\$	75,000	1323
TOTAL GRF	General Revenue Fund	\$	90,409,826	\$	90,456,562	1324
			<u>90,659,826</u>		<u>90,506,562</u>	1325
General Services Fund Group						1326
142 440-618	General Operations	\$	2,764,557	\$	2,892,340	1327
211 440-613	Central Support	\$	25,527,855	\$	26,149,512	1328
	Indirect Costs					
473 440-622	Lab Operating Expenses	\$	4,006,440	\$	4,154,045	1329
5C1 440-642	TANF Family Planning	\$	255,500	\$	261,888	1330
683 440-633	Employee Assistance	\$	1,017,408	\$	1,062,965	1331
	Program					
698 440-634	Nurse Aide Training	\$	240,000	\$	265,808	1332
TOTAL GSF	General Services					1333
Fund Group		\$	33,811,760	\$	34,786,558	1334
Federal Special Revenue Fund Group						1335
320 440-601	Maternal Child Health	\$	32,702,100	\$	34,335,562	1336
	Block Grant					
387 440-602	Preventive Health	\$	9,278,173	\$	9,278,173	1337

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

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666 440-607 Medically Handicapped	\$	14,039,889	\$	14,039,889	1360
Children - County					
Assessments					
TOTAL SSR State Special Revenue					1361
Fund Group	\$	42,094,391	\$	43,319,691	1362
Holding Account Redistribution Fund Group					1363
R14 440-631 Vital Statistics	\$	49,000	\$	49,000	1364
R48 440-625 Refunds, Grants	\$	20,000	\$	20,000	1365
Reconciliation, and					
Audit Settlements					
Redistribution Fund Group	\$	69,000	\$	69,000	1367
TOTAL ALL BUDGET FUND GROUPS	\$	494,897,157	\$	510,886,912	1368
		<u>495,147,157</u>		<u>510,936,912</u>	1369

Sec. 56.01. HEMOPHILIA SERVICES 1371

Of the foregoing appropriation item 440-406, Hemophilia 1372
 Services, \$205,000 in each fiscal year shall be used to implement 1373
 the Hemophilia Insurance Pilot Project. 1374

Of the foregoing appropriation item 440-406, Hemophilia 1375
 Services, up to \$245,000 in each fiscal year shall be used by the 1376
 Department of Health to provide grants to the nine hemophilia 1377
 treatment centers to provide prevention services for persons with 1378
 hemophilia and their family members affected by AIDS and other 1379
 bloodborne pathogens. 1380

CANCER REGISTRY SYSTEM 1381

Of the foregoing appropriation item 440-412, Cancer Incidence 1382
 Surveillance System, \$50,000 in each fiscal year shall be provided 1383
 to the Northern Ohio Cancer Resource Center. 1384

The remaining moneys in appropriation item 440-412, Cancer 1385
 Incidence Surveillance System, shall be used to maintain and 1386
 operate the Ohio Cancer Incidence Surveillance System pursuant to 1387

sections 3701.261 to 3701.263 of the Revised Code. 1388

No later than March 1, 2002, the Ohio Cancer Incidence 1389
Surveillance Advisory Board shall report to the General Assembly 1390
on the effectiveness of the cancer incidence surveillance system 1391
and the partnership between the Department of Health and the 1392
Arthur G. James Cancer Hospital and Richard J. Solove Research 1393
Institute of The Ohio State University. 1394

CHILD AND FAMILY HEALTH SERVICES 1395

Of the foregoing appropriation item 440-416, Child and Family 1396
Health Services, \$1,700,000 in each fiscal year shall be used for 1397
family planning services. None of the funds received through these 1398
family planning grants shall be used to provide abortion services. 1399
None of the funds received through these family planning grants 1400
shall be used for counseling for or referrals for abortion, except 1401
in the case of a medical emergency. These funds shall be 1402
distributed on the basis of the relative need in the community 1403
served by the Director of Health to family planning programs, 1404
which shall include family planning programs funded under Title V 1405
of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 1406
301, as amended, and Title X of the "Public Health Services Act," 1407
58 Stat. 682 (1946), 42 U.S.C.A. 201, as amended, as well as to 1408
other family planning programs that the Department of Health also 1409
determines will provide services that are physically and 1410
financially separate from abortion-providing and 1411
abortion-promoting activities, and that do not include counseling 1412
for or referrals for abortion, other than in the case of medical 1413
emergency, with state moneys, but that otherwise substantially 1414
comply with the quality standards for such programs under Title V 1415
and Title X. 1416

The Director of Health, by rule, shall provide reasonable 1417
methods by which a grantee wishing to be eligible for federal 1418
funding may comply with these requirements for state funding 1419

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

Of the foregoing appropriation item 440-416, Child and Family 1425
Health Services, \$150,000 in each fiscal year shall be used to 1426
provide malpractice insurance for physicians and other health 1427
professionals providing prenatal services in programs funded by 1428
the Department of Health. 1429

Of the foregoing appropriation item 440-416, Child and Family 1430
Health Services, \$279,000 shall be used in each fiscal year for 1431
the OPTIONS dental care access program. 1432

Of the foregoing appropriation item 440-416, Child and Family 1433
Health Services, \$600,000 in each fiscal year shall be used by 1434
local child and family health services clinics to provide services 1435
to uninsured low-income persons. 1436

Of the foregoing appropriation item 440-416, Child and Family 1437
Health Services, \$900,000 in each fiscal year shall be used by 1438
federally qualified health centers and federally designated 1439
look-alikes to provide services to uninsured low-income persons. 1440

Of the foregoing appropriation item 440-416, Child and Family 1441
Health Services, \$50,000 in each fiscal year shall be used for the 1442
Tree of Knowledge Learning Center in Cleveland Heights. 1443

Of the foregoing appropriation item 440-416, Child and Family 1444
Health Services, \$25,000 in fiscal year 2002 shall be provided to 1445
the Suicide Prevention Program of Clermont County. 1446

Of the foregoing appropriation item 440-416, Child and Family 1447
Health Services, \$50,000 in fiscal year 2002 shall be provided to 1448
the Discover Health Project. 1449

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. 1450
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1452

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. 1453
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IMMUNIZATIONS 1456

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. 1457
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1459
1460

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. 1461
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SEXUAL ASSAULT PREVENTION AND INTERVENTION 1465

The foregoing appropriation item 440-419, Sexual Assault Prevention and Intervention, shall be used for the following purposes: 1466
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(A) Funding of new services in counties with no services for sexual assault; 1469
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(B) Expansion of services provided in currently funded projects so that comprehensive crisis intervention and prevention services are offered; 1471
1472
1473

(C) Start-up funding for Sexual Assault Nurse Examiner (SANE) projects; 1474
1475

(D) Statewide expansion of local outreach and public awareness efforts. 1476
1477

HIV/AIDS PREVENTION/TREATMENT 1478

Of the foregoing appropriation item 440-444, AIDS Prevention 1479
and Treatment, \$6.7 million in fiscal year 2002 and \$7.1 million 1480
in fiscal year 2003 shall be used to assist persons with HIV/AIDS 1481
in acquiring HIV-related medications. 1482

The HIV Drug Assistance Program is pursuant to section 1483
3701.241 of the Revised Code and Title XXVI of the "Public Health 1484
Services Act," 104 Stat. 576 (1990), 42 U.S.C.A. 2601, as amended. 1485
The Department of Health may adopt rules pursuant to Chapter 119. 1486
of the Revised Code as necessary for the administration of the 1487
program. 1488

INFECTIOUS DISEASE PREVENTION 1489

Notwithstanding section 339.77 of the Revised Code, \$60,000 1490
of the foregoing appropriation item 440-446, Infectious Disease 1491
Prevention, shall be used by the Director of Health to reimburse 1492
Boards of County Commissioners for the cost of detaining indigent 1493
persons with tuberculosis. Any portion of the \$60,000 allocated 1494
for detainment not used for that purpose shall be used to make 1495
payments to counties pursuant to section 339.77 of the Revised 1496
Code. 1497

Of the foregoing appropriation item 440-446, Infectious 1498
Disease Prevention, \$200,000 in each fiscal year shall be used for 1499
the purchase of drugs for sexually transmitted diseases. 1500

HELP ME GROW 1501

The foregoing appropriation item 440-459, Help Me Grow, shall 1502
be used by the Department of Health to distribute subsidies to 1503
counties to implement section 3701.61 of the Revised Code. 1504
Appropriation item 440-459 may be used in conjunction with 1505
Temporary Assistance for Needy Families from the Department of Job 1506
and Family Services, Even Start from the Department of Education, 1507
and in conjunction with other early childhood funds and services 1508
to promote the optimal development of young children. Local 1509

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

POISON CONTROL NETWORK

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

TANF FAMILY PLANNING

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

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

MATERNAL CHILD HEALTH BLOCK GRANT

Of the foregoing appropriation item 440-601, Maternal Child

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

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

TITLE XX TRANSFER

Of the foregoing appropriation item 440-611, Title XX
 Transfer (Fund 3W5), \$500,000 shall be used for the purposes of
 abstinence-only education. The Director of Health shall develop
 guidelines for the establishment of abstinence programs for
 teenagers with the purpose of decreasing unplanned pregnancies and
 abortion. The guidelines shall be developed pursuant to Title V of
 the "Social Security Act," 42 U.S.C. 510, and shall include, but
 are not to be limited to, advertising campaigns and direct
 training in schools and other locations.

GENETICS SERVICES

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

SICKLE CELL FUND

The foregoing appropriation item 440-610, Sickle Cell Disease

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Control (Fund 4F9), shall be used by the Department of Health to 1572
 administer programs authorized by section 3701.131 of the Revised 1573
 Code. The source of the funds is as specified in section 3701.23 1574
 of the Revised Code. 1575

SAFETY AND QUALITY OF CARE STANDARDS 1576

The Department of Health may use Fund 471, Certificate of 1577
 Need, for administering sections 3702.11 to 3702.20 and 3702.30 of 1578
 the Revised Code in each fiscal year. 1579

MEDICALLY HANDICAPPED CHILDREN AUDIT 1580

The Medically Handicapped Children Audit Fund (Fund 477) 1581
 shall receive revenue from audits of hospitals and recoveries from 1582
 third-party payors. Moneys may be expended for payment of audit 1583
 settlements and for costs directly related to obtaining recoveries 1584
 from third-party payors and for encouraging Medically Handicapped 1585
 Children's Program recipients to apply for third-party benefits. 1586
 Moneys also may be expended for payments for diagnostic and 1587
 treatment services on behalf of medically handicapped children, as 1588
 defined in division (A) of section 3701.022 of the Revised Code, 1589
 and Ohio residents who are twenty-one or more years of age and who 1590
 are suffering from cystic fibrosis. Moneys may also be expended 1591
 for administrative expenses incurred in operating the Medically 1592
 Handicapped Children's Program. 1593

CASH TRANSFER FROM LIQUOR CONTROL FUND TO ALCOHOL TESTING AND 1594
 PERMIT FUND 1595

The Director of Budget and Management, pursuant to a plan 1596
 submitted by the Department of Health, or as otherwise determined 1597
 by the Director of Budget and Management, shall set a schedule to 1598
 transfer cash from the Liquor Control Fund (Fund 043) to the 1599
 Alcohol Testing and Permit Fund (Fund 5C0) to meet the operating 1600
 needs of the Alcohol Testing and Permit program. 1601

The Director of Budget and Management shall transfer to the 1602

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Alcohol Testing and Permit Fund (Fund 5C0) from the Liquor Control	1603
Fund (Fund 043) established in section 4301.12 of the Revised Code	1604
such amounts at such times as determined by the transfer schedule.	1605
 MEDICALLY HANDICAPPED CHILDREN - COUNTY ASSESSMENTS	1606
 The foregoing appropriation item 440-607, Medically	1607
Handicapped Children - County Assessments (Fund 666), shall be	1608
used to make payments pursuant to division (E) of section 3701.023	1609
of the Revised Code.	1610
 Sec. 63.09. TANF	1611
 TANF COUNTY INCENTIVES	1612
 Of the foregoing appropriation item 600-689, TANF Block	1613
Grant, the Department of Job and Family Services may provide	1614
financial incentives to those county departments of job and family	1615
services that have exceeded performance standards adopted by the	1616
state department, and where the board of county commissioners has	1617
entered into a written agreement with the state department under	1618
section 5101.21 of the Revised Code governing the administration	1619
of the county department. Any financial incentive funds provided	1620
pursuant to this division shall be used by the county department	1621
for additional or enhanced services for families eligible for	1622
assistance under Chapter 5107. or benefits and services under	1623
Chapter 5108. of the Revised Code or, on request by the county and	1624
approval by the Department of Job and Family Services, be	1625
transferred to the Child Care and Development Fund or the Social	1626
Services Block Grant. The county departments of job and family	1627
services may retain and expend such funds without regard to the	1628
state or county fiscal year in which the financial incentives were	1629
earned or paid. Each county department of job and family services	1630
shall file an annual report with the Department of Job and Family	1631
Services providing detailed information on the expenditure of	1632
these financial incentives and an evaluation of the effectiveness	1633

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of the county department's use of these funds in achieving 1634
self-sufficiency for families eligible for assistance under 1635
Chapter 5107. or benefits and services under Chapter 5108. of the 1636
Revised Code. 1637

TANF YOUTH DIVERSION PROGRAMS 1638

Of the foregoing appropriation item 600-689, TANF Block 1639
Grant, \$19,500,000 in each fiscal year shall be allocated by the 1640
Department of Job and Family Services to the counties according to 1641
the allocation formula established in division (D) of section 1642
5101.14 of the Revised Code. Of the funds allocated to each 1643
county, up to half may be used for contract services for unruly 1644
and misdemeanor diversionary programs. 1645

The remaining funds not allocated for use in juvenile 1646
diversion activities may be used by the county for other contract 1647
child welfare services. In counties with separate departments of 1648
job and family services and public children services agencies, the 1649
county department of job and family services shall serve as a pass 1650
through to the public children services agencies for these funds. 1651
Separate public children services agencies receiving such funds 1652
shall comply with all TANF requirements, including reporting 1653
requirements and timelines, as specified in state and federal 1654
laws, federal regulations, state rules, and the Title IV-A state 1655
plan, and are responsible for payment of any adverse audit 1656
finding, final disallowance of federal financial participation, or 1657
other sanction or penalty issued by the federal government or 1658
other entity concerning these funds. 1659

Of the foregoing \$19,500,000 set aside, any funds remaining 1660
unspent on June 30, 2002, shall be carried forward and added to 1661
the earmark for fiscal year 2003, and allocated to the counties 1662
according to the allocation formula established in division (D) of 1663
section 5101.14 of the Revised Code. 1664

KINSHIP NAVIGATORS 1665

Of the foregoing appropriation item 600-689, TANF Block 1666
Grant, up to \$3 million in each fiscal year shall be allocated by 1667
the Department of Job and Family Services to county departments of 1668
job and family services for the purpose of making allocations to 1669
local public children services agencies to provide services in the 1670
Kinship Navigation program. The allocation to county departments 1671
of job and family services shall be based on the number of Ohio 1672
works first cases in the county, and the number of children 1673
seventeen years of age or younger in the county. The Department of 1674
Job and Family Services shall develop an appropriate method of 1675
reallocating these funds in each fiscal year among the county 1676
~~deparments~~ departments of job and family services, if they would 1677
otherwise be unspent. 1678

TANF FAITH-BASED AND NON-PROFIT CAPACITY-BUILDING PROGRAMS 1679

From the foregoing appropriation item 600-689, TANF Block 1680
Grant, up to \$1,000,000 in each fiscal year shall be used to 1681
support capacity-building efforts among faith-based and non-profit 1682
organizations, for the purpose of providing allowable services to 1683
TANF-eligible individuals. Organizations receiving these funds 1684
shall comply with all TANF requirements, and shall agree with the 1685
Department of Job and Family Services on reporting requirements to 1686
be incorporated into the grant agreement. 1687

TANF EDUCATION 1688

~~the Director of Budget and Management shall transfer 1689
\$35,000,000 in appropriation authority from appropriation item 1690
600-689, TANF Block Grant (Fund 3V6), to Fund 3W6, TANF Education, 1691
in the Department of Education, which is created in the State 1692
Treasury. The transferred funds shall be used for the purpose of 1693
providing allowable services to TANF-eligible individuals. 1694~~

~~the Director of Budget and Management shall transfer 1695~~

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~~\$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.~~

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

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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

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2003, up to \$98,843,825 from Fund 3V6, TANF Block Grant. The 1728
Department of Job and Family Services shall reimburse the General 1729
Revenue Fund through intrastate transfer vouchers for allowable 1730
Title IV-A student intervention services expenditures in fiscal 1731
year 2003 up to \$35,000,000 from Fund 3V6, TANF Block Grant. 1732

COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES TITLE IV-A 1733
ADULT LITERACY AND CHILD READING PROGRAMS 1734

There is hereby established the Title IV-A Adult Literacy and 1735
Child Reading Program to be administered by the county departments 1736
of job and family services in accordance with division (B)(1) of 1737
section 5101.801 of the Revised Code. The program shall provide 1738
benefits and services to TANF-eligible individuals with incomes at 1739
or below 200 per cent of the federal poverty guidelines under a 1740
Title IV-A program pursuant to the requirements of section 1741
5101.801 of the Revised Code. The county departments of job and 1742
family services shall ensure program requirements for eligibility, 1743
services, fiscal accountability, and other criteria necessary to 1744
comply with the provisions of Title IV-A of the "Social Security 1745
Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended, and ensure 1746
that benefits and services are allowable uses of federal Title 1747
IV-A funds as specified in 42 U.S.C.A. 604(a), except that they 1748
may not be "assistance" as defined in 45 C.F.R. 260.31(a). The 1749
benefits and services shall be benefits and services that 45 1750
C.F.R. 260.31(b) excludes from the definition of "assistance." 1751
From the foregoing appropriation item 600-689, TANF Block Grant, 1752
up to \$5,000,000 in each fiscal year shall be used to support 1753
local adult literacy and child reading programs. 1754

TALBERT HOUSE 1755

In each fiscal year, the Director of Job and Family Services 1756
shall provide \$100,500 from appropriation item 600-689, TANF Block 1757
Grant, to the ~~Hamilton~~ Hamilton County Department of Job and 1758
Family Services to contract with the Talbert House for the purpose 1759

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of providing allowable services to TANF-eligible individuals with 1760
 incomes at or below 200 per cent of the federal poverty 1761
 guidelines. The contract between the Hamilton County Department of 1762
 Job and Family Services and the Talbert House shall establish 1763
 conditions for the reimbursement of allowable Title IV-A 1764
 expenditures for services that are allowable uses of federal Title 1765
 IV-A funds as specified in 42 U.S.C.A. 604(a), except that they 1766
 may not be "assistance" as defined in 45 C.F.R. 260.31(a). The 1767
 benefits and services shall be benefits and services that 45 1768
 C.F.R. 260.31(b) excludes from the definition of "assistance." The 1769
 contract shall also require Talbert House to comply with 1770
 requirements of Title IV-A of the "Social Security Act," 110 Stat. 1771
 2113 (1996), 42 U.S.C. 601, as amended, including eligibility of 1772
 individuals, reporting requirements, allowable benefits and 1773
 services, use of funds, and audit requirements, as specified in 1774
 state and federal laws, federal regulations, state rules, federal 1775
 Office of Management and Budget circulars, and the Title IV-A 1776
 state plan. 1777

MONTGOMERY COUNTY OUT-OF-SCHOOL YOUTH PROJECT 1778

In each fiscal year, the Director of Job and Family Services 1779
 shall provide \$1,000,000 from appropriation item 600-689, TANF 1780
 Block Grant, to the Montgomery County Department of Job and Family 1781
 Services to be used to support the Out-of-School Youth Project in 1782
 Montgomery County for the purpose of providing allowable services 1783
 to TANF-eligible individuals. The Montgomery County Department of 1784
 Job and Family Services and the Sinclair Community College shall 1785
 comply with all TANF requirements, including reporting 1786
 requirements and timelines, as specified in state and federal 1787
 laws, federal regulations, state rules, and the Title IV-A state 1788
 plan. 1789

APPALACHIAN WORKFORCE DEVELOPMENT AND JOB TRAINING 1790

From the foregoing appropriation item 600-689, TANF Block 1791

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Grant, the Director of Job and Family Services shall provide up to 1792
\$15,000,000 to be awarded to the county departments of job and 1793
family services in the twenty-nine Appalachian counties, 1794
contingent upon passage of H.B. 6 of the 124th General Assembly. 1795
These funds shall be used by the county departments of job and 1796
family services in coordination with the Governor's Office of 1797
Appalachia, the Governor's Regional Economic Office, and local 1798
development districts. These funds shall be used for the following 1799
activities: workforce development and supportive services; 1800
economic development; technology expansion, technical assistance, 1801
and training; youth job training; organizational development for 1802
workforce development partners; and improving existing technology 1803
centers, workforce development, job creation and retention, 1804
purchasing technology, and technology and technology 1805
infrastructure upgrades. 1806

As a condition on the use of these funds, each county 1807
department of job and family services shall submit a plan for the 1808
intended use of these funds to the Department of Job and Family 1809
Services. The plan shall also be reviewed by the Governor's Office 1810
of Appalachia, the Governor's Regional Economic Office, and local 1811
development districts. Also as a condition on the use of these 1812
funds, each county and contract agency shall acknowledge that 1813
these funds are a one-time allocation, not intended to fund 1814
services beyond September 30, 2002. 1815

In fiscal year 2002, the TANF allocation to each of the 1816
Appalachian counties shall not be less than the TANF allocation 1817
amount for fiscal year 2001, as allocated according to the 1818
methodology set forth in paragraph (I) of rule 5101-6-03 of the 1819
Administrative Code. 1820

The use of these funds shall comply with all TANF 1821
requirements, including reporting requirements and timelines, as 1822
specified in state and federal laws, federal regulations, state 1823

rules, and the Title IV-A state plan.	1824	
CENTER FOR FAMILY AND CHILDREN	1825	
Of the foregoing appropriation item 600-689, TANF Block Grant	1826	
<u>Grant</u> , \$150,000 in fiscal year 2002 shall be provided to the	1827	
Center for Family and Children.	1828	
TANF FAMILY PLANNING	1829	
The Director of Budget and Management shall transfer by	1830	
intrastate voucher, no later than the fifteenth day of July of	1831	
each fiscal year, cash from the General Revenue Fund,	1832	
appropriation item 600-410, TANF State, to General Services Fund	1833	
5C1 in the Department of Health, in an amount of \$250,000 in each	1834	
fiscal year for the purpose of family planning services for	1835	
children or their families whose income is at or below 200 per	1836	
cent of the official poverty guideline.	1837	
TANF FEDERAL BLOCK GRANT FUNDS AND TRANSFERS	1838	
From the foregoing appropriation items 600-410, TANF State;	1839	
600-658, Child Support Collections; or 600-689, TANF Block Grant,	1840	
or a combination of these appropriation items, no less than	1841	
\$369,040,735 in each fiscal year shall be allocated to county	1842	
departments of job and family services as follows:	1843	
County Allocations	\$276,586,957	1844
WIA Supplement	\$35,109,178	1845
Early Start - Statewide	\$38,034,600	1846
Transportation	\$5,000,000	1847
County Training	\$3,050,000	1848
Adult Literacy and Child		1849
Reading Programs	\$5,000,000	1850
Disaster Relief	\$5,000,000	1851
School Readiness Centers	\$1,260,000	1852
Upon the request of the Department of Job and Family	1853	
Services, the Director of Budget and Management may seek	1854	

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Controlling Board approval to increase appropriations in 1855
appropriation item 600-689, TANF Block Grant, provided sufficient 1856
Federal TANF Block Grant funds exist to do so, without any 1857
corresponding decrease in other appropriation items. The 1858
Department of Job and Family Services shall provide the Office of 1859
Budget and Management and the Controlling Board with documentation 1860
to support the need for the increased appropriation. 1861

All transfers of moneys from or charges against TANF Federal 1862
Block Grant awards for use in the Social Services Block Grant or 1863
the Child Care and Development Block Grant from either unobligated 1864
prior year appropriation authority in appropriation item 400-411, 1865
TANF Federal Block Grant, or 600-411, TANF Federal Block Grant, or 1866
from fiscal year 2002 and fiscal year 2003 appropriation authority 1867
in item 600-689, TANF Block Grant, shall be done ten days after 1868
the Department of Job and Family Services gives written notice to 1869
the Office of Budget and Management. The Department of Job and 1870
Family Services shall first provide the Office of Budget and 1871
Management with documentation to support the need for such 1872
transfers or charges for use in the Social Services Block Grant or 1873
in the Child Care and Development Block Grant. 1874

The Department of Job and Family Services shall in each 1875
fiscal year of the biennium transfer the maximum amount of funds 1876
from the federal TANF Block Grant to the federal Social Services 1877
Block Grant as permitted under federal law. Not later than July 1878
15, 2001, the Department of Job and Family Services shall draw 1879
\$60,000,000 in receipts from TANF funds that were transferred into 1880
the Social Services Block Grant into State Special Revenue Fund 1881
5Q8, in the Office of Budget and Management. Not later than June 1882
1, 2002, the Director of Budget and Management shall determine the 1883
amount of funds in State Special Revenue Fund 5Q8 that is needed 1884
for the purpose of balancing the General Revenue Fund, and may 1885
transfer that amount to the General Revenue Fund. Not later than 1886

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

Before the thirtieth day of September of each fiscal year,
the Department of Job and Family Services shall file claims with
the United States Department of Health and Human Services for
reimbursement for all allowable expenditures for services provided
by the Department of Job and Family Services, or other agencies
that may qualify for Social Services Block Grant funding pursuant
to Title XX of the Social Security Act. The Department of Job and
Family Services shall deposit, into Fund 5E6, State Option Food
Stamps, \$6 million, into Fund 5P4, TANF Child Welfare, \$7.5
million, into Fund 3W5, Health Care Services, \$500,000, into Fund
3W8, Hippy Program, \$62,500, and into Fund 3W9, Adoption
Connection, \$50,000 and deposit in fiscal year 2002, into Fund
3W2, Title XX Vocational Rehabilitation, \$600,000, into Fund 162
in the Department of Natural Resources, \$7,885,349, and into Fund
3W3, Adult Special Needs, \$4,720,227 in receipts from TANF Block
Grant funds credited to the Social Services Block Grant. On
verification of the receipt of the above revenue, the funds
provided by these transfers shall be used as follows:

Fund 5E6		1913
Second Harvest Food Bank	\$4,500,000	1914
Child Nutrition Services	\$900,000	1915
Ohio Alliance of Boys and Girls Clubs	\$600,000	1916
Fund 5P4		1917
Support and Expansion for PCSA Activities	\$5,500,000	1918

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Pilot Projects for Violent and Aggressive Youth	\$2,000,000	1919
Fund 3W2		1920
Title XX Vocational Rehabilitation in fiscal year 2002	\$600,000	1921
Fund 3W3		1922
Adult Protective Services in fiscal year 2002	\$120,227	1923
Non-TANF Adult Assistance in fiscal year 2002	\$1,000,000	1924
Community-Based Correctional Facilities in fiscal year 2002	\$3,600,000	1925
Fund 162		1926
CCC Operations in fiscal year 2002	\$7,885,349	1927
Fund 3W5		1928
Abstinence-only Education	\$500,000	1929
Fund 3W8		1930
Hippy Program	\$62,500	1931
Fund 3W9		1932
Adoption Connection	\$50,000	1933
WELLNESS		1934
The foregoing appropriation item 600-690, Wellness, shall be used by county departments of job and family services for teen pregnancy prevention programming. Local contracts shall be developed between county departments of job and family services and local family and children first councils for the administration of TANF funding for this program.		1935 1936 1937 1938 1939 1940
Sec. 63.15. SINGLE ALLOCATION FOR COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES		1941 1942
Using the foregoing appropriation items 600-504, Non-TANF County Administration; 600-610, Food Stamps and State Administration; 600-410, TANF State; 600-689, TANF Block Grant; 600-620, Social Services Block Grant; 600-552, County Social Services; 600-413, Day Care Match/Maintenance of Effort; 600-617,		1943 1944 1945 1946 1947

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Day Care Federal; 600-534, Adult Protective Services; and 600-614, 1948
 Refugees Services, the Department of Job and Family Services may 1949
 establish a single allocation for county departments of job and 1950
 family services that are subject to a partnership agreement 1951
 between a board of county commissioners and the department under 1952
 section 5101.21 of the Revised Code. The county department is not 1953
 required to use all the money from one or more of the 1954
 appropriation items listed in this paragraph for the purpose for 1955
 which the specific appropriation item is made so long as the 1956
 county department uses the money for a purpose for which at least 1957
 one of the other of those appropriation items is made. The county 1958
 department may not use the money in the allocation for a purpose 1959
 other than a purpose any of those appropriation items are made. If 1960
 the spending estimates used in establishing the single allocation 1961
 are not realized and the county department uses money in one or 1962
 more of those appropriation items in a manner for which federal 1963
 financial participation is not available, the department shall use 1964
 state funds available in one or more of those appropriation items 1965
 to ensure that the county department receives the full amount of 1966
 its allocation. The single allocation is the maximum amount the 1967
 county department shall receive from those appropriation items. 1968

ADULT PROTECTIVE SERVICES 1969

The foregoing appropriation item 600-695, Adult Protective 1970
 Services, shall be used to provide adult protective services in 1971
 accordance with section 5101.62 of the Revised Code. 1972

NON-TANF ADULT ASSISTANCE 1973

The foregoing appropriation item 600-696, Non-TANF Adult 1974
 Assistance, shall be used to provide funding for the Adult 1975
 Emergency Assistance Program in accordance with section 5101.86 of 1976
 the Revised Code. 1977

HIPPY PROGRAM 1978

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The Department of Job and Family Services may use up to 1979
 \$62,500 of appropriation item 600-638, Hippy Program (Fund 3W8), 1980
 to support expenditures to the Hippy Program in Hamilton County. 1981
 The Department of Job and Family Services and the Hippy Program 1982
 shall agree on reporting requirements to be incorporated into the 1983
 grant agreement. 1984

ADOPTION CONNECTION 1985

The Department of Job and Family Services may use up to 1986
~~\$62,500~~ \$50,000 of appropriation item 600-640, Adoption Connection 1987
 (Fund 3W9), to support expenditures to the Adoption Connection 1988
 Program in Hamilton County. The Department of Job and Family 1989
 Services and the Adoption Connection Program shall agree on 1990
 reporting requirements to be incorporated into the grant 1991
 agreement. 1992

Sec. 63.36. (A) Notwithstanding division (Q)(1) of section 1993
 5111.20 of the Revised Code, when calculating indirect care costs 1994
 for the purpose of establishing rates under section 5111.24 or 1995
 5111.241 of the Revised Code for fiscal year 2002, "per diem," as 1996
 used in sections 5111.20 to 5111.32 of the Revised Code, means a 1997
 nursing facility's or intermediate care facility for the mentally 1998
 retarded's actual, allowable indirect care costs in the cost 1999
 reporting period divided by the greater of the facility's 2000
 inpatient days for that period or the number of inpatient days the 2001
 facility would have had during that period if its occupancy rate 2002
 had been eighty-two per cent. 2003

(B) ~~Notwithstanding division (Q)(1) of section 5111.20 of the~~ 2004
~~Revised Code, when calculating indirect care costs for the purpose~~ 2005
~~of establishing rates under section 5111.24 or 5111.241 of the~~ 2006
~~Revised Code for fiscal year 2003, "per diem," as used in sections~~ 2007
~~5111.20 to 5111.32 of the Revised Code, means a nursing facility's~~ 2008
~~or intermediate care facility for the mentally retarded's actual,~~ 2009

~~allowable indirect care costs in the cost reporting period divided 2010
by the greater of the facility's inpatient days for that period or 2011
the number of inpatient days the facility would have had during 2012
that period if its occupancy rate had been eighty-seven per cent. 2013~~

~~(E) Notwithstanding division (Q)(2) of section 5111.20 of the 2014
Revised Code, when calculating capital costs for the purpose of 2015
establishing rates under section 5111.25 or 5111.251 of the 2016
Revised Code for fiscal year 2002, "per diem," as used in sections 2017
5111.20 to 5111.32 of the Revised Code, means a nursing facility's 2018
or intermediate care facility for the mentally retarded's actual, 2019
allowable capital costs in the cost reporting period divided by 2020
the greater of the facility's inpatient days for that period or 2021
the number of inpatient days the facility would have had during 2022
that period if its occupancy rate had been eighty-eight per cent. 2023~~

~~(E)(C) As soon as practicable, the Department of Job and 2024
Family Services shall follow this section for the purpose of 2025
calculating nursing facilities' and intermediate care facilities 2026
for the mentally retarded's Medicaid reimbursement rates for 2027
indirect care and capital costs for fiscal years 2002 and 2003. If 2028
the Department is unable to calculate the rates before it makes 2029
payments for services provided during fiscal year 2002 or 2003, 2030
the Department shall pay a nursing facility or intermediate care 2031
facility for the mentally retarded the difference between the 2032
amount it pays the facility and the amount that would have been 2033
paid had the Department made the calculation in time. 2034~~

Sec. 63.37. NURSING FACILITY STABILIZATION FUND 2035

(A) As used in this section: 2036

(1) "Inpatient days" and "nursing facility" have the same 2037
meanings as in section 5111.20 of the Revised Code. 2038

(2) "Medicaid day" means all days during which a resident who 2039
is a Medicaid recipient occupies a bed in a nursing facility that 2040

is included in the facility's certified capacity under Title XIX 2041
of the "Social Security Act," 79 Stat. 286 (1965), 42 U.S.C.A. 2042
1396, as amended. Therapeutic or hospital leave days for which 2043
payment is made under section 5111.33 of the Revised Code are 2044
considered Medicaid days proportionate to the percentage of the 2045
nursing facility's per resident per day rate paid for those days. 2046

(B) The Department of Job and Family Services shall use money 2047
in the Nursing Facility Stabilization Fund created under section 2048
3721.56 of the Revised Code to do all of the following: 2049

(1) Make payments to nursing facilities under sections 2050
5111.20 to 5111.32 of the Revised Code; 2051

(2) Beginning with payments made to nursing facilities in 2052
August 2001, make payments to each nursing facility for each 2053
Medicaid day in fiscal years 2002 and 2003 in an amount equal to 2054
sixty-nine and seven-tenths per cent of the franchise permit fee 2055
the nursing facility pays under section 3721.53 of the Revised 2056
Code for the fiscal year the department makes the payment divided 2057
by the nursing facility's inpatient days for the calendar year 2058
preceding the calendar year in which that fiscal year begins; 2059

(3) Beginning with payments made to nursing facilities in 2060
August 2001, make payments to each nursing facility for fiscal 2061
years 2002 and 2003 in an amount equal to one dollar and fifty 2062
cents per Medicaid day for the purpose of enhancing quality of 2063
care. 2064

(C) Any money remaining in the Nursing Facility Stabilization 2065
Fund after payments specified in division (B) of this section are 2066
made for fiscal years 2002 and 2003 shall be retained in the fund. 2067
Any interest or other investment proceeds earned on money in the 2068
fund shall be credited to the fund and used to make payments in 2069
accordance with division (B) of this section. 2070

(D) Notwithstanding division (N) of section 5111.20 of the 2071

Revised Code, the Department of Job and Family Services, in making 2072
Medicaid payments to a nursing facility under sections 5111.20 to 2073
5111.32 of the Revised Code, shall exclude from a nursing 2074
facility's other protected costs the cost of sixty-nine and 2075
seven-tenths per cent of the franchise permit fee that the nursing 2076
facility pays under section 3721.53 of the Revised Code for fiscal 2077
years 2002 and 2003 if the nursing facility receives payments 2078
under division (B)(2) of this section for sixty-nine and 2079
seven-tenths per cent of those franchise permit fees. 2080

Section 4. That existing Sections 13.04, 28.02, 41, 41.10, 2081
44.02, 44.12, 56, 56.01, 63.09, 63.15, 63.36, and 63.37 of Am. 2082
Sub. H.B. 94 of the 124th General Assembly are hereby repealed. 2083

Section 5. Section 175.21 of the Revised Code, as amended by 2084
this act, shall take effect September 5, 2001. 2085

Section 6. Taxes imposed pursuant to Chapter 5748. of the 2086
Revised Code that otherwise meet the requirements established 2087
under division (A)(2) of Section 201 of Am. Sub. H.B. 94 of the 2088
124th General Assembly shall be eligible for treatment as 2089
"qualifying delinquent taxes" under Section 201 of that act. For 2090
such purpose, "taxpayer", as used in that section, shall include 2091
any individual or other person subject to the tax imposed under 2092
Chapter 5748. of the Revised Code. Notwithstanding division (D) of 2093
Section 201 of Am. Sub. H.B. 94 of the 124th General Assembly, 2094
qualifying delinquent taxes and interest thereon collected 2095
pursuant to this section shall be credited and distributed as 2096
required under divisions (C) and (D) of section 5747.03 of the 2097
Revised Code. 2098

Section 7. This act is hereby declared to be an emergency 2099
measure necessary for the immediate preservation of the public 2100

As Reported by the Senate Finance and Financial Institutions Committee

peace, health, and safety. The necessity occurs because errors in 2101
Am. Sub. H.B. 94 of the 124th General Assembly, the recently 2102
enacted biennial operating budget measure, need to be cured at the 2103
earliest possible time in order to prevent or remedy legislatively 2104
unintended results. Therefore, this act shall go into immediate 2105
effect. 2106